

## Access to Justice in Post-RAMSI Solomon Islands Part 2: Perceptions of Access to Justice

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This is the second part in a series of three In Briefs highlighting findings from the *Solomon Islands Access to Justice Survey* commissioned by the Solomon Islands government and supported by the Australian government and the United Nations Development Programme (UNDP 2019a). The findings are drawn from the *Survey Summary Report* (UNDP 2019b). The survey assessed justice needs and barriers to effective dispute resolution, particularly among groups recognised as having unmet justice needs, including women and people with disabilities. This In Brief highlights key survey findings concerning perceptions of access to justice. Interested readers should consult the main [study reports](#).

### Accessing justice in Solomon Islands

Accessing the state justice system has been a longstanding challenge in Solomon Islands, given the dispersal of the current population of approximately 650,000 people across many islands and the limited institutional and administrative capabilities of the government, as well as its restricted reach across the archipelago. Justice services infrastructure is mainly concentrated in Honiara, the national capital, and a few provincial centres. For the 77% of the population living in rural areas, accessing these services can be difficult, expensive and time-consuming. Most rural citizens rely on informal community-based approaches for managing everyday disputes and security needs, often involving local chiefs or church leaders.

A 2013 World Bank study provided the first in-depth examination of how rural Solomon Islanders pursued justice (Allen et al. 2013). Focused on five provinces, it found that community-based approaches were widely relied upon, though they varied in form and efficacy. It also found strong local demand for more accessible and efficient state justice services, including police and courts. The *Solomon Islands Access to Justice Survey* is the first major review of perceptions, pathways and justice choices in post-RAMSI (Regional Assistance Mission to Solomon Islands) Solomon Islands. Covering all nine provinces as well as Honiara, it surveyed nearly 2700 Solomon Islanders.

### Perceptions of justice services

Most respondents were positive about the provision of justice services. However, more were satisfied with community-based approaches (81%) than with state justice services (65%). In the two years since RAMSI's departure in 2017, the majority felt that the quality of services had remained largely the same, with slightly more observing improvements with community-based approaches (33%) than with state services (23%).

The study sought to identify both the justice services that were actually available and those respondents wanted to be available. The most available means for dealing with disputes identified were village chiefs (67%), followed by church leaders (36%) and the police (30%). The police were also the justice service that most wished was available in their community (60%), with relatively small numbers identifying other state justice services such as local courts (6.1%).

These findings reaffirm key messages from the earlier World Bank study. Community-based justice mechanisms remain the most accessible form of justice provision for the majority of Solomon Islanders, while there continues to be a strong desire for greater access to police services.

### Perceptions of Solomon Islanders with unmet justice needs

The study highlighted that groups with unmet justice needs — women, youth and people with disabilities — continue to have different perceptions of available justice services.

Men reported greater satisfaction with community-based approaches to dispute resolution than women (85% compared to 78%), however, more women than men felt improvements had occurred since 2017 (38% compared to 28%). While this might suggest some progress in efforts to improve gender outcomes at the community level, there was still disparity in perceptions of access to services, with men reporting greater availability of chiefs, church leaders and police for dealing with disputes.

Younger Solomon Islanders (18–25 years old) were more likely to be satisfied with state justice services than older demographics, and more likely to feel those services had

improved in the last two years. While positive in terms of youth perceptions, a very different picture emerged amongst citizens with a disability. The latter were less likely than those without a disability to be satisfied with either community-based approaches (70% compared to 82%) or state services (51% compared to 66%), while being twice as likely to feel state services had deteriorated in the last two years (33% compared to 17%).

While these findings suggest some positives in supporting groups with unmet justice needs, the availability of services for women and the findings related to persons with disabilities highlight areas for continuing policy engagement.

### Awareness of the roles of state justice services

The study found limited awareness of the roles of state justice services beyond the police. While most respondents were aware of the role of the police (71%), there was much lower awareness about the roles of other state justice institutions and actors, including courts (40%) and lawyers (38%). Awareness was significantly lower for women, youth, those from rural areas and those with a disability. The data also suggested that although respondents claimed to understand the role of the police, accurate knowledge about police powers was often more limited. For example, 43% of respondents believed the police are entitled to use threats and actual violence to foster cooperation.

While limited knowledge about the state justice system is perhaps not surprising in rural locations where state presence is limited, the study did find a marked increase in awareness about the prohibition of domestic violence. A substantial majority of respondents (92%) identified that men were not allowed to use violence against women to resolve disputes, and 87% felt that if it did occur the perpetrator should be punished. This represents a significant shift in perceptions over the last decade. The seminal 2009 *Solomon Islands Family Health and Safety Study* (SPC) found that a majority of women (73%) believed a man was justified in beating his wife under some circumstances. While the wording and sampling practices of the two studies differ somewhat, the findings from 2019 suggest a discernible change in attitudes coinciding with the criminalisation of domestic violence under the Family Protection Act 2014 and the extensive advocacy and outreach work that has accompanied this important reform. Although this growing awareness is a positive development, over half of the respondents (55%) in the 2019 study reported that men still use violence to resolve issues with women in their homes. This suggests that more time and continuing efforts will be required to reduce the actual incidence of domestic violence.

### Implications

The 2019 survey was the first major investigation of perceptions and experiences of access to justice in Solomon Islands since RAMSI ended. The research reaffirms a number of findings from the earlier World Bank study, including the continued importance of community justice mechanisms and the desire for increased access to state justice services, particularly the police. While differences in perceptions from groups with unmet needs and by location are not surprising, they highlight the importance of targeted support programs focused on marginalised groups.

The findings in relation to perceptions of domestic violence are especially noteworthy and welcome. Notwithstanding the need for continued efforts to support access to justice for women and those with disabilities, increased awareness around domestic violence is indicative of how positive change can occur even under the most challenging conditions.

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### Author notes

*Tom Sloan is CEO of Sustineo P/L, Sinclair Dinnen is with ANU's DPA and Mark Rowe is an independent consultant.*

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