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## METHODOLOGY AND TIMELINE



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## a. Research Aim and Scope

The aim of the UN Women research project is to:

- Consider the extent to which women and children are able to access the formal justice system in Vanuatu,
- Understand the barriers that currently impede women and children's access to the formal justice system, and
- Together with Vanuatu formal justice sector agencies, consider approaches that would increase the proportion of women and children accessing the formal justice system, particularly in violence cases, and the quality of the services provided.

UN Women and Vanuatu justice sector agencies agreed that the research project would consider women and children's access to the formal justice system in Vanuatu in the following types of cases:

### Supreme Court

- **Criminal cases:** Serious Crimes (including sexual offences)
- **Civil Cases:** Family law/matrimonial
- **Adoption cases.**<sup>1</sup>

### Magistrates Court

- **Criminal cases:** Family Protection Act (domestic violence offences) and Penal Code (preliminary investigation) cases
- **Criminal:** Maintenance of Family Act (desertion)
- **Violence cases:** Family Protection Act: Protection order cases
- **Civil Cases:** matrimonial/family law (uncontested petitions for divorce etc.)

### Island Court

- **Civil cases:** Maintenance of Children cases (applicant is a woman).



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## b. Research Approach

It was agreed with the heads of justice sector agencies that the research would include analysis of the following sources of information on how women and children access the formal justice system in Vanuatu:

- I. Agency<sup>2</sup> Data 2012–2015
- II. Agency Budget Documents – Budget Proposals and Appropriations 2013–2015
- III. Interviews with Justice Agency Stakeholders
- IV. Individual Case Studies highlighting various aspects of the delivery of justice for women and children.

In addition, the research team has conducted a literature review and considered previous recommendations made by researchers, formal justice sector agencies, civil society, INGO's and the Committee for CEDAW.

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1 Adoption cases are dealt with as a separate category of case by the Supreme Court.

2 Police, Prosecution, Courts and Vanuatu Women's Centre. The Office of the Public Solicitor made no data available.

### c. Research Timeline

This research project was undertaken over five months from mid-November – mid-April.

Month	Research Activities
<b>Mid-November – December 2015</b>	<ul style="list-style-type: none"><li>• Desk review of literature concerning women and children’s access to the formal justice system in Vanuatu.</li><li>• Met with heads of justice sector agencies to agree upon the methodological approach to the research.</li><li>• Research commenced in Port Vila and Tanna.</li></ul>
<b>February 2016</b>	<ul style="list-style-type: none"><li>• Research continued in Luganville, Malekula and Port Vila.</li></ul>
<b>March</b>	<ul style="list-style-type: none"><li>• Initial key findings and recommendations discussed with heads of justice sector agencies in Vanuatu.</li></ul>
<b>April</b>	<ul style="list-style-type: none"><li>• Draft final report presented to UN Women.</li></ul>



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## d. People Interviewed

After receiving the agreement from the head of each justice sector agency to interview judicial officers and agency staff, the research team mapped the justice sector agencies, civil society organisations (CSOs), disabled persons organisations (DPOs),

donor programmes and other organisations that it would be important to interview. For each formal justice sector agency a structured interview was developed. Prior to interviewing each judicial officer and agency staff member a summary of the aim of the research programme was read out and each interviewee was asked if they wished to proceed with the interview.

### Supreme Court

	Interviews were conducted with:
<b>Port Vila</b>	<ul style="list-style-type: none"><li>• Chief Justice</li><li>• 2 of 6 Justices</li><li>• Chief Registrar</li></ul>

### Magistrates Court

	Interviews were conducted with all eight Magistrates:
<b>Port Vila</b>	<ul style="list-style-type: none"><li>• Chief Magistrate</li><li>• Senior Magistrate</li><li>• 2 Magistrates</li><li>• Deputy Registrar</li></ul>
<b>Santo</b>	<ul style="list-style-type: none"><li>• Senior Magistrate</li><li>• Magistrate</li></ul>
<b>Malekula</b>	<ul style="list-style-type: none"><li>• Senior Magistrate</li></ul>
<b>Tanna</b>	<ul style="list-style-type: none"><li>• Senior Magistrate</li></ul>

### Island Courts

Port Vila	Island Court Coordinator
	Interviews were conducted with Island Court Clerks from:
	Efate <b>Island Court</b>
	Santo/Malo <b>Island Court</b>
	Malekula <b>Island Court</b>
	Tanna <b>Island Court</b>
	Ambae <b>Island Court</b>

## Police

### Interviews were conducted with:

#### Acting Police Commissioner

#### Commander North

#### Family Protection Unit

- 8 of 13 FPU officers:  
Port Vila (3/5); Tanna (1/1); Santo (3/4); and Malekula (1/2)

#### State Prosecutor

- 5 of 11 State Prosecutors:  
Port Vila (1/6 – Officer-in-Charge), Tanna (1/1), Santo (2/3)  
and Malekula (1/1)

#### Other Police

#### Criminal Investigation Department CID

- Deputy Director, Port Vila

#### Tafea Area Command

- Officer-in-Charge

#### CRIMS, Port Vila

- Officer-in-Charge
- Data Officer

#### Serious Crimes Unit

- A senior officer in Port Vila and the two officers in Tanna.

#### Morality Offences Unit

- Three of the four police officers in the Morality Offences Unit  
in Santo.

#### Forensics

- Officer-in-Charge of the Unit in Santo.

## Public Prosecutor

### Interviews were conducted with:

#### Port Vila

- Public Prosecutor
- Assistant Prosecutors 3/5
- Note: Deputy Prosecutor role and 3 Assistant Prosecutor posts  
were vacant at time of the research.

#### Santo

- Assistant Prosecutor (1/1)

## Vanuatu Women’s Centre

Interviews were conducted with:	
Port Vila	<ul style="list-style-type: none"><li>• Director</li><li>• Legal Adviser and Legal Assistant</li><li>• Research Officer</li><li>• Counsellor</li></ul>
Sanma	<ul style="list-style-type: none"><li>• Project Officer</li><li>• Community Educator</li><li>• Counsellor</li></ul>
Malampa	<ul style="list-style-type: none"><li>• Project Officer</li><li>• Volunteers</li></ul>
Tafea	<ul style="list-style-type: none"><li>• Project Officer</li></ul>
Torba	<ul style="list-style-type: none"><li>• Project Officer</li><li>• 2 Counsellors</li></ul>

## Public Solicitor

Interviews were conducted with:	
Santo	<ul style="list-style-type: none"><li>• Senior Legal Officer (1/2)</li></ul>

## Ministry of Justice

Interviews were conducted with:	
Port Vila	<ul style="list-style-type: none"><li>• Director General</li><li>• Director of Department of Women’s Affairs and 2 staff members.</li><li>• Disability Desk</li><li>• Child Protection Officer</li></ul>

## Others

### Interviews were also conducted with:

#### Port Vila

- Policing and Justice Support Program
- Vanuatu-Australia Police Programme
- Australian High Commission
- Save the Children
- UNICEF
- University of the South Pacific Community Legal Information Centre
- Vanuatu National Statistics Office
- New Zealand High Commission
- New Zealand Pacific Prevention of Domestic Violence Programme (PPDVP)

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#### Santo

- Sanma Frangipane
  - National Coordinator, Disability Promotion and Advocacy Association (DPA)
  - Sanma Provincial Disability Officer
  - Medical Superintendent, Northern District Hospital, Luganville
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