



Costing the Implementation of Laws that Address Gender-based Violence

Experiences from the Pacific

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Scope and Context:

- Cook Islands (2011): Draft Family Law Bill
 - Requirement for Parliamentary submission
 - Scope: draft law itself – across all relevant Ministries
- Republic of the Marshall Islands (2012): Domestic Violence Prevention and Protection Act
 - Timing: after law's adoption but timed before budget allocation process
 - Scope: law itself – across all relevant Ministries

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Methodology:

1. Identification of cost-generating elements in the law; translating them into units (activities, services, resources) that could be costed.
2. Mapping of services, infrastructure, resources that already exist
3. Identification of gaps and quantification of costs to implement legislation (3-year period); including no-cost items
4. Put into context of country's human rights obligations and impact on national economy (approximate conclusion);

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- **§ 927 – Central data collection, monitoring, reporting etc.** Responsibility for data collection on reported domestic violence cases; for monitoring, evaluating and reporting.
 - Setting up monitoring mechanism, database, reporting protocols, and training of staff
- **§ 924 – Investigation and no-drop policy**

Obligation on police to immediately investigate reports of dv, and press charges if appropriate; obligation on prosecutor to proceed with case in court

 - Enabling health workers to record domestic violence incidents (provision of cameras, forensic training)
 - Enabling police to investigate, including on outer Islands (family support unit; increase criminal investigation budget and travel budget; training)
 - Enabling judiciary to fulfil mandate under bill (training; no need for budget increase otherwise)

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Challenges Encountered :

- Government financial situation and absorption capacity required conservative costing.
- Small countries, spread over vast geographic area, very remote locations, sparsely populated outer Islands with limited services. Not cost-effective to implement law on outer islands.



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Challenges Encountered :

- Many services provided by non-government actors (often better funded)
- Data gaps and challenges
 - No police, justice, health records
 - Demographic and health survey figures very low
 - Quality of data

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Ministry of Internal Affairs

Currently "only 2-3 cases" per year referred to safe house. Estimate of 5 cases of 1 week stay each for first year; 6 cases for 2nd year; 7 cases for 3rd year @ 100\$/night; (including meals and accommodation for children). 3500/1st year; 4200/2nd year; 4900/3rd year.	3500	4200	4900
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National Police

current transportation budget for criminal investigation unit (4700USD) insufficient. Expected increase in demands for assistance by outer islands local police. Estimated budget increase of 15% in FY13, 20%in FY14, 22%in FY15	705	940	1034
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RMI Domestic Violence Prevention and Protection Act -- Draft Costing Table for Ministry of Internal Affairs -- FY13, FY14, FY15

	Cost-generating provisions	What is required to implement that provision?	Data and estimates to calculate additional costs per year	FY13 US\$	FY14 US\$	FY15 US\$
1	§ 902: prevent domestic violence; provide support for complainants and survivors; ensure investigation, prosecution, and punishment; § 923: collaborative Reporting; § 913: Application for Protection Order	Expand activities of women's training and information center to conduct prevention and empowerment activities. Consider setting up space and hours for counseling and other services (legal aid etc.). Set up self-help groups for victims/survivors and prevention groups for perpetrators. Task center staff to provide case-work support for domestic violence cases; information on services and safe houses	Revise Terms of Reference for Women's training and information center to cover new responsibilities. Include staff into trainings on domestic violence and DVPPA. Provide small budget for additional activities (self-help groups; prevention groups, etc.)	800	800	800
		Recruitment of 1 social worker in Majuro and 1 social worker in Ebeye tasked to support victims in accessing services, monitor case-work, response by criminal justice system, and gather statistics.	Salary: 2x18'000; Social security: 2x 1'890; 2 laptops @ 1'500 each; 2 filing cabinets @ 600 each; 2 workstations @ 300 each; 2 chairs @ 180 each; 2 external drives @ 100 each; 2 phones @ 40 each; 2 phone lines @ 108 each; Stationary to be covered by current budget.	45436	39780	39780
		Recruitment of volunteer (Australian, Japanese, or Taiwanese volunteer) to support social worker and center staff and assist with implementation of DVPPA.	no additional cost	0	0	0
		Establishment of referral and reporting mechanism among all government offices (MoIA, MoE, MoH, Court, Police) and non-government stakeholders (WUTMI, WAM, Legal service Micronesia, Church groups). Complements first response protocols for police and Ministry of Health currently underway	no additional cost	0	0	0
		Establishment and implementation of response protocols/policies for all MoIA staff. Integrate into training on DVPPA	No additional cost. Consider seeking guidance and feedback from WUTMI and development partners on content of protocol.	0	0	0
		Establishment of inter-ministerial/civil society task force to coordinate implementation of bill and share information on challenges, case responses, and identification of gaps that require renewed attention	ToRs for task force to be drafted by MoIA staff, at no additional cost. Explore seeking advise on ToRs from development partners	0	0	0
		Provide funding for temporary accommodation of victims and children in safe house in Majuro. Establish protocol to regulate referral to safe house, and authorization of stay between MoIA, police, Ministry of Health, courts, service providers	Currently very few cases referred to safe house. Estimate of 5 cases of 1 week stay each for first year; 6 cases for 2nd year; 7 cases for 3rd year @ 100\$/night; (including meals and accommodation for children). 3500/1st year; 4200/2nd year; 4900/3rd year.	3500	4200	4900
SUBTOTAL				49736	44780	45480
2	§ 902: prevent domestic violence; provide support for complainants and survivors; ensure investigation, prosecution, and punishment; § 923: collaborative Reporting; § 913: Application for Protection Order	Provide in-depth training with help of WUTMI for all entities providing counseling services (WAM, RMI counselling association)	2-day workshop for approx. 40 participants in Majuro; venue cost: 260/day (MIR); 11/pax/lunch + 2 tea-breaks; 10\$/pax for workshop materials. Follow up trainings with discussion of lessons learnt in FY14 + FY15	1360	1360	1360
		Establish hotline for domestic violence victims in Majuro and Ebeye. Hotline to be answered on rotating basis between MoIA and civil society staff who ensure adequate response by all actors, including police, court, and other services. Set up schedule and response protocol and include number into awareness-raising activities. Train call respondents.	Approach NTA to donate 2 numbers (1 for Ebeye; 1 for Majuro); tbc	0	0	0
SUBTOTAL				1360	1360	1360
3	§ 927: Central data collection, monitoring, reporting, etc.	Hire consultant and cooperate with WUTMI to set up database and reporting system within MoIA. Include database management into Terms of Reference of new social workers; organize training, with help of WUTMI and consultant, on database management for MoIA staff (including IT person) and National Police, including on data security and confidentiality.	Recruit international consultant for 13 days @ 600/day (includes travel + training). 3000 for travel; 202DSA/8days (Majuro); 261DSA/2days (Honolulu); split costs 50% with Police; explore possibility of seeking assistance from development partners	6469	0	0
		Evaluation of bill's implementation including all stakeholder services to identify impacts, shortcomings, gaps, including on outer islands; resulting in new action plan for next 3-year implementation of the bill approved by Cabinet.	Recruit international consultant for 20 days @ 500/day (includes travel + training). 3000 for travel to Majuro; 800\$ for internal travel ; 202DSA/day/4days (Majuro); 206\$/day/2days (Ebeye); 124\$/day/for 2 days on outer island (island to be determined); 261DSA/2days (Honolulu); explore seeking assistance from development partners.	0	0	15796
SUBTOTAL				6469	0	15796

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Information gathered:

- Establishing baseline estimates
- Staff costs; transportation, communication costs; criminal investigation unit budget; transportation budget for police
- Court fees; cost of lawyer to provide legal aid etc.
- Cameras for hospitals to document injuries
- Awareness-raising materials; trainings; workshops etc.

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Impact

Cook Islands:

- “The costing exercise put an end to the dreaming, guessing, and estimating.” Demystified costs.
- Police successfully used it to receive additional resources for domestic violence unit
- Justice Ministry used it as basis to make case for separate family court
- Internal Affairs Ministry used it for budgeting of a child & family unit.

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Impact

Marshall Islands: Ministry of Internal Affairs:

- Used costing exercise for budget allocation process
- Did not receive all the resources requested; no funding for social worker.
- Secured USD 30,000 in first year, out of USD52,000 envisaged under the costing;
- Have taken approach to merge and share costs with NGO and other Ministries.
- Have shared costing exercise with donors and development partners and continue to use costing exercise to lobby them for assistance. Process ongoing.

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Pros

- Only costing additional resources; overall cost comparatively low.
- Bridges critical gap between legislative reform and legislative implementation; Demystifies costs and can facilitate adoption of law
- Practical and flexible tool
- Costing over 3-year period allows for flexible and realistic implementation
- Tool that serves several purposes
 - To ensure allocation of resources
 - Guidance for implementation and coordination
- Can create momentum among stakeholders, and sustain action

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Cons

- Limited in scope: gaps / needs beyond law's scope cannot be taken on.
- Doesn't address systemic issue of insufficient resource allocation to advance women's rights.
- Costs services that are being accessed, but no costs arise if survivors don't access or don't have access to services. Doesn't capture broader picture of costs.
- Risk that costing is primarily used to shop around with donors; risk of Government shirking its obligation.

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Lessons learnt

- Process as important as methodology
 - Advocacy group needed to support costing exercise across Ministries
 - In-depth consultations necessary – needs to be localized and validated
- Role of “consultant” undertaking costing exercise
 - Managing expectations
 - Neutral facilitator
- One tool among different options - not panacea
- Suitable tool for countries with small government with limited resources, presence, capacity
- Impact can be tangible

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