



ANNUAL REPORT 2017

Ministry of Justice and Community Services

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ABBREVIATIONS

This section provides a list of abbreviations used in the report.

CLMO	Customary Land Management Office
CSU	Corporate Services Unit of the MJCS
DBKS	Department Blong Koreksonal Sevisis
DCS	Department of Correctional Services
DFAT	Department of Foreign Affairs and Trade
DWA	Department of Women's Affairs
MJCS	Ministry of Justice and Community Services
Hub	Colloquial name given to the CSU
HRM	Human Resource Management
JCS	Justice and Community Services
JCSS	Justice and Community Services Sector
JCSSS	Justice and Community Services Sector Strategy
MCC	Malvatumauri Council of Chiefs
SRBJS	Stretem Rod Blong Jastis mo Sefti
TVET	Technical Vocational Education Training
UNICEF	United Nations International Children's Emergency Fund
UPR	Universal Periodic Report
VKS	Vanuatu Kaljoral Senta (translates in English to Vanuatu Cultural Centre)
USP	University of the South Pacific

FOREWORD

By the Minister



After over two years in my role as the Honourable Minister for Justice and Community Services, I have witnessed much change and advancement in our sector. The Justice and Community Services Sector comprises an intricate grouping of interdependent line departments, statutory and constitutionally independent agencies of the government, NGOs, civil society organisations and faith-based organisations working to deliver justice and community services.

It is my vision to see justice and necessary community services accessible to all people throughout Vanuatu. Yet achieving this vision goes beyond the tireless work of any single agency. It also required a clear strategy about how government will enhance access to services for our great nation. In recognition of this, the Justice and Community Services Sector begun the process of reviewing and developing its strategy for the next 3-4 years aligning to the Government's national plan, *The People's Plan 2016-2031*. This will provide a clear roadmap for sector agencies to progress and monitor initiatives that require cross sectoral collaboration and coordination.

I acknowledge the effective collaboration across the Sector Agencies, other Government Ministries and line Departments and the Civil Society Organisations in 2017 look forward to another great year of collaboration in delivering access to justice to all.



Honourable Vus Warocet Ronald Warsal

Minister for Justice and Community Services

By the Director General



Heads of Agencies, development partners, NGOs, men, women, and people with disabilities, children and friends:

I am delighted to share with you the achievements of the Ministry of Justice and Community Services (MJCS) and its sector agencies in 2017.

As a result of the enormous efforts of Ministry and Agency staff across the sector during 2017, the Ministry:

- secured an increased budget for Judiciary, the Office of the Public Prosecutor, Child Desk, the Disability Desk and the Cabinet
- Reviewed the Justice and Community Sector Strategy (JCSSS) 2014-2017 with its Sector Agencies in preparation for the development of a renewed JCSSS 2018-2021
- Launched the Justice and Policing Sector Infrastructure Plan and commenced implementation of TC Pam Recovery Projects
- Increased capacity development opportunities for sector agencies through collaborative efforts of Stretem Rod Blong Jastis mo Sefti (SRBJS) and MJCS, including through a strengthened Ministry Corporate Services Unit (Hub) which supported development of sectoral human resource and finance skills
- Held stakeholder consultation on the National Disability Inclusive Development Policy which will be launched shortly in 2018
- Led Vanuatu's presentation of its combined report to the UNCRC Committee in September 2017
- Oversaw the Government endorsement of Gender Responsive Budgeting (GRB) (COM Decision 94/2017) which five Ministries have integrated into their 2018 budget
- Led coordination (Department of Women's Affairs) and support (MJCS) to the Gender and Protection Cluster, including to make assessments and respond to emergencies during TC Donna and the Ambae evacuation.

Testament to a great team effort between a wide range of stakeholders and SRBJS throughout 2017, in early 2018 the Ministry facilitated the Head of State of the Republic of Vanuatu's appointment of Vanuatu's first Authorised Persons and Registered Councillors under the Family Protection Act Pilot Project. We are eagerly

awaiting the results of this pilot and the opportunities it may present to addressing sexual and gender-based violence throughout Vanuatu.

The Ministry's many accomplishments are made all the more impressive, given the challenges the sector faced in 2017. In this Annual Report, you will see these challenges identified for each agency alongside their completed and ongoing activities. I congratulate everyone for their persistence in the face of these challenges and look forward to working together to address ongoing challenges in 2018.

I would also like to take this opportunity to thank all the heads of agencies, development partners, NGOs, Technical Advisors and the staff of the ministry and staff across the justice agencies for their good working relationship, time and effort in 2017.

I look forward to another exciting, enjoyable and successful year in 2018.



Pacco SIRI

Acting Director General, Ministry of Justice and Community Services

ABOUT US

Our Vision

The Ministry's vision is set out in the Justice and Community Services Sector Strategy (JCSSS); *'Jastis, Sefti, Digniti mo gud Fasin blong Evriwan.'* (Just, Safe, Dignified, and Respectable Society for Everyone)

Our Mandate

The MJCS is responsible for or provides support to a number of agencies within the justice sector, largely comprising of Constitutional and Statutory bodies that each have their own mandates such as: the courts (Supreme, Magistrates, and Island Courts), the tribunals, the correctional centres, child rights, family protection, disability advocacy and services, empowerment of women, and public prosecution and defence services as well as legal advice to government. It also provides support to agencies that review laws, make new laws and implement relevant UN Conventions including those that relate to the matters described above as well as safeguarding human rights.

Table 1: MJCS Service Delivery Arms	
Main Delivery Arms	
Ministerial Portfolio	
Corporate Services Unit	
Department of Correctional Services	
Department of Women Affairs	
Child Desk	
Disability Desk	
Constitutional Bodies	
Judiciary and Judicial Service Commission	
Public Prosecutor's Office	
Public Solicitor's Office	
Malvatumauri Council of Chiefs	
Ombudsman's Office (reports to the Prime Minister's Office)	
Vanuatu National Cultural Council	
Statutory Bodies	
Vanuatu Law Commission	
Customary Land Management Office	
Office of the Land Ombudsman	
The Vanuatu Cultural Centre	
Other Bodies that the Ministry provides support	
State Prosecutions Department (reports to the Prime Minister's Office as well as MJCS)	
State Law Office (reports to the Prime Minister's Office)	
Vanuatu Police Force (reports to the Prime Minister's Office)	
UN Conventions Implemented by the Ministry	
United Nations Convention on the Rights of a Child (UNCRC)	
United Nations Convention on the Rights of Persons with Disability (UNCRPD)	
United Nations Convention on the Elimination of All Forms of Discrimination Against Women (UNCEDAW)	
United Nation's Convention Against Torture (UNCAT)	

International Covenant on Civil and Political Rights (ICCPR)
United Nation's Convention on the Rights of People with Disability
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (OP-CEDAW)
Optional Protocol on the Rights of the Child on the involvement of children in Armed Conflict (OP-CRC-AC)
Optional Protocol on Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

OUR SECTOR AGENCIES

The MJCS's ambit of responsibilities are broader than most in Government; reaching into national human rights obligations; legal representation; law reform, legal policy, land management; custom; culture; corrections, women's affairs, people with disabilities, children and more.

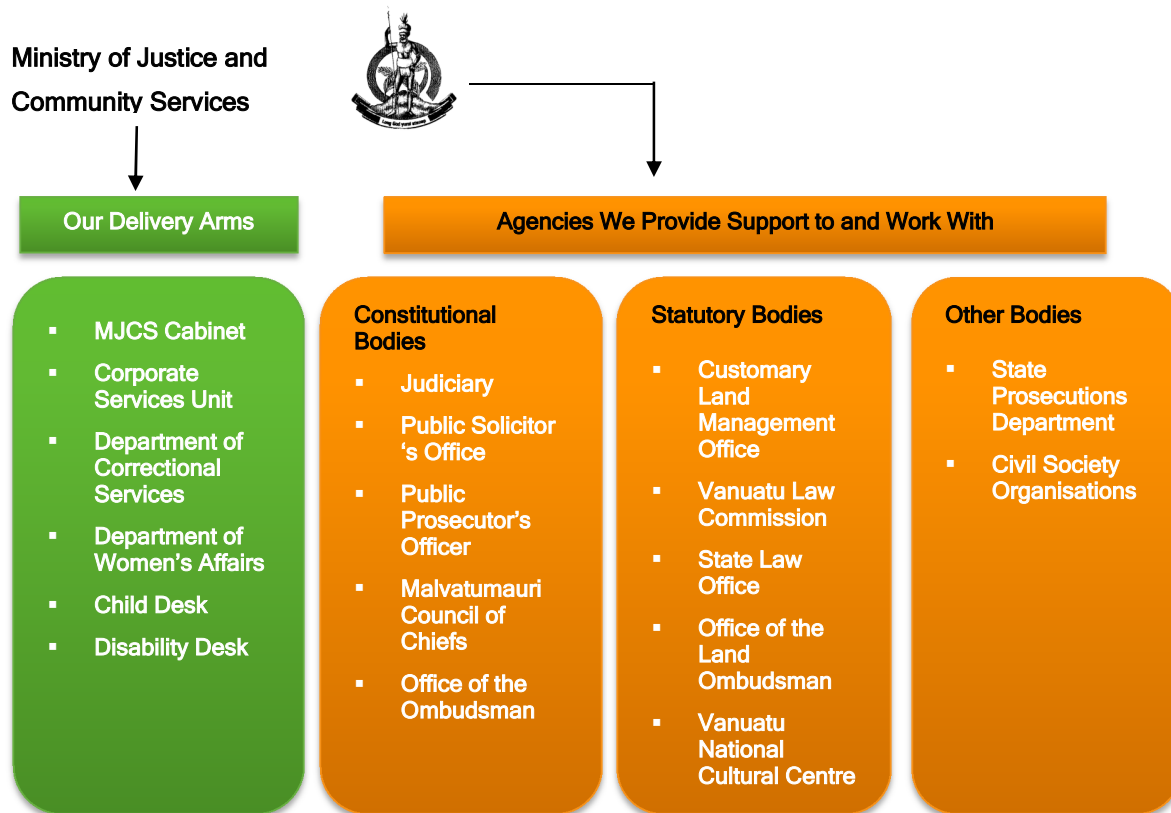
Our core function is to support all parts of the justice and community services in promoting justice and providing fair, accessible and equitable services. The MJCS seeks to enable collaboration and coordination with and amongst its partner agencies for the effective and efficient delivery of services.

Table 2: Justice and Community Services Sector Agencies Summary for 2017	
Service Delivery Arms	Responsibility
Ministry of Justice and Community Services	
Ministerial Portfolio	Provide policy direction on the priorities of the government of the day.
Corporate Services Unit (CSU) or "the Hub"	Supports the Office of the Director General, the MJCS political portfolio, coordinating development partner support, coordinating cross sector agency developments and providing key services to the Departments within the Ministry as well as Constitutional and Statutory Bodies.
Department of Women's Affairs	Seeks to advance the status of Ni-Vanuatu women and to enhance their lives through focused policy formulation, targeted action plans and working in strategic partnerships. The Department's mandate is underpinned by the Women in Development approach and by the Gender and Development approach.
Department of Correctional Services	DCS administers the provisions of the Correctional Services Act, the Penal Code (with regard to Probation Services). Provides administrative support and information to the Community Parole Board.
Child Desk	Strengthening national planning, integrating the international goals (United Nations Convention on the Rights of the Child), developing a system of protection of children and support community efforts to prevent child abuse.
Disability Desk	Disability Desk is responsible for the implementation of Disability related policies and Convention on the Rights of People with Disability and coordinating disability issues country wide.
Other Bodies (Constitutional, Statutory)	Responsibility
Malvatumauri National Council of Chiefs	Aims to preserve and promote culture and languages, support and encourage customary practice, uphold custom and tradition and ensure the effective operation of Malvatumauri through appropriate resources.
Vanuatu National Cultural Council	The VNCC is the newest inclusion to the Ministry's sector agency that has come in under the armpit of the MJCS, where previously was under the Ministry of Internal affairs. The VNCC is responsible for Preserving, Promoting and Protecting the rich Vanuatu cultural heritage for today's and the future generation and for showcasing to the world.
Public Prosecutor's Office	Prepares and conducts effectively, economically and efficiently on behalf of the Public Prosecutor on any prosecutions, other legal proceedings or matter in which the Public Prosecutor is involved.
Public Solicitor's Office	Provides certain legal services to the Citizens of Vanuatu, particularly to ensure that that everyone charged with an offence shall have a fair hearing, within a reasonable time, by an independent court and be afforded a lawyer if it is a serious offence. The Functions of the Public Solicitor is to provide legal assistance to needy persons.

State Law Office	Provides advice to Government on legal matters referred to it; represents the Government on matters referred to it and provides legislative drafting services to Government.
Ombudsman of the Republic of Vanuatu	Administers effective governance and responsible leadership in Government and protects the use of the official languages for the benefit of the people of Vanuatu.
Vanuatu Law Commission	Study and keep under review the laws of Vanuatu
Customary Land Management Office	Develops and implements culturally acceptable dispute resolution tools in Vanuatu with the Malvatumauri National Council of Chiefs to minimize and control land disputes.
Office of the Land Ombudsman	The primary functions of the Land Ombudsman is to act as 'Watch-dog' in dealing with complaints from complainants regarding issues pertaining to rural land leases that are being processed for approval by the Minister of Lands and Natural Resources.
State Prosecutions Department	Assists the Public Prosecutor's Office to prosecute criminal cases in the Magistrates' Court. State Prosecutors are Police officers appointed by the Public Prosecutor in order to carry out the function of the Public Prosecutor, according to section 8 of Public Prosecutors Act number 7 of 2013.
Judiciary	Responsibility
Supreme Court	<p>The Supreme Court has unlimited jurisdiction to hear and determine civil and criminal proceedings.</p> <p>Supreme Court has jurisdiction to hear civil and criminal appeals from a magistrate's court and to hear appeals from Island courts as to ownership of customary land. Its decision in such cases is final.</p>
Magistrate Court	<p>The Magistrates' Court has jurisdiction to hear cases where the amount claimed or the subject matter in dispute does not exceed vt1,000,000; disputes between landlord and tenant where the amount claimed does not exceed VT2,000,000; and cases involving uncontested petitions for divorce or nullity of marriage.</p> <p>In its criminal jurisdiction, the Magistrates' Court hears cases that concern any criminal proceedings for an offence for which the maximum penalty does not exceed 2 years imprisonment.</p>
Island Court	The Island Courts are specifically empowered to administer the customary law prevailing within their territorial jurisdiction.

Note: The Ombudsman's Office and State Law Office are under the direct oversight of the Office of the Prime Minister. The State Prosecution's Department is a Department of the VPF and is under the direct oversight of the PMO with close operational and budgetary links to the PPO, supported by the MJCS.

Figure1: Our Structure



OUR DEVELOPMENT PARTNERS

The MJCS recognises that the delivery of relevant, quality and timely service is at times dependent on the response and cooperation from our development partners and sector agencies.

Since its inception on the 6th of August, 2008, the MJCS has had ongoing support from development partners in progressing activities for access to justice and community services to the people of Vanuatu. The key development partners that continue to support our work has been the Government of Australia, the Government of New Zealand, the United Nations through its UN Agencies (UNICEF and UNWOMEN) as well as regional bodies such as the Regional Rights Resource Team (RRRT), a Human Rights Program through the South Pacific Community (SPC).

The Australian Government funded program, Stretem Rod Blong Jastis and Sefti Program has supported the MJCS and the Sector immensely through different forms. The Government of Vanuatu and the Government of Australia agreed to continue the collaborative support for the sector with a second phase of the Stretem Rod Blong Jastis and Sefti program, designed to support policing, justice and community services until the end of 2020.

Infrastructure for the Department of Corrections received major funding support from the Government of New Zealand under the Vanuatu Correctional Services Partnership (VCSP) program. This funding arrangement has been ongoing since 2005.

The United Nations (UN) through its two UN Agencies; UNICEF & UNWOMEN, has also contributed largely to the programs the Ministry was able to deliver in 2017 through the Child Desk and Gender & Protection Cluster activities coordinated by Department of Women's Affairs (DWA).

In addition, Development Partner support has been received and realised through Capacity Development opportunities such as scholarship support and short-term courses, Budgetary and Technical Advisory.

OUR PRIORITIES

Our priorities are to facilitate, coordinate, support and ensure the sector effectively and efficiently delivers services to the people of Vanuatu. We are mandated to create an enabling environment for the sector. In addition, the MJCS drives the progressive achievement of development goals as outlined in the seven strategic priorities that were carefully developed by the Justice and Community Services Sector in 2014 - 2017. The strategic priorities include: customary disputes resolution, juvenile justice, victim support, infrastructure needs, human rights, crime prevention and case progression.

The effective implementation of the sector's strategic priorities requires coordination and collaboration between the Ministry and relevant sector agencies, partners and stakeholders with sustained commitment for their achievement.

Key priorities that the MJCS focused on in 2017 under the strategic themes of the 2016 – 2018 Corporate Plan, MJCS included:

1. Good Governance:

- Continued to provide secretariat support to the sector agencies through the HOAG which was later changed to Justice Sector Leader's Forum (JSLF) in November 2016. Worked collaboratively with Heads of Agencies to review the JCSSS 2014 – 2017 and supported the development of phase 2 JCSSS 2018 – 2021.
- Continued to provide secretariat support to the National Human Rights Committee in carrying out their duties to ensure the government's international commitments in human rights are met.

2. Team Work:

- Supported in-house 'hub' and sector agencies with capacity development needs identified as priority areas, targeting abilities, skills and knowledge of individuals and institutions in areas of financial management, human resource, business planning, monitoring & evaluation, infrastructure and policy directions.
- Increased understanding of each unit, department, agencies role and functions and creating enabling environment where individuals and organisations can reach up to the Ministry 'hub' and across to sector colleagues for support.

3. Partnership:

- Continued to build on existing donor relationships with the Government of Australia through the Policing and Stretem Rod Blong Jastis, the United Nations organisations such as UNICEF, UNWOMEN and UNDP, and the Government of New Zealand through the Vanuatu Correctional Services Partnership (VCSP) program.
- In our ongoing relations with PSC, the MJCS has seen an increase in staff awareness of linkages between the NSDP ➡ JCSSS ➡ Corporate Plan ➡ and Individual Work-plans. Understanding these linkages and how they relate to performance outcomes has been a big step towards increasing staff sense of ownership and pride in their work.
- Increased collaboration with the M&E Unit, PMO over the development of NSDP Indicators & targets and Six-Monthly Reporting on the COM Decisions and Projects over 10million Vatu.

4. Policy Collaboration

- Support for the amendment of the Public Solicitor’s Act, the Penal Code, the VLC Act, the Customary Land Management Act, and Chief’s Act.
- The Ministry through the Policy Advisor continues to work with sector agencies on their policy priorities and progress them to COM for decisions.
- In 2017, the Sector collaboratively worked together to review its Justice and Community Service Sector Strategy (JCSSS) 2014-2017 and began the development of the next phase.

5. Service Centric:

- As a Corporate Service Unit (CSU) or the ‘Hub’ under the Ministry of Justice and Community Services, we strive to deliver at the highest level possible to our clients, the sector agencies and the communities with whom we work. We have continued to support our sector agencies with capacity development initiatives in financial management, human resource management, business planning, annual reporting, policy advisory, monitoring & evaluation support.

6. Transition:

- The aim of the Ministry is to be able to fully fund key positions within the corporate service unit which are currently being co-funded by the SRBJS Program, the Ministry submitted an NPI for increased funding for this purpose.
- The MJCS has made progress in becoming a Ministry that is service centric with professional customer services. This is realised through its pro-active approaches and having planned activities, essentially moving away from being reactive to matters arising from within ‘the hub’ and with the sector agencies.

OUR EFFORTS ON HIGH LEVEL COMMITMENTS

National Sustainable Development Plan 2016-2030

In November 2016, the Government of Vanuatu achieved an important milestone when it launched the National Sustainable Development Fund (NSDP) 2016 – 2030, The People's Plan 2030 as is also called. The *People's Plan – 2030* is the Government's highest national planning document for the next 15 years that superseded but built on the Priority Action Agenda (PAA) 2006-2015 and the Planning Long Acting Short (PLAS) 2013-2016 national government development plans. The number one Development Aspiration of the NSDP 2016-2030 succinctly encapsulates and re-affirms the MJCS's overall long-term vision.

“A vibrant cultural identity underpinning a peaceful, just and inclusive society”

Under this development aspiration, Ministry of Justice and Community Services and its partner sector agencies are responsible for a total of **33 Indicators** hinged on **3 Society Goals**, which are;

Society Goal 1: A Nation based on traditional governance and Christian principles, which underpin our culture and continue to bestow life skills and knowledge to future generations,

Society Goal 4: An inclusive society which upholds human dignity and where the rights of all Ni-Vanuatu including women, youth, vulnerable groups and the elderly are supported, protected and promoted in our legislation and institutions and

Society Goal 5: A society where the rule of law is consistently upheld, and access to timely justice is available to everyone.

From November 2016 when the Plan was launched to December 2017, the MJCS worked with the M&E Unit, DSPPAC and Sector Agencies to create ownership of indicators by firstly, identifying who was responsible for what indicator and then defining baselines where baseline information was available. In addition, the MJCS also used the first year of implementation as an awareness period for all our sector agencies and this was effectively done through in-house sessions, agency business planning sessions and during capacity development sessions to help staff see how the roles they play link up to the government's Big Plan, the People's Plan - 2030.

Government's 100 Days Priority Plan

After February 2016, the Salwai led coalition government developed the Government's 100 Days Priority Plan that captured what it resolved to deliver and achieve in the first 100 Days of its leadership. The MJCS has steadily monitored the implementation of the plan that pertained to the Ministry and its sector agencies. Out of the seventeen (17) priority activities pertaining to the MJCS, 6 are completed, 10 progressed to some degree and are on-going and only 1 has not been progressed due to challenges with resourcing, however will still be in the government's radar. Documented below are progresses of each of the priority activities that the MJCS and its sector agencies are responsible for.

Key: Use the following key to see progress of all our national commitments in the tables below


















 Completed	 On Track/Ongoing	 Overdue
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Table 3: Government's 100 Days Priority Plan			
Priority Activities	Implementing Body	Tracking	Statement of Progress
Erangorango Rehabilitation Program	DCS/MJCS		The Rehabilitation Program is funded by NZ MFAT for the Erangorango Farm and work is expected to start in February 2017. Plans are underway to allocate plots to farm potatoes besides other root crops and vegetables. A shed will be built with water and road connecting to the farm.
Reactive Project Management Committee for the New Hall of Justice.	MJCS		A COM Paper was prepared and new taskforce appointed and the Project Management Committee for the Hall of Justice has been reactivated. The project is expected to start in 2017. DESPAC had included Funding Request to China for next funding program – this is now for the actual building.
Courts has scheduled all its Outer Island Tour for 2017	Courts/MJCS		This is an on-going activity for the public legal offices in collaboration with the judiciary.
Pilot Project on Crime and Impacts of Crime Project at Black-sands Area.	Police & MJCS & SRBJS		A Research was done in August/September 2015 in the Blacksands Area. The Research Report is currently awaiting endorsement from appropriate authorities. Recommendations from this report will be basis for development of relevant activities for the area of Blacksands. Consultation and community mobilisation work was done in the communities in 2017.
Pilot Program on Domestic Violence – Pilot program on Authorised Person in Fanafo, South Santo and Malo and Efate.	DWA/MJC & SRBJS		The Authorized Persons and Registered Counsellors is a pilot project that is supported through the Australian funded SRBJS Program in collaboration with the MJCS. Authorised Persons and Registered Counsellors have been appointed by the President for Fanafo, South Santo, Tokyo Buninga, Ohlen Mataso and Paunangisu. The project however, faces challenges due to lack of police presence in most of the rural communities. The project has two officers with plans to recruit an additional project staff in 2018.
Review medical conditions of all detainees	DCS/MJCS & MoH		Reviews on detainees' medical conditions is an ongoing activity that the Department of Corrections collaborates with the Ministry of Health to carry out. DBKS never neglects the rights of detainees on medical attentions; Care is taken not to infringe on their rights for medical services. DCS provides a 24-hour CSU Stand- by team to respond to any emergencies during the night hours.

Review the Structure of Malvatumauri National Council of Chiefs (MNCC)	MNCC/MJCS & PSC		The revised structure has been approved by PSC, and Parliament has approved VT15 million for the implementation.
Recruitment of CEO of MNCC	MJCS & PSC		The position is occupied by an Acting CEO. However, discussions and preparation are underway for the recruitment of a permanent CEO.
Increase Budget Allocations for MNCC	MJCS & MBC		An additional amount of VT15 million has been approved by Parliament. NPI Budget submission by MNCC for additional budget support would have details.
Increase Budgetary Support for Community Lands Managements Office	MJCS & MBC		An additional amount of VT10 million has been allocated by Parliament in March 2016. NPI for CLMO for budget submission has the details.
MEDIUM TO LONG TERM PLANS			
Construct Tanna Correctional Centre	DCS/MJCS		Priority has been placed on completing the Luganville Correctional Centre. Other centres have been postponed including the Tanna Correctional Centre. Discussions and negotiations are on-going with relevant partners to get additional final NZAID exits the Luganville Correctional Services Project in 2019 and the Government will need to source other funding for the Tanna Correctional Services.
Infrastructure Plan for Community Centres, catering for Police, Chiefs, Women, Children and Disability Offices.	MJCS		The Sector Infrastructure Plan was launched in 2017 with support from the SRBJ Program. The plan is currently being implemented in stages as per the priority stages in the Plan. Maintenance work is underway for Category One projects in the Plan, the TC Pam Recovery Projects.
Commence Implementation of the 19 resolutions of the MNCC Roadmap on land and the land management especially the identification of Customary Boundaries and documentation of traditional custom practices and laws.	MNCC/MJCS		Piloting of the Project as part of 19 Resolutions Road Map were conducted in various islands in Vanuatu. The launching of the pilot to improve custom government authorities involved the Malvatumauri Council of Chiefs, Ministries of Justice and Land, government officials and MPs of constituencies concerned, island councils and other stakeholders such as CLMO and others. Some of the updates are: <ul style="list-style-type: none"> • June 2017, Malekula pilot project was launched at Lakotoro • In September 2017, Epi Pilot project was launched at Nikaura • In July 2017, in Sola (Vanua Lava) • In July 2017 Gaua island • November 2017 at West Cost Santo.

Continue to promote Gender empowerment in the MJCS Sector Strategies	DWA/MJCS		<p>This is an ongoing activity that is being progressed by the DWA and Vanuatu Women's Centre.</p> <p>DWA is in the forefront lobbying for and supporting women candidates for the provincial elections. Gender mainstreaming and integration are key focus for the DWA. DWA is also the lead in the Gender and Protection Cluster and has continued to advance discussions around improving gender and social inclusion and protection issues.</p> <p>Introduction of Gender Responsive Budget (GBR) into National Budgetary Process of Vanuatu: The historic decision of the Council of Ministers, Decision Number 94 of June, 2017 saw the introduction of Gender Responsive Budgeting (GRB) initiative into national planning and budgeting processes and systems of Vanuatu as per the Policy Objective under Society Pillar, SOC 4.1 of the Vanuatu 2030, the Peoples Plan.</p>
Enact Juvenile Legislation	MJCS		The MJCS in collaboration with Law Reform Commission and other relevant agencies are working on finalising the Juvenile Legislation.
Enact time standard registration for case management	MJCS		Case Management systems have been automated and are currently ongoing with the Public Legal Institutions and supported by the SRBJS Program. The offices that are using the Case Management System are SLO, PPO, PSO, SPD and Judiciary, Ombudsman, VPF, Corrections, DWA & VWC.
Review salary of public and legal practitioners in Vanuatu in order to be able to attract, recruit and retain professionals in the legal sector.	MJCS, GRT, Judicial Services, PMO & MBC		This is a multi-stakeholder activity. Report was completed and a new Salary Structure gone for JSC and GRT Board to consider. The structure was implemented in Nov/Dec 2016 for the Legal Sector and in late 2017 for the rest of the agencies under PSC.

United Nations Conventions




Vanuatu is party to a number of United Nation Conventions. All the human rights conventions are implemented through the Ministry of Justice and Community Services and with support from the National Human Rights Committee (NHRC) and implementing Sector Agencies.






We have gradually progressed some of the activities to completion, whilst with others we have started the processes and they are our current on-going activities.

A major challenge to the consistent implementation of our international commitments i.e. UN Conventions has largely been financial constraints. Despite this major the constraint, the Ministry is working the National Human Rights Committee to meet our commitment.


The table below shows a list of all the Conventions ratified and progress towards reporting to the United Nations as at December 2017.

Table 3: Our progress towards implementing the ratified United Nations Conventions

Treaty Body or UN mechanism	Date Ratified	Tracking	Progress
National Human Rights Committee (NHRC)	-		<p>In 2013, an interim National Human Rights Committee (NHRC) was appointed by MJCS to co-ordinate and oversee the activities for implementation and reporting to the UN human rights mechanisms (including treaty bodies, the UPR and UN Special Procedures). The NHRC supported the UPR Committee in preparation for the 2nd UPR.</p> <p>The National Human Rights Committee made significant progress in 2017, in assisting with the finalisation of the CRC Report for Vanuatu and is currently working on completing the Initial Periodic Reports for UNCAT and ICCPR.</p> <p>There is still work for the NHRC to do in terms of following up with all the Ministries and Departments to ensure that annual business plans cater for all the recommendations relevant to each ministry and department.</p> <p>The NHRC is vested within the MOJCSs however the NHRC still does not have a working budget to assist the committee in carrying out its mandate fully under its TOR. The MJCS 2017 Business Plan has catered for this.</p>
Universal Periodic Review (UPR)	-		<p>Vanuatu went through the first UPR in 2009 and was due for the second UPR on 30 January 2014.</p> <p>Preparation for the 2nd UPR started in March 2013, and the Team travelled to Geneva to present the UPR Report in February 2014. The team came back with recommendations. These recommendations were refined by the Vanuatu UPR Committee and a team presented the recommendations back to the UN UPR Committee in June 2014.</p> <p>2017 - Recommendations from the June 2014 were still pending and not implemented. A Policy Paper and a Budget had been drafted and submitted to COM for approval for activities to be implemented as per recommendations.</p>
International Covenant on Civil and Political Rights (ICCPR)	21 st Nov 2008		<p>Initial Report was overdue since 28th February 2010.</p> <p>This report is still overdue. There is on-going challenge of engaging full-time commitment from NHR Committee members as all have their key priorities to perform. For this report the SLO is responsible.</p>

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)	8 th Sep 1995		<p>The combined 4th and 5th National CEDAW report was formally presented to the UNCEDAW committee on 24th February, 2016 at the UN Headquarters in Geneva, Switzerland.</p> <p>The NHRC is working on supporting implementing agencies to implement the CEDAW recommendations from the Geneva Convention CEDAW Committee.</p> <p>DWA as the Lead Agency for implementing CEDAW recommendations has progressed some activities through the National Gender Equality Policy 2015-2019.</p>
United Nations Convention on the Rights of the Child (UNCRC)	7 th Jul 1993		<p>The Child Desk and MJCS team worked closely with the NHRC and prepared the combined (2nd, 3rd and 4th) Periodic Report (2012) on the Convention on the Rights of the Child and Optional Protocols. These reports were submitted to the UN Committee in June 9th, 2016.</p> <p>In September 21st -22nd 2017, Vanuatu presented its combined report to the UNCRC Committee. The Vanuatu delegation was represented by the MJCS, MoH and MoE in a constructive dialogue with the UNCRC Committee through a video teleconference at the UNICEF Office in Suva, Fiji. The dialogue was facilitated by the UNICEF Office in Suva.</p> <p>The UNCRC made observations and recommendations for Vanuatu Government to work on preparation for the 5th, 6th and 7th report which is due in 2022.</p>
Optional Protocol on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC)	27 th Sep 2007		<p>Initial Report Overdue since 2009. Draft Completed in 2013. In June 2014, the Council of Minister's endorsed this Optional Protocol Report.</p> <p>The Final Optional Protocols Report was finalised with support from the NHRC and submitted at the same time with the CRC report to the UN Committee in June 2016.</p>
Optional Protocol on Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	17 th May 2007		<p>The Final Optional Protocols Report was finalised with support from the NHRC and submitted at the same time with the CRC report to the UN Committee in June 2016.</p>
United Nation Convention Against Torture (UNCAT)	12 th Jul 2011		<p>Initial report was due July 2012 and is still overdue. In 2012, an External Inspection Team (EIT) was established and responsible for monitoring prison conditions and its members were trained by the OHCHR.</p>

			<p>In August, 2013 the EIT carried out inspection of all correctional centres in Port Vila and Santo. These were the EIT's first inspection activities.</p> <p>Some progress has begun on the report compilation by the MJCS Policy Advisor however, there is on-going challenge of engaging full-time commitment from NHR Committee members as all members have their own key priorities to perform.</p>
United Nation Convention on the Rights of People with Disabilities (UNCRPD)	23 rd Nov 2008	●	<p>Initial Report due on the 22nd November 2010.</p> <p>The initial Report was completed in 2013. COM endorsed the report in June 2014 and feedback was provided by OHCHR.</p> <p>The report was completed and submitted at the Geneva Convention in 2016. Last meeting's concluding recommendations are being implemented.</p> <p>The MJCS with partners will be launching the National Disability Policy in early 2018.</p>
Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (OP-CEDAW)	17 th May 2007	●	<p>Final report completed in 2014. Endorsed by COM in 2014. The report was printed in 2015.</p> <p>The report was submitted in June 2016 and now the country is working on implementing the recommendations and concluding statements. DWA and other relevant agencies responsible must plan and implement the recommendations. Draft implementation plan has been developed, and DWA is working with line ministries and departments to mainstream gender and incorporate recommendations into their work-plans and implement them.</p> <p>DWA/MJCS launched the National Gender and Equality Policy in November 2016</p> <p>In implementing section 7 & 8 of the Family Protection Act, the MJCS in collaboration with the Vanuatu Justice and Policing Program have progressed the appointment of Authorised Persons and Registered Counsellors for a pilot project looking at Temporary Protection Orders for victims of family violence. The pilot sites are in Santo and Efate.</p>

United National Convention Against Corruption (UNCAC)			<p>In November 2016, the Council of Minister approved the establishment of National Integrity & Anti- Corruption Committee to take the leading role to advise Government on the implementation of UNCAC and formulation of National Integrity & Anti- Corruption Policy in 2018.</p> <p>MJCS provides secretariat role to the National Committee of 16 membership from all Government Agencies, Church and Civil Society.</p> <p>In 2017, Development of the National Integrity and Anti-Corruption (NIAC) Policy Framework for 2018 – 2022 commenced with assistance from UNDP and UNODC. The Policy is expected to be completed before June 2018.</p> <p>Workshops and meetings were held in June and September of 2017 with stakeholders and the NIAC Committee over the development of the Policy.</p>
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Review of JCSSS 2014 - 2017

Strategy for the Justice and Community Services Sector

2014 -2017



To ensure effective collaborative efforts across the Sector and beyond, the 3-year strategy, Justice and Community Services Sector Strategy (JCSSS) 2014 – 2017 became a necessary guide to ensure the Sector provided access to justice for people. The Sector was steered by its Vision, “Jastis, Sefti, Digniti, Rispek mo gud fasin blong everiwan”, and supported by seven (7) strategic themes with an overarching goal of “Access to Justice” for everyone. The 3 years implementation period of the JCSSS 2014-2017 lapsed in December 2017. A review of the Strategy began in September 2017 in collaboration with the SRBJS Program and key sector agencies, taking stock of our progresses against set targets, the challenges, and the lessons learnt that the Ministry can continue working on in the next phase. The lessons were documented and used to inform

the design of the second phase, JCSSS 2018 – 2021.

Below are the seven (7) key strategies and their brief progress summaries from the end of strategy review in October 2017.

Table 4: JCSSS 2014-2017 Progress

Strategy	Responsibility	Progress Summary
1: Customary Disputes - for communities to have confidence in a fair and consistent system where people know their rights and have a clear understanding of the distinction between the formal and informal systems of justice.	MNCC, MJCS/SRBJS, CLMO	<ul style="list-style-type: none"> Establishment of the Authorised People and Registered Councillors Pilot Project in line with the Family Protection Act The Malekula Research highlighted real time conflict management issues in rural Vanuatu. Beyond the information generated, it is envisioned that the research might inform clearer and effective approaches to improving access to justice for all citizens which have been set out in the recommendations to the research.
2: Juvenile Justice - to provide a system where the community is confident that juveniles are managed appropriately within the formal justice system and that their needs are met.	DBKS, MJCS/Child Desk, VPF, VLRC,	<ul style="list-style-type: none"> A scoping study was conducted and completed by Capacity Development and Leadership Advisor at the request of HOAG. Report titled "Where to from here? A report into the institutional status of juvenile justice in Vanuatu"— October 2016. Report included 12 recommendations including procedural, behavioral, structural and legal and policy improvements. Launching of the National Child Protection Policy 2016-2026. Black-sands Research by SRBJS draft report completed and awaiting endorsement. Improvements made in the Supreme Court creating an environment that considers the needs of juveniles.
3: Victim Support - to ensure that victims are restored physically and mentally so they can assume their lives as full citizens in their communities.	PPO, VPF/FPU, VWC,	<ul style="list-style-type: none"> A scoping study was conducted and completed by Technical Advisor to the PSO. Report titled "Victim Support: HOAG Report – 6th October 2016". Report covered different 'victim support' initiatives that are already happening with varies agencies within the sector and partners. The report makes clear implementable recommendations which have been approved by the HOAG/JSLF but have not been affectively implemented in some cases Police have drafted the Standard Operating Procedure and use it in the Family Protection (Domestic Violence) cases. This orders police to investigate, arrest, charge the offender and to consider protection of the victim in deciding bail.
4: Infrastructure - aimed at ensuring that future infrastructure meets international requirements	MJCS & SRBJS, All Agencies	<ul style="list-style-type: none"> Completion and launching of the Sector Infrastructure Plan which documented prioritised sector infrastructure needs at the same time provided an improved platform for development partner support to

Table 4: JCSSS 2014-2017 Progress

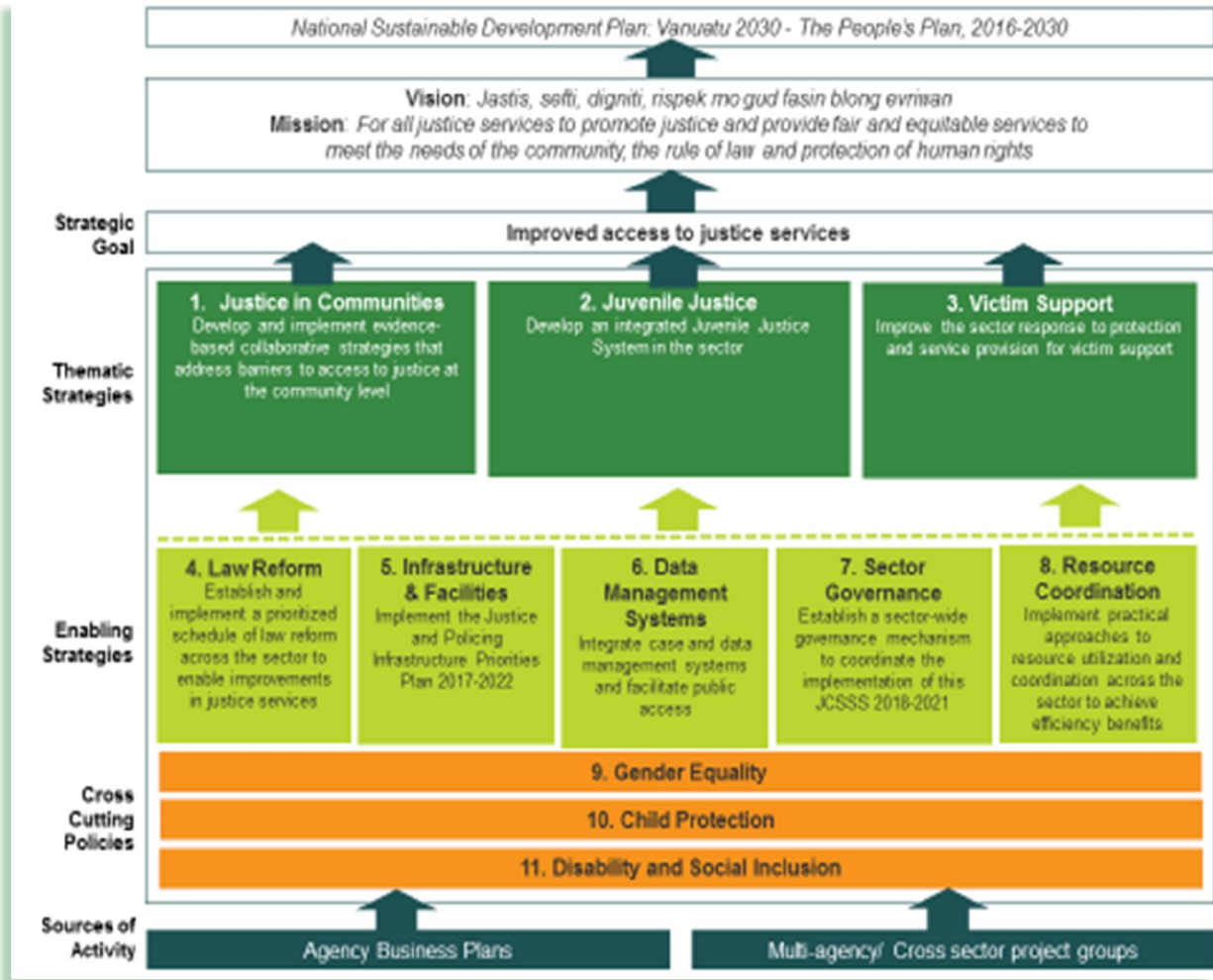
Strategy	Responsibility	Progress Summary
and support service delivery of agencies into at least 2050. Infrastructure development is an essential factor in Vanuatu's public-sector development and critical to enabling the citizens to access justice.		<p>infrastructure as well as a more coordinated approach to infrastructure development within the sector.</p> <ul style="list-style-type: none"> Completion of some major facilities and progress with others; example the Corrections Centre in Santo, Chief's Nakamal.
5: Human Rights - Greater respect and protection for citizens through legislation, greater awareness by individuals about their rights and improvement to Vanuatu's international standing.	MJCS (Child Desk & Disability Desk), DWA, DBKS, NHRC	<ul style="list-style-type: none"> Establishment of the National Human Rights Committee The Ministry through the VLRC has the ongoing mandate to review laws for alignment with Articles of the Human Right Convention ratified. First two amendments that had been gazetted are the 'Increase in penalty of all sexual related offences in Penal Code Act, and Access to justice through amendment of the Public Solicitor's Act to allow proper representation of client by counsel. The Child Desk and MJCS team worked together to submit the 3rd and 4th Periodic Reports (2012) on the Conventions on the Rights of Child and Optional Protocols. The UNCEDAW Report and the 3rd and 4th Periodic Reports were submitted on Convention on the Eliminations of Discrimination against Women. Corrections Department receives visits by independent human rights observers from the International Red Cross and United Nations to do independent monitoring of the Corrections facilities. Launching of the National Child Protection Policy 2016-2026 and the National Gender Equality Policy 2015-2019
6: Crime and Impacts of Crime - To improve safety (and perceptions of safety) in communities, increased business confidence and enhance the country's standing.	VPF, DBKS	<ul style="list-style-type: none"> The Police Standing Operating Procedures (SOPs) have been implemented by the police. Police continue to conduct community awareness sessions in the communities about crime and the impacts of crime. The Department of Corrections Services continues to maintain its rehabilitation program for the detainees at 100% involvement and participation by all detainees. The VPF has now introduced their new Police Information Management System (PMIS) in late 2016,

Table 4: JCSSS 2014-2017 Progress

Strategy	Responsibility	Progress Summary
		and this now provides an integrated system for managing incidents, investigations and recording of Criminal History. All incidents from CRIMS have been migrated to PMIS.
7: Case Progression - A major strategy designed to address these problems so there are no unnecessary delays and the community has confidence in the timely, effective resolution of their cases.	SRBJS and Sector Agencies	<ul style="list-style-type: none"> The going live or automation of the Case Management System with key sector agencies and the police and the systems' ability to produce information to the users for the purpose of progressing cases and knowing their status. Systems are increasingly capable of identifying unreasonable delays across the agencies.

Redesign of the Sector Strategy, JCSSS 2018 - 2021

The Strategy Map below is a one-page summary of the JCSSS 2018-2021. The strategy is planned to be launched in February 2018 with all the sector agencies, the SRBJ Program and relevant partners.



The JCSSS 2018-2021 was developed through a comprehensive process of consultation with Heads of Agencies and sector stakeholders with enormous support from the Stretem Rod Blong Jastis (SRBJ) Program. The Strategy was developed with the recognition that individual agencies alone are not capable of solving critical challenges that face them. Whilst also recognising that there are many shared common interests and that by working together the Sector can resolve cross sector issues.

The JCSSS 2018-2021 is informed by lessons drawn from the implementation of JCSSS 2014-2017. In addition, due diligence was taken to ensure that the Strategy is clearly aligned to the Government's National Sustainable Development Plan, The People's Plan, 2016 – 2030.

The Strategy is supplemented by its Monitoring and Evaluation (M&E) Framework and also aligned to NSDP's performance indicators.

CORPORATE SERVICES UNIT

The CSU also known as the 'Hub' supports the Office of the Director General and the MJCS political portfolio. The CSU coordinates development partner support and cross JCS sectorial agency development assistance and provides key services to its ministerial departments as well as constitutional and statutory bodies and other agencies in the sector that have functional relations with it. The CSU together with its other MJCS ministerial departments and agencies is responsible for supporting the MJCS' overall objective of the enhancement of the quality of the justice service, and ensuring via its policy directives, an effective and accessible justice system in the country. The MJCS upholds the fundamental principles of providing and promoting fair and equitable services to meet the needs of the community, the rule of law and the protection of human rights.

Human Resource Management

Workforce and Recruitment Status

The MJCS CSU organizational structure was approved in 2014 with a total of 48 positions. By the end of 2017 and mainly due to financial constraints relating to new recruitments, only 18 out of the total 48 positions were filled either on a permanent, temporary or contract basis. The following positions were recruited in 2017: Disability Desk Coordinator, Principal Human Resource Management Officer, Administration Officer, Cleaner, Disability Desk's Provincial Community Services Officer - Shefa, Child Desk Officer - Shefa and Child Desk Officer - Sanma. By the end of 2017, all new officers were inducted to their positions except for the Disability Desk Coordinator whose recruitment recommendation remains to be approved by the Public Service Commission. Of the total workforce, CSU continues to engage the services of 6 support officers on contract or temporary basis to assist with the administration of the office or to coordinate and execute the responsibilities of the Child and Disability Desks.

In addition, the position of Disability Desk Provincial Community Services Officer - Malampa was advertised in November 2017 whereby recruitment selection process is anticipated to be completed by the first quarter of 2018. This position will be financially supported by DFAT through the TVET program for 2 years and will gradually transition under CSU's payroll budget chapter head before the 2-year period lapses.

The MJCS takes this opportunity to thank our development partners for the financial support provided this year to our payroll obligations to ensure key positions are filled in order to provide important service delivery under the mandate of the MJCS for the people of Vanuatu. They are namely DFAT via the SRBJS and TVET programs, and UNICEF Vanuatu.

Human Resource Management Statistics

Beginning in this year's annual report, CSU will be producing some key HRM related statistics for the departments and agencies directly under the ambit of MJCS i.e. CSU, DWA, DCS, CLMO and MCC. VKS, while an agency with reporting obligations to the Minister for MJCS and currently receiving CSU support, still maintains a level of independence for its operations including HRM and Finance. The significance of HRM related statistics is to provide an annual outlook of key HRM information trends and activities by the MJCS in the year such as recruitments and staff turnover. Statistics will be predominantly presented in percentage form. Importantly for MJCS and in supporting 'Gender Equality' initiatives, the statistics presented will be further disaggregated by gender, where relevant.

MJCS continues to support the employment of people living with disability. We are encouraged to look at the ability of this vulnerable group of people and not at the disability. A few of these individuals with special needs have been attached with the Disability Desk. A shining star of the MJCS who believes in living life to the fullest despite his disability is our very own Morris Kerry who secured a USP scholarship to pursue his dreams of acquiring a formal education in 2018 in social work. Read his full story in the Capacity Development section of this report. This is one of the many examples of the MJCS supporting gender equality.

The table below provides an outlook of job position status type in 2017 i.e. of occupied positions being served by staff in any one of these status - permanent, contract, temporary, vacant or acting basis.

Table 5: MJCS Workforce – Position Status Type				
Agency	% Total of Permanent Positions	% Total of Contract/Temporary Positions	% Total of Vacant Positions	% Total of Acting Basis Positions
1. Corporate Services Unit	23%	12%	63%	2%
2. Department of Women's Affairs	79%	7%	7%	7%
3. Department of Correctional Services	72%	16%	12%	-
4. Customary Land Management Unit	57%	7%	36%	-
5. Malvatumauri Council of Chiefs	33%	47%	13%	7%

The table below shows the percentage total of MJCS workforce disaggregated by gender. It further depicts the percentage total of women and men in executive level leadership, management and decision making positions in MJCS.

Table 6: MJCS Workforce – Disaggregated by Gender			
MJCS Workforce – Women & Men in Executive or Management Level Positions			
% Total of Women in Workforce	% Total of Men in Workforce	% Total of Women in Executive or Management Level Positions	% Total of Men in Executive or Management Level Positions
24%	76%	29%	71%

In terms of staff turnover, 11 staff members of the MJCS were made redundant either after long and dedicated public service in CLMO and DCS, or having reached or exceeded the PSC standard retirement age of 55 years. The MJCS is grateful and acknowledges all its outgoing long service staff for their dedicated service to the people of Vanuatu. Also as a result of a recruitment process this year, one staff of the CSU was earmarked to be transferred to DCS in early 2018. Whilst this is recorded as a staff turnover in CSU, it does not however reduce the percentage of total active MJCS staff members because the transfer is still within the MJCS itself.

Table 7: MJCS Workforce – Active Staff, New Recruitment & Staff Turnover

% Total of Active Staff (2017)	% Total of New Recruitment (2017)	% Total of Staff Turnover (2017)
79%	18%	3%

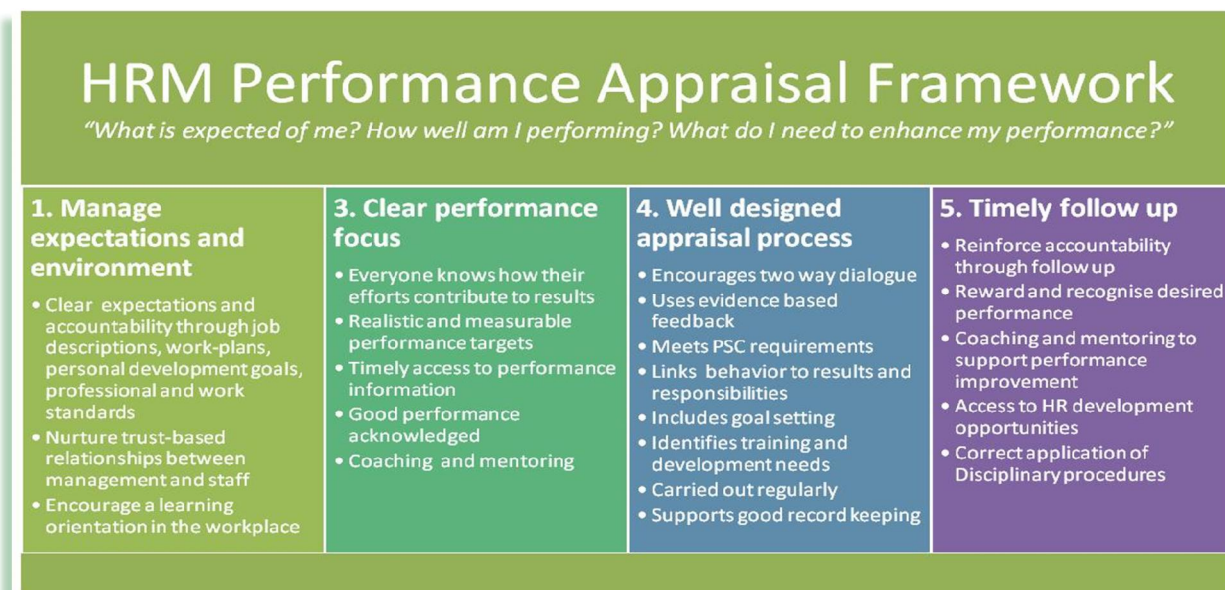
Performance Management and Development Program

Performance management is the process of analysing performance, removing the performance barriers and then offering the necessary resources to improve performance. The new PSC Performance Management and Development Program launched in 2017 is designed to encourage Directors, Executive Officers, Supervisors, Managers and their reporting officers to communicate more openly about performance and development issues. It also increases emphasis on management practices by holding managers accountable for their ability to manage. Finally, it enables staff to become fully productive by assisting them in achieving continuous performance improvements.

The performance management and appraisal process under the new PSC guidelines for 2016 completed for MJCS in early 2017. In line with the rewards and recognition system being promoted by PSC, a few staff members were recognised for high and consistent performance awards for the performing year – i.e. 2016.

Completing the relevant process is still a challenge overall for MJCS however notable changes have occurred as more staff, supervisors and managers begin to appreciate the significance of the process. This is evident through the growing number of appraisal reports received by the HR section, staff requesting that their performance appraisals be conducted against their agreed work plans and supervisors or managers taking time to appraise their staff members.

Below is the performance appraisal framework used by MJCS and is also being promoted in the JCSS especially where support in this area is provided.



Capacity Development (CD)

The Government of Vanuatu's vision for the sector is: *"a professional, competent and accountable law and judicial system that enables equal rights and access to justice for all"* and its mission statement is: *"for all justice agencies to promote justice and provide fair and equitable services to meet the needs of the community, the rule of law and protection of human rights"*. These statements provide guiding objectives for the work of capacity assessment and development in the JCSS.

To implement this vision, major focus of the Ministry amongst other things, are to strengthen our internal capacity and resources to be able to enhance public sector efficiency, effectiveness and service delivery; continue to support the implementation of the various justice sector objectives and overarching goal for ensuring "Access to Justice"; strengthen law and justice through our policy objectives and implementation in the community; and strengthen accountability and transparency in our internal and external relationships and work. This has been enabled through the various capacity development initiatives this year.

Capacity Development support by the Hub to the Sector were in the following areas including:

- contributed to finalising the Sector Capacity Development Strategy 2017-2020 and communicated it to heads of agencies;
- supported the training and development of Finance and Human Resource Officers within the JCSS;
- supported agencies (DWA, CLMO, MCC) with their 2017 business plans, budgets, policy advice and essential monitoring and evaluation (M&E) concepts;
- continued to support the SRBJS Vocational Study Support Scheme;
- supported the DCS organizational structure review process;
- supported the DWA organizational structure review process;
- conducted an in-house performance management and appraisal process training for CLMO and MCC;
- provided on-on-one coaching and mentoring sessions with some Sector HRO Network members on specific HRM related issues;
- supported staff to attend Basic Employee Essential Skills training by VIPAM;
- supported staff to attend Child Protection training by Child Fund Australia;
- supported institutional strengthening capacity assessment & financial maturity assessments conducted by SRBJS' CD & Learning Advisor, for agencies including DWA, VLC, and CSU. The purpose of the maturity reassessment exercise was to review progress from first assessments conducted in 2013 on institutional strengthening initiatives, especially to identify areas that improved or not, since then, and to understand the barriers to those areas that did not show significant improvement; and
- continued Friday morning in-house sessions for Hub team and cabinet staff for team awareness and education into the functions of different units within the 'hub' and of our partner sector agencies or stakeholders.

While all these CD activities have taken place, M&E was implemented on an ad-hoc basis mainly to find out how to improve the delivery of CD sessions. A more robust and informative M&E framework is essential to

assess impact of CD activities on staff and institutional performance - this aspect is significant and needs to be developed in 2018.

Sector Capacity Development Strategy 2017 - 2021

The CD Strategy 2014-2016, developed under the SRBJ program in partnership with the MJCS, lapsed at the end of 2016. A new CD Strategy 2017-2020 was developed with the following focus:

1. Strengthen and make more broad and explicit the use of Action Research (AR) and Action Learning (AL) and other self-directed change methodologies as part of the design and management of individual CD activities, as well as the ongoing learning and adaptation of the CD strategy as a whole;
2. Strengthen the focus on leadership and management development as a means of supporting and embedding gains made through other CD activities (e.g. professional development for staff), and as a means of supporting leader-directed improvement across the sector and within agencies;
3. Ensure that the CD approach aims to support agencies to embed and institutionalise changes so that gains made in one area such as increased skills, are reflected in relevant systems, procedures, processes, practices and on-the-job behaviours;
4. A continued and strengthened focus on applied and workplace learning as a valued and important means of enabling sustainable and self-directed forms of on-the-job learning. In particular, this strategy emphasises the importance of defining an approach to workplace application of skill for every learning and development initiative;
5. Integration and more explicit targeting of cross cutting themes across all CD will be essential (e.g. gender equality and women's empowerment).

The CD Strategy 2017-2020 is also linked to the National Sustainable Development Plan – the national plan that is intended to guide the development of Vanuatu through to 2030.

Of particular relevance to capacity development across the justice and community services sector is the Society Pillar: *"The society pillar seeks to ensure we maintain a vibrant cultural identity underpinning a peaceful, just and inclusive society that is supported by responsive and capable institutions, delivering quality services to all citizens."* Specific elements under the Society Pillar include:

- SOC 4 Social Inclusion: An inclusive society which upholds human dignity and where the rights of all Ni-Vanuatu including women, youth, the elderly and vulnerable groups are supported protected and promoted in our legislation and institutions;
- SOC 5 Security, Peace and Justice: A society where the rule of law is consistently upheld, and access to timely justice is available to everyone;
- SOC 6 Strong and Effective Institutions: A dynamic public sector with good governance principles and strong institutions delivering the support and services expected by all citizens of Vanuatu

The People's Plan forms the strategic backdrop for the work defined in the CD strategy 2017-2020.

The Government of Australia through the new phase of the SRBJS program will continue to provide support for improved policing, justice and community services in Vanuatu from 1 January 2017 until 31 December 2020 and in line with the CD Strategy 2017-2020. SRBJS support for justice and community services in 2017

included on-the-job training and mentoring, legal and policy advice, as well as provision of technical legal capacity development activities such as seminars and workshops. This support was complemented by technical assistance in a range of other areas including public financial management, human resource management, case and data management, research, monitoring, evaluation, planning and reporting, and capacity development and leadership activities.

The MJCS takes this opportunity to thank our development partner DFAT for continuing the new SRBJS program support phase. MJCS is grateful for this support to the Sector and will continue to work closely with SRBJS program staff to implement and report on important capacity building initiatives in the Sector.

Long Term University Studies

A major milestone of the Ministry is grooming and watching Mr Morris Kerry grow in confidence in his outlook and work, focusing on his ability rather than on his disability. Morris attended many capacity development programs during his tenure with the Ministry. He served in the Finance Unit and Disability Desk



Morris at the South Pacific Mini Games

respectively. Morris secured a long term university study award from the University of the South Pacific. He resigned from MJCS late last year to prepare for his studies and travel to Fiji. MJCS is proud of this achievement by Morris and wishes him well for his studies. Read his full story in the Disability Desk section of the report.

The MJCS continues to support three of its staff members on long term study leave and look forward to the knowledge they will bring back to support or enhance the work of the MJCS and its departments. Ms. Leias Kaltovei from the Child Desk is currently undertaking a Degree program in Social Work at Victoria University, Australia; Mr. Esrom Vano from DWA is studying Economics at the AUF in Port Vila; and Mr. Jean-Maurice Aite is currently undertaking a Master's program in Criminology in NZ which he will complete in early 2018 and return to the Department of Correctional Services.

Vocational Study Support Scheme

The VSSS was partly managed by CSU in 2017. This included notifying applicants about application open and close dates, screening of applications, informing applicants about the status of their applications and ensuring tuition fees were settled for the successful applicants.

Applications received were mainly for diploma and degree courses. For all successful applications in 2017, a total cost of about VT300, 000 was paid under the SRBJS program assistance to cover course fees.

JCSS staff who would like to make use of this opportunity, feel free to contact the Sector Capacity Development Coordinator on lnasak@vanuatu.gov.vu or the Training & Learning Advisor on Green.Amy@palladium.gov.au. Full information about the VSSS applications process can also be obtained from the MJCS website - <https://mjcs.gov.vu/index.php/61-stretem-rod-blong-jastis-support-for-vocational-study>

MJCS takes this time to express its sincere gratitude to DFAT via the SRBJS program for making this significant assistance possible in order for staff of the JCSS to pursue studies and training opportunities to develop and up-skill themselves in line with their job responsibilities.

Legal Policy Development Training

The Pacific Legal Policy Twinning Program aims to build the capability of Pacific law and justice agencies to develop and implement policies to fight crime and improve community safety. This year, the Twinning Program focused on strengthening legislative frameworks to combat cybercrime in line with the Council of Europe Convention on Cybercrime.

Increasing internet connectivity in the Pacific means that our region is facing a heightened cybercrime threat. In light of the significant impact that cybercrime can have on community safety, economic confidence and



national security, it is important to have an effective legislative and policy response to cybercrime. The activities during the twinning program encouraged the participants to share information, experiences and ideas on how to approach policy challenges and build relevant policy skills.

MJCS represented Vanuatu through the participation of the Sector Capacity Development Coordinator at the twinning program from 16 October to 15 December 2017.

Participants undertook a comprehensive analysis of their domestic legislation to identify which reforms are required for their countries to accede to the Budapest Convention. This involved:

- In-depth consideration of the cybercrime offences, procedural powers and international cooperation standards set out in the Budapest Convention
- Presenting on cybercrime offence standards in the Budapest Convention, in particular computer-related fraud and forgery and child pornography
- Developing a detailed gap analysis, which compares Convention articles with relevant domestic provisions and makes recommendations for future reform, and
- Developing a policy paper and delivering a formal presentation to a variety of Australian Government stakeholders (AGD, DFAT, AFP, etc.) on the key findings from their gap analysis and next steps.

The following trainings were also delivered in formal sessions, small group discussion, and one-on-one sessions with International Legal Assistance (ILA) staff:

- Legal policy development training (participants trained how to deliver this course to home agency)
- Effective communication (e.g. writing, presentation, stakeholder engagement, influencing)

- Legal reasoning and legal professional writing skills (delivered by the Australian Government Solicitor), and
- Legal policy project planning and mapping (including legal research training).

The 2 months twinning program yielded great outcomes for the MJCS whereby the gap analysis report of the cybercrime bill has identified limitations of the Vanuatu cybercrime bill and recommendations made to address these gaps. The report has been distributed to key stakeholders and next steps to progress the bill are underway with more work to be done in 2018.

MJCS thanks the Attorney General's Department of Australian for this training opportunity for its staff member and looks forward to continuing further legal policy development capacity building opportunities for staff of the JCSS in similar or related programs.

Contact the International Legal Assistance team of AGD on Pacific@ag.gov.au if you wish to find out more about the twinning program opportunities.

Communication

Branding

This year saw another important milestone for the MJCS branding whereby CSU launched its new set of uniforms imprinted with its logo that was designed and launched in the prior year, 2016. We envisage that the initiative will create a strong and positive perception of the Ministry, and of our service delivery to our clients.



MJCS Staff pose with the Minister during the uniform dedication ceremony

CHILD DESK

About the Desk

The Child Desk, under the MJCS, is the primary advisor to Government on children's issues. The Desk was established in 2008 to lead the implementation of the United Nations Convention on the Rights of the Child (UNCRC) and its 2 Optional Protocols, which Vanuatu ratified in 1992.

In line with these agreements, the mission of the Child Desk is to protect the rights and best interests of all children in Vanuatu, regardless of their age, gender, ethnicity, disability, health status or cultural background. Children have the right to survive, develop, participate and be protected. It is a shared duty of the Child Desk, alongside other government agencies, churches, NGOs and communities, to ensure that these rights are promoted, so that our children will grow up in safe homes and societies to become responsible members of the Vanuatu society.

The functions of the Desk include strengthening national planning and coordination of child rights and child protection policy, systems, and programs through government and non-government partners at national, provincial and community levels. The Desk also directly implements programs on child protection in 4 provinces with the support of UNICEF and in partnership with the Ministry of Youth and Sports Development and Training (MOYSDT). Our pilot program on community-based child protection empowers communities to protect children from all forms of abuse by building on existing structures and good traditional practices. It also aims to link traditional mechanisms with formal justice systems at the provincial and national levels to improve child protection case management.

Key Achievements

Child Protection (CP) Pilot Lesson Learnt Meeting: The Child Desk continued to work in 2 pilot sites in Tanna and Erromango, and also launched a third pilot site in North Pentecost in July 2016 with the support of UNICEF and Ministry of Youth and Sports Development and Training. The overall objective of the pilot project is that communities have the knowledge and skills to work together to protect children from all forms of violence, abuse, exploitation and neglect, so that all children grow up in a safe environment. This will be achieved through: ensuring that Community Child Protection Committees and community members have the understanding and skills to prevent, identify and respond to child abuse, linking communities and provincial service providers to ensure effective coordination and continuum of care, and developing clear and relevant referral pathways.

In June 12th-16th, 2017 Ministry of Justice and Community Services through Child Desk, and the Ministry of Youth and Sports in partnership with UNICEF organized a Lessons Learnt Workshop at Vunamele Village in Luganville, Santo. This meeting brought together the Child Protection Officers, Chairman of the Provincial CP Committee (PCPC), members of the community Child Protection committees (CCPC).

The purpose of the meeting was to:

- Identify and share lessons learnt from each of the CP pilot sites- the similarities, the differences the challenges including the gaps,
- The way forward for Child Protection activities,

- And Come up with a modal that could be replicated to other provinces.

CFP Review meeting: The review workshop was organised jointly by the Ministry of Youth and Sports and the Ministry of Justice and Community Services in partnership with UNICEF in June 19th -24th which took place at Lonnoc, Hogharbour, Santo

In collaboration with UNICEF and the Ministry of Youth and Sports Development and Training, the Child Desk developed a Community Facilitation Package on child rights and child protection, entitled ***Our Children Are Our Future***. The package is a resource developed specifically for Vanuatu that aims to support caregivers and community leaders in raising and encouraging children and preventing abuse, violence, neglect and exploitation of children. This package is a keystone of the Child Desk's approach to community-based child protection (prevention and early intervention) and contributes to the achievement of Strategic Areas 1 and 2 of the Vanuatu National Child Protection Policy.

Twenty-seven (27) people selected from the communities of Tanna, Erromango, Efate, Santo and Pentecost were trained Child Protection Facilitators in August and September 2016. After their training, they went back and organized and conducted 2 or 3 CP workshops using the CF Package from October 2016 to March 2017

In June 19th -23rd, 2017 all Facilitators- 16 on Tanna and Erromango and 11 on Efate, Santo and Pentecost came together to a review meeting that took place at Lonoc, in Hogharbour in Santo.

The purpose of this review meeting was to get the feedback of all the facilitators on the use of the CF Package. Group presentations by islands were made and at the same time presented their reports with suggestions and recommendations. The outcome of the review meeting was very fruitful with very constructively feedback and recommendations on the package. For example- information on the convention on the rights of the child, some laws that relates to children, etc.

National Children's Day: Every year Vanuatu celebrates the National Children's Day on the 24th July. In 2017, the Child Desk, was supported by a committee including Ministry of Education and Training, staff from the Department of Women's Affairs and Correctional Services, and non-government representatives from Save the Children, Vanuatu Women's Centre, and organised a major celebration at Saralana Park in Port Vila with the theme ***'The Right of the Child to Safety and Protection at All Times and At All Levels – Home, Community, Province and National'***. This theme was approved and launched by the National Child Protection Working Group.

This year was the second year that children have led the official National Children's Day celebrations in both the parade and official proceedings. Speeches were given by 3 children from 3 levels of education – the pre-school, primary and Secondary schools including an official speech given by the Minister of Justice and Community Services, The Minister of Education and the Minister of Internal Affairs who were present during this time also gave speeches based on the theme and encouraged parents to take better care of their children.

The Child Desk supported all the 6 Provincial Education Offices including the Child Protection Pilot Site Communities on Tanna and Erromango. The Provincial Education Offices then mobilized some of their schools to organize their celebrations based on the theme. In addition, the Child Desk also provided support to 15 communities and churches in Port Vila including the surrounding communities and villages around Efate. A total of Vt1.8Million was used to support the National Children's Day activities throughout Vanuatu.



Vanuatu's representation at the UNCRC Combined (2, 3 & 4 periodic report - Fiji, Suva)

The Vanuatu combined (2nd, 3rd and 4th) periodic report: In September 21st -22nd 2017, Vanuatu presented its combined report to the UNCRC Committee. The Vanuatu delegation were represented by the Ministry of Justice and Community Services, Ministry of Health and Ministry of Education. The Delegation had constructive dialogue with the UNCRC Committee through a video teleconference at the UNICEF Office in Suva, Fiji. The dialogue was facilitated by the UNICEF Office in Suva.

The UNCR Committee made observations and recommendations for the Vanuatu government to work on preparations for the 5th, 6th and 7th report which are due in 2022.

The Child Desk is currently working together with the MJCS Policy Advisor in putting together a National Implementation Work-plan. This work-plan will be presented to the Council of Ministers for endorsement for implementation by the Government Departments and Ministries.

Involvement in the Gender and Protection Cluster: The Child Desk is an active member of the Gender & Protection Cluster, which meets fortnightly to coordinate emergency preparedness and response.

In October – December 2017, the Child Desk staff were actively involved in assisting the G&P Cluster during the Ambae Volcano disaster after the evacuations of the Ambae families to Santo, with coordination of the Gender and Protection Cluster. With some funding support from UNICEF, Child Desk staff worked together with other organizations such as Care International, Save the Children, MYDST, MOE, MOH and UNICEF to provide protection awareness, psychosocial support at the evacuation centres in Santo, during the repatriation process and response period in December.

This activity is in line with the National Child Protection Policy, Strategic Area 8: Mainstreaming Child Protection in Emergencies.



Gender Protection Cluster member creating child-friendly space for evacuated child in Santo.

Recruitment of Staff: In 2017, Child Desk successfully recruited 2 Child Desk officers, one based at the head office in Port Vila and the other in Santo.

Key Challenges

- The delays in receiving funds from the main donor – UNICEF had delayed implementation of planned Child Protection activities in the pilot sites and at the national level.
- Due to the Ambae Volcano disaster, certain planned activities for 2017 were not carried out, however these activities will be carried forward to 2018.
- The Child Desk still remain limited in financial resources to effectively implement its program activities. It is still very reliant on donor funding support, at the same time dependent on stakeholders and partners to support the implementation of its child rights and child protection activities.

Budget

The Desk's annual recurrent budget is **VT 2,000,000**. This annual budget allocation does not cover the implementation of many activities under the prioritized strategies and therefore there is heavy reliant on donor funding for the operations of these program activities and the overall Child Protection Pilot Program on Tanna and Erromango, Tafea Province and policy development, and other priority areas. The Desk received an additional amount of Vt.4 million from UNICEF for the Child Protection Pilot Program for the year 2017.

Staff

The Child Desk is staffed by one National Child Desk Officer and one Child Protection Officer based at the Child Desk Office in Vila and one Provincial Officer based in Santo and two Pilot Sites | Child Protection

Program Officers, funded by UNICEF, at Tafea Pilot Sites (Port Narvin, Erromango & Loanapkamei/Lenakel, and Tanna).

Focus for the Year Ahead

The Child Desk will work to implement the National Policy and legislation by coordination and community levels in close partnership with the Ministry of Youth and Sports Development and Training, UNICEF, and other key stakeholders in 2018, and will be focusing on implementing the following priority areas of the National Child Protection Policy.

Legislative Change

- Work with MJCS, Vanuatu Law Commission and the State Law Office and key stakeholders for the drafting of a Child Protection Bill.
- Begin consultations for the development of a National Children's Policy.
- The development of Phase 2 National Children's Policy.

National and Provincial Coordination

- Continue to provide leadership and strengthening of the National and Provincial Child Protection Working Groups.

Child Rights and Child Protection awareness

- Continue and scale up implementation of the Our Children Are Our Future community facilitation package in 4 provinces.
- Support and coordinate national campaigns and communications strategies relating to child protection.
- Coordinate and celebrate National Children's Day celebrations in 6 provinces.
- Increase awareness of the National Child Protection Policy in communities.

Prevention & Early Intervention Programs

- Continue pilot program activities in Tanna, Erromango and Pentecost. Improve planning and implementation, monitoring and reporting of activities and program outcomes.
- Conduct study on CP pilots to develop evidence-based model for national scale-up.
- Child Protection in Emergencies trainings for pilot communities and Provincial stakeholders (PDCs / PCPCs) in Santo, Tafea and Pentecost.

Response and Referral System Strengthening

- In consultation with key service providers, develop a national child protection referral system and implementation strategy

The implementation of the Vanuatu CRC Work-plan.

- The Desk will work with its partners and stakeholders to implement the Vanuatu CRC Work-plan in 2018.

DISABILITY DESK

About the Disability Desk

The Disability Desk Operates under the Ministry of Justice and Community Service and is responsible for the coordination of the implementation of disability related policies and programs, including the United Nation Convention on the Rights of Persons with Disabilities. The Desk coordinates efforts to ensure the protection and empowerment of people with disabilities is addressed at the national level through the strengthening of partnerships among government agencies, NGOs and CSOs.

Key Achievements



Consultation participants for Port Vila

Consultation of the Draft National Disability Inclusive Development Policy: after the consultation of the National disability Policy and Action Plan 2008 – 2015, a draft National Disability Policy for 2016 - 2025 was developed. In 2017, the Stretem Rod Blong Jastis and Sefti (SRBJS) Program supported the MJCS in funding a consultant who assisted with the Consultation of the Draft policy in Port Vila, Tanna and Santo.

Appointment of the Community Services Provincial Officer - Shefa: The position of the Shefa Provincial Disability Officer under the Ministry of Justice and Community Services structure, was recruited. The Desk still needs to recruit other positions under the structure to implement activities related to people with disabilities.

Visit from the Australian Joint Therapy Team: A team of 9 health professionals from Perth, Australia, travelled to Tanna where they visited people with varying disabilities. The team included 2 Occupational therapists who are the team leaders and 8 occupational therapist students. Every year the Joint Therapy Team comes to Vanuatu to assist by visiting persons with disability in different communities. During their visits they assess, prescribe, deliver mobility devices, train and do referrals to health centres or schools.

Motivation Australia: Motivation Australia (MA) is an Australian owned NGO specialized in service provision of disability equipment. They have signed an MOU between the MOJCS, MOH, and the Vanuatu Society for People with Disabilities and Sanma Frangipani Association to support with the provision of wheelchairs and other devices for a period of two years.

Distribution report below for the wheelchairs and devices is for the period June 30, 2017 to September 3, 2017.

Table 8: Wheelchair Distribution by Locations		
Province	Island	Clients
Shefa	Efate	48
Torba	Vanua Lava	1
	Mota Lava	1
Malampa	Ambrym	1
	Malekula	1
Sanma	Espiritu Santo	1
Penama	Pentecost	1
TOTAL		54

Community Base Rehabilitation: The Disability Desk is also supporting service providers to persons with disability in Port Vila and other islands. The assistance was provided to the Vanuatu Society for Persons with Disability (VSPD) and the Physiotherapist Department at the Vila central Hospital. The Desk assisted with the assessment of clients, transportations, assembling mobility devices and wheelchairs and community visits.

Celebration of the International Day of Persons with Disabilities: Every year in December, Vanuatu joins the world to celebrate World Disability Day. This year, the Government through the Disability Desk and with support from the Ministry of Justice and Community services, the Disability Desk co-coordinated with its provincial stakeholders and celebrated in 6 provinces the World Disability Day. In Port Vila, this was celebrated at Saralana Park. This year's celebrations coincided with the World Aids Day Celebrations which also falls on the 1st of December so both events were celebrated together.



Celebrating International Day for Persons with Disability

Braille eye slate machine: A Braille Eye Slate was donated to The Ministry of Education to assist children with vision impairment learn better. The braille is a tactile system for people who are blind. The inventor who is a USP student at the Laucala Campus said that the equipment will address the learning gap between children with and without disability.

Solar Package offer for Persons with disability: Persons with disability were offered for the first time a special package to have a solar light. The Vanuatu Energy Department with the Pacific Communication and Solution had offered this package to persons with disability. The Disability Desk at MJCS had a record of 50 people with disability who had received the package in 2017.

Christmas Hampers: Every year during the Christmas festive season the Disability Desk at MJCS and Friends Vanuatu organize Christmas hampers for children with disability around Port Vila. The Hampers were



Children with disability receiving Christmas hampers

organized especially for kids with disability who are never brought to the public. This year's visit was around Port Vila Urban and rural areas including communities around Efate. "It is such a big blessing to receive the hampers and for some of the children it is their first time to receive a gift from someone they have never known before", said a mother of a child with disability. The Disability Desk at MJCS is always grateful to Friends Vanuatu for its support every year in preparing and delivering hampers to children with disabilities.

Scholarship for Persons with Disability: Morris Kerry, a contract support staff at the Disability Desk at the MJCS was offered a two-year Scholarship to study in Laucala Fiji in 2018. Kerry was nominated by the Disability Resource Centre in Fiji under the first ever regional scholarship for student with disability to study at Laucala. Morris Kerry and Frida Willie who is also a female with disability were both selected from Vanuatu for the scholarship program. Morris Kerry will be studying to pursue a Diploma in Social and Community Work. The MJCS is proud of Morris Kerry's achievement. His scholarship is a great awareness to everyone for People with Disability to also have the right to education. Morris encourages others like himself to also apply next year 2018.

Shelters for persons with disability: This year 2017, the Disability Desk managed to work with the Saint Kentigen College to build houses for 2 females with disability at Eton Village, North Efate. This in-kind donation will be an ongoing donation to people with disability who need to have a shelter for themselves.

Key Challenges

- Delay in recruiting the National Disability Coordinator
- Delay in recruiting Disability Officers in the provinces contributing to lack of coordination and reporting from the provincial to the national levels
- National and Provincial coordination is still a challenge

- Limited funding to support service delivery to the islands that have not been visited in the past 10 years
- Limited Human Resource within the Disability Desk to carry out its planned activities

Budget

The Desk's overall budget in 2017 was VT4, 000,000 through government funding, however an additional donor support of VT2.5Million from DFAT funded SRBJ Program was also used to support activities and community service delivery for persons with disabilities across Vanuatu.

Staff

In 2017, the Disability Desk had 3 staff, 1 permanent staff and 2 contract staff, however in June 2017, the Desk Coordinator left for a secondment role with the Van2017 Games and one of the contract staff got a scholarship announcement in December 2017 to study at USP Fiji for 2 years, leaving only one staff and whose position was made permanent towards the end of 2017.

Focus for the Year Ahead

- Recruitment of the National Disability Coordinator
- Recruitment of the Provincial disability officers and Compliance officers which will be allocated for each province (6 Provincial officers and 6 Compliance officers)
- Awareness raising on the National Disability Inclusive Development Policy
- To have a legislation drafted and have the bill passed in the parliament
- Plan to celebrate the International Day for Persons with Disability in each province
- Mainstreaming disability within every sector agency
- Negotiate with the government to increase Disability Desk annual budget for increased and timely service delivery to remote communities in all six provinces rather than depending on donor funding.
- Disability Desk to increase its visibility and coordination at the different levels from the national to the community level.
- Proper reporting mechanisms in place regarding the National Disability inclusive Development Policy.

OUR FINANCES

Our Finances - 2017

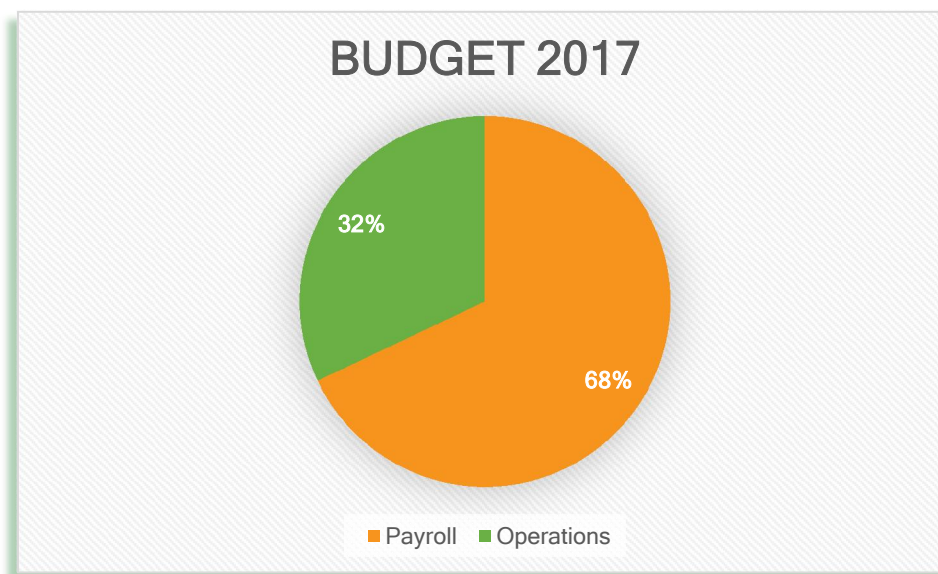
The MJCS received an allocation of VT 395,387,089 in January 2017. This figure is an increase of approximately 7% of the previous year's budget. The budget was increased again during the year by VT 5,154,800 as supplementary budget allocation. This brought the 2017 budget to a final figure of VT 398,541,889, an increase of a total of 1% from the previous budget.

The increases are allocated to the:

- MJCS Cabinet– Additional recurrent budget of VT 2,500,000 to its Operation for community services awareness.
- Office of the Director General (MJCS) – Additional recurrent of VT 2,654,800 to payroll for newly established positions in the new structure.

The 2017 budget has two core components: Operations and Payroll (see budget break down in Graph 4)

Graph 1: Budget Breakdown in 2017

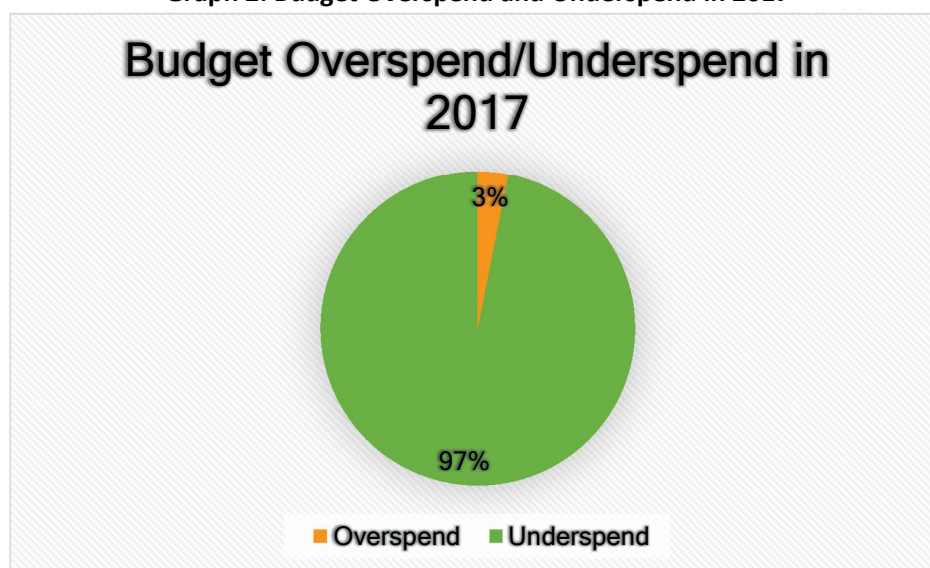


In 2017, payroll took up 68% of the budget 32% for Operations. The Operational Budget supports the normal day to day administration of the office and supports the implementation of activities in the Business Plan and budget narratives service targets. The Payroll covers salaries and other personnel entitlements.

Table 9: Final Budget Against Actual

Justice Agency	Final Budget	Final Expenditure	Balance Remaining or Overspend
CABINET	51,483,304	50,335,830	1,147,474
CORPORATE SERVICE UNIT	51,943,326	52,258,050	(314,724)
WOMEN'S AFFAIRS	26,521,425	23,451,394	3,070,031
CORRECTIONAL SERVICES	216,045,484	211,595,053	4,450,431
LAND MANAGEMENT OFFICE	34,542,915	33,472,113	1,070,802
VANUATU LAW COMMISSION	18,005,435	17,946,702	58,733
TOTAL	398,541,889	389,059,142	9,482,747

Balance remaining in 2017 is high compared to 2016 that had an overspent of (4,480,097). 2017 balance remaining was incurred by Correctional Services Department, Department of Women's Affairs, Cabinet Office and Land Management Office. Balance remaining is a result of underspent budgeted items in payroll and operations.

Graph 2: Budget Overspend and Underspend in 2017

Compared to 2016, the overspend was 85% compared to 2017 with 3%. This has dropped greatly due to proper monitoring of expenses. However, with underspend cost, payroll expense has the highest underspend of 75% compared with 24% from operation expense. Payroll underspend is the result of increase in payroll budget but with slow recruitment.

Payroll Expense

Payroll makes up 68% of the total budget. In 2017, payroll underspend amounted to a total of 6,923,007 compared to 2016 overspend of (4,526,543). The Department of Women's affairs and Department of

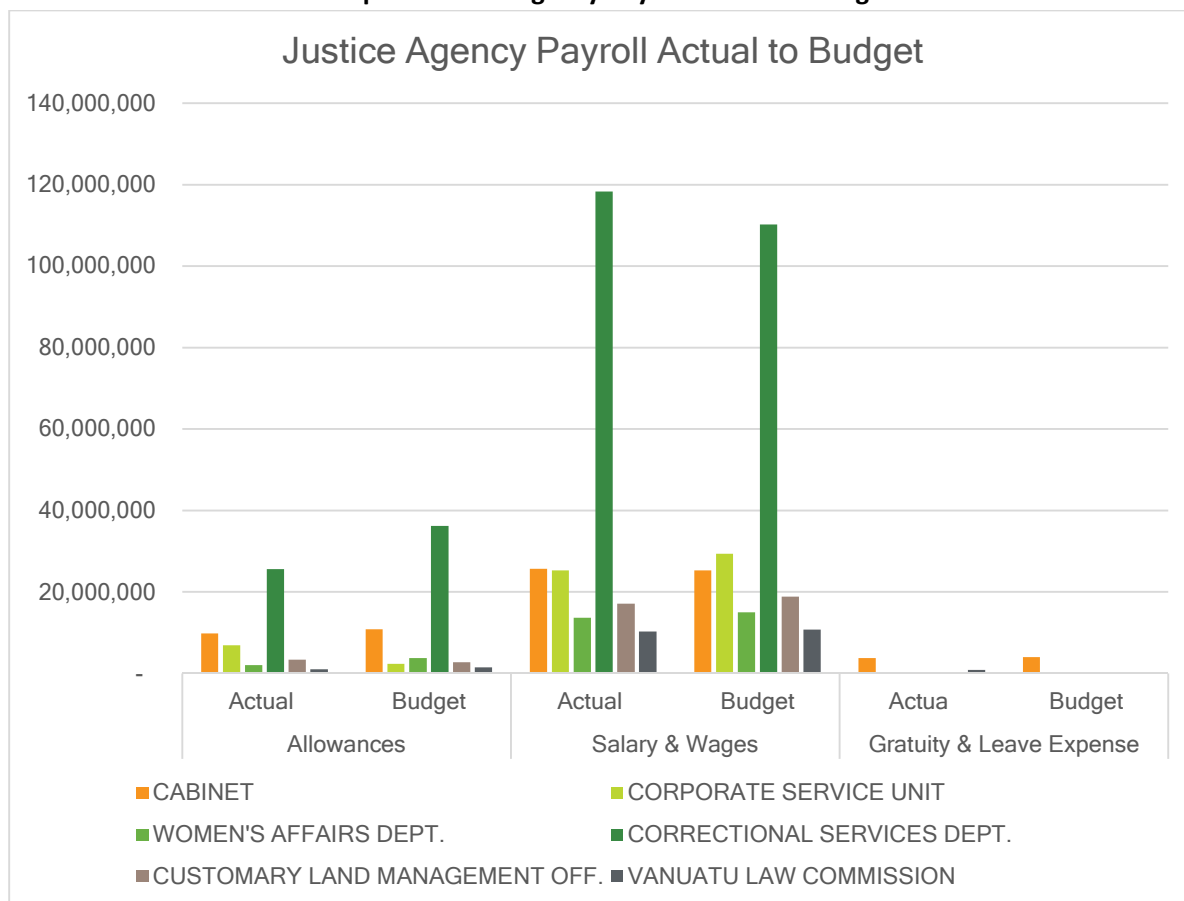
Correctional Services has the highest underspend amounts. This is due to positions that are budgeted for but still vacant awaiting recruitment.

Table 10: Payroll Budget Against Actual			
	Payroll Expenditure		
	Budget	Actual	Under/Overspend
Cabinet	40,135,018	39,184,333	950,685
Corporate Service	31,849,069	32,445,405	-596,336
Women's Affairs	18,711,650	15,768,948	2,942,702
Correction Service	146,421,032	143,876,592	2,544,440
Customary Land Management Office	21,555,618	20,532,835	1,022,783
Vanuatu Law Commission	12,207,388	12,148,655	58,733
TOTAL	270,879,775	263,956,768	6,923,007

The following is the breakdown of the overspends;

- Approximately 43% of the total underspent balance amount is incurred by the Department of Women's Affairs. The underspend payroll cost for DWA is for budgeted positions that are still pending for recruitment. This is the same with DKS with 36% underspent from the total underspend balance.
- The Customary Land Management office have an underspent balance of 1,022,783. The Payroll underspent was huge but covered the overspend items that was (6,239,943). This was from unbudgeted contract wages, home island passage allowance and family allowance, responsibility and acting allowance. However, the budgeted items were underspent due to positions not recruited. Employment was done on contract basis to ensure implementing the CLMA activities continued.
- Corporate Service Unit has a 1% overspent from its total budget. Huge overspend with no budget is for acting allowance that has 60% overspent budget from the total payroll balance. This is for DG's vacant position.

Graph 3: Justice Agency Payroll Actual to Budget



Operational Expense

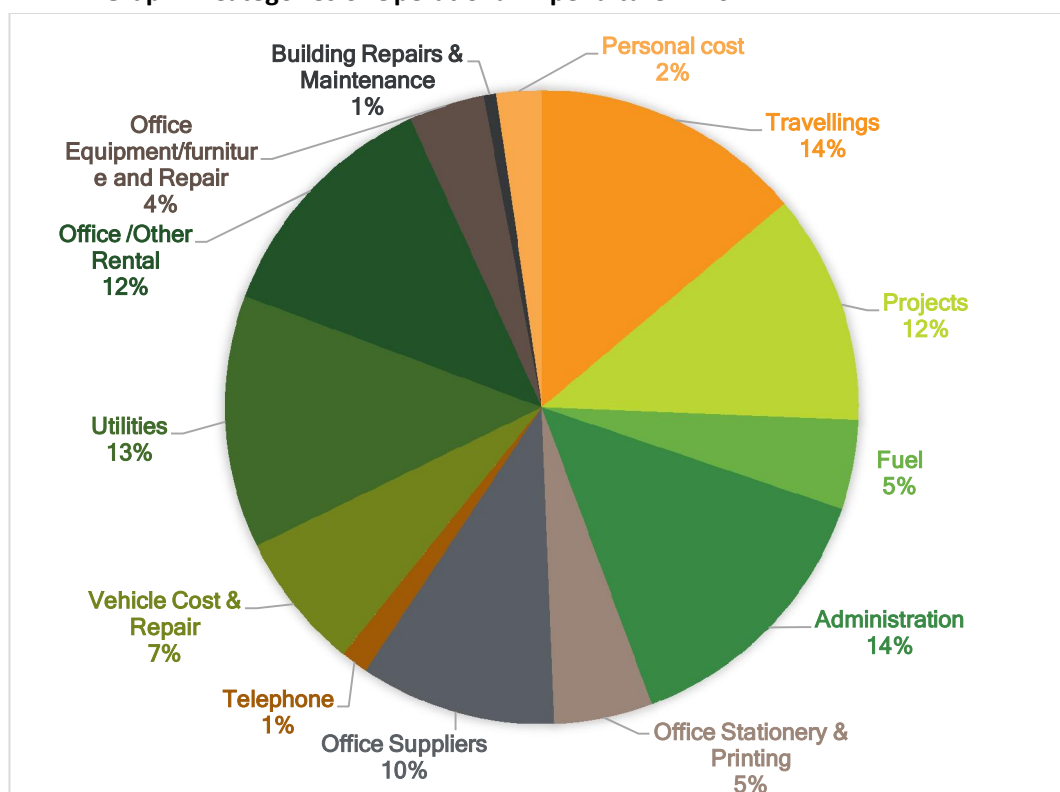
Operational expenses consumed 32% of the total budget. In comparison with the budget, the total expense has an under spend of 1% of the operational budget. This is a result of good monitoring of the operational budget in 2017.

JUSTICE AGENCY	FINAL BUDGET	EXPENDITURE	REMAINING BALANCE/OVERSPEND
CABINET	11,348,286	11,151,497	196,789
CORPORATE SERVICE UNIT	20,094,257	19,812,645	281,612
WOMEN'S AFFAIRS DEPT.	7,809,775	7,682,446	127,329
CORRECTIONAL SERVICE DEPT.	69,624,452	67,718,461	1,905,991
CUSTOMARY LAND MANAGEMENT OFF.	12,987,297	12,939,278	48,019
VANUATU LAW COMMISSION	5,798,047	5,798,047	0
TOTAL	127,662,114	125,102,374	2,559,740

The core items expended on (see Graph 4):

- **Allowance Cost** – Termination cost for retired and resigned officers costed 16% on the overall budget. This were from DWA for its retired Sanma Officer, CSU for outgoing DG end of contract payment and resigned M&E Officer and DKS with high cost of 48% from termination cost towards 3 former officers.
- **Office Suppliers** – This have a spending of 15% from the overall MJCS expense. From office suppliers total spending, 85% of office suppliers cost is for DKS. However, with DKS budget, they still underspend by 2%. This suppliers cost goes towards suppliers to centres and management unit. Remaining 15% cost is for other department also for its office needs.
- **Travel** – Overall overspend on travel is 2% of the overall travel budget. Cabinet had the highest overspend of 77% from its travel budget used by the Minster for his trips to the islands. DKS overspend is 22% from the total MJCS travel budget, however against the department’s travel budget, the overspent is only 1%.
- **Administration Cost** – From the Administration budget, the spending had 10% over its budget. Cabinet with no administration budget have used VT 981,224 in 2016. DKS with high admin cost have overspend by 80% from its admin budget. DKS have settle high fees and court cost in 2016 that raises the overspent to reach 80% from their normal admin budget.

Graph 4: Categories of Operational Expenditure in 2017



DEPARTMENT OF WOMEN'S AFFAIRS

The objective of the Department of Women's Affairs (DWA) is to bring about the advancement, development and empowerment of Vanuatu women, children and Persons with Disabilities (PWD). It also seeks to increase an understanding on Gender and Gender Equality in Vanuatu through strategic partnerships in policy development and program implementation nationally, regionally and internationally.

Key Achievements

In 2017, the Department made some outstanding achievements in our program implementation.

Introduction of Gender Responsive Budget (GBR) into National Budgetary Process of Vanuatu: The historic decision of the Council of Ministers, Decision Number 94 of June, 2017 saw the introduction of Gender Responsive Budgeting (GRB) initiative into national planning and budgeting processes and systems of Vanuatu as per the Policy Objective under Society Pillar, SOC 4.1 of the Vanuatu 2030, the Peoples Plan.



COM Decision No.94 of 2017

Implementing the COM Decision: In implementing the COM's decision, meetings were convened between the Ministry of Prime Minister (DESPPAC) and MFEM in identifying program activities for 2018 budget. The activities identified were;

- Gender policy training for their staff and women's leadership training in the Education sector,
- support in mainstreaming gender into their annual planner for 2018 in the various projects and gender mainstreaming training for their staff within their various projects and

- Support in mainstreaming gender into their NDMO annual planner for 2018 and gender mainstreaming training for their staff to integrate gender into working structures such as SOPs, Response plans of the different clusters.



Chester Takau (MOCC), Seman (DWA), Roy ben (MOE), Laurence and Jason (MALFF)

Appointments of Authorized Persons and Registered Councillors: In partnership with the Australian Aid-funded program “Stretem Rod Blong Jastis Mo Sefti,” the Vanuatu Police Force, the Vanuatu Women Centre and Department of Women’s Affairs, the implementation of the provisions relating to the appointment of Authorised Persons and Registered Counsellors under the Vanuatu Family Protection Act of 2008 has seen a major breakthrough when a total of 12 people were appointed as Authorised Persons (AP) and 7 Registered Counsellors (RC) by the Head of State on December, 2017. The role of APs and RCs are to issue temporary protection orders and conduct counselling in situations of domestic violence in the following six pilot communities of Paunangisu (North Efate), Tokyo Buninga (Port Vila, Efate), Ohlen Matakeru (Port Vila, Efate), Sarede, Jaralan, Wailapa, Nakere, Pakatoura of South Santo (Santo), Fanafo Stone-Hill (Santo) and Matantas and Malau (Santo).

Putting Centrality of Gender at the Heart of Development

Learning from the National Gender and Protection Cluster Work

Localizing and supporting women’s Leadership in Emergency and Disaster Planning, Response and monitoring: Great progress and learning was achieved through the work of the National Gender and Protection Cluster (NG&PC) since its formal establishment in 2016 in terms of managing and supporting to leading the Cluster work in responding to a national emergency situation in 2017. In comparison to our responses to TC Pam of 2015, TC Donna and TC Cook earlier on in 2017 where Technical Assistants (TA) were assisting the Department on the planning, administration and monitoring aspect of our responses, our responses to the Lopenpen Volcanic Evacuation on the island of Ambae later in 2017, was totally managed and led by the Gender and Protection Cluster Coordinator and MJCS staff team. This was demonstrated in the area of planning, dispatching response team on ground, referral system for Ambae response, conducting psycho-social support to children and facilitation of the Lessons learnt workshop.



John R (DWA staff) during evacuation on Ambae Evacuation and repatriation of people from Ambae to Santo

Sharing our national experiences regionally and globally:

Regionally, with funding from the UNDP's Pacific Risk Resilience Program, Vanuatu is also a member of the Protection Pacific Network (ProPa) comprising of 4 countries of Fiji, Solomon Islands, Tonga and Vanuatu. The ProPa Network is a unique collaboration of government officials only from the Pacific Islands who are tasked with advancing gender and protection issues in their own countries.



Fourth ProPa Network meeting, June 2017 in Suva, Fiji, members of the network (Ravulo – Fiji, Tina – Vanuatu, Veronica – Solomon Is and Samuela – Tonga).

Internationally, The Global forums and meetings have also provided opportunities for sharing our achievements, experiences, learning and challenges with other countries on Gender and Climate Change and building risk and resilience policies, implementation framework and communities.



Rothina Noka at Global Platform for Disaster Risk Reduction- Mexico Director, DWA at 23 UNFCCC COP 23 Side Event- Bonn Germany

Awareness Raising on Violence against Women and Girls - 16 Days of Activism: The 16 Days of Activism in Port Vila in 2017 with the theme of **“Stanap Strong Akensem Valence”** was a real success in its collaboration and outreach. In collaboration between organisations, led by the Department of Women's Affairs, CARE International, Van2017, Human Capacity Development International and UN Women with funding support from Vanuatu Law and Justice Program, UN Women, World Vision Vanuatu, and the Department of Women's Affairs and in-kind support from Digicel, Vanuatu Media Marketing, and Capital FM107, Van2017,

CARE International and Human Capacity Development International, the campaign reached a broad cross-section of ni-Vanuatu people, across a range of ages, backgrounds, interests and geographic locations, with the message that violence against women is not ok and that we all have a responsibility to take action to end it. The campaign presented these messages in a fresh, relevant and engaging way, using a multi-channelled approach that reflects the contemporary media landscape in Vanuatu and the role that social media as well as traditional media have to play.

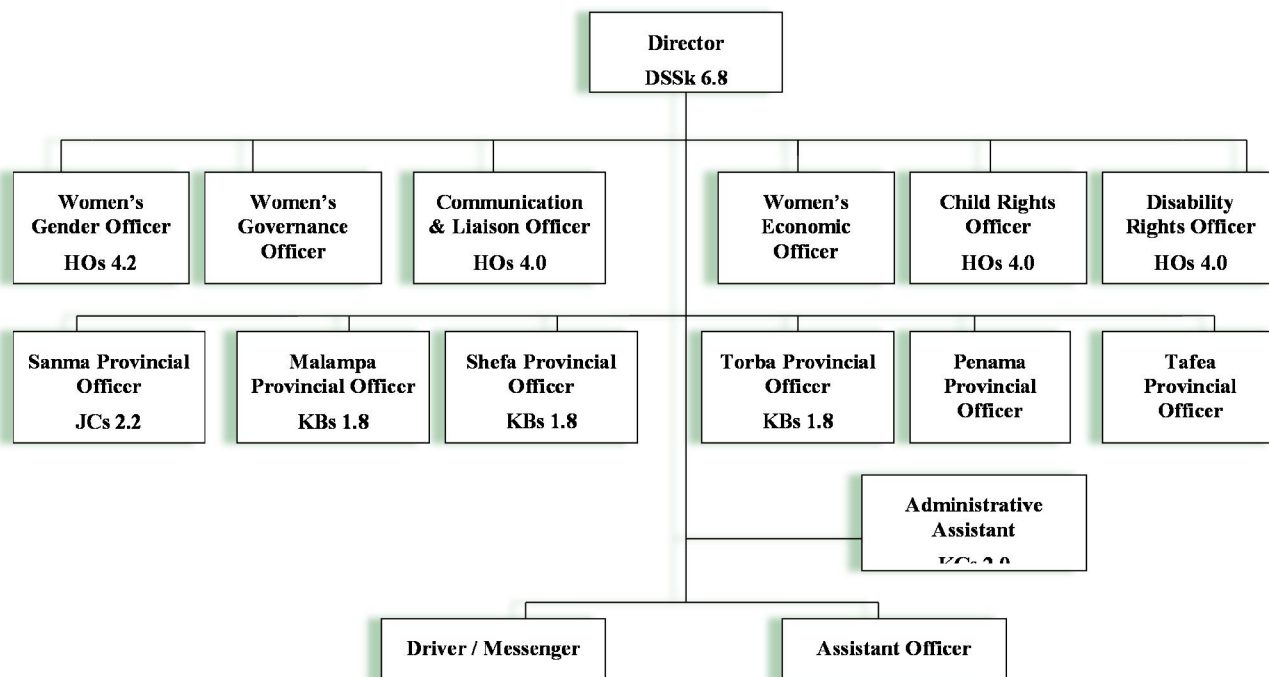


16 Days of Activism, Hon. Ralph Regenvanu, Her Excellency, Jenny Da Rin, AHC and former Head of States Ati George Sokomanu showing support and commitment to standing strong against violence against women and girls.

The impact has been that almost 2,000 people followed the Facebook page throughout the campaign, including 61% from Vanuatu, 92% from Pacific Islands (excluding Australia and New Zealand), 43% men and 74% aged 18-34. These followers are highly engaged, with one follower independently creating a Stanap Strong profile photo frame, which we then shared with other followers, helping to expand the reach of the Stanap Strong messaging.

This campaign was effective in challenging individual's perceptions of gender relations and the normalisation of violence against women. The Vanuatu Women's Centre shared the story of one woman who visited the centre to ask advice and learn more about the laws and structures in place to protect women from violence as a result of the campaign. Another Stanap Strong representative said one man had shared that a video on the Facebook page had helped him understand the different types of violence not to use against his wife. Other Stanap Strong representatives report that one month after the event, people are still talking about the Stanap Strong movement and the information they learned about reporting violence.

Staff Recruitment and DWA Structure: The final four (4) recruitments into the Department last year marked the complete implementation of the last approved Organizational Structure of 2009. The recruitments were made into the Positions of Gender Office and officers for the Provincial arms of Government of Shefa, Malampa and Torba between September 2017 and January 2018. The Child Rights Officer and Disability Rights Officer positions have been incorporated into the Ministry of Justice and Community Services Organizational structure since 2016. The Departmental structure showing the positions is as below.



Key Challenges

- All gender programs are donor funded and as such one of the delays is in sourcing funds in a timely manner to carry out key activities of the Department.
- Misconceptions – that Gender is about women. Gender is still widely debated, lack of unity and understanding why gender and DWA's work matters.
- DWA work is about implementing a significant change and requires change leadership and expertise
- DWA is at capacity – lack human, financial and technical resources.
- Political commitment is required at the highest level if the Gender Equality Policy is to be successfully implemented.
- DWA lacks stocktaking of what other partner agencies are doing therefore difficult to monitor scope and impact of gender on work programs

Our Budget

The Department's total budget: VT 26, 521, 425

Payroll: VT 18,711,650

Operations: VT 7, 809,775


It is important to note that the annual budget allocation does not cover the implementation of the various activities under the prioritized activities which are funded solely by development partners.

Our Staff

A total of 13 staff were in post as of December 2017 as shown on table below. Although staff were recruited into all positions of the 2009 approved organizational structure, the provincial positions were filled on January, 2018.


Names	Position	Gender	Employment Status	Location
Dorosday Kenneth WATSON	Director	Female	Permanent	Port Vila
Rothina Ilo NOKA	Gender Protection Cluster Coordinator	Female	On-contract	Port Vila
Seman Dalesa SARAKEN	Governance Officer	Female	Permanent	Port Vila
Kathleen SOLOMON	Assistant Project Officer	Female	On-contract	Port Vila
Esrom Marck VANO	Economic Officer	Male	Permanent (on-study leave 2016 -2019)	Port Vila
Shoshianna EISMAN	AVA Women's Economic Support Officer	Female	Volunteer	Port Vila
Andrew Moses Tarip	Administrative Assistant	Male	Permanent	Port Vila
Johnlyn Regenvanu	Acting Gender Officer	Male	Permanent	Port Vila
Gloria TARILEO	Women's Development Officer, Sanma Province	Female	On –Contract	Luganville, Santo
Erick EMELEE	Communication and Liaison Officer	Male	Permanent	Port Vila.
John Patas KALSAKAU	Driver/Logistics Officer	Male	Permanent	Port Vila.
Wendy TOMASI	Women's Development Officer	Female	Permanent	Lenakel, Tanna
Judith BANI	Assistant Administration Officer	Female	Permanent	Port Vila

Our performance against the 2017 Budget Narratives Key Indicators

Description	Qty	Unit of Measure	Rating	Comments
The implementation on the work of APs and RCs are carried out in the seven (7) piloted communities.	10	Men and women are appointed as APs and RCs		12 Aps and 7 RCs were appointed of which 5 are women and 14 are men.
	1	A national registry is finalized and endorsed.		A registry on Authorized Persons (APS) and Registered Counsellors (RCs) has been developed and is in place.
	10			

		Implementat ion reports on the pilot program are produced.		More than 10 reports were produced from community visits, community awareness, training of APS and RCs, reports on the processes of appointments, operational manuals and reporting and monitoring from the sites to project team and back to the communities.
Increase the participation of women in Business Development	1	Survey carried out and database established for Women in Business per province and type.	●	This activity was postponed as the TA assistant left the Department than envisaged.
	1	The TAFEA Women's Handicraft Centre is completed and officially opened for business.	●	The agreement of site for the project was agreed to. The formalities of the land and location of the Handicraft was greatly delayed in getting the centre established
Enhance the financial, technical, infrastructural and staffing capacity of DWA, MJCS and its partners to fulfil its coordination and advisory function for the implementation of the National Gender Equality Policy	1	The national Gender Mainstreaming framework is finalized and endorsed.	●	With the delay in the implementation of the TC Pam Recovery project for the Gender and Protection Cluster, the consultation and the finalization of the draft framework had been deferred to 2018.
	1	The new DWA Organizational Structure is implemented.	●	The Public Service Commission has deferred all submission of re-structuring to 2018 due to work undertaken in finalizing and formalizing the Government Re-numeration Tribunal (GRT)
	50	Awareness raising through different media outlets undertaken and IEC materials developed and printed.	●	The biggest awareness of the Department in collaboration with its partners was undertaken during the 16 Days of Activism. The awareness raising was undertaken through different mediums. Music video – “Keep on Moving On” Shared via social media, media releases, SMS distributions, and a radio competition to generate interest in the campaign. Almost 2,000 people now follow the Facebook page, including 61% from Vanuatu, 92% from Pacific Islands (excluding Australia and New Zealand), 43% men and 74% aged 18-34. The music video was the most engaged with post. More than 4,500 people “liked” the music video posted on Facebook, which was watched by more than 59,000 people and shared 548 times. Comments on the music video included: GOOD MESSAGE... Yes, people can change. - Hosea C. Tamai Beautiful voice and powerful message. Stanap strong sistas. - Susie Homu When watching this I think of my wife, daughters and sisters..... May you be blessed..... all the way from PNG? - Zimazi Bukam

	1	The refurbishment and extension of DWA Main Office is completed.	<p>Song is kool n message is powerful. Let's all respect n love our women folk. - Mods Gumawaya</p> <p>Mi and my children support no Vaelans Amen. - Mary Avock.</p> <p>Public Pledges</p> <p>The public pledges from community leaders who explained how and why they were committed to standing up against violence against women and painted their handprint and a personal message on a pledge banner. About 7000 members of the public were there at the opening on the 16 Days of Activism attending the test march ahead of Van2017.</p> <p>Radio Campaign</p> <p>The radio component included a five-day radio competition on FM107, where listeners had to find a key word in a different Stanap Strong Facebook post each day and text it to the station to go into the draw to win one of five mobile phones donated by Digicel or one of 75 Stanap Strong shirts, reaching an estimated 100,000 people each day across Sanma, Malmpa, Penama, Tafea and Shefa provinces.</p> <p>It also included a series of four 15-second ads aired in 42 advertising spots per week for four weeks on FM107, a series of stanap strong "stabs" recorded by on-air personalities and aired throughout the campaign on BuzzFM, and an hour-long interview feature on programs on FM107, ParadiseFM and BuzzFM. This promotion was effective in driving traffic to the Stanap Strong Facebook page and the Van2017 stall, as well as in engaging people in the issue.</p> <p>SMS Campaign</p> <p>Focused on driving traffic to the Facebook page and challenging perceptions of violence, the Digicel SMS campaign reached between 3,629 and 36,923 mobile phone users across the country each time a message was sent, with a series of six key messages over the duration of the campaign. This promotion contributed to the reach and impact of the campaign.</p> <p>News Paper</p> <p>Coordinated by The Daily Post, daily features on community members speaking out against violence against women were run in the Daily Post throughout the 16 Days of Activism, starting with a double page spread on Saturday 25 Nov. Stories about the campaign were also run in the Daily Post during the 16 days. Print and billboard campaign.</p> <p>The Stanap Strong Akensem Vaelens Van2017 stall</p> <p>An estimated 1500 people engaged with the stall, with 528 comments recorded in a guestbook and approximately 1250 people taking the pledge through the stall.</p> <p>The Stanap Strong Akensem Vaelens pledge banner</p> <p>More than 1800 people painted their handprint and signed the pledge banners, making a public commitment to stand up strong against violence.</p> <p>The Stanap Strong Akensem Vaelens collateral and merchandise</p> <p>1000 posters, 19,000 stickers, 13,500 wristbands, 9,000 postcards, 300 caps, and 400 shirts and singlets were distributed throughout the campaign.</p>
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	5%	At least 5% of new funding sources through project funding is secured for DWA's operational budget.	 <p>Funding of the project of VT11.3 million Vatu was sourced last year, 2016 (2VT million from PSC, 4.8 VT million from PRC, TC Pam Recovery Infrastructure Funding and 4.5 VT million from SRBJ).</p> <p>A total of VT 21,775,612 was sourced from different funding sources into the Department for the implementation of its program activities. In 2017, (DWA Refurbishment of 11.3 VT million, Governance Program of 5 VT million, Gender and Protection Cluster of VT 3.675, 612 and 16 Days of Activism of VT 1,800,000. This is an increase of 82% of funding secured.</p>
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Our Focus on the Year Ahead

- To develop the National Strategy and Implementation Framework on Gender Mainstreaming in Vanuatu.
- Official opening of the refurbished and extension of the DWA main office in Port Vila.
- Implement the Second National Women's Forum.
- Formal establishment of the Gender Protection Cluster Management Unit within the Provinces of SHEFA and TAFEA
- Development of options with stakeholders for Gender consideration in the 2020 National Election.
- Implement the revised Department's Organizational Structure in line with the National Gender Policy.

DEPARTMENT OF CORRECTIONAL SERVICES

About the Department

The Department of Correctional Services was formally established in November 2006.

The key responsibilities of the Department are;

- Administering the provisions of the Correctional Services Act
- Administering the provisions of the Penal Code with regard to Probation Services
- Providing administrative support and information to the Community Parole Board

The Department's Core Services delivered are outlined below;



Agriculture



Education/Rehabilitation



Arts Programme

The services we deliver

1. Community Sentence Management

We manage a range of community based sentences that are imposed by the Courts. We also supervise offenders who have been released on parole

2. Information and Advice

We write pre-sentence reports, compensation reports, and diversion reports to assist the Court in sentencing decisions. We also write pre-release reports to assist the Community Parole Board in making parole decisions. We provide information and advice to Government and community groups

3. Rehabilitation and reintegration for offenders

With the assistance of government departments, NGOs, Church groups and Jifs we deliver a range of programmes to offenders in order to reduce the risk of re-offending and to assist in the reintegration of offenders back into the community

4. Custodial Sentence Management

We manage four Correctional Centres that are to deliver secure, safe and humane containment for offenders sentenced to custodial sentences by the Courts.



Construction



Joinery



Spiritual Counseling

Sefti, digniti, rispek mo gud fasin blong evriwan

The key Objectives under the Correctional Services Act are:

- a) The maintenance of public safety,

- b) The considerations of victims' interests and,
- c) To ensure offenders undertaking sentences of supervision or in correctional centres have access to rehabilitative and reintegration programmes; and
- d) To ensure the fair treatment of offenders undergoing sentences of supervision, community work or detained in correctional centres; and
- e) For offenders as far as it is reasonable and practicable in the circumstances and within the resource available, to be given access to activities that may contribute to their rehabilitation and reintegration into the community.

Key Achievements

The Department has worked towards achieving key outcomes in its Business Plan for 2016. Some of these achievements are highlighted below;

- Proposed changes done to the Correctional Service Act amendment and presented to the Minister ready for DCO.
- Rehabilitation Policy, Use of Force and Uniform Policy passed
- Physical and literacy/ numeracy tests developed and undertaken by 180 applicants as part of the recruitment process for Correctional Officers.
- Recruitment process completed with PSC for Luganville new positions and some other vacant positions
- OGCIIO successfully connected Mauria Correctional Centre
- Probation Unit delivered the following training; Victim Awareness to 66 offenders, Alcohol & Drug Awareness to 24, Sexual Offending to 6, Violence/ Anger Management to 34, Relapse Prevention to 7, Corruption to 6, TOTAL: 143
- Probation Officers completed community awareness training in Malampa Province
- Completed Community Justice System in Torba and Tafea Provinces
- Two new modules (Sexual Offending and Relapse Prevention) plus new MOUs with Marine Reach & Judo Federation established.
- Detainees classroom completed by detainees and currently in use by the detainees
- Draft Standard Operating Procedures (SOPs) developed and reviewed by the Executive Team.
- New Uniforms - Shirts and trouser and boot tenders complete: belts issued
- First High-Risk detainee successfully transferred to Luganville
- Department purchased a new bus – which is now on the road servicing the department.

Staff Capacity Development

The Department conducted training for staff capacity development at all levels of our department with support from NZ Aid in accordance with our 2017 Human Resource Development (HRD) Plan.

The Department of Correctional Services continues to improve its staffing capacity through training programs. A first ever HRD Plan was developed in 2016 with support from NZ Aid to accommodate specific training needs for all staff. Between 2016 and 2017 a total of 367 staff were been trained in varies subject matters ranging from rehabilitation module training, motivational interviewing training, staff supervision, English skill, performance management, case management, mental health, Saperion and OMS, leadership management, health and safety, Corrections core skills, and regional conference and probation forum. The Department achieved nearly 99% of the HRD Plan.

Staff training	Long term scholarship	Staff retire	Staff terminate
199	1	6	2

Recruitment

The Public Service Commission (PSC) appointed twenty-three new recruits for Mauria Centre and twelve for Port Vila Centres. Before their appointments, the recruits went through different recruitment processes that includes DBKS regional test process including regulation and numeracy test, report writing and physical test.



Six staff have retired from the service after spending more than ten years in service. A succession plan was developed to cater for their immediate replacement and to later fill vacant positions by PSC.

New Mauria recruits after CO Core Skills training

Key Challenges

- Our facilities continue to face major challenges as most of its structures are old (dated back to colonial era),
 - DBKS lands were still not secure in terms of acquiring titles,
 - High rental fees for the office the Department occupies,
 - The Department still has a high number of its staff who are on contracts,
 - Department still has not secured funding to reopen Tanna Corrections Office.
 - Additionally, the new facility at Errangorango for 150 – 200 beds is still without funding commitment from a donor.

Budget

The Department's total budget in 2017 was 69,624,452 VT with a total expenditure of 67,718,461 VT. The Department closed with 2017 books with a remaining underspend of 1,905,991 VT.

Expenditure Analysis

97% of the annual budget was spent in 2017. All the outstanding bills were cleared compared to past years.

1.4% of the budget which is equivalent to 3 million has been used by the Ministry of Justice to settle their outstanding bills.

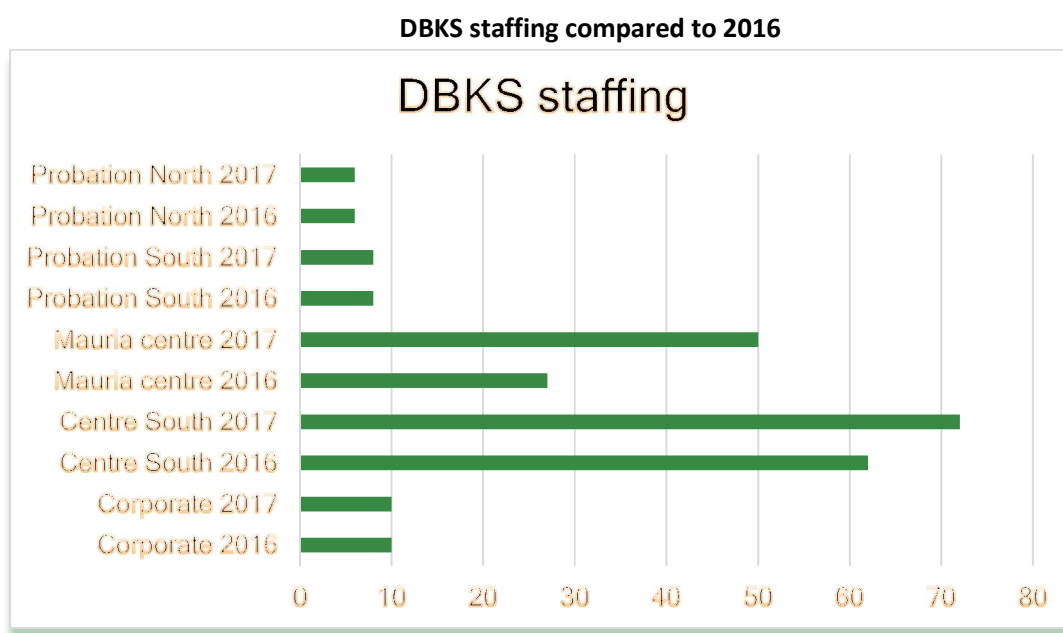
2 % of the budget especially from the payroll funds weren't spent.

Staff








The Department of Corrections continues to operate under the same payroll budget in 2017 with 113 funded positions. The number of contract engagement remain the same as in 2015 with 35 contract staffs, most currently posted at Centre South which is in line with the continued increased number of detainees.

This year, the Department worked on objective two of the business plan by increasing, developing and managing our staffing capacity.

As can be seen, there is an increase in staffing for Mauria centre in 2017 compared to 2016, similarly, there was an increase in Centre South.



Our performance against the 2017 Budget Narratives Key Indicators

Table 14: DBKS Performance against 2017 Budget Narratives				
Description	Qty.	Unit of Measure	Rating	Comments
New Correctional Infrastructure is designed and built according to purpose, design, on-time and within budget	1	Number		New Luganville Correctional Centre Units 74% complete by the 31 st of December 2016.
		20%		Luganville facilities are within budget and on schedule to date.
Internal and External training courses completed by staff (disaggregated by Sex)	2	No. of courses		Internal Training: 10 training events
	50 M /10 F	No. of staff (internal)		105 staff trained (84 Male / 22 Female)
	8	No. of courses		External Training: 26 training events
	75 M /15 F	No. of staff (external)		181 staff trained (143 Male / 38 Female)
Escapes per annum	0	Number		5 escapes by detainees in 2016
Children pre-sentencing and post-sentencing detention wholly separated from adults	50%	Percentage		50%
Detainees completing a rehabilitation program and/or reintegration activity	100 %	Percentage – Rehab		100%
	80%	Percentage – Integration		Captured in a separate report
Percentage of offenders serving community justices sentences	60%	Percentage		60%
Number of complaints upheld by the Ombudsman	0	Number		0

Focus for the Year Ahead

Strengthen institutional capacity: We will continue strengthening the ‘business’ side of our work - budgets, reports, processes and information management review of structure.

Develop management and staff capacity: Our staffs are the life of our department. We will focus on training and development at all levels of our Department with the support from NZAID by implementing our HRD Plan and with a strong focus in implementing training calendar 2018, the same approach we did in 2017.

Continue maintenance & Security: Our Centre infrastructure is deteriorating so we will continue to address maintenance issues in 2018 – 2019 by implementing annual maintenance Plan. In addition, the Department will continue to strengthen security measures in all centres throughout 2018 in implementing Quality assurance system.

Develop infrastructure: We have achieved our mission in commissioning and completion of new Luganville High Risk Unit and Medium Risk Unit/Remand Unit in 2017.

Our major focus for 2018 – 2019 with the help from NZAID is to complete razor wire fencing of Luganville low risk, build new female centre at Stade, upgrade Probation Office in Luganville, continue extending fencing at Erangorango and start work on the new fencing at Beleru farm.

Involve the community in our work: Our Department works for the community and we are committed to involving them in our work, for example, as Community Justice Supervisors and in offender rehabilitation. The new rehabilitation module is our guide for 2018 and beyond. We aspire to ensure that all rehab training modules are delivered to make our work more effective, attractive in order to change offender's attitude.

Develop relationship with our stakeholders: We will continue to engage holistically in the "Justice and Community Sector Strategy - 2018-2021" (JCSSS) linking our work plans with the "People's Plan, 2030" as well as continue dialogue with development partners and stakeholders in 2018 – 2019 to ensure we carry out our work effectively.

CUSTOMARY LAND MANAGEMENT OFFICE

The Custom Land Management Office (CLMO) is located at the Malvatumauri building, Saralana Area. It is headed by the National Coordinator and assisted by two Principal Officers, one based in Port Vila and manages the Provincial Custom Land Offices in the southern part of the Country (MALAMPA, SHEFA and TAFEA Provinces), while the other is based in the Northern Provincial Office in Luganville who manages the northern Provincial Custom Land Offices (TORBA, PENAMA, SANMA Provinces).

The core function of this office under the Vanuatu laws is to facilitate customary land dispute resolutions, land ownership determination and to register recorded interests in land. This exercise requires that Malvatumauri National Council of Chiefs (MNCC) is properly established and functioning at Area Levels, Joint Area Levels. Nakamal Area so that CLMO can successfully convene meetings without dependency on elected chiefs.

Our Act (Custom Land Management Act No. 33 of 2013) provides clear guidelines and procedures for determination of custom owners and the resolution of disputes over ownership of custom land by customary institutions and recording of land interests. Other related Acts for example the Land Reform Amendment Act No. 31 of 2013 also mandates our office to facilitate the determination of custom owners and the resolution of disputes over ownership of custom land that are triggered by the new lease process. The final decisions of the customary institutions which are not challenged become **‘recorded interests in land’**.

Below is a summary of key achievements and challenges faced in the office in 2017.

Key Achievements in 2017

CLMO Organisational structure: The CLMO Organisational structure was revised in 2016 and is now pending approval from the PSC Office. The Public Service in its review of restructure proposals has made queries which are currently being looked at with the assistance of the MJCS Human Resource Unit.

To address our human resource capacity issues and be able to carry out CLMO functions under the relevant laws of Vanuatu we have opted to engage officers on contractual arrangement to fill important positions and carry out necessary functions. We have created 12 new positions instead of 8 as planned in 2015. It was anticipated that an approval of the proposed organisational structure would happen this year followed by recruitments to these positions.

Scanning and e-filing of over 800 land documents: The ongoing registration of the new land cases with the CLMO office every week. We expected to register up to 10 new land cases every month. A total of 852 land cases were registered, scanned, e-filed and stored on Salmon with backup made. This is an ongoing exercise and will carry on into 2018 with the assistance of students acquired under the Cadetship Program of the Public Service.

Development of a database for the CLM Office: The CLMO has developed and put in place a tracking system using excel. All scanned documents are properly renamed, e-filed by Province, Island and stored in Salmon for easy references for all officers around Vanuatu. The backup actions are carried out by OGCI and therefore is reliable to date. The ministry engaged in a sector wide capacity development program that saw

the development and establishment of better case management systems in all Justice Sector agencies, however this has not extended to the CLMO.

The CLMO is yet to enjoy the benefits of a real **Case Management System** as opposed to a **Tracking System** that we currently use built on our own system building capacities. A proper CMS will assist the CLMO in reaching its full capacity, effectiveness and efficiency. It is a shame the CLMO has been singled out and not benefited from this Ministry development.

Awareness: The CLMO has not been able to conduct a planned nationwide awareness on the CLM Act since its introduction 5 years ago. In addition, not able to conduct awareness on the functions of CLMO in 2017. However, the office had benefited greatly from the governance program run by the MNCC. Under this program several sites were used as pilot sites. As the MNCC does not have the staff required to carry out this job, CLMO staff were used to implement this program. The CLMO officers used this opportunity to also run CLMO awareness in the pilot sites. To conduct a properly planned and coordinated nationwide awareness on CLMO Act and CLMO Services and functions, the office requires appropriate funding.

Training of Adjudicators: Trained over 800 adjudicators, including Heads of Nakamals and Secretaries on the four islands namely Santo (Fanafo Canal custom area, East Santo custom area, Emau Island, Tanna (Narak Neprainetata Custom area and, Neprainetata Custom area) Ambae (West, Tokatara custom area, North Talgare Takaro custom area, East Longue Takaro custom area and South Vatuolu custom area). The total adjudicators trained to date is around 900.



Adjudicator's training, Big Bay, Santo.



Adjudicators Training - Tokatara custom area, West Ambae

Educational materials revisited and done: Our office printed and disseminated over 500 copies of different types of information on fly, brochures, posters and flow charts to primarily 6 islands namely; Santo, Ambae, Vanua Lava, Tanna and Malakula. The training modules were also revisited; however, the component of the kastom training on land is still outstanding and need support. Over 500 copies of Land Acts were distributed

Implemented a pilot project: This is to test the implementation of the law. The aim was to trial its procedures and process, check whether the effort from the chiefs are genuine, the scope of the financial support is sufficient and whether the role of the office is practical or workable, and if not, what other alternatives exist. The Pilot were carried out on Malo, Ambae, Tanna & Efate

Pilot activities: These were carried out on Malo, Ambae, Tanna & Efate and some parts of Santo and Ambrym. The activities included confirming of custom boundaries, establishment of Nakamals, Identification of Heads of Nakamals, held meetings to write kastom land laws, awareness outreaches, validation of a list of 'true' chiefs, standard training for adjudicators, and facilitating court hearings. To date Malo is 100% completed, Ambae is 95% completed, Santo 10%, Ambrym 50% while Tanna and Efate have only completed over 40% of their activities.

Key Challenges

The implementation of the new CLM Act: The implementation of the new CLM Act and its related Act are carried out mainly in the pilot's sites areas. The first pilot sites were chosen back in 2014/2015. Due to the non-completion of the implementation in the first pilot sites, Efate and Tanna timeframe was extended to 2017 to complete. The only new sites that were selected as our second pilot sites were Ambae and Malo. Given the structure of the Land Acts to be implemented by both CLMO and the Department of Lands, the first thing which we were able to put in place was a system to work collaboratively. However, the process is slow and lengthy on the chief's side when resolving land cases via the Nakamal or Custom Area Land Tribunal process

Non-confident on the procedures and process of dispute resolution: It is evident that many chiefs are still not confident on the procedures and processes, in addition they are yet to familiarize themselves with the new changes. As a result, it could take a while before they will be able to kick start the due process to resolve land cases.

Governance system: The weak governance system in some areas is a contributing factor in implementing the Act, for example at some places on Efate located close to the Urban centre, the issue of the Head of the Nakamal is still unresolved; places like Mele, Erakoro, Sirviri and Forari. On the other hand, rural areas out of the urban centres have been facing arguments over custom boundaries, the boundaries or jurisdictions of big and small Nakamals.

Financial constraint: Finance is still our prime challenge; 3 permanent positions are vacant. Despite a slight increase in our budget in 2016, the Office of the Land Ombudsman utilized some of our budget; hence, our operational budget has not been flexible enough to handle our activities including our office's administration. Our financial constraints have implications on reaching out to new areas, additional human resource, travel costs, training and outreach programs for chiefs and adjudicators.

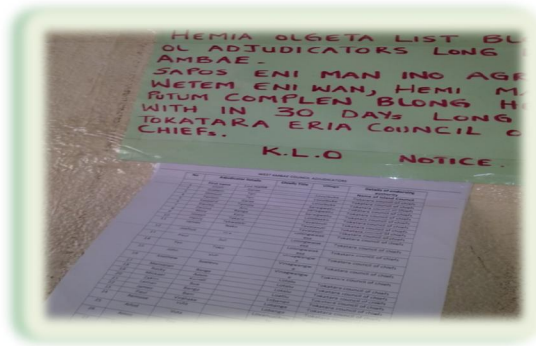
Database system: The CLMO Database was developed by Garae Vorabaravu in 2015 however, due to his fulltime job engagement, the system was not completed and another person was taken on board. Unfortunately, the system was still not finalised due to on-going financial constraints.

Putting up Billboards: This is a new concept under the Land Reform Act Section 6B. The process of Billboards has occurred only in few islands. In Shefa, Efate over 20 billboards, In Sanma, Santo has 4, Malo has 1 Penama, Pentecost has 1, Malampa, Ambrym has 1, Tafea, Tanna also erected 1. The challenge regarding Billboards is largely related to financial constraint as it costs each time a new board is created and erected. The more sites we have the more billboards would have to be created and erected. Apart from Billboard process, our office has facilitated few nakamal cases¹ these were purely done in accordance with Customary Land Management Act.

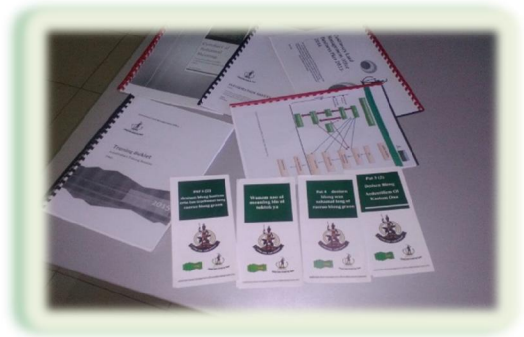
¹ 5 being heard at Nakamal level and competed

Certificates of Recorded Interest: In addition, the office has a responsibility to issue Certificate of Recorded interest in land. The office has received 112 applications altogether since 2014 to 2017. A total of 41 Recorded interest in Land Certificates have been issued in 2017. Shefa province 42, Sanma province 46, Malampa province, 15, Tafea province 4, Penama 3 and Torba 2.

Awareness and training: Activities were slow to be undertaken. The CLMO and MCC revisited the listing of chiefs in the Area and Island council to ensure that only certified chiefs were trained. The CLMO Staff and its relevant partners will need to be trained before they start to train the chiefs, adjudicators and secretaries. Out of the 2,000 chiefs and adjudicators to be trained, only 40% were trained and another 60% are yet to be trained.



List of adjudicators on notice board for public comments.



Education, Outreach and training materials

Additional difficulties faced in the implementation of the new Land Management Act and Land Reform Act includes:

- Financial constraint makes it very difficult for the Land Management Office to implement its priorities.
- The process outlined in the Act itself too long and requires a lot of time and money especially when it comes to facilitation of the applications from the LMPC.
- Break down of communication between the CLOs in the islands and the head office.
- Chiefs not fully cooperating with CLOs.
- Certificate of Recorded interest in Land became an outstanding issue based on the information provided by the clients, sometimes the information provided can be misleading especially when a declaration is made outside the process as stipulated in the Land Management Act











Our Budget

The CLMO recurrent budget in 2017 was VT 32,500,755, Out of the Total, over VT: 3,000,000 was consumed by the office of the Land ombudsman.

Our Staff

There is a total of 10 staff; 8 permanent staff and 2 contract staff. We had a few changes this year 2017, where two CLOs, from Tafea and Malampa were retired and the Torba CLO was moved to Santo Office to occupy the position for Principal Customary Lands Officer North. Currently there are only two CLOs, one occupying the Penama Provincial Office and the other in Shefa. The office is waiting to have a new officer to occupy the position for CLO Sanma. CLMO still has 3 key positions to fill in including, Finance Officer and Admin officer for the Main Office and the Sanma CLO.

Our performance against the 2017 budget narratives

Table 15: CLMO Performance Against 2017 Budget Narrative				
Description	Qty	Unit of Measure	Rating	Comments
Communication and Education Plan developed and implemented	1	Set of document		Communication and Education plan developed and implemented.
Training plan developed and implemented	7	1 training schedule		Training schedule implemented and reported
Listings of Chiefs, Adjudicators and Secretaries	500 500 80	No. of Chiefs No. of Adjudicators No. of Secretaries		The total number of chiefs, adjudicators and secretaries being trained in 4 sites, but training also held outside the pilot sites, e.g. Big Bay Bush. The target for adjudicators for 2017 was exceeded.
Mediators appointed	50	No. of mediators		This activity was not done due to the CLO's overload with other responsibilities
Community Land Officers appointed	60	No. of CLOs		Only 5 CLOs were appointed. The provision in the Act need to further explain to the different commissions to release officers in the provinces.
Capacity Development Plan developed and implemented	1	No. of Plan		Capacity Development Plan developed and implemented
Land cases administered and supervised Nakamal cases a	30	No. of cases		Out of the total figure, 3 are normal Nakamal cases that were completed as per CLMA, the rest are for lease purpose and still ongoing as per CLM Act and LR Act, but only 6 completed. Financial constraints and weak governance systems are contributing factors.
Billboards erected on land disputed sites	20	No. of billboards		More than 20 Billboards erected on land disputed sites per LR Act, the majority were on Efate.
Recruitment of 3 staff finalized (Training, Data Entry Officers and Land Reform Admin)	3	No. of litigation matters		All 3 staff recruited on contracts basis. Training and Data Entry officers will advertise in 2017 and the Reform Admin is pending PSC approval.
Litigation matters supported and reported on	20	No. of litigation matters		The National Coordinator is responsible for Litigation matters. In 2016, we dealt with more than 201 cases.

Our Focus in the Year Ahead

Fiji Native Land Trust Board Visit to happen: This visit is necessary as the NLTB is the most experienced and developed organisation in Melanesia with respect to Land ownership dealings. There are a lot of valuable learnings to be gained from this valuable visit.

Continue pilot sites implementation: Facilitate court cases on Efate, Ambae, Malo and Tanna, including new area of pilot sites such as on Malekua, Vanualava and Gaua, however pending pilot sites would be considered depending on the situations and circumstances that may arise. Compile reports on the lessons learnt from the awareness, trainings and facilitation of Courts on Pilot sites. In addition, to complete unresolved cases.

Continue work on the Review of Customary Land Management Act: to complete the Draft Amendment on Act and do consultations with both the Ministry of Lands and Ministry of Justice and Community Services.

Human resource development: Continue to implement revised structure - Recruit to fill up senior and urgent positions in the CLMO, Secure additional funds to support the recurrent budget, Document project proposal paper requesting additional fund from donor partners, recruit a Senior Technical Advisor (STA) to support specific issues identified by the CLMO

Continuing to Strengthening of the Office: Recruit a STA to work with the office of the NC support specific issues identified by the CLMO, Renovate the CLMO Head Office.

Strengthen support to the provincial CLOs: Provide finance & technical support to the CLO, purchase a vehicle of the CLO for Malampa, and purchase three (3) quad bikes for the Provincial CLOs.

Implementation of new lease processes: Processing of new lease applicants/applications are also our focus for the New Year.

MALVATUMAUARI COUNCIL OF CHIEFS

About Us

The Malvatumauri Council of Chiefs was established under Chapter 5 of the Constitution (articles 29 and 30). The purpose of the Malvatumauri Office establishment is to provide an administration to the Malvatumauri Council and on matters relating to kastom land, kastom and tradition and the preservation and promotion of the Ni-Vanuatu language. The National Council of Chiefs' Act No. 10 of 2006 defines the roles and functions of the council and it is intended to safeguard the harmony and peace in the society.

In his National Chief's Day official speech on the 5th of March, 2017, the President of the Malvatumauri Council of Chiefs, Chief Seni Mao made the following remarks, '2017 was a year that saw all the chiefs in Vanuatu work very hard to rebuild Kastom Authority in Vanuatu. The Government and people of Vanuatu recognise the Government's National Sustainable Development Plan (NSDP) which is founded on Custom and Culture which is our compass for tomorrow'.

Vision & Mission

To promote and preserve customary systems throughout Vanuatu as the foundations for a fair and just society. And to preserve and promote the culture and languages of Vanuatu, to support, facilitate and encourage customary systems and practices throughout the country and uphold custom and tradition in all areas of life.

Our objectives are:

- To preserve and promote the culture and languages of Vanuatu
- To support facilitate and encourage customary system and practice throughout Vanuatu
- To utilize traditional and customary system as a means of resolving the customary land disputes.
- To ensure the effective operation of Malvatumauri through appropriate level of human, financial and physical recourses.

Key Achievements

Opening of the new Chiefs' Nakamal: This was an important millstone of the institution, to re-open a fully renovated Nakamal of Chiefs on the 5th of March 2017. This historic building was damaged by the TC Pam in 2015. The Construction took almost 10 months before it was officially opened by his Excellency former Head of State, Father Baldwin Lonsdale, and the Current President of Malvatumauri, Chief Seni Mao Tirsupe in the presence of government official and all chiefs of Vanuatu.

Implementation of the National Road Map: Continuous Piloting project as part of 19 resolution road map of Malvatumauri were conducted in various places of Vanuatu. The launching of these pilot to improve custom government authorities involved the, Malvatumauri Council of Chiefs, Ministry of Justice, Land, government official and respected MP of constituencies concerned, island council and others stakeholders such CLMO and others. We thank Former Minister of Land, Hon Ralph Regenvanu, and Hon Minister Wasal

for Ministry of Justice for their continuous support and participation in these major communities' activities in various island of Vanuatu:

- June 2017, Malekula pilot project was launched at Lakotoro –
- In September 2017, Epi Pilot project was launched at Nikaura
- In July, in Sola (Vanua Lava)
- In July Gaua island
- November 2017 at west Cost Santo.

Training and Awareness: Continuous awareness and training of chiefs in both customary governance and the implementation of the new CLM act has been conducted in various island by customary lands officers and members of the island council of chiefs.

Malvatumauri Council Sitting: Three consecutive council of chief sitting:

- In March 2017, the council of chief meet for the first constitutional meeting to discuss matters relating to the custom and culture
- In June 2017, the government requested an urgent council meeting to approve urgent bills relating to land to be tabled in Parliament of the same month.
- In November 2017, a council meeting was recalled by the government through the Ministry of Internal affairs to approve proposed decentralization plan, and members of the council were invited to also take part in the national decentralization plan.
- **President of MCC Visit to New Caledonia:** In September 2017, President of the Malvatumauri attended the passing over of the presidency of senate at Ouvea New Caledonia. The President also took the opportunity to visit Chief of Vanuatu in New Caledonia to discuss the procedure of new election of the National Chief in 2018. It is envisioned that a similar process will be used to facilitate the establishment of a Council of Chiefs of Vanuatu in Fiji. Various exchange programs and visits have been made to New Caledonia as part of the establishment of linkages between Council of Chief of Vanuatu in New Caledonia and the New Caledonia Custom Senate.
- **New Decentralisation Policy:** Malvatumauri had hosted in collaboration with Ministry of Internal Affairs a new proposed concept of decentralization process at the Chief's Nakamal in November 2017. More than 500 participants including representatives of Provincial Offices, members of the council and government officials unanimously approved the recommendations to the national government.
- **Agreement:** An MOU was signed between the University of New Caledonia, to allow students to undertake their Master Degrees Program with Malvatumauri in matters relating to lands, governance and mapping
- **Revenue:** Additional revenue generating activities such as Kava bar of the Chief's Nakamal has been established and will continue to support the internal development plan and administration purpose in 2018.

Key Challenges

- Lack of human resource support – We need a policy officer to assist in policy advisory and legal matters and technical support to the office of CEO, and the administration of chiefs.
- Though there was a slight increase in the 2017 MCC budget, there was not much guarantee for the institution to fully implement its priority plan – it is essential to continue increasing budget of Malvatumauri Council of Chief to fully implement its planned activities.
- Implementation of the current administration structure is essential for the office to fully implement the expected workforce plan such as; the daily administration, the coordination and enforcement of the National Road Map, and required service and function of the institution.
- Provincial structure and custom structure creates a lot of confusion within communities, for example: 2 separate area councils and various nomination of chiefs and leaders in the same custom area.
- The National Council of Chiefs Act must be reviewed to enable better institutional function and the requirement of service.

Our Budget



The Malvatumauri's total budget in 2017 was **VT 53,791,321** which included payroll and administration costs. This did not include the GRT increase of 2018.

Our Staff

There are eight Officers in the Malvatumauri. From these, there are three permanent staff, one Acting staff (CEO, appointed in the interim to replace outgoing CEO), three contract staff and a constitutional appointment. (President, appointed for a period of five years).

Two new Compliance Officers on governance were recruited in 2017 as part of the strengthening capacity plan of the institution and a new Custom Registration Officer.

Our performance against the 2017 budget narratives

Description	Qty	Unit of Measure	Rating	Comments
Implementation on approved structure of Malvatumauri as approved by the PSC	2	Recruited officers.		Structure implemented – 2 Compliance Officers being budgeted for and implemented.
Governance pilot project	4	Pilot sites		This is an activity that involves all stakeholders – 4 islands have implemented

				the launching of the governance pilot project.
Complete identification of heads of nakamal and Kastom Area and their boundaries for 2 island locations	70%	Data Records	●	To be gazetted - all the data for records of Heads of Nakamal, Kastom Area and boundaries have been completed and finalised.
Chief Nakamal -	1	Nakamal completed, and opened	●	The Nakamal has been completed and officially opened.
Bills related to kastom, culture and land brought before Malvatumauri Council prior to Parliament	60%	Bills consulted	●	To include in the 2018 annual plan for finalization. Consultation completed and sent to MJCS for COM submission
Increase in revenue generation for Malvatumauri	80%	Income generating activities	●	Nakamal completed with Kava bars progressively generating revenue for the agency.
Council meeting	1 and two extra meetings	Council Meetings	●	Council held 2 extra ordinary meetings in 2017
Meeting held	15	Meetings held	●	More than 15 meetings held outside the office
Financial issue such allowance and salaries	80%	Monthly allowance and salaries	●	Completed payment of monthly allowances and salaries paid to staff owing and completed.

Our Focus in the Year Ahead

- To develop a national development plan to assist the government in reviewing the new decentralization policies of the government to address the means of service delivery to the people of Vanuatu. This will involve the chiefs and custom authorities in leadership, decision making and management of land use in all proposed area development.
- To ensure that all island council of chiefs are given autonomy in decision making and governing responsibilities
- To establish all island council headquarters and administration base.
- To establish area council of chiefs in all island of Vanuatu, and have them all gazetted to allow smooth transition of governance structure from provincial established system to custom existing structure
- To strengthen the administrative capacity of the National Council of Chiefs (Malvatumauri) to Area Council of Chiefs.

- To establish a custom registration data, and linkage to the civil status for the preservation and heritage of land ownership to avoid future land dealings.
- To ensure that all 19 resolution of national road map of the council are finalised and legalised. This includes kastom laws and preservation of culture heritage and zoning.
- To develop a national road map into the preservation and promotion of customary languages to ensure that the cultural entities are preserved and protected.
- To review all infrastructure capacity including Malvatumauri council administrative base, island council base, area council base, and other structural authorities of the kastom governance systems.

VANUATU KALJORAL SENTA



Front of Vanuatu Kaljoral Senta and inside of National Museum.

The Vanuatu National Cultural Council was established by an act of Parliament in 1988 with the object of providing for “the preservation, protection and development of various aspects of the rich cultural heritage of Vanuatu, for the provision of public libraries and for the preservation of public records archives”. (Vanuatu National Cultural Council Act, cap.186).



Inside the Kaljoral Senta with displays of artifacts

The Vanuatu Kaljoral Senta (VKS) which has existed in various forms since the 1960's, is identified in the Vanuatu National Cultural Council Act as the principal national institution responsible for executing this objective, and is further identified as consisting of the following bodies:

- The National Museum
- The National Library
- The National Film, Sound (and Photo) Unit
- The National Cultural and Historical Sites Survey (Now the Vanuatu National Heritage Register).

Other permanent sections of the VKS are the Women's Culture Program, the Public Library and the Archaeology Unit

The National Archives, which by reason of its concern with written and otherwise recorded documents, is solely concerned with Vanuatu's post-European-contact heritage, was established as a separate institution by a subsequent act of Parliament, the National Archives Act, Act 13 of 1992, and is currently operating under the Vanuatu National Cultural Council.



In terms of the management of the cultural heritage of Vanuatu, then, the Vanuatu National Cultural Council is the highest national policy-making body and the Vanuatu Kaljoral Senta the principal national executing body.

*National Archives and National Library of
Vanuatu*

Key Achievements in 2017

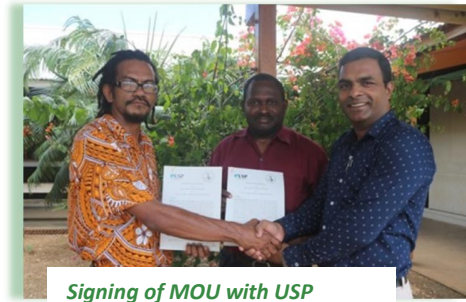
Key achievements of the Vanuatu National Cultural Council and the Vanuatu Kaljoral Senta in 2017 are:

- Successful staff training for 3 staff attending the Leadership and Management training organised by the Ministry of Justice and the Justice for All program, and for 1 staff attending a 3-month training program in Japan on Museums and Community Development.
- Successful training of staffs at Heritage Impact Assessment Workshop in Suva, Fiji.
- Complete phase one of major renovation plans of the Public Library by the Port Vila Municipality.
- Successfully conducted monthly slow food programs and promotion of traditional food at the Van2017 Games.
- Successful collaboration with the Van2017 Committee to organise cultural activities during the Van2017 Games, the Lapita Festival and Fest'Nalenga.
- Digitised more photographs and films (currently 11,967 photos scanned, over 80,000 digital photographs, 1,705 films digitised) but much remains.
- Proper storage of over 15,000 printed materials in the Vanuatu Collection.



*Designed medals for Van2017 as
part of Lapita Festival's contribution
to the Games.*

- Successful documentation of the ACP Ministers Meeting in July, 2018.
- Successfully rebuilt Farea Tabu after it was damaged by Cyclone Pam.
- Signed MOA with VBTC to provide airtime for weekly cultural programs on radio and TBV.
- Signed MOU with USP to provide students to have opportunities to work with researchers.
- Signed MOU with Further Arts to share resources.
- Reviewed staff manual, Research Permit, Filming Permit, Financial and Accounting Procedures Manual and National Cultural Policy.
- Successfully processed 20 overseas film crews and 27 researchers.
- Successfully filmed 26 historical and cultural events and produced 6 documentaries.
- Successfully completed a season of archaeological investigation on the Polynesian outliers of Aniwa and Futuna.
- Successful collaboration with SPC and Forestry Department to implement Tree Replanting for Cultural Purposes Project.
- Partnership with International Research Centre for Intangible Cultural Heritage (IRCI) to conduct Intangible Cultural Heritage (ICH) Disaster Workshop on Gaua.
- Successful collaboration with New Caledonian volunteers to implement Kalexp0 2017.



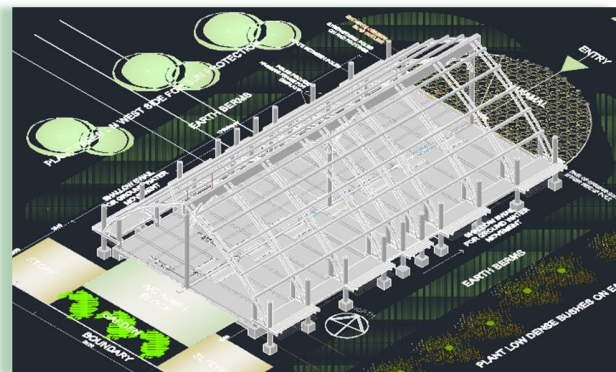
Key Challenges

The Vanuatu Kaljoral Senta encountered a number of major challenges in 2017. A major challenge was the inheritance of debt from the Management that ended on 2015. To that effect, it was not possible for the Institution to fulfil most of its objective in the preservation, protection and promotion of cultural heritage in Vanuatu. The Institution lacked the financial capacity to maximise staff potential to fulfil its objects. In addition, the administrative changes had affected staff moral for parts of the year.

Major challenges faced by the Vanuatu National Cultural Council and Vanuatu Kaljoral Senta in 2017 were:

- Need for a more vigorous approach on the implementation of administration and financial procedures. The new administration realised that administration and financial procedures currently employed by the Institution were either outdated or not implemented in the appropriate procedure.
- Lack much needed Policies, Guidelines and Legislation;
 - Acquire endorsement for current Policies, Guidelines (including Staff Manual) and Legislations, and implement,
 - VNCC Act,

- Preservation of Sites and Artefacts Act,
- Research Policy,
- Filming Policy,
- A number of key policies that are needed to advance work,
- Drone Policy,
- National Cultural Policy,
- National Libraries Act;
- Financial Policy,
- Health and Safety Policy and Procedure,
- Disaster Management Risk Policy and Procedure,
- Need for review of Staff/Organisational Structure
- Implement monitoring and evaluation process, and performance appraisals;
- Conduct cultural mapping throughout Vanuatu;
- Improve digital storage for National Film, Sound and Photo Archive;
- Upgrade and improve the national museum exhibitions;
- Need to rebuild Tafea Kaljoral Senta and build other provincial kaljoral sentas.
- Continue in the video documentation of cultural and historical events and activities;
- Promote the importance of ICH in the mitigation of risk before, during and after natural disasters;
- Need equipment and materials for photo database and exhibitions;
- Need to recruit audio digitisation officer, VNHR field officer and Media Marketing Officer;
- Need funding to further cultural productions;
- Need for National Library to have own budget;
- Need for Librarian at Public Library to be recruited.



New Tafea Kaljoral Senta plan

Our Budget







The VNCC and VKS annual grant from the Government for 2017 was 26,291,633vt. The VKS generated an additional 29,980,769vt in additional revenue to cater for operational expenses and other culturally orientated activities. The National Archives budget (which covers the operations of the National Library) allocated by the Government in 2017 is 14,635,000vt.





Our Staff

The Vanuatu Cultural Centre has a total of 45 staff. The National Archives and Library of Vanuatu employs 6 permanent staff, there are 2 staff at the Malakula Kaljoral Senta and 1 staff at the Tafea Koljoral Senta, 3 staff at the Public Library, 24 staff at the Vanuatu Kaljoral Senta and 10 project staff under the Vanuatu Indigenous Land Defence Desk.

In addition, the VKS has 80 men and 60 women as fieldworkers in all the inhabited islands of Vanuatu, who work tirelessly to protect and promote our rich and diverse cultural heritage.

Our Performance against 2017 Budget

Table 17: VKS Performance against 2017 budget narratives				
Description	Qty.	Unit of Measure	Rating	Comments
Development and implementation of the National Cultural Policy (NCP)	1	NCP Document		NCP has been drafted and needs review, endorsement and implementation
Organisation of national and international cultural and arts festivals, workshops and conference	1	Arts Festival		Organising of Lapita Festival to coincide with the Van2017 Games
Sponsoring and coordination of programs of cultural research in Vanuatu	1	Sponsors		Nil
Regulation and processing of foreign cultural research in Vanuatu		Research		28 foreign researches processed in 2017
Provision of national library services, including a role as the national book depository		Services		15,050 items in National Library collection; 1,123 hourly loans in National Library; 2,365 recorded loans in Public Library; 2,868 visitors to National Library; 239 researchers used National Archives.
Maintenance of a collection of all literature written about Vanuatu in the "Vanuatu Collection" of the national library		Literature Collection		The National Archives and National Library are currently in a secure new complex. Scanning of archival documents began in 2017
Identification, survey and protection of sites of cultural and historical significance and the maintenance of a register of these sites		Historical cultural sites		Thousands of cultural and historical sites have been surveyed but have still to be catalogued. Much effort is dedicated to this in order to have information on sites readily available

Collection of rare and important pieces of material culture for storage and display in the national museum		Rare cultural pieces		Nil in 2017
Identification and repatriation of cultural heritage collections held overseas, including obtaining copies of early photographs and films		Cultural Heritage Items repatriated		Repatriation of archaeological artefacts exported by Richard Shutler for study; Donation of all documentaries made by Juniper Films on Vanuatu; Repatriation of New Hebrides photos from 1892 from the Summerville Collection in the Royal Anthropological Institute of Great Britain.
Recording and documentation of the history of Vanuatu, mostly on audio		Audio recording		No progress in audio digitisation in 2017 due to unfilled post of audio digitisation officer and damaged equipment.
Recording on video of aspects of history and traditions of the country, including customary performances, rituals and historical events, and the provision of video recording services to record miscellaneous events at the request of the public		Video Recording		531 out of 1,705 VHS tapes digitised; Filmed 26 historical and cultural events and produced 6 documentaries, including the ACP Parliamentary Meeting held in July;

Our Focus in the Year Ahead

- Improve the Administrative and strengthen Financial Systems;
- Staff capacity building;
- ICH Workshop on Cultural Mapping - April, 2018;
- Ensure Vanuatu's participation at the Melanesian Arts Festival, Honiara, Solomon Islands – July 2018;
- Men and Women Fieldworkers Workshop October/November 2018;
- Organise Teouma Lapita Festival;
- Work on the 2019 National Arts Festival to be held at Malampa Province;
- Enhance capacity for greater digital storage;
- Promote important aspects of cultural heritage on digital and social media;
- Develop products to promote cultural heritage;
- More outreach programs to schools and general public;
- Address Key Challenges (above).

OFFICE OF THE LAND OMBUDSMAN

The Office of the Land Ombudsman continued to receive and dealt with complaints on land disputes in 2017. There was a distinct increase of complaints as can be evidenced by a number of some more files being opened at the office. There was a steady flow of new complaints.

Despite the fact that there was little budget allocated that catered for the salary of the Land Ombudsman an operational budget of 1.2 million vatu coupled with the delay to recruit Investigators, the functions performed by the Land Ombudsman continued steadily throughout 2017. The Office is currently located at the Corporate Services Unit at Ministry of Justice and Community Services office.

Key Achievements

The only key achievements during 2017, is that complaints regarding land issues keep coming in and are steadily being dealt with by the office. Resolutions to the complaints and referrals continued to be the main roles of the office. It continues to be a genuine fact that citizens keep lodging their complaints to the office which is evidence that the public recognises and appreciates the establishments, the functions and the powers and roles and responsibilities of the Land Ombudsman. Despite the continued challenges faced in 2015 and 2016, in 2017, there was a marked flow of complaints coming into the office and the complaints were dealt with as usual. Increase in the number of complaints was evidenced by the number of files that were opened for individual complaints received. The office received an average of 3-4 complaints per fortnight of which most are returning complainants as there are a lot of investigations that were required to be carried out. However, there were no complaints received from TORBA and PENAMA Provinces. There was a drop in the number of complaints from some Provinces namely;

The following are density load in % of complaints by Provinces:

Table 18: Density load in percentage of complaints by province					
PROVINCES	% of complaint out of 100%	Nature of Complaint	Nature of resolving complaints %, Rate of success in resolving complaints	% rate of procession in resolving complaints out of 100%	% pending resolutions of complaints
SHEFA	50%	Process identification of Tribunals and Nakamals	Investigations and referrals	25 – 30%	15 – 20%
SANMA	30%	Same as above	Investigations and referrals	10%	20%
MALAMPA	10%	Same as above	Investigations and referrals	5%	5%
TAFEA	10%	Same as above	Investigations and referrals	4%	6%
PENAMA	0	-	-	-	-
TORBA	0	-	-	-	-

Worth noting are the descriptions of the three (3) process stages below;

Referrals of Complaints: - After receiving complaints, the Office went into investigating the substance of the complaints and referred the complaints to the appropriate authorities to deal with the complaints for resolution

Investigations of complaints: - The Land Reform (amendment) Act allows a period of 21 working days for any investigations to be carried out. The summation of the investigations for the complaints is time consuming.

Pending Resolutions of complaints: - This only implies that investigations are not yet done and are in line waiting for investigation to be carried out.

Key Challenges

The only main and key challenge that affected the function of the Land Ombudsman is the same as for 2015 and 2016. It is the Budget constraints for establishing a full functioning Office (comprising of staffs, equipment, stationaries, telecommunication equipment, vehicles, office space, etc.....). The only budget is for the Land Ombudsman Salaries and an Operational Budget to keep the office open for people.

Budget

The Land Ombudsman's budget for 2017 only covered the Land Ombudsman Salary and a minimal Operation.

Staff

Only one staff in 2017, i.e. Land Ombudsman.

Our Focus for 2019:

- A full Budget Approval by the Parliament
- Establishment of a separate office, equipment, stationaries & communication tools
- Recruitment of staffs (2 Investigation Officers, 1 Administrative Officer and 1 Office Cleaner)
- An office vehicle

OFFICE OF THE LAW REFORM COMMISSION

Functions of the Commission

The office of the Law Commission is an independent statutory body, which is mandated by an Act of Parliament. The core function of the office is provided for in our Act;

These key function is to study and keep under review the laws of Vanuatu and to recommend reforms particularly in respect to:

- (a) The removal of anachronisms and anomalies; and
- (b) The reflection in the law of the distinctive concepts of custom, the common and civil law legal systems and the reconciliation where appropriate of difference in those concepts; and
- (c) The development of new approaches to and new concepts of the law in keeping with and responsive to the changing needs of Vanuatu Society, of groups within that society and of individual members of that society.

The focus of the office is to review pieces of legislation and make recommendations where necessary in order to ensure that the recommendations made are current and address issues in today's society. Most of the reports produced by the office of the Law Commission are evidenced based policies.

In 2017, amendments were made to the Act which included and provided for the following functions:

- Creation of new laws

Subsection 7(1) (b)

".. to carry out, on its own initiative, studies and research of a legal nature as it considers necessary for carrying out its function, including researching relating to other legal systems; and"

- Providing further help to Ministries and Departments once a review is completed.

Subsection 7(1) (g)

"To consult with the Ministry or Department to:

- (i) *Review any aspect of the law; and*
- (ii) *Provide information regarding the review; and*

Furthermore, these amendments have also given the LRC the power to be in charge of all legal reviews being carried out in Vanuatu. Section 10A provides that:

- (1) *A Ministry or Department who intends to review its laws must consult with the Commission.*
- (2) *A Ministry or Department must not instruct a consultant or any other person or authority to review its laws without the prior written approval of the Commission.*

Key Achievements

The Law Reform Commission is fairly new in its establishment, however between 2012 and 2017 the office successfully carried out the following reviews;

- (1) Public Health Act [Cap 234] 1994
- (2) Dangerous Drugs Act [Cap 12] 1939
- (3) Water Supply Act [Cap 24] 1955
- (4) Water Resource Management Act [Cap 281] 2003
- (5) Penal Code [Cap 135] 1981 (focus on sexual offences, customary reconciliation)
- (6) Civil Status (Registration) Act [Cap 61] 1971
- (7) Law Commission Act [Cap 115] 1980
- (8) Ombudsman Act [Cap 252] 1999
- (9) Leadership Code Act [Cap 240] 1998
- (10) Marriage Act [Cap 60] 1971

The office has only been able to carry out one creation of a new legal frame work (proposed legislation) due to financial restraints. This creation of the new legal frame work is focused on the proposed Juvenile Justice Act and is expected for the final report to be completed by May of 2018.

With the recent amendments also in place, the office also carried out a half day awareness program at the Melanesian Hotel, on how these amendments were relevant for all Governmental Ministries and Departments with regards to legal reviews.

The office has also managed to get new Law Commission members to overlook and direct the office work and has been working effectively with them since the beginning of 2017.

Key Challenges

In 2017, the VLRC faced various challenges. Firstly, the office faced financial difficulties which were the result of unforeseeable act. The Secretary had to go on leave at a short notice hence funds for office operations and administration had to be directed to the Acting Secretary. Consequently, the office had to look to other means to keep the office running. The Office had to advance funds from other activities however, the prolonged process of having Finance to release the funds delayed much of the work of the Law Reform Commission.

Shortage on staff capacity was a second huge challenge for the Office. When the Secretary had to take an urgent leave, the office was left with only four Legal Researchers including the Acting Secretary who had to attend to the Secretarial functions as well as his Senior Legal Researcher role. The LRC approached the MJCS

for assistance however, it was not possible for all requests to be funded thus a priority list was made to fund only some of the requests, which excluded the requests for additional recruitment of staff.

Meeting deadlines was another challenge, the office worked on producing a Staff Manual for the office however, the challenge was for the work to be shared among all four staff who also had their research and consultation work to do which led to certain deadlines not being met for the year.

Budget

Table 19: VLRC 2017 Budget	
Law Commission Annual Budget	<u>18,005,445</u>
Salaries & Other Allowances	12,328,851
Operations	3,126,584
Additional Recurrent	2,550,000

Even though the office was granted an additional recurrent amount, this was specifically provided for legal reviews carried out by the office. As shown in the table above, the VLC Annual budget for 2017, was not sufficient to allow for the VLC to fully function and to fill up the much-needed vacant positions within the organizations.

As mentioned earlier, the office had requested in its Budget submissions to the MBC for further funds to cater for more officers to carry out the work of the office effectively but these requests were not granted as they did not make it to the Ministry of Justice's list of priorities under its final Budget submissions.

Staff of the Law Commission

Positions Occupied

Table 20: VLRC staff as at December 2017		
Staff Name	Gender	Position
Secretary		(This position is currently vacant)
Powrie Vire	Male	Senior Legal Researcher
Nadya Robert	Female	Senior Legal Researcher
Gracelyn Tasso	Female	Legal Researcher
Sandy Kalo	Male	Legal Researcher
Lessy Tavala	Female	Administrative Assistant/Finance officer

As shown in the table below there are a number of vacant positions within the Law Reform Commission office structure that have yet to be filled in however, due to lack of funds recruitment cannot be progressed. The government must ensure that these positions are fully funded in the next budget submissions so that recruitment process can begin. The service the agency provides is one that is vital to the State and to the

people of Vanuatu. With the centralization of all legal reviews under the office, more manpower is required to deal with the extra work thus the importance of funds to help fill up these vacant positions.

Table 21: VLRC Vacant positions

Status	Position Title
Vacant	Principal Legal Researcher
Vacant	Assistant Senior Legal Researcher
Vacant	Assistant Senior Legal Researcher
Vacant	Legal Researcher
Vacant	Legal Researcher
Vacant	Office Manager

Performance against the 2017 Budget

Table 22: VLRC performance against 2017 budget narratives

Description	Quantity	Unit of Measure	Comments
Workshops with government, NGO, private sector on new amendments to the Law Commission Amendment Act	1	Act Gazetted	Law Commission Amendment Act tabled in COM.
Four legislative reviews	4	No. of issue papers produced	3 reports completed
Coordinated Law Reform process to be established with government and NGOs	1	No. of workshops and meetings	3 legislative reviews were carried out
Coordinated awareness programs for the Law Commission during legislative reviews	4	No. of awareness programs conducted	3 community awareness programs carried out.
Recruitment of 2 staff to the Law Commission	2	No. of signed contracts	No new staff recruited in 2017.

Focus for the Year Ahead

With the list of priorities that have been provided for by the Commission in their first few meetings, the office is now working on carrying out the tasks stated under this list. One of these priorities which the office is now looking at is as mentioned earlier, the proposed Juvenile Justice Act. Currently, consultations are being carried out for this review and are expected to be completed by May of this year, 2018.

The LRC carried out awareness of the new amendments in March 2018 and will now be working on implementing these changes across the governmental departments and Ministries. In addition, the office

will continue to disseminate and provide further awareness through social media on the functions of the Law Reform Commission so that everyone understands the role and services that the LRC plays and provides.

In addition, the office will continue to negotiate with the government through the Ministry of Justice for additional budget to recruit staff to fill in the current vacant positions.