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Policy Paper

The Second Decade - Looking Back, Looking Forward: Women's Access to the Religious Courts of Indonesia

Cate Sumner with Nani Zulminarni

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THE SECOND DECADE – LOOKING BACK, LOOKING FORWARD: WOMEN’S ACCESS TO THE RELIGIOUS COURTS OF INDONESIA

ABSTRACT

Reflecting on over a decade of collaboration that has contributed to more than a million more women accessing the Indonesian family courts for Muslims known as the Religious Courts, this paper considers the elements that contributed to the results and what is important for programmes that prioritise women’s access to justice and, in particular, access to the formal justice system. The authors also look forward and address changes needed in the coming decade to further accelerate improvements in women’s access to the courts and address the quality of service they receive. Six concluding reflections are offered, summing up some of the striking lessons. These include: the importance of inclusive (and sometimes unlikely) networks or coalitions that support reform; the need for research and knowledge publications that lay an evidence base to present to national agencies that control budget resources; the value of adequate time to trial approaches, building trust to show results; and the importance of paralegals supporting women and girls to access the formal justice system.

An earlier version of this paper was presented by the authors at the World Congress on Family Law and Children’s Rights in Dublin in June 2017.

CATE SUMNER

For 25 years, Cate Sumner has worked in the Middle East, Asia and the Pacific, focusing on access to justice, legal identity, human rights and judicial reform. Her career spans work with the international law firm Baker & McKenzie in Cairo, the United Nations (as a Refugee Affairs Officer in the Gaza Strip and as Legal Officer in Jerusalem,) and the International Development Law Organisation in their offices in Manila and Sydney.

Cate established Law & Development Partners in 2005 to bring together law and development specialists working in Asia and the Pacific. Its focus is on improving access to justice for women, people with a disability, and vulnerable children. A particular focus has been how these groups are able to access the formal justice system and civil registration systems.

Cate has worked in Indonesia since 2005 as an adviser on access to justice and legal identity programmes and has contributed analytical and policy papers to a range of international organisations and policy think- tanks ranging from UN Women, the World Bank Justice for the Poor Series, the Centre for Global Development and the Lowy Institute for International Policy.

NANI ZULMINARNI

Nani Zulminarni is the founder and Director of the largest female heads of household organisation in Indonesia – PEKKA. For over 17 years, PEKKA has changed the way women heads of households are considered and the public services they can access for themselves and their children.

In 2006 PEKKA developed a legal empowerment program in response to the marriage and family issues faced by the PEKKA community. Since then, PEKKA has trained over 2000 women as paralegals who, in turn, have assisted over 125,000 women and children with their legal issues. In 2014, PEKKA launched its legal aid clinics (KLIK), through which it provides legal advisory services to individuals at village level.

Ibu Nani has received many awards in Indonesia and internationally. In 2014, she received the Lotus Leadership Award in the US for her commitment to improving the lives of young women in Asia.

THE SECOND DECADE – LOOKING BACK, LOOKING FORWARD: WOMEN’S ACCESS TO THE RELIGIOUS COURTS OF INDONESIA

CATE SUMNER WITH NANI ZULMINARNI

This paper presents a somewhat unorthodox and, to many eyes, counter-intuitive story of improving women’s access to family courts in Indonesia. Over a decade, the changes in women’s access to the Religious Courts (the family courts for Muslim citizens in Indonesia)¹ have been dramatic. A million more women have accessed the Religious Courts in Indonesia in the last decade than in the previous one. However, this is not only a story about numbers of women and men able to access the services of the Religious Courts but, equally, about collaboration and the coalitions of reform that commenced more than a decade ago and continue to evolve to this day.

Family law matters can arise in all families regardless of the educational or socio-economic background of the household. In Indonesia, as in many countries around the world, the courts are the only institution that can formalise divorce cases, making access to the courts of fundamental importance for women and men regardless of their level of income, education or where they live. In Indonesia approximately 40 per cent of the population remain vulnerable to falling into poverty, as their income hovers marginally above the national poverty line.² In 2017, women initiated 74 per cent of the half a million cases received by the Religious Courts of Indonesia.³ In 2016, only 1769 domestic violence cases were filed as criminal cases in the General Courts from a population of 260 million (Mahkamah Agung, 2016), despite one in three women experiencing sexual or physical violence in their lifetime (UNFPA, 2017). The numbers of family law cases initiated by women compared to criminal domestic violence cases indicate that many more women chose to initiate a civil family law process to remove themselves and their children from family violence, rather than be involved as a witness in a criminal domestic violence process.

Universal access to family law courts for women is important not only to address family

1 Indonesia’s non-Muslim citizens have their family law cases heard by the General Courts.

2 <<https://www.worldbank.org/en/country/indonesia/overview>>.

3 Women were the sole applicants in 62 per cent of these cases and joint applicants with their husband in a further 12 per cent of cases. The latter cases are mainly comprised of cases to legalise a prior Muslim marriage that had not been registered with the Ministry of Religious Affairs.

law and violence issues and provide security for women and children. The collaboration over the last decade has shown how improving women's access to the family law courts is linked to women obtaining legal identity documents such as marriage and birth certificates, family cards, and accessing a range of social protection programmes.

The introduction to this paper outlines the chronology of collaboration as well as the key elements contributing to the policy and budget reforms that have, in turn, led to improvements in women's access to the Religious Courts in Indonesia. Part II then takes a closer look at what changed in Indonesia in terms of knowledge of the barriers women face in accessing the family law courts, as well as transparency of budget and court data. Part III presents the impact of better funded justice and paralegal services for women, the poor, and people living in remote areas. Part IV moves from the big picture to individual stories and how women and girl's lives in the far eastern provinces of Indonesia have changed as a result of these new services. The role of civil society organisations like PEKKA and the critical role of paralegals in translating new court policies at national level to increased awareness of women about how to access the Family Courts, as well as other public services, is elaborated. Part V addresses the changes needed in the coming decade to further accelerate improvements in women's access to the courts and address the quality of service in family law matters in the Religious Courts.

The paper concludes by reflecting on the first decade of collaboration to improve women's access to the Religious Courts and why programmes that focus on women's access to family law courts can contribute to broader development outcomes, such as universal birth registration and educational achievements for girls and boys.

I. AN INTRODUCTION TO THE COLLABORATION

FORGING INTERNATIONAL PEER-TO-PEER RELATIONS BETWEEN THE FAMILY COURT OF AUSTRALIA AND THE SUPREME COURT OF INDONESIA AND RELIGIOUS COURTS

The Family Court of Australia was the first foreign court to engage with the Religious Courts of Indonesia in a long-term programme of judicial collaboration. Diana Bryant AO, then Chief Justice of the Family Court of Australia, agreed in 2004 to commence a dialogue between judges and administrators of her court and those of the Religious Courts of Indonesia. In 2005, a Vice Chief Judge of one of the High Religious Courts, Justice Suryadi, and the head of the agency administering the Religious Courts, Wahyu Widiana, led a group of 20 judges, registrars and court administration experts on a two week visit to the Family Court of Australia, supported by the Australia Indonesia Legal Development Facility.⁴

4 The Australia Indonesia Legal Development Facility 2004-09 was funded under the Australian Aid programme.

From this initial exchange, many of the following key themes of engagement over the next decade would emerge:

- Awareness that many clients of the Religious Courts face barriers in bringing their family law cases to court, particularly women, the poor and people living in remote areas.
- Importance of measuring client's satisfaction with the quality of service offered by the Religious Courts. These last two points led the Religious Courts to undertake an access and equity research study in 2007 in collaboration with the Family Court of Australia and the PEKKA female-headed households CSO in Indonesia.
- Transparency of information through the Religious Courts website⁵ established in the months following the visit. A decade later this website presents case data for the 359 Religious Courts and 29 High Religious Courts across Indonesia. The website also allows hundreds of Religious Courts across the country to contribute articles on what is happening in their court and post comments and ideas.

The dialogue and collaboration between the Family Court of Australia and the Religious Courts and Supreme Court of Indonesia continues to this day. It is led by the Chief Justices meeting each year to discuss the particular areas of judicial collaboration that are of most relevance to their courts. Engagement then takes place between judges, registrars, court staff and CSO officials working to support access to the courts in family law matters. Many of the profound changes that have occurred for women, the poor and people living in remote areas seeking to access the Religious Courts developed through this dialogue and the exchange of ideas with the Family Court of Australia and Indonesian CSO partners.

A table summarising the chronology of this collaboration and the change it helped deliver is attached at Annex 1. It shows highlights from the dialogue between Indonesian and Australian judges and court staff, the research collaborations, and the policy reforms introduced in Indonesia through regulations of the Chief Justice and heads of agencies.

PLACING ACCESS TO JUSTICE FOR WOMEN AT THE HEART OF NATIONAL AND GLOBAL DEVELOPMENT INITIATIVES

Over the last decade, greater importance has been placed on the civil registration of key events in a person's life – from birth to marriage, in some cases divorce, and death. In Indonesia, the Religious Courts, as the family law courts for Muslim citizens, play an important role in legalising a marriage valid under Islamic Law but where the husband

5 <<http://badilag.mahkamahagung.go.id/>>.

and wife have not obtained a marriage certificate from the Office of Religious Affairs, thus granting them formal state recognition. A marriage certificate is an important document for women, as it clearly evidences the date of the relationship, and also for the children from the marriage, as it allows them to obtain a birth certificate with both the father and the mother's name on it.⁶

2015 saw birth registration identified as a priority in Indonesia:

- nationally, when the president signed the Medium Term Development Plan that, for the first time, included legal identity as one of five basic services to be mobilised toward alleviating poverty.
- regionally, when Asia-Pacific Ministers met in Bangkok in November 2014 and signed a Declaration to 'Get every one in the picture in Asia and the Pacific' and declared 2015-24 as the Asia Pacific Civil Registration and Vital Statistics Decade.
- globally, when the Sustainable Development Goals (SDGs) were announced in September 2015, with a new Target 16.9: 'States will by 2030 provide legal identity for all, including birth registration'.

However, one of the key barriers to children obtaining a birth certificate is that the parents do not have a marriage certificate.⁷ In fact, as many as 76 per cent of couples living in the poorest 40 per cent of households in Indonesia do not have a marriage certificate (BPS/TNP2K, 2015). Somewhat contrary to popular notions of what a Family Court does, the fastest growing area of work of the Religious Courts of Indonesia over the last decade has been legalising existing marriages that are valid under religious law.⁸

In Indonesia, as in many countries across the world, women initiate the majority of family law cases. They may do this to formalise their marriage or divorce, to seek custody of children and financial support to raise them, or to live free from violence within the

6 In 2016, the Minister for Home Affairs issued a regulation stating that a man and woman with a valid religious marriage could sign a Statutory Declaration stating that they were the child's parents and that the family card evidenced the religious marriage. However, many couples with a religious marriage whose family card does not evidence the fact that they are married under religious law will not be able to obtain a birth certificate for their children with both the father and mother's name on it. The absence of the father's name from the certificate can have significant and damaging social and legal consequences in Indonesia.

7 A comprehensive discussion of barriers to accessing birth certificates for Indonesian children can be found at: Sumner and Kusumaningrum, 2014; Sumner, 2015; and Sumner, 2016.

8 In 2016, marriage legalisation cases represented 13 per cent of all cases filed in Religious Courts, a six-fold increase in the number of these cases over the decade 2007-16.

home. Choice, agency and living free from intimate partner violence all require women to have the knowledge and ability to access the formal justice system. This paper explores the changes introduced by the Indonesian courts, as well as the paralegal programmes supported by CSOs like PEKKA, that have helped make women's access to the family or Religious Courts in Indonesia an increasing reality. This paper focuses on the Religious Courts where 97 per cent⁹ of all divorce cases in 2016 were filed.

Many of the innovations described in this paper that were developed by the Religious Courts to broaden access to their courts for women, the poor, and people living in remote areas, are now being adopted by other Ministries to address the fact that 32 million of Indonesia's 85 million children do not have a birth certificate.¹⁰

II. THE FUNDAMENTALS OF RESEARCH AND POLICY REFORM

The first research collaboration between the Supreme Court of Indonesia, the Family Court of Australia and the Indonesian women's empowerment organisation, PEKKA, was published in early 2008. It highlighted five key findings with five corresponding recommendations.

The first key finding was that the poorest sections of Indonesian society were not bringing their family law cases to the Religious Courts in proportion to their numbers in Indonesian society. Ninety-six per cent of the PEKKA female heads of households surveyed did not bring their divorce cases to the Religious Courts. In response, Recommendation 1 of the report suggested an increased budget for the Religious Courts to enable the percentage of prodeo filings (cases in which court fees are waived) accepted in the Religious Courts as a percentage of total case volume to increase in 5-7 per cent increments from 2008-12, up to 35 per cent by the end of 2012.

It also recommended that data management systems be developed to capture information on the number of applications for prodeo assistance made by clients to the Religious Courts each month and the number accepted. Recommendation 2 identified that greater clarity was needed for both judges and court users on the court fee waiver process, and that the current two-step court fee waiver process should not create an additional burden for the poor in establishing poverty prior to the hearing of their case.

The second key finding was that for the poor, the main barriers to accessing the Religious Courts were financial and relate to (i) court fees; and (ii) transportation costs to travel to the court. Ninety-eight per cent of the PEKKA group said that they would

9 In 2016: 12,939 divorce cases were filed by non-Muslim citizens of Indonesia in the General Courts; 113,968 divorce cases were filed by Muslim men in the Religious Courts (*cerai talak*); and 289,102 divorce cases were filed by Muslim women in the Religious Courts (*cerai gugat*).

10 Circular Letter from the Minister of Home Affairs on Accelerating the Publication of electronic ID cards and birth certificates (12 May 2016) and Central Statistics Agency SUSENAS survey.

be more motivated to use the Religious Courts if court fees were waived, and 96 per cent of the PEKKA group said that they would be more motivated to use the Religious Courts if ‘the judges visit us’ by holding a circuit court in a nearby town. In response, Recommendation 3 proposed that more Circuit Courts be held where the demand and need is greatest, and that an adequate annual budget be secured to enable Religious Courts to hold circuit courts in areas of high demand.

The third key finding was that secondary barriers for the poor in accessing the Religious Courts related to the ability to provide clear information to court clients that are illiterate. In response, Recommendation 4 identified a need to provide accurate and clear information to both court users and the broader community on the Religious Courts in non-legal language, using a range of media.

The fourth key finding highlighted the fact that a cycle of non-legal marriage and divorce exists for many PEKKA female heads of household living below the Indonesian poverty line. The failure to obtain legal documentation in relation to marriage and divorce is associated with 62 per cent of children from these marriages not obtaining birth certificates. It also means that children of the poor in Indonesia lack the basic human right to an identity document established by the Convention on the Rights of the Child.

The fifth key finding underlined the fact that divorce through the Religious Courts provides legal certainty instead of an uncertain marital status. A formal divorce through the Religious Courts also clarifies legal responsibilities for the care and financial support of children from the marriage and of former spouses. The four Recommendations above were designed to increase women’s access to the Religious Courts both to legalise existing marriages and to formalise divorces. In addition, the final Recommendation 5 proposed client service improvements in the Religious Courts directed at the three areas identified in the research related to: clarity of court forms; more information on how to seek a court fee waiver; and transparency of court fees paid and reimbursement of any balance to the applicant.

Over the last 20 years, the number of people living under the Indonesian poverty line has dropped from almost 50 million Indonesian people to almost 28 million, or from 24 per cent to 11 per cent of the population. However, the cost to bring a divorce case in the Religious Courts is approximately Rp 441,000¹¹ or 122 per cent of the monthly income of someone living on the Indonesian poverty line of Rp 361,990 (US\$ 27) (BPS, 2017).

This is a significant barrier, because approximately 40 per cent of the Indonesian population remain vulnerable to falling into poverty, as their income hovers marginally

11 <<http://pa-bandung.go.id/biaya-perkara>>.

above the national poverty line.¹²

III. THE FIRST DECADE – THE BIG PICTURE

As a result of the 2008 research recommendations identifying cost, distance and lack of knowledge as factors affecting women's access to the Religious Courts, changes to policies, budgets and services were introduced by the Supreme Court of Indonesia to make the Religious Courts more accessible for women, the poor and people living in remote areas. The following results emerge from the first decade of collaboration and policy reform.

Results 2007-16

1	<p>The number of Religious Courts cases filed annually increased by 284,406 between 2007-16.</p> <p>In 2016, 289,460 of the half a million (Badan Peradilan Agama, 2017) Religious Courts clients who filed a case in the court (57 per cent) were assisted by a court fee waiver, circuit court hearing or free legal advisory services, showing that rising case numbers is in proportion to the access to justice services now provided by the Religious Courts.</p>
2	<p>The number of women accessing the Religious Courts over the last decade has more than doubled, from 124,000 in 2007 to 288,000 in 2016.</p> <p>Women's access to the Religious Courts in the decade 2007-16 increased by 132 per cent, compared with 19 per cent from 1999-2006.</p> <p>In 2017, women were the sole or joint applicants in 52,290 (or 95 per cent) of the 54,973 marriage legalisation cases decided in the Religious Courts.</p>
3	<p>Over the decade 2007-16, the waiver of court fees in the Religious Courts for clients facing financial hardship increased from 325 documented cases in 2007 to 26,451 in 2016 (5 per cent of the total of 501,490 cases received by the Religious Courts that year).</p>
4	<p>Over the decade 2007-16, the number of clients assisted by the Religious Courts conducting circuit courts in remote locations increased from 3735 cases in 2007 to 67,986 cases in 2016 (14 per cent of the total of 508,769 cases received by the Religious Courts that year).</p>

12 <<https://www.worldbank.org/en/country/indonesia/overview>>.

5	In 2010, there were no free legal advisory services provided to clients of the Religious Courts. In 2016, 195,023 clients of the Religious Courts received free legal advisory services at 120 Religious Courts across Indonesia (that is, 39 per cent of the total of 501,490 cases received by the Religious Courts that year).
6	Religious Court judges and registry staff travelled on circuit to 370 remote locations and free legal advisory services were provided by independent legal aid organisations in 120 courts in 2016.
7	The budget of the Supreme Court to support the waiver of court fees for the poor, circuit courts to remote areas and free legal advisory services in Religious Courts across Indonesia has increased 24 times, from less than Rp 1 billion in 2007 to over Rp 24 billion in 2017.
8	In 2016, 24 per cent of all marriage legalisation cases were heard at an integrated and mobile service at which the Ministry of Religion issued a marriage certificate and, in certain locations, the civil registry office issued birth certificates for the children from these marriages as well.
9	Over the last seven years, the empowerment of female heads of household CSO PEKKA collaborated with the Religious Courts and civil registry office to assist over 125,000 women with marriage and divorce certificates and their children to obtain birth certificates.
10	In the decade from 2007-16, the fastest growing category of cases in the Religious Courts was the legalisation of marriages, increasing from 10,888 cases in 2007 to 67,584 in 2016, representing 13 per cent of all cases filed in Religious Courts that year.

NEW AND BETTER FUNDED LEGAL AND PARALEGAL SERVICES FOR WOMEN, THE POOR, AND PEOPLE LIVING IN REMOTE AREAS

One of the key findings from the initial research was that in addition to the distance to courts and the cost of court proceedings, a further barrier for the poor in accessing the Religious Courts related to the ability to provide clear information to court clients who are illiterate or have only completed primary school.

In the last 10 years, two significant changes have occurred in Indonesia. The first was the introduction of policies and budgets enabling free legal advisory services at

Religious Courts across Indonesia. The second relates to the rise of paralegal services offered by universities and CSOs, such as the PEKKA women's empowerment CSO, which train non-lawyers to assist with certain cases at village level.

Free legal advisory services at Religious Courts did not exist until 2011, when 69 Religious Courts provided space for independent legal aid providers to assist clients who brought their family law cases to court.

To enable this to happen, the Chief Justice of the Supreme Court issued a Regulation in 2010¹³ that clarified for judges and court staff the procedures for conducting circuit courts, the waiver of court fees and the procurement and organisation of legal advisory service posts in General and Religious Courts. The Supreme Court also arranged a budget for a certain number of Religious Courts to procure free legal advisory services for clients. In 2017, 135 Religious Courts received a budget for legal advisory services and more than 185,000 clients were assisted in that year. The Supreme Court's commitment to assisting clients to access the courts and understand court processes through the provision of legal aid posts is demonstrated through the budget for access to justice services in the Religious Courts almost doubling between 2015 and 2016, from Rp 16 to 29 billion.

Women in Indonesia often have less access to the funds required to pay for the court fee or to travel to the district capital where the court is located, so the court fee waiver and circuit court services of the Religious Courts are of particular benefit to them. Chart 1 shows the rise in government of Indonesia budget contributions for the funding of access to justice initiatives in the Religious Courts and how this is mirrored in the rising number of cases being filed in the Religious Courts, including cases filed by women, and the numbers of clients benefiting from court fee waiver, circuit court and legal advisory services at courts. In 2017, women initiated over 300,000 divorce cases and were the sole or joint applicant in over 50,000 marriage legalisation cases in the Religious Courts (Mahkamah Agung, 2017).

13 Surat Edaran Mahkamah Agung (SEMA) Nomor 10 Tahun 2010 updated in 2014 by Peraturan Mahkamah Agung (PERMA) Nomor 1 Tahun 2014

Chart 1: 2006-16 Religious Courts budget for access to justice initiatives, the numbers of clients assisted and numbers of women initiating cases.

At the same time, university legal aid clinics and CSOs began to train students and paralegals on how to provide assistance to clients of the Religious Courts in completing court forms and compiling the required documents to lodge a case.

From 2010, the PEKKA CSO has enabled its paralegals to provide legal information and assistance in 20 provinces and have assisted over 125,000 individuals with their family law issues, to obtain legal identity documents, and in accessing certain social protection programmes.

PEKKA identified members of their organisation who wished to work as paralegals, then provided training for them on the skills and knowledge to provide assistance in family law and legal identity document cases. PEKKA, supported by the Australia Indonesia Partnership for Justice, an aid facility supported by the Australian Government, covered the costs for the PEKKA paralegals to travel to the clients' village and then to the cities where the courts, local offices of the Ministry of Religious Affairs, and civil registries are located.

INTEGRATED AND MOBILE SERVICES FOR MARRIAGE LEGALISATION AND LEGAL IDENTITY DOCUMENTS

Since the access to justice research undertaken a decade ago, there has been an 18-fold increase in Religious Court cases heard by judges travelling from their courthouses to villages and hearing cases in what is known as a 'circuit court' (*sidang keliling*).

One of the more recent innovations has been the Supreme Court's agreement to work with the Ministry of Religious Affairs and Ministry of Home Affairs and offer integrated services for legal identity documents at village level, known as integrated and mobile services. The three agencies provide up to three services at the same location, starting with the Indonesian courts, which legalise a prior religious marriage, the Office of Religious Affairs, which provides the marriage certificate, and the Civil Registry Office which provides birth certificates for the children from the marriage.

At a policy level this was brought into effect through a Regulation of the Chief Justice of the Supreme Court of Indonesia in 2015 and a Directive of the Director General of the Religious Courts in 2016.¹⁴

The increased budgets provided by the Supreme Court to the Religious Courts to waive court fees for the poor and hold circuits in remote areas were used for integrated and mobile services. In 2016, 16,396 couples (32,792 people) had their marriage legalisation case heard by the Religious Courts at an integrated and mobile service held in 362 locations across Indonesia.¹⁵ These policy developments and initial integrated and mobile services were supported by the Australia Indonesia Partnership for Justice, but are now being rolled out across Indonesia using existing national budget resources.

The experience of the Religious Courts in assisting tens of thousands of clients a year, the majority of them women, through circuit courts was used as a model to bring the Ministry of Religion and civil registry officials to the same services in remote areas.

14 Supreme Court Regulation Mahkamah Agung (PERMA) No 1/2015 on Integrated and Mobile Services; and Directive of the Director-General of the Religious Courts Body on Case Fees and Operational Costs in Integrated and Mobile Services of 9 May 2016.

15 <www.pa-kabmadiun.go.id/component/content/article/804-layanan-terpadu-di-peradilan-agama-meningkat-sangat-drastis>

The partnership developed between the Supreme Court, the Religious Courts and the PEKKA women's empowerment CSO during the access to justice research is now being expanded in three ways in 20 Indonesian provinces.

First, PEKKA paralegals provide information to women at village level on why legalising their marital status and obtaining legal identity documents for themselves and their children is important. Second, they collect data on individuals who have legal identity documents and those who do not. Third, they facilitate the arrangements to hold integrated and mobile services at village level or in remote communities by providing information on the services and how to access them and liaising with the Religious Courts and Office of Religious Affairs to schedule these services.

The challenge in the coming years is to advocate for the use of village level budgets to support paralegal institutions to assist women and men with legal issues, as well as access to social protection programmes in order to achieve broader village development outcomes.

Since the Village Law was passed in 2014, an increasing level of funding is being directed to Indonesia's 74,000 villages. In 2018, approximately Rp 60 trillion or 3 per cent of the 2018 national budget of Rp 2080 trillion was directed to villages through Village Funds under the Village Law.¹⁶ The Minister for Home Affairs requires village leaders across the country to provide updated civil registration data for women, men girls and boys living in the village, including their marriage status and whether they hold an ID card and/or family card.¹⁷ Convincing village committees of the value of funding paralegal workers to document the existing gaps in legal identity documents held by women, men, girls and boys and facilitate services to change this will lead to improvements for women and girls in accessing a wide range of social services.

IV. WHAT CHANGED IN PEOPLE'S LIVES?

PEKKA was originally founded in response to the multi-faceted poverty faced by women heads of household in Indonesia, particularly in conflict areas. Therefore PEKKA's initial focus was on women's economic empowerment.

In 2006 PEKKA began to develop a legal empowerment program in response to the marriage and family issues faced by the PEKKA community. Domestic violence, unregistered marriages, polygamy, child marriage and lack of birth certificates for

16 <<https://www.kemenkeu.go.id/alokasipajakmu>> for the 2018 annual budget and <www.djpk.depkeu.go.id/wp-content/uploads/2017/11/Rincian-Alokasi-TKDD-TA-2018-1.pdf> for the projected 2018 national budget. Villages receive funds from national government programmes other than the Village Funds under the Village Law. However, the aim of the Village Law Funds is to stimulate village based decision-making and planning.

17 See: Ministerial Regulation No 47 of 2016 on Village Government Administration.

children were some of the legal issues faced by members, all of which directly and indirectly impoverished them, making their day-to-day circumstances worse. PEKKA research has shown that more than 70 per cent of PEKKA members who divorced experienced domestic violence, more than half of PEKKA members have not registered their marriages and more than 75 per cent of their children do not have birth certificates.¹⁸ UNICEF's Indonesia Office, working with Statistics Indonesia, estimates that at least 1000 girls are married each day in Indonesia. It finds a strong correlation between child marriage and lower levels of educational attainment, as well as later marital age and higher levels of educational attainment (UNICEF, 2016). The lack of birth certificates for children contributes to the limited access to education for girls and boys.

In 2014, PEKKA launched legal aid clinics (KLIK) through which it provides legal advisory services to individuals at village level. One week prior to the legal aid clinic, a PEKKA paralegal will visit the village and provide information to village officials and religious organisations on the services that will be offered the following week. Being a paralegal has also changed the lives of the female heads of household involved.

PEKKA PARALEGALS AT WORK

Thomas, aged two, arrives at the PEKKA mobile legal clinic (KLIK) being launched on the island of Adonara in NTT province to obtain his birth certificate. He arrives with Ina Theresa, his grandmother and a member of the NTT PEKKA group. Thomas' mother died when giving birth to him, and his father works in Batam and only returns periodically. Thomas lives with his grandmother and the PEKKA mobile legal clinic has already made Thomas' grandmother aware of the importance for him of having a birth certificate.

At the same time, Inaq Sinamah, 50 years of age, comes to the PEKKA mobile legal clinic in Gerung on the island of Lombok in NTB province. Ibu Inaq has already been divorced for ten years but she does not yet have a divorce certificate. Her husband has remarried and has left Ibu Inaq with their four children. Now, the youngest child, aged 20, needs a birth certificate as a requirement for their job. Ibu Inaq hopes to obtain guidance from the PEKKA paralegal at the mobile legal clinic as to how her child can obtain the birth certificate they require and how she can formalise her marital status.

Ina Theresa and Inaq Sinamah represent thousands of female heads of household from poorer households who are now being assisted by PEKKA.

Rahmawati and Hanisa tell their stories as two PEKKA's paralegals. Like many paralegals their lives have been transformed from previously being considered a survivor of injustice to being an advocate on behalf of other people who are seeking

18 See: PEKKA and SMERU, 2014; DFAT, PEKKA and PUSKAPA UI, 2014; Sumner and Kusumaningrum, 2014; and Sumner, 2010.

justice.

Rahmawati, Paralegal Pekka from Ile Boleng, Flores Timur:

I graduated from elementary school and worked as a weaver. After being trained as a Paralegal by Pekka in 2008, I often support victims of violence against women. I am proud that despite my educational limitations I am able to assist victims of domestic violence to go to the police station. When the police asked 'Are you not afraid to assist women? All those imprisoned take revenge on those who reported them.' I replied, 'I am not afraid, because I did the right thing and do not want women to be oppressed'.

Hanisa, Paralegal PEKKA from Buton, Sulawesi Tenggara

Hanisa became pregnant to a man who was already married with two children. Hanisa married the man but after three months they divorced. Hanisa felt very low. She joined PEKKA and then trained to become a paralegal. At first, Hanisa did not dare to speak in front of crowds but is now more bold, 'I feel the benefits of participating in PEKKA activities. As a paralegal I have dealt with my own legal issues as well as helped others. I not only follow the process at the village level but right up to the level of the police and courts. It used to be unthinkable that I could ever speak with a judge like this.'

PEKKA has observed how training paralegals in remote parts of Indonesia is not only about assisting with the resolution of women's legal issues and acting as a conduit to assist women to access the formal justice system. It is also an act of women's empowerment for both the paralegal and the woman or girl who is assisted, as they jointly navigate a solution to a family law or other issue that they previously would have thought beyond their collective abilities.

FROM BIRTH CERTIFICATES TO NEW EDUCATIONAL OPPORTUNITIES

In 2016 PEKKA, with assistance from the World Congress on Family Law and Child Rights, launched a programme to assist eight girls from NTT and NTB provinces in eastern Indonesia to complete the final three years of high school or obtaining a university degree or vocational college diploma. With the funds available, PEKKA decided to offer partial scholarships that cover approximately 50-60 per cent of the cost of educational fees, books, transport and living costs. Four girls will be funded to complete their final three years of high school in NTT and NTB, and four young women have funding to complete higher studies that include a teaching degree, health studies, tourism and economics and textiles.

One of the rationales for the scholarship programme is to highlight to the community in a very tangible way how birth certificates provide girls and boys with opportunities for higher study. Six of the eight girls were assisted by PEKKA paralegals in obtaining their

birth certificates and in some cases the paralegals assisted the parents in legalising their marital status. All eight girls come from households where their mother or grandmother is the head of household due to the death or sickness of parents. Household income is very low.

In 2016 and 2017, PEKKA established a selection process for the scholarships and a separate account to receive donations, and now understands the true costs of education scholarships for daughters of PEKKA members. While there are national scholarship processes, the complexity of applying for them would be beyond the capacity of many PEKKA members.

Now PEKKA is making the case inside Indonesia as to why funding paralegals to assist girls obtain birth certificates and then funding their final years of education is a valuable contribution to the girls themselves and, more broadly, to achieving the SDGs. PEKKA aims to document the changes to the lives of these eight girls over the next four years through regular interviews. A short film will be produced in 2020 to advocate new ways of disbursing the government of Indonesia's significant educational scholarship budget so that it meets the needs of girls from very disadvantaged female-headed households.

V. THE SECOND DECADE – WHERE TO FROM HERE?

Having reviewed the changes over the previous decade, this section looks at the changes that might be expected in the coming decade to improve women's access to the Religious Courts, and their experience of bringing their family law matters there.

While the first decade was characterised by a focus on understanding the barriers women faced in accessing the Religious Courts and implementing policy and budget changes to address these barriers, the second decade will need to focus on the quality of outcomes for women in their family law matters, and the data required to measure this.

GREATER FOCUS BY THE INDONESIAN JUDICIARY ON GENDER EQUALITY

In July 2017, the Chief Justice of Indonesia signed a Supreme Court Regulation on Women before the Law.¹⁹ This aimed to provide Indonesian judges with guidance on the principles to consider when hearing and deciding cases involving women before the law. The principles include: the appreciation of human dignity, non-discrimination, gender equality, equality before the law, justice, and legal certainty. The Regulation also aims to assist judges in identifying instances of unequal treatment resulting in discrimination against women and the implementation of a judicial system that guarantees women's right to equal access to justice.

19 Supreme Court Regulation No 3 of 2017 on the Guidance in Adjudicating Cases of Women before the Law.

Such lofty aims immediately elicited a positive reaction from Indonesian civil society organisations. However, the reality of conveying the content of the Regulation to almost 10,000²⁰ judges and candidate judges across Indonesia, and monitoring whether the principles are implemented in judicial decisions, quickly became apparent when a judgment was issued within a month that clearly contravened the Regulation.²¹

The Supreme Court Working Group on Women and Children has begun the task of identifying how it can support the implementation of the Regulation. A quick glance at the Annual Reports for the Supreme Court and Directorates General for the General Courts and Religious Courts shows that little sex-disaggregated data is ever presented.²²

One of the first tasks for the Supreme Court Working Group on Women and Children will be considering what data the courts should collect to monitor implementation of the Regulation No 3 of 2017 and present to the public through the Supreme Court website and the Annual Reports of the Supreme Court, Religious Courts and General Courts.

BETTER SEX DISAGGREGATED DATA

Commentators have noted that within the Sustainable Development Goals (SDG), 53 of the 232 indicators refer explicitly to women or girls or specify disaggregation by sex. Fifteen of these 53 indicators are well defined, leaving at least 70 percent of the proposed gender indicators without regular and reliable data reporting (Buvinic and Swanson, 2017). Globally, Data2X and Open Data Watch have sought to address the gender data gap with the development of a list of 20 ‘ready to measure’ gender indicators that include key SDG indicators.²³

A dialogue between the national development agency BAPPENAS, the Supreme Court and women’s CSOs and ministries on the sex-disaggregated data collected, analysed

20 See Mahkamah Agung, 2017 and Mahkamah Agung, 2018.

21 See: Putusan Nomor 42/PID/2017/PT BJM; and The Jakarta Post, 2017.

22 The number of women and men initiating divorce cases in the Religious Courts can be presented due to the names of these cases being different. A *cerai gugat* case is for a woman filing for divorce and a *cerai talak* case is for a man filing for divorce. However, it is not possible to tell the sex of the applicant party for divorce cases initiated in the General Courts by non-Muslim citizens. The General Courts presents data on male and female accused in criminal cases but not on the sex of victim/survivors of crimes related to sexual and physical violence or trafficking, which is more relevant to the sustainable development goals.

23 See the original ‘Ready to Measure’ report for documentation on the sources of these indicators. The recently released ‘Ready to Measure Phase II’ report compiles the data from international databases and household surveys. This database and all accompanying metadata are available online.

and published online by the Supreme Court of Indonesia would build understanding concerning the critical links between access to the formal justice system for women and broader development outcomes.

The gender indicators for SDG Goal 5 ('Achieve gender equality and empower all women and girls') and Goal 16 ('Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels') include twenty indicators that require governments to collect and publish sex-disaggregated data in order to be able to report under the SDGs. More than half of these 20 indicators require courts to collect and publish sex-disaggregated data to inform national level reporting.

The 2017 Supreme Court Regulation on Women before the Law now provides a framework to support the collection, analysis and publication of sex-disaggregated data of women coming before the Indonesian courts, including data on women living with a disability and their access to the courts.

MULTI-AGENCY SERVICE DELIVERY TO PROVIDE MARRIAGE AND DIVORCE CERTIFICATES FOR WOMEN AND BIRTH CERTIFICATES FOR CHILDREN

The first part of this paper outlined the support provided under the first phase of the Australia Indonesia Partnership for Justice for the development and implementation of integrated and mobile services for provision of marriage and birth certificates.

In 2016, 16,396 of a total of 61,027 marriage legalisation cases decided in the Religious Courts, or 27 per cent of these cases, were heard outside courtrooms at an integrated and mobile service with the Office of Religious Affairs and/ or the civil registry. In November 2017, an MOU between the Supreme Court of Indonesia, the Ministry of Religion and Ministry of Home Affairs, and working-level Technical Agreements between the Directorates General of the Religious Courts, General Courts, Civil Registry and Islamic Guidance, have been entered into to facilitate more streamlined services around divorce, marriage and birth certificates between the three agencies using the population data already collected by the MoHA (Menteri Dalam Negeri and Mahkamah Agung, 2017).

Discussions are now underway to explore the digital transfer of judgments in marriage legalisation cases in the Religious Courts to the Office of Religious Affairs so that the marriage certificate can be produced automatically and a message sent to the wife and husband that the marriage certificate is ready for collection. The next ten years should see rapid steps toward more integrated service delivery for women that benefits from advances in technology and communications (Badilag, 2018).

ADDRESSING THE DIFFICULTIES OF LEGAL MARRIAGE AT VILLAGE LEVEL AND ITS CONTRIBUTION TO THE PREVALENCE OF CHILD MARRIAGE

UNICEF's Indonesia Office, working with Statistics Indonesia, reports that Indonesia has persistently high rates of child marriage (UNICEF, 2016). Child marriage in Indonesia affects six times more girls than boys (Sumner and Kusumaningrum, 2014) and has devastating health impacts related to early pregnancies.

Recent data from Statistics Indonesia shows that 76 per cent of couples in the poorest households in Indonesia do not have a legal, registered marriage. The number of marriage certificates issued by the Ministry of Religious Affairs has remained static for almost two decades at 1.9 M a year, despite Indonesia's population increasing significantly over this period. This shows that the number of individuals without a legal marriage continues to grow by probably in excess of a million people each year.

A recent World Bank publication noted:

Birth and marriage registration provide equally important foundations to end child marriage. A birth certificate constitutes indisputable proof of age and is an essential means to enforce minimum age of marriage laws.

At the same time, registering marriages is just as important as it is through marriage registration that proof of age can be used to refuse registration of an underage marriage and to make a child marriage void. Without mandatory marriage registration, child marriages may simply go unnoticed (Hanmer and Elefante, 2016).

In Indonesia, as 76 per cent of couples in poor households do not have a marriage certificate, this represents millions of marriages in which the legal requirements under Indonesian law are not being met – most critically, the legal age of marriage. This is a significant lost opportunity to work with religious and village leaders to apply the legal age of marriage and work to end child marriage in Indonesia.

Raising awareness of the benefits of a legal marriage for women and their children, and how to register a religious marriage through the Religious Courts in later years, will change the legal rights and security of millions of Indonesian women.

At the same time, allowing women and men to have their marriages witnessed and the notification of marriage sent by a village leader to the nearest Office of Religious Affairs would dramatically improve rates of marriage registration in Indonesia. It would also provide an opportunity to reduce the numbers of girls under the age of 18 years being married.

Currently, if an official from the Office of Religious Affairs travels from their sub-district office to witness a Muslim marriage in a village, a fee of Rp 600,000 must be paid. This

fee represents more than one and a half times the monthly income of a woman or man living on or below the Indonesian poverty line (BPS, 2013-17) and is beyond the reach of many living in villages across Indonesia, where the proportion of the population living under the Indonesian poverty line can be much higher than the national figure of 10 per cent of the population.²⁴ The role of CSOs in collaborating with the government of Indonesia to highlight the gap in legal marriages, particularly in remote areas with high levels of poverty, will be critical to finding a solution to bring legal marriage services to village level without users incurring the current Rp 600,000 fee for an official from the Office of Religious Affairs to travel from his or her office to witness a Muslim marriage (Menteri Agama, nd).

VI. CONCLUSION — WHAT IS UNDERSTOOD BETTER AFTER A DECADE OF COLLABORATION?

With the benefit of more than a dozen years of collaboration on this family law and access to justice project in Indonesia, six concluding reflections are offered (Sumner, 2017):

Improving women's access to family law courts transforms lives through providing women with a legal basis to their marital status and marriage and divorce certificates that evidence this legal status. Only a fraction of cases of intimate partner violence are recorded or resolved through formal legal channels in Indonesia. Access to family courts and family law remedies are often linked to choices women make for themselves and their children to live free from family violence. In Indonesia, as in many countries, women initiate the majority of family law cases. Therefore, if national and international agencies wish to support women's access to the formal justice system, supporting women's access to family courts is an important dimension.

Some things take longer to understand: It has taken almost a decade to understand that an important reason why women in Indonesia access the Religious Courts is to legalise a marriage valid under Islamic law but for which the couple did not obtain a marriage certificate at the time they married. Women are doing this in order to protect a range of rights for themselves and their children as well as open opportunities that come from having formal legal documents. The Religious Courts' commitment to transparency of case data shows that marriage legalisation cases are the fastest-growing category of case and have increased six-fold over the last decade.

Sex-disaggregated data on women's access to courts matters: Sustainable Development Goal 16 includes a target 16.3 stating that countries should endeavour to 'promote the rule of law at the national and international levels and ensure equal access to justice for all'. Access to justice for all means being able to demonstrate that women and men are able to access and/or seek redress within the formal justice system for

24 <www.bps.go.id/website/images/BRS-KEMISKINAN-JAN-2018-ind.jpg>

both civil and criminal law matters. Over the last decade Indonesia has had a doubling of women accessing the family law courts for Muslim citizens, with the increase in women accessing the court each year being similar to the number of people who are able to access the courts through a waiver of the court fee, or by attending a circuit court or receiving legal aid at legal aid post at the court.

Supporting long-term Court-to-Court dialogue leads to lasting changes for women's access to justice. The collaboration between the Supreme Court of Indonesia, the Religious Courts and the Family Court of Australia that has included Indonesian CSOs has been underway since 2004. From this exchange of ideas and collaboration on research and judicial reform activities, Indonesia's court leadership has initiated changes to court policies, budgets and services that directly addressed the 2007 research recommendations and improved women's access to the Religious Courts. The Australian government has supported this collaboration between Australian and Indonesian courts for more than a decade and this commitment to dialogue and policy reform over a longer time frame has been a critical contribution to the increase in women's access to the Religious Courts presented in this paper.

Modest donor investments combined with strong national institutional ownership can lead to sustainable change. Twelve years of Court and CSO commitment to collaborative research and analysis of barriers to women's access to the courts has provided an evidence base for the recommendations proposed in 2007 and enabled the tracking of subsequent changes over time. The Australian government aid programme supported this research collaboration. However, the budget changes introduced by the Supreme Court to fund the waiver of court fees for the poor, circuit courts and free legal advisory services in the Religious Courts amount to an increased level of funding of over US\$ 10 million²⁵ to date that is funded by the Indonesian national budget. This national commitment will grow over time. Between, 2015 and 2016, the Supreme Court doubled the budget allocated to the Religious Courts to waive court fees, hold circuit courts and provide free legal advisory services at court buildings, from Rp 12.7 billion in 2015 to Rp 24.8 billion in 2016. As a result, in 2016, the Religious Court clients who were assisted more than doubled to almost 69,000 clients assisted through circuit courts, and 195,000 clients assisted through free legal advisory posts or *Pos Bantuan Hukum* (*Posbakum*) at Religious Courts.

Funding paralegal support for women at village level is critical. The changes initiated by courts and national-level government agencies would not translate into changes for women in remote areas of Indonesia without the work of CSOs like PEKKA, which has trained paralegals to advocate for change, as well as communicated information and facilitated services for women at village level. PEKKA has gained the

25 In 2007, the Religious Courts' budget for court fee waiver and circuit courts was less than Rp 1 billion (US\$ 75,000). By 2017, the Religious Courts' budget for court fee waiver, circuit courts and free legal advisory services (*Posbakum*) was Rp 24.4 billion (US\$ 1.8M).

trust of both the public and government officials as an institution that can be a partner in assisting with legal and civil administration issues facing women in the community. Sustainable funding for paralegal services remains more complex and warrants donors considering different approaches over the next phase of the Sustainable Development Goals (2015-30).

This paper has set out the significant steps forward that the Supreme Court of Indonesia has taken to improve women's access to the Religious Courts over the last decade. 2017 saw the Supreme Court take the progressive step of promulgating a court regulation (PERMA 3/ 2017) seeking to overcome instances of unequal treatment resulting in discrimination against women and promote a judicial system that guarantees women's right to equal access to justice. This paper has outlined the areas in the next decade that will most directly affect women's access to the courts, as well as broader government services and the quality of service that women receive. The new Supreme Court Regulation 3/ 2017 can play an important role in seeking to guide the judiciary to uphold progressive gender equality principles in their judgments.

However, the role of paralegal services in remote parts in Indonesia, such as the Legal Clinics supported by PEKKA, is the only way that policies promulgated in Jakarta translate into meaningful changes in women's lives thousands of kilometres away. One of the key lessons from the last decade has been the role of an inclusive dialogue between the Indonesia's Supreme Court and Religious Courts, and the Family Court of Australia, as well as Indonesian civil society organisations that places women's access to court services, particularly on family law issues, as central to a woman's ability to express her views and make decisions affecting her own life and those of her children on an equal basis.

ANNEX 1: THE CHRONOLOGY OF COLLABORATION AND CHANGE

Timeline	Chronology of Events
2004	First Family Court of Australia visit to Indonesia to commence collaboration with the Supreme Court and Religious Courts of Indonesia.
November 2005	Visit of Religious Courts judges and court administrators to the Family Court of Australia in Melbourne and Canberra. It was agreed to focus on access to quality family law services for women, the poor and people living in remote areas and on transparency of information on the work of the court.
2006	Religious Courts website launched: < http://badilag.mahkamahagung.go.id/ >.
2007	<p>First research project commenced to assess what prevented women, the poor and people living in remote areas from accessing the Religious Courts for their family law matters, and what women who did access the Religious Courts thought of the service they received.</p> <p>Research partners: Supreme Court of Indonesia, Family Court of Australia, PEKKA women's CSO, Centre for the Study of Islam and Society at the State Islamic University (Jakarta).</p>
February 2008	The Chief Justices of the Supreme Court of Indonesia and the Family Court of Australia launched research findings: <i>Providing Justice to the Justice Seeker: A report on the Indonesian Religious Courts Access and Equity Study 2007</i> .
2008	Budget increases for the Religious Courts to extend court fee waiver and circuit court services funded through the Indonesian national budget for women, the poor, and people living in remote areas.

July 2008	Memorandum of Understanding (MOU) on judicial cooperation, signed between the Chief Justices of the Supreme Court of Indonesia, the Family Court of Australia and the Federal Court of Australia. The strategic direction of the MOU on judicial collaboration is renewed each year at annual meetings of the Chief Justices of the three courts.
2009	Second research project commences. It includes the General Courts and Religious Courts and focuses on increasing access to the courts for family law cases, including the provision of marriage and birth certificates.
July 2010	The Deputy Chief Justice of the Supreme Court of Indonesia leads a delegation to Australia to observe how duty solicitor posts in Australian courts provide free legal advisory services and representation to court clients.
August 2010	<p>Supreme Court of Indonesia issues a Practice Direction²⁶ on the provision of legal services that covers the waiver of court fees for the poor, circuit courts to remote locations and free legal advisory services at court for women and men facing financial hardship.</p> <p>The Chief Justice of the Supreme Court of Indonesia and Ibu Nani Zulminarni, head of the PEKKA women's CSO, launch the research publication on improving women's access to the Indonesian courts: <i>Access to Justice: Empowering Female Heads of Household in Indonesia (2010)</i> AusAID and PEKKA <www.familycourt.gov.au></p>
October 2010	Research publication launched by the Chief Justices of Indonesia and the Family Court of Australia: <i>Providing Justice to the Justice Seeker: A Report on the Access and Equity Study in the Indonesian General and Religious Courts 2007-2009 (2010)</i> AusAID and the Mahkamah Agung (Providing Justice to the Justice Seeker - Family Court of Australia)
2011	UN Women highlight women's access to the Religious Courts in Indonesia in their 2011-12 <i>Progress of the World's Women Report: In Pursuit of Justice</i> .
2012	World Bank World Development Report on Gender Equality and Development highlights the work of the Religious Courts in collaboration with the women's CSO PEKKA in Indonesia.

January 2014	Supreme Court Chief Justice clarifies in a new court regulation ²⁷ how the courts will waive fees for the poor, hold circuit courts in remote areas, and support court clients who cannot afford to pay for legal advisory services. The Supreme Court budget includes provision for these services.
February 2014	Research publication launched: <i>Indonesia's Missing Millions: AIPJ Baseline Study on Legal Identity</i> . http://bit.ly/1eyBeLf
June 2014	Ministry of Religion removes fees for providing marriage certificates to Muslim citizens when they register their marriage at the Office of Religious Affairs. ²⁸
August 2014	Practice Direction issued by the Director General of Islamic Guidance in the Ministry of Religion, clarifying that marriage certificates will also be issued free of charge when provided at an integrated and mobile service at village level. ²⁹
January 2015	Presidential Regulation Number 2 Year 2015 on the Plan for National Medium Term Development (RPJMN) Years 2015-19 includes a target for increasing the percentage of Indonesian children with a birth certificate.
August 2015	The Supreme Court Chief Justice clarifies in a new court regulation ³⁰ how the courts will participate in integrated services together with the Office of Religious Affairs and the Civil Registry Office to legalise marriages and provide marriage and birth certificates through mobile services conducted at village level.
2014-16	Australia Indonesia Partnership for Justice ³¹ collaborates with the Supreme Court to support the trial of integrated and mobile legal identity services in five provinces.
May 2016	Director General of the Religious Courts of Indonesia issues a Circular to all Religious Courts clarifying procedures for marriage legalisation case fees and costs of implementing integrated and mobile services together with officials from the Ministries of Religion and Home Affairs. ³²
July 2016	The World Bank publishes <i>The Role of Identification in Ending Child Marriage: Identification for Development (ID4D)</i> and highlights Indonesia's integrated and mobile services, which start with the courts' legalisation of a couple's marriage.

January 2017	<p>The Religious Courts publicise the results of holding integrated and mobile services with the Ministry of Religion and Ministry of Home Affairs to provide legal identity documents in remote areas. In 2016:</p> <ul style="list-style-type: none"> • 16 396 marriage legalisation [<i>itsbat nikah</i>] cases were heard by the Religious Courts at an integrated and mobile service, representing 24% of the 67,584 marriage legalisation cases heard by Religious Courts in 2016 • these integrated and mobile services were provided in 362 locations • 32792 people assisted.
July 2017	<p>The Chief Justices of the Supreme Court of Indonesia and the Family Court of Australia launch the publication: <i>12 Years of Innovation in Women's Access to the Family Courts of Indonesia</i> <www.familycourt.gov.au/wps/wcm/connect/fcoaweb/reports-and-publications/reports/2017/></p>
August 2017	<p>The Chief Justice of the Supreme Court of Indonesia issues a Supreme Court Practice Direction on Women before the Law (PERMA 3/ 2017).</p>

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- 26 Chief Justice of the Supreme Court of Indonesia, Surat Edaran 10 Tahun 2010 tentang Pedoman Pemberian Bantuan Hukum.
 - 27 Peraturan Mahkamah Agung RI Nomor 1 Tahun 2014 tentang Pedoman Layanan Hukum bagi Masyarakat Tidak Mampu di Pengadilan
 - 28 Implementing Regulation 48 of 2014 amending Implementing Regulation 47 of 2004 related to tariffs and types of income in force in the Ministry of Religion.
 - 29 Surat Edaran Direktorat Jenderal (Dirjen) Bimbingan Masyarakat (Bimas) Islam DJ.II/2/HM.01/1425/2014
 - 30 Supreme Court Regulation (Peraturan Mahkamah Agung, PERMA) No 1/2015 on integrated and mobile services.
 - 31 The Australia Indonesia Partnership for Justice (2011-16) was part of the Australian government's aid programme.
 - 32 Circular (Surat Edaran) of the Director General of the Religious Courts Agency on court fees and circuit court operational fees (9 May 2016).

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