

- In tandem with the implementation of new laws on procedures and court re-organization, there is a need to further strengthened judicial reform to ensure efficiency, integrity, fairness and transparency of the judiciary.
- It is important to encourage and promote the development of the lawyering and a legal aid to support and protect people's legitimate rights and interests in settling disputes, as well as access to qualified and professional legal information and advice.
- There is a need to shift the focus from legislative development toward implementation of law at all levels.
- Citizens' fundamental rights and the reform of state agencies' activities as enshrined in the 2013 Constitution should continue to be consolidated and protected. Viet Nam's commitments to human rights protection also require responsible and effective implementation.
- The participation of citizens in local governance and grassroots democracy can be improved through effective implementation of the Grassroots Democracy Ordinance.
- There is a need to promote representative democracy through the professionalization of elected bodies, the National Assembly and Provincial People's Council in particular, and to create favourable conditions to ensure meaningful constituency meetings and relationships.
- Development strategies purely based on economic development will not be sufficient to realize an inclusive growth and sustainable development agenda. Judicial reform is an urgent priority in the coming period, specifically to renew the functioning and operations of judicial organizations for the people, and to ensure the constitutional rights and freedoms in practice.

Applications of the Justice Index

- The Justice Index provides a new lens to assess and monitor the performance of different provinces and cities nationwide regarding judicial activities at the grassroots level to ensure access to justice, equity and equality, and protection of fundamental rights for all .
- The Justice Index provides reliable data and an evidence-based analysis of local governance and the performance of local justice institutions in particular. It can serve as a compass to help identify progress as well as shortcomings at the provincial and grassroots levels.
- Some indicators and variables of the Justice Index are compatible with indicators suggested for monitoring and evaluation of the implementation of the Sustainable Development Goals (SDGs), and can therefore be used as a baseline for measuring progress in implementing SDG 5, 10 and 16 in particular.

Finally, the main findings of the Justice Index on citizens' access to justice, the performance of local justice institutions, grassroots participation and the role of elected bodies are useful for state agencies to develop and launch future solutions. The results of the Justice Index inform civil society organizations and citizens, and encourage their participation in building a justice system for the people that ensures fairness and equality and protects the legitimate rights and interests of the people.

ANNEX 1: INDEX METHODOLOGY

The Justice Index builds on the sound methodological experience of survey and sampling from implementation of the Provincial Governance and Public Administration Performance Index (PAPI), implemented yearly since 2009. The Justice Index leverages the PAPI approach in two ways. Firstly, by using a similar sampling design to select districts, communes and villages, the Justice Index project was able to save significant time and expense at the survey implementation stage. Secondly, since both surveys rely on identical sampling units the aggregate data obtained from both projects can be directly compared, thus allowing an exploration of whether findings regarding the Justice Index and PAPI correlate or not.

Sampling design

Research for the 2015 Justice Index was conducted in all provinces and centrally administered cities. The data is used both as a barometer of the situation in Viet Nam as a whole, as well as for the computation of indicators enabling comparison of the performance of different provinces. In 56 provinces the sampling plan called for the random selection of 240 respondents, with a prior expectation of response rates that would yield an average of 200 completed interviews in each province. In order to maintain a more equal probability of selecting respondents across provincial units, the sample sizes of the municipalities of Hanoi and Ho Chi Minh City were tripled relative to that of ordinary provinces, drawing 720 respondents and expecting 600 completed interviews in each. Similarly, the sample size in the unusually large provinces of An Giang, Dong Nai, Nghe An and Thanh Hoa was doubled (drawing

480 respondents and expecting 400 completed interviews) in order to better reflect these provinces' demographic importance.

This design is not strictly one of equal probability sampling, since the smallest provinces are overrepresented in order to ensure that the size of their sample was sufficient, given the requirement of the study to generate province-wide point estimates. The design, however, is one of computable probability of selection, in the sense that the degree to which a given province is overrepresented (or underrepresented) can be calculated using available census data, and post-stratification weights can be used in order to obtain correct national-level point estimates.

Sampling is done in five stages to select districts, communes, villages, households and finally respondents. Below the province level, the selection process entails the selection of the district that is the seat of the provincial capital, as well as two other districts selected by the probability proportional to measure of size (PPMS) method. The exceptions are Hanoi and Ho Chi Minh City, where six districts in total were selected in each city. Below the district level, the commune/ward that is the seat of the district was purposively selected, while another one was selected by PPMS. Similarly, the village/neighbourhood that is the seat of each sampled commune/ward was included, along with another one selected by PPMS. The enumerators then collected and verified the lists of all inhabitants in each village above the age of 18, from which households were drawn at random. Finally, one eligible member in each sampled household was selected at random and invited to meet the interviewing team. Statistical software

was used to select respondents in compliance with international standards for multistage and random sampling design. This strict protocol aims to obtain information from a representative sample of Vietnamese citizens above the age of 18.

Survey process and quality control

The survey process started with the training of field controllers, who led and supervised data collection teams in each province. The interviewers were mostly final-year students or graduates with majors in sociology, social work or other relevant fields. This process helped strengthen the objectivity and independence of the fieldwork. Each team of interviewers underwent training, detailed guidance, interviews and supervision by field enumerators. The data was entered on tablets, uploaded regularly by the teams and then

Table 23: Comparison of key demographic variables between 2009 census, midterm 2014 census, 2015 PAPI and 2015 Justice Index

	2009 census	Mid-term 2014 census	2015 PAPI	2015 Justice Index*
Gender				
Male	49.4	49.3	45.9	44.2
Female	50.6	50.7	54.1	55.8
Ethnicity				
Kinh	85.7	**	83.9	84.4
Other ethnicities	14.3	**	15.9	15.6
* Un-weighted ** Unavailable data				

Special categories of sub-populations at risk

The Justice Index is especially concerned about the ways in which sub-populations confronting unique socio-economic challenges are experiencing issues related to justice. The research team identified four key categories.

- Low education: Respondents who have no more than a primary education. They

converted into a final dataset suitable for empirical analysis. Overall, 13,841 respondents were directly interviewed for the 2015 Justice Index, accounting for approximately 80% of the maximum sampled population. The summary of the sample by province is included in Appendix 2.

Data quality validation

The reliability of the Justice Index can be checked against variables that have been made available since the release of the mid-term national population census in 2014. Table 23 compares the distribution of key demographic variables between the 2015 Justice Index, the 2015 PAPI, the 2009 census and available mid-term 2014 census data. It confirms the closeness of the sample to the actual demographic characteristics of the Vietnamese population.

amount to 32% of the sample.

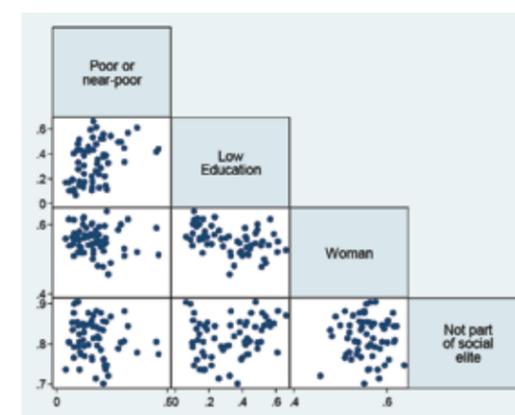
- Poor: Respondents who identify themselves as poor or near poor with respect to the poverty list in their village. They represent 16.7% of the sample.
- Not part of social elite: Respondents who are excluded from the local social elite amount to 82% of the sample. Respondents who are part of the social elite include whether they are civil

servants, judges, prosecutors, police officers, teachers, senior Party and Fatherland Front officials, either currently employed or retired, as well as village heads and heads of the clan. The social elite represent 18% of the sample.

- Women: Disaggregated by gender, women constitute 55.8% of the sample.

Most respondents exhibit only one of these traits, and their distribution is not even across provinces. Figure 15 displays all pair-wise scatter plots of the average share for each risk category across all 63 provinces. With the exception of the relationship between poverty and gender, these four categories are positively correlated, even though the correlation coefficients are relatively low, albeit statistically significant. There are a number of respondents with multiple traits. For example, 451 men in the sample are concurrently poor, not part of the elite and have a low education, while 794 women are in a similar situation. Overall, these 1,245 cases represent 9.07% of the total sample.

Figure 15: Distribution of social groups across provinces



Dots represent province-level average shares for each category
Correlogram of individual-level variables: poor, low education, female, not part of social elite

The Justice Index makes use of 70 indicators of interest, which were analysed by each

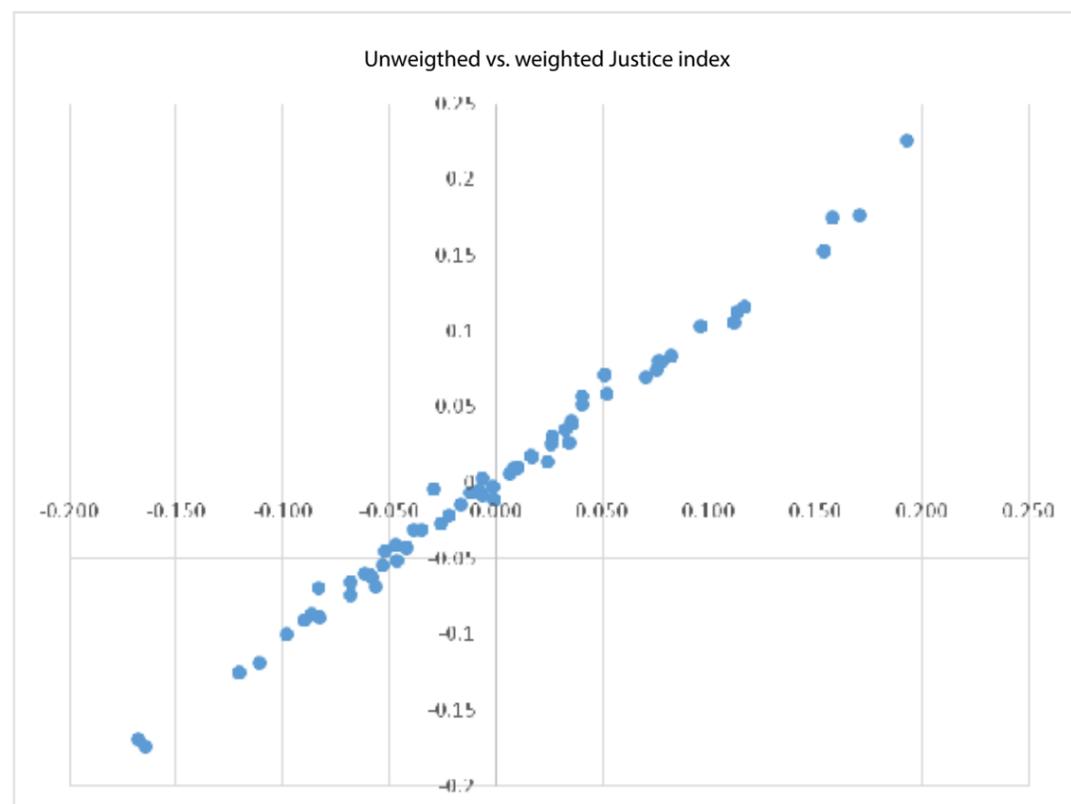
social group. For each province and index, a regression equation that includes demographic and socio-economic variables of interest was estimated, allowing us to capture the four key coefficients as against the items of interest.

$$\text{Indicator} = \beta_1 * \text{gender} + \beta_2 * \text{education} + \beta_3 * \text{poverty} + \beta_4 * \text{social status} + \text{constant}$$

We detect evidence of inequality between categories (e.g. women vs. men) if the coefficient reaches statistical significance at the 95% level or better. The larger the coefficient, the larger the gap between the category of interest and the control group. Thus, with respect to the poor or near poor, each province was evaluated 70 times. When standard errors were large and β was not statistically significantly different from 0 at the .05 level, the coefficient was ignored. All significant coefficients were retained. By averaging over 70 values that all share the same scale, we can estimate the overall degree to which being poor has a positive or negative impact on the province's overall Justice Index. Each measure of inequality is thus based on 4,410 distinct regressions (70 x 63). The same logic applies to the less educated, women and those not part of the social elite.

Weighted versus non-weighted data

A further validation of the data consists in comparing results obtained from unweighted data with those that take post-stratification into account. Given the limitation of the 2009 population census, we could only cross-tabulate the gender of the adult population of each province. Once these corrections are taken into account, it is apparent that both sets of results are closely correlated, as one would expect of a representative random PPMS sample, see Figure 16. Thus, unless otherwise specified, we rely on unweighted estimates throughout this report.

Figure 16: Correlation of weighted and un-weighted data

Aggregating indicators into dimensions and sub-dimensions

In constructing a strong cross-sectional index, researchers seek to emphasize how different units perform in relation to each other, rather than focusing on the absolute value of the indicator of interest. Indices make use of multiple measures, which are observable markers of the particular concept that one seeks to aggregate into an index. The choice of indicators is based on theoretical priors (in the sense that each item must be logically relevant to what we are trying to index), but it must also be empirically true that the components of the index exhibit sufficient variability. In some circumstances an item is chosen for its theoretical importance cannot be used in practice when the data collection is complete, if it happens to lack sufficient variability. If a particular item does not vary at all, it must inevitably be dropped from consideration. Actual empirical findings from survey data are

rarely so stark. Variance across units is usually a matter of degree, as some items exhibit higher variance than others. However, a cursory observation of the data does not easily help researchers decide which items should be retained in the index, and which ones should be dropped.

Historically, the standard approach to index construction requires using variants of what is known as “factor analysis”. Simply put, factor analysis can be used to create a set of weights among a range of items based on their contribution to the overall variance of the data. Items that contribute little to the variance are de-emphasized, while those that ‘stretch’ the data better contribute more to the overall factor score.

The approach in the 2015 Justice Index is to rely primarily on multiple correspondence analysis (MCA), an approach that is closely related to traditional factor analysis, but that

has the advantage of not violating important assumptions. Factor analysis assumes continuous data, yet the kinds of responses collected in survey questionnaires are rarely continuous. Instead, most of the data that is collected is either binary (yes/no answers), original (such as frequency scales: very often, often, rarely or very rarely) or even multinomial categorical data that cannot be ordered but simply separates responses in distinct groups.

Using fixed effect regression to fairly assess provincial performance

When researchers seek to estimate the effect of an independent variable (x) on a quantity of interest (y), which can be summarized in the standard multivariate regression form $Y = X\beta + \epsilon$. They are particularly concerned about the possibility that the effect they are trying to measure may be contaminated by other confounding factors. Left unaccounted for, excluded variables result in biased estimates of β , a problem known as “omitted variable bias” in the econometric literature.

The Justice Index research seeks to assess the performance of institutions related to the experience and delivery of justice at the national and provincial levels, recognizing that the population of Viet Nam is not homogenous and that the diversity of its socio-economic and demographic characters is not evenly distributed in space. The fact that provinces do not have identical socio-economic and demographic characteristics complicates the effort to estimate whether an individual (i), who happens to reside in a particular province or municipality (j), has a better or worse experience than a similar individual in the sense that she shares the same demographic attributes as person (i), but happens to be located in province (k). We recognize that provinces that appear to be performing well with respect to the key indicators and dimensions of the justice project may owe their seemingly high scores not to anything

that the provinces are actually doing in terms of policies or service delivery, but instead are simply lucky to have a population endowed with socio-economic attributes that are correlated with good outcomes. Conversely, another province may seem to be performing poorly on paper simply because of an unfavourable demographic base. In other words, without controlling for (X) factors, it is very difficult to detect the good performance of provinces that, with very limited resources, are able to “do more with less”.

The fixed-effect modelling approach can be leveraged effectively in order to overcome these problems. Within a single multivariate regression, one can separate individual-level socio-demographic and economic attributes that are inherent drivers of the justice experience (these attributes are discussed in Chapter 2), while at the same time identifying the positive (or negative) impact of what is happening to a resident of a given province. Simply put, we care whether geography matters, holding all else constant.

Formally, we estimate a fixed-effect model $Y = X_i\beta + \delta_j + \epsilon$ where:

- Y is the vector of indicators of interest
- X is the matrix representing the variable that captures individual-level characteristics
- β is the vector of estimated regression coefficients corresponding to these individual attributes
- d is a binary (“dummy”) variable coded 1 if respondent i resides in province j , and 0 otherwise
- δ is the estimate of the impact of happening to be located in province j . With N provinces, we estimate $N-1$ dummy variables coefficients, since the N th province is absorbed by the constant term
- ϵ is the error term

This modelling approach recognizes that X variables must be accounted for, but for the purpose of evaluating the performance of provinces relative to each other we are most interested in estimating the magnitude and the sign of δ . Recall that all the index indicators are calibrated on a 0-10 scale and coded so that “more” implies “better”. Thus, if $\delta > 0$, we can conclude with confidence that all else being equal, residents of province j have a better experience with respect to Y than residents of provinces where $\delta = 0$ or even negative.

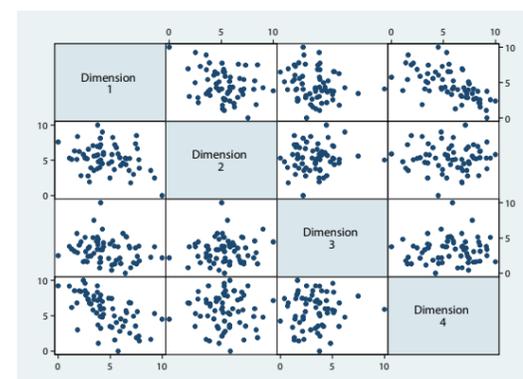
Besides the sign and magnitude of δ , another concern relates to statistical efficiency, namely confidence in the fact that the survey data does in fact help detect meaningful differences between provinces and thus identify both strong performers and weak ones. Confidence intervals (CIs) are therefore essential ingredients of our analysis. When both the upper-bound and lower-bound of the CI associated with δ have positive values, we can be certain – at the level that we have set at 95% - that the positive effect that is being detected is statistically significant. Conversely, if both values of the confidence interval are negative, we can assert that such a province is not performing well relative to its peers. Overall, the confidence intervals allow us to categorize three types of provinces: those that perform well, those that perform poorly, as well as a range of average cases situated between these two groups. Under certain circumstances it is possible to make more refined within-group comparisons.

Correlation between sub-indicators

The heterogeneity of the results is to some extent the product of our effort to design indicators, sub-dimensions and dimensions that are both informative and distinctive. If indicators were strongly correlated with each other, the index would not be very informative. The research team was careful to ensure that grouping indicators by sub-dimension and dimension still allows analysts to differentiate between different aspects of the justice

experience that for theoretical and policy motivations ought to be assessed on their own merits. Cross-correlations between dimensions of the Justice Index suggest that the project does not unnecessarily measure the same underlying trend. Both the scatterplot and the Pearson correlation matrix demonstrate that each dimension makes a meaningful and distinctive contribution to the overall index. We only detect a rather strong negative correlation between Dimension 1 and Dimension 4. In this particular instance, we can easily rule out the hypothesis that the same constructs are ‘contaminating’ both dimensions. Dimension 1 is concerned with experiential measures of accessibility, while Dimension 4 focuses on individual assessments of fundamental rights. In fact, the finding of a negative correlation is substantively important, as it implies that citizens who have easier access to justice institutions and services are less sanguine about the ways in which rights are enforced in practice than citizens who have poor access to such institutions and are thus less likely to encounter how well they operate in practice, see Figure 17.

Figure 17: Correlations between sub-indicators in factor analysis index



Each dot represents a province

Dim. 1	Dim.2	Dim.3	Dim.4	
Dim. 1	1.00			
Dim. 2	-0.29*	1.00		
Dim. 3	-0.19	0.11	1.00	
Dim. 4	-0.61*	-0.02	0.07	1.00

(*) Statistically significant at the .05 level

ANNEX 2: DEMOGRAPHIC CHARACTERISTICS OF THE SAMPLE BY PROVINCE

