

Background

Vanuatu and New Zealand agreed to work together in the justice/corrections area with the objectives of providing safe, secure and humane containment of prisoners, effective rehabilitation and reintegration of offenders, and a probation system that builds on existing customary processes. The Vanuatu Corrections Task Force was responsible for managing the reform process in the first phase and the transitional period following the establishment of the Vanuatu Department of Corrections Service (VDCS). The VDCS is now operational. The features of the reforms are:

- establishment of the Vanuatu Department of Correctional Services with independent operational and management autonomy from the Vanuatu Police Force. This includes a probation service within the VDCS providing information to the courts and supervising community based sentences
- establishment/upgrading of temporary prisons to improve prison conditions in the period before construction of a new national facility
- construction of a new national prison centre in Port Vila.

The New Zealand Agency for International Development (NZAID) agreed to support these reforms through a programme of assistance to the newly formed VDCS from 2006, including technical assistance from the New Zealand Department of Corrections, cash grants, and training attachments as well as funding for infrastructure.

Purpose and Objectives

The purpose of this joint NZAID/Government of Vanuatu review was to assess progress to date in meeting Phase 2 project objectives and to identify components for ongoing NZAID assistance from 1 July 2007 onwards, especially what additional institutional strengthening is needed. It was noted that recommendations for any future NZAID involvement must fit with the priorities of the Vanuatu Government and be within projected available resources of NZAID and Vanuatu Government. The review objectives were:

1. to evaluate the achievements to date of objectives under Phase 2 with particular reference to organisational arrangements and the quality and timeliness of inputs
2. to update the Phase 2 project design and to design a third phase of assistance, identifying objectives/outcomes for the next period, funding mechanisms and sources, delivery methods and a project timeline.

Main Findings

Legislation relating to the new agency and the introduction of community based sentences and parole have been passed. Last minute major changes relating to Diversion and Compensation provisions were made without discussion with all affected parties; however efforts are underway to remedy this situation. Delays in passing the legislation and appointment processes outside the control of the project team meant that project timetables were not met. The new Department is in place and functioning, a probation service is established and prison responsibility transferred from the Police. Staff have been appointed and have received training, however further training and support is required. Probation officers are located in Efate and Santo, servicing outer islands from there. Establishment of the service in the outer islands is likely in Phase 3, and will need support.

Prison staff have received less support than probation staff in the last 6 months. For the next 18 months they will need full time training and support to embed operating regimes and to finalise design, tender, construction and commissioning of the new prison in Port Villa, for which technical support is needed and to provide advice on muster management. Site acquisition has proven difficult and is still not resolved. If the British Prison is sold before the new prison is commissioned, the Department could face overcrowding issues in its prisons, and the possibly of not achieving desired operational management standards.

The new Department is aligned with the strategic direction of the government but has suffered damaged reputation from a spate of escapes. Future communications activity should place more emphasis on public safety and security than on community-based sentences, rehabilitation and re-integration.

Phase 2 of the project has addressed most daily operational business equipment needs of the new Department. More work is needed on revision of manuals, instructions, forms and processes in light of experience and needs. There is potential for a large infrastructure investment in Phase 3 including the new prison at Port Villa, offices for probation staff in the outer islands and (further in future) small prisons on islands other than Efate and Santo.

Technical advisor support until the end of 2008 is needed, with the level of support decreasing after June 2007, and again after December 2007. Regular stocktakes should ensure that withdrawal dates remain optimal. Support beyond the end of the project should be by MOU with the NZ Department of Corrections sustained by reasonable NZAID funding.

Tensions and communication issues involving the VDCS, the police and the judiciary indicate gaps in understanding interdependencies and raise the need for mechanisms to improve coordination.

Hindsight showed that formal training needs analysis, a less linear approach to implementation and more emphasis on contingency planning would have been useful. A less linear approach would have recognised more strongly a number of key interdependencies (e.g. many activities hinged on the legislation and appointment process).

Recommendations

1. That prisons receive the fulltime support of a Technical Advisor over the balance of the Project, and that Technical Advisor be supplemented from time to time with access to higher level technical peer review and quality assurance
2. That in the event of overcrowding and the continued non availability of a suitable site senior New Zealand officials explore ways to resolve the impasse with the Vanuatu Government so that the new prison can be built and commissioned by the end of 2008
3. That any future communications activity of the Department which is funded directly or indirectly through NZAID should place more emphasis on and promote greater understanding by the public and other officials of the public safety and security roles of the Department
4. That the "Log Frame" attached as Annex F represents the major components for Phase 3 of this project
5. That several stock-takes be undertaken during the course of Phase 3 to determine whether the timeframe for the completion of the Project remains valid

6. That the support to VDCS beyond the completion of the project be by way of a Memorandum of Understanding with the New Zealand Department of Corrections which should be supported by funding from NZAID
7. That NZAID continue support so the VDCS Director and senior staff can attend relevant professional conferences and meetings from to time

Key Issues and Learning for NZAID

Human rights: prison escapes put pressure on the Department to communicate public safety and security messages, overriding previous efforts to emphasise community-based sentences and rehabilitation. Delays in construction of the new prison could adversely affect detainee well-being if standards suffer as a result of overcrowding etc.

Whole of government approach: tensions between VDCS, the judiciary and the police imply that a better understanding is needed of the interdependencies among government departments and raises the need for mechanisms to improve coordination. Support to the new Ministry of Justice is relevant here as is a sector wide approach involving the relevant donors.

Less linear approach to implementation: a less linear approach to implementation and more emphasis on contingency planning would have been useful. A less linear approach would have recognised more strongly a number of key interdependencies (e.g. many activities hinged on the legislation and appointment process).

Follow-up

NZAID agreed with all seven recommendations, noting that:

- Some work remained to refine the logframe outputs and objectives, and that activities to promote detainee rights and well-being should be added (Recommendation 4)
- The nature of future support after the end of the project will emerge during Phase 3. Ongoing periodic monitoring, mentoring and training are needed (Recommendation 6).

To request a copy of the full report email aidevaluation@mfat.govt.nz and quote the reference number - Eva0711.