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SUPPORT TO ZANZIBAR LEGAL REFORM PROGRAM

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CALIBRATE SOLUTIONS INC.
In collaboration with Lucie Luguga, Independent Consultant

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Finally, we gratefully acknowledge the support and kindness we were shown by the staff at the UNDP, in particular Gitte Nordentoft, Fridah Mwakasyuka, Ali Sheib, and Khamis, as well as Nassra Seif Abdullah from the Revolutionary Government of Zanzibar.

Meredith Brown
May 25, 2018

A visit to TAYI, May 15, 2018

Executive Summary

Introduction

This Report contains the Terminal Evaluation of the Support to Zanzibar Legal Sector Reform Program (the 'Project'). This multi-stakeholder, five-year Project (2013-2017) has been implemented by the UNDP in collaboration with the implementing partner, the President's Office of Constitution, Legal Affairs, Public Service and Good Governance and with financial support from the European Union. The activities under the thematic focus on children were implemented by the UNICEF in collaboration with its Ministry partner, the Ministry of Labour, Employment, Education, Women, Youth and Children.

The Project's overarching objective was to support a sector-wide and comprehensive legal sector reform in Zanzibar. The Project sought to achieve this goal through four Results:

1. Support the Development and Implementation of a comprehensive Legal Sector Reform Program Strategy
2. Enhanced institutional and operational capacity of the justice sector institutions to deliver services efficiently and effectively
3. Strengthened legal aid mechanisms for a justice accessible to the people especially the most vulnerable
4. Justice system enabled to handle children's cases and respond to the needs of child victims, witnesses and offenders

The Terminal Evaluation was conducted using the UNDP/OECD DAC Evaluation Criteria (relevance, effectiveness, efficiency, impact, sustainability), a review of the Project's Theory of Change and responses to 46 specific questions provided in the Terms of Reference.

Findings

The Support to Zanzibar's Legal Sector Reform Program (the Project) is a highly successful project. A significant number of tangible reforms have been introduced through the work of the Project that have directly increased access to justice for the people of Zanzibar. The Project is a milestone in justice sector coordination and dialogue among sector participants. It has created a collaborative approach to reform.

The launch of Zanzibar's Legal Sector Reform Strategy in 2015 represented the centre of the collaborative reform process and identified areas of priority across the sector that helped both sector participants, donors and international organizations, and the public understand the areas of challenge and targets for reform.

The Project focused on strengthening the foundation of Zanzibar's legal sector, through the introduction of critical legislative reforms, capacity building and increased knowledge and skills for important sector workers, and enhancing institutional capability.

The thematic focus on children provided tangible and positive outcomes that directly reduced the negative impact of the justice system on children. The programs and reforms introduced for children support their access to justice and their potential for rehabilitation.

The Project was ambitious and required the active participation of many institutions and individuals. As a result, some aspects of implementation struggled under the weight of the ambition. However, overall, the Project should be considered a successful contribution to the improved justice sector in Zanzibar and to meeting the targets of SDG 16.

There is still significant work to be done in Zanzibar's justice system. These reforms have created an appetite for improvement among local participants and have highlighted ongoing needs and new areas of potential focus. As well, sustaining the benefits of the Project will require ongoing commitment from the Revolutionary Government of Zanzibar, local civil society institutions and some components may require additional support and funding from international institutions. At the time of the evaluation, the sustainability plans for all of the activities were not yet confirmed.

Project Strengths

- *Overarching sector collaboration*
- *Capacity Building*
- *Legislative Reform*
- *Legal Aid*
- *Children's Court*
- *Community Rehabilitation*
- *Child and Gender Desks in police stations*
- *The Chuo Cha Mafunzo's approach to children*

Project Challenges

- *Case Management System*
- *DNA Machine*
- *UNDP/UNICEF Project Design and Management*
- *Financial Management*

Lessons Learned

- *Case Management System*: A proper approach to planning, needs assessment and user experience in advance of IT design/build, as well as involvement of the beneficiaries at the time of design, would improve the chances of timely implementation and user satisfaction.
- *Ministry Oversight*: Ongoing communication among partners is required, including clarity around roles with respect to financial and procurement matters. Dedicated personnel inside Ministry offices is required in order to avoid implementation delays and confusion of roles.
- *Communication among justice sector participants*: Communication is a valuable tool for reform and is a strength of the Project. Broad engagement such as this ensures user satisfaction, all perspectives are considered, and key stakeholders are engaged.

- *Training*: Training on the Project was welcomed and needed but short seminar trainings may be insufficient in the legal sector. Legal skills training requires more intensive training with extended time, skills practicing, coaching and mentoring, etc.
- *Reference Material*: A more coordinated, sectoral approach to building the knowledge in Zanzibar could reduce duplication and delay, focus money on a larger number of resources.
- *Law School*: Enhancing the skills and knowledge of the Zanzibar legal community will increase access to justice and strengthen the legal sector as a whole. A law school would provide professionalism, skills training and bring new insight and academic thinking to the profession.
- *Legal Aid*: Legal aid reform was critical to Zanzibar and support should continue to be provided through the legislation, the establishment of the legal aid secretariat, the clarification of funding models, the ongoing training of providers (lawyers and paralegals) and public awareness efforts.
- *Legislative Reform*: This was an important area of focus but given the need for a larger scale reform, some adjustments in the process, including clarity of roles and specialized training, would be helpful.
- *Community Rehabilitation*: A diversion program has tangible benefits for Zanzibar – it provides improved opportunities for youth and it likely results in cost savings for government. However, without a sufficient measurement framework and the capable resources to manage monitoring, the true benefit of the diversion program is lost and funding sources are potentially at risk.
- *Communication with the Public*: A limited amount of public engagement was planned as part of this Project. However, all sector workers indicated an interest in immediate communication plans.
- *UNDP Project Management*: A greater clarity of approach, including an adequate assessment of capacity in the sector and inside the UNDP, clear expectation setting with stakeholders and an early discussion on sustainability planning would service to enhance the success of the Project and reduce issues raised by stakeholders. Additional clarity and realistic timelines with respect to disbursement of funds would assist future projects.

Conclusions

As stated at the outset, the Project has been highly successful in delivering important and tangible results and building a stronger justice foundation in Zanzibar. It has struggled with some design and implementation challenges throughout the Project period but these challenges have been met and mitigated where possible. The focus on delivering meaningful improvements in the legal sector has been appreciated by justice sector participants in Zanzibar and remains relevant.

Relevance: The Project was designed in response to clearly identified justice sector needs in Zanzibar and its goals and activities have remained relevant to the participants and stakeholders throughout the Project. The design of the Project is rational and achievable, although there are challenges linking the ambitious nature of the scope with the available resources required to succeed.

Effectiveness: The design of the Project, including its ambitious scope and its lack of clear numeric indicators of success, meant that the Project struggled to finish all the planned activities and to clearly articulate and measure its successes. However, it clearly introduced significant culture change into the justice system, including improved communications among stakeholders, local and collaborative approaches to legal reform, and a heightened government priority on the justice sector.

Efficiency: The Project observed many project management best practices, including regular engagement with an effective Steering Committee. However, it struggled with financial management,

including delayed disbursement of funds and a need for an increase in time and funding to complete some activities. There remain a number of incomplete activities.

Impact: The Project had significant impact – the tangible outcomes and direct benefits to citizens are the Project's greatest strength. The thematic focus on children has had a dramatic impact on the lives of Zanzibar's children in conflict with the law – with a reduction in the number of children in custody, an increase in the number of children in community rehabilitation and access to legal aid and support for children in the community, in the police station, in court, in community rehabilitation and in detention. The overall strengthening of the justice sector – through legislative reform, increased skill building in new areas of law, and the purposeful approach to strategy – has already and will continue to serve Zanzibar well.

Sustainability: The clear dedication and collective sense of ownership demonstrated by justice sector leaders in Zanzibar in the Project suggests that many of the activities and long-term impacts will be sustained and enhanced. However, there is some uncertainty with respect to the sustainability of many of the specific programs, largely as a result of uncertain future funding.

Cross-Cutting: While a number of the interventions in the Project were focused on the overall justice system, they have direct or indirect benefit for the most vulnerable members of Zanzibar's society. Legal aid has been strengthened and supported, sexual and gender based violence has been a key focus of many of the activities and, of course, the thematic focus on children directly impacts one of the most vulnerable groups in any society. In addition, there was a gendered approach to the capacity building activities, ensuring that women lawyers and other women actors in the justice system received training and resources.

Recommendations

The value of ongoing legal sector reform in Zanzibar is high and is matched by the impressive level of sector participant engagement in reform activities and governance. In order to maintain momentum on current Project benefits and to sustain programming that enhances access to justice, as well as for consideration for next opportunities, the following recommendations are made:

1. Case Management System	The completion of the Case Management System at the High Court is critical to reform. Ensuring that the functioning of the judicial system is efficient, transparent and accessible is an important component of public credibility and of system success. In addition, a case management system is an important first step in a larger e-justice plan.
Recommendations:	1.1 Short Term: Complete current Case Management System development and ensure it is installed in the High Court. 1.2 Medium Term: Provide training and capacity building for IT staff in the court and adequate technology. 1.3 Medium Term: Support a visit to Zanzibar by an expert from Rwanda to support the Court, undertake strategic planning and develop training based on Rwanda's experience.

	1.4 Long Term: Develop an E-justice project, starting with a sector-wide assessment of capacity and readiness.

2. Ministry Oversight	Ensuring government ownership in justice sector reform was an important goal of this Project and should be encouraged and sustained. This includes supporting government's leadership and ensuring that other sector actors clearly understand the lines of accountability.
Recommendations:	2.1 Prior to kick-off of next projects, UNDP or UNICEF should support the government to convene a stakeholder meeting to establish accountability and roles. In addition, the government should ensure that periodic project administration meetings are held, in additional to governance/steering committee meetings to identify project process challenges in a timely fashion and ensure support for the leadership.

3. Communication among justice sector participants	One of this Project's top successes was the increased communication and collaborative engagement in decision-making. Almost all of the justice sector actors remarked favorably on this feature. These relationships should be sustained.
Recommendations	3.1 Short Term: A final project meeting should be held and at that meeting, project participants should be asked to commit to ongoing engagement with each other and discuss the best method for that engagement, e.g. Regular meetings, shared project updates by email. 3.2 Medium Term: The Justice Sector Forum, which was reinvigorated as part of this Project, should meet frequently and regularly, ensuring that all members have an opportunity to contribute to the agenda.

4. Training inside the justice sector	Training was provided across the sector and all participants expressed a positive benefit from the training combined with a clear interest in substantially more training.
Recommendations:	3.3 Short Term: Sector-wide, collective workshops on the new laws enacted during the Project period, including the legal aid policy and legislation, and advanced training on children in contact/conflict with the law and handling GBV and child abuse cases. 3.4 Medium Term: Intensive training and coaching for: i. Lawyers (both private and government) on civil skills with a focus on contract negotiation in oil and gas and construction;

	ii. Prosecutors on prosecution of new or increasing crimes such as cyber-crime and fraud/corruption-related crimes such as fraud, trafficking, and money laundering; iii. Government and Law Review Commission lawyers on legislative drafting; iv. Child magistrates on civil cases involving children; and **v.** Prison officers on international instruments related to women, children and human rights.

5. Reference Material, Equipment and Infrastructure	There is a clear shortage of the tools of the justice system in Zanzibar, including reference material on the law, equipment such as computers and printers, and in some cases, the necessary physical infrastructure.
Recommendations:	5.1 Short Term: Printing and distributing the legislative tools and associated rules, guidelines, etc. is an important step to ensure that lawyers and paralegals have the necessary access to the rights laws and that they are publicly available. This includes publishing those laws that have already come into force during the Project period (Evidence Decree, Penal Code, Rules of Criminal Procedure, Khadi's Court Act) and printing the advanced Standard Operating Procedure for Police in child cases. 5.2 Short Term: Targeted equipment provision is a preferred model for the next project. CMS support, central library, some equipment for the CSOs to promote legal awareness in the community (ZLSC, ZAFELA), remote testimony equipment for the Children's Court in Mahonda are all short-term recommendations for equipment purchases. 5.3 Medium Term: A central repository for legal books and information with a strong librarian would be the most efficient way to obtain the most material for the money.

6. Law School	A law school in Zanzibar would build Zanzibar-specific legal knowledge and permit the collective growth of skills. It is encouraging that the law school has a champion in the Chief Justice and that the government has already committed resources, including land, to the law school.
Recommendations:	6.1 Short Term: Support for the proposal of the Chief Justice that an administrator/initial dean for the school be hired immediately. 6.2 Short Term: A study of the Dodoma University model is recommended as part of law school development.

7. Legal Aid	The advances in legal aid made in this Project have already had a meaningful impact on access to justice in Zanzibar. Sustainability of the advances is dependent on funding.
Recommendations:	7.1 Short Term: 7.1.1 Ensure funding support for the Zanzibar Legal Services Centre in order to support key legal aid services for children – the children's advocates and the child supporters. 7.1.2 Increased public awareness of rights and the means of accessing services, following the model already employed by the service providers. 7.2 Medium Term: A specific project on legal aid could focus on increasing service to remote communities and to specific vulnerable populations, such as women and children.

8. Legislative Reform	Significant gains were made in legislative reform during the Project. However, there is clear need and potential for a next step in this process, as well as some key process reforms. It is noted that law reform should always remain a government responsibility.
Recommendations:	8.1 Short Term: Support the completion of the laws already worked on as part of the Project. 8.2 Medium Term: Support a government undertaking to review all of Zanzibar's laws. The UNDP could provide technical support, particularly in areas of the law that do not have significant expertise in Zanzibar.

9. Community Rehabilitation	The work done by TAYI and by social welfare officers has a tangible impact on the wellbeing of young people in Zanzibar. Continuity of programming for young people will require a concerted effort to measure the value and impact of the particular programming choices.
Recommendations:	9.1 Short Term: A cost/benefit analysis of TAYI activities to inform government about the value of providing this service instead of court based/justice system based project and to consider core funding for TAYI. 9.2 Medium Term: Increased numbers of social welfare officers focused on children in conflict with the law. 9.3 Medium Term: A project that studies the child supporters project, with the goal of converting the role to a paid position, rather than a solely volunteer model.

	9.4 Medium Term: Expansion of community rehabilitation for children to Pemba.

10. Children's Courts	The Children's Courts have a valuable place in reducing the harm of contact with the justice system for children. While the Court is experiencing early growth challenges, there are a few things that are foundational.
Recommendations:	10.1 Medium Term: Hire more magistrates 10.2 Medium Term: Ensure jurisdiction is preserved, either through closing gaps/conflicts in the enabling legislation or through a practice directive between courts.

11. Public Engagement	Public engagement was not a large component of this Project. However, almost all of the justice sector members indicated that more could be done in this area in the future, and it is clear that the next component of justice sector reform is an educated populace who understand their rights and how to access services. We heard repeatedly that lack of transportation to the courthouse is a significant barrier to access to justice for women and children.
Recommendations:	11.1 Short/Medium Term: A project that supports public engagement about legal rights and services is recommended. It could have several phases including immediate information about legal aid and gender-based violence and then growth as new areas of law reform are introduced. 11.2 Short Term: Increasing the options for transportation is a long-term infrastructure project. However, the current legal aid providers, and particularly ZAFELA, indicated that they are willing to provide transportation. These efforts could be supported. 11.3Medium Term: School curricula could include teaching on legal and human rights.

12. UNDP/UNICEF approach	As noted above, this Project was a success for UNDP and UNICEF. A number of project approaches were used to ensure local engagement and ownership and the individual technical experts were strong and credible. However, there are some areas of the project design and approach that should be reviewed and strengthened in next projects. Overall, the justice sector in Zanzibar is a positive place for international organizations and donors. The local actors are engaged and there is recognized need and desire for outside expertise.

Recommendations:	12.1 Short term: Support the development of performance measures and indicators for the activities of the sector with a focus on legal reform. The ability to provide better data and measured outcomes will enhance the sector's credibility and is critical to convincing donors of the value of future project investment.

Introduction, Context and Overview of the Project

Introduction

This Report contains the Terminal Evaluation of the Support to Zanzibar Legal Sector Reform Program (the 'Project'). This multi-stakeholder, five-year Project has been implemented by the UNDP in collaboration with the implementing partner, the Revolutionary Government of Zanzibar (RGoZ) through the President's Office of Constitution, Legal Affairs, Public Service and Good Governance and with financial support from the European Union. The activities under the thematic focus on children were implemented by the UNICEF in collaboration with its Ministry partner, the Ministry of Labour, Employment, Education, Women, Youth and Children.

The Support to Zanzibar Legal Sector Reform Program Project, which ran from 2013 to 2017, is responsive to a series of reports and national documents that identified key problems facing the justice sector in Zanzibar. This Project's approach focused on sector wide coordination and strategy, addressed major gaps in legal sector reform, and maintained a thematic focus on child justice.

The Project Objective: Support a sector wide and comprehensive legal sector reform in Zanzibar

The Project Results:

1. Support the Development and Implementation of a comprehensive Legal Sector Reform Program Strategy
2. Enhanced institutional and operational capacity of the justice sector institutions to deliver services efficiently and effectively
3. Strengthened legal aid mechanisms for a justice accessible to the people especially the most vulnerable
4. Justice system enabled to handle children's cases and respond to the needs of child victims, witnesses and offenders

With the Legal Sector Reform Programme Secretariat in the POCLAPSGG on 10 May 2018. From left Maryam Ali Shauri, Meredith Brown, Nassra Seif, Rahma Ali Salehe Naumi Kassim Mohamed, Gitte Nordentoft (UNDP) and Iddi Hassan.

Under each output, the Project has identified a number of interventions and actions to be undertaken that are expected to meet the results, including but not limited to training and capacity building, improved infrastructure and tools, legislative and policy development, and an overarching strategic framework development.

The direct beneficiaries of the Project are all of the key justice sector institutions in Zanzibar, including the POCLAPSGG and the MLEEWYC, the Judiciary of Zanzibar, the Office of the Attorney General, the Law Review Commission, the Department of Public Prosecutions, Chuo Cha Mafunzo (the Prison

Department), Tanzania Police Force, Ministry of Social Welfare Youth Women and Children Development (MSWYWCD), Civil Society Organizations as well as the broader population of Zanzibar.

Context: The Legal Sector of Zanzibar and Project Background

The Support to Zanzibar Legal Sector Reform Program (the Project) was designed to strengthen the rule of law and promote human rights and access to justice for the people of Zanzibar. The legal sector in Zanzibar has faced a number of challenges to its quality of service, outlined in the Reports that were considered as the foundational documents for this Project, including the Capacity and Needs Assessment of the Legal Sector Actors in Zanzibar, the Assessment of Justice Needs and Obstacles in Zanzibar (both reports coordinated by the MoJCA in 2012) and MKUZA II, which identified the following key problems in the justice sector:

- Inadequate institutional and operational capacity
- Low public awareness on basic justice process and rights
- Poor infrastructure
- Delays in delivery of justice
- Poor legal practice and procedures
- Slow sector response to new social, economic and technological realities
- Public perception of corruption in the sector
- Inadequate legal support
- No coordination of legal training and education
- Underfunded courts that lead to delay

Meeting with the Director of Public Prosecutions, Hon. Ibrahim M. Ibrahim and Principal State Attorney, Mr. Suleiman H. Hassan, May 11, 2018

Both the UNDP and the RGoZ determined that a comprehensive approach to resolution was required in order to address these challenges. The RGoZ under MKUZA II proposed a plan for a comprehensive Legal Sector Reform Program and requested support from the United Nations in Tanzania to develop and implement a multi-year, multi-sector, multi-stakeholder reform program.

The Project was designed to address the gaps and respond to the RGoZ's priorities, focusing on strengthening justice institutions, enhancing the provision of access to justice and the development of the quality of justice administration. In addition, and as a result of the introduction of the Children's Act 2011, a thematic focus on child justice was adopted.

Objectives of the Terminal Evaluation

The evaluation shall inquire into the relevance, efficiency, effectiveness, impact, and sustainability of the program and further consolidate lessons learned and best practices derived from the implementation. In addition, the project will evaluate the effectiveness of the partnership strategy and the focus on cross-cutting issues related to vulnerable people and gender.

The overall objective of the terminal evaluation is to review progress towards the project's objectives and outcomes; identify strengths and weaknesses in project design and implementation, and; provide recommendations on design modifications and specific actions that might be taken into consideration.

Requirements of the Evaluation and Evaluation Activities

At the Law Review Commission of Zanzibar May 10, 2018 with Executive Secretary Ms. Asma Jidawi. The Law Review Commission received new legal texts as part of the Project.

The Evaluation has five deliverables:

- ✓ Inception Report
- ✓ Draft Project Terminal Evaluation Report
- ✓ Draft Lessons Learned Report
- ○ Presentation of Draft Evaluation Report
- ○ Final Project Terminal Evaluation Report

The original Evaluation period was 6 weeks long, lasting from April 23, 2018 to May 31, 2018. However, the end of the period was extended to permit time for a Validation workshop with stakeholders, to be held on June 14, 2018.

A schedule of activities is attached to this Report at Annex A. Activities included a desk review of relevant documents, remote meetings with the Project Team, a 2 week in-country visit that included in-person interviews, focus groups and meetings with key stakeholders, and the presentation and review of the Final Evaluation Report, including Findings, Lessons Learned and Recommendations.

All reports are prepared by the International Evaluator (the "Evaluator"), supported by a national expert hired for the purpose of this Evaluation.

Desk Review

A review of project documents included the initial Project Strategy Documents and subsequent progress reports, the midterm evaluation of the Zanzibar Legal Reform strategy, and a number of other deliverables such as draft legislation and consulting reports. The document review provided information on the extend and scope of the activities and interventions planned in the project strategy. It also assisted the Evaluators with the assessment of the project Theory of Change and intervention logic.

Project fact sheets on other current UNDP governance projects in Tanzania were provided to give additional information on UNDP priorities and ongoing work.

Project documents related to Result 4 were provided by UNICEF during the in-country visit.

The full list of documents reviewed as part of this evaluation up to the date of this report is attached at Annex B.

At the Zanzibar Legal Services Centre, May 16, 2018 with Ms. Harusi Mpatanni, Executive Director and Saida Amour, Program Officer.

Inception Report

The Inception Report was submitted to the UNDP on April 29, 2018 and contains the evaluation framework and methodology that underpins this Report. On May 9, 2018, following discussions during the in-country visit, the Inception Report was revised, to include a revised timeline for activities.

In-country Visit

The In-country visit to Tanzania took place from May 7- 18, 2018. The Evaluation Team is grateful to have met with members and leaders of key justice sector institutions in Zanzibar. We appreciate the time, candor and hospitality we were shown.

Of course, the Evaluation Team also benefitted from the interviews with the Project Technical Experts from UNDP and UNICEF and other UNDP Governance staff, and from discussion with the donor, the European Union.

A full list of interviewees is attached at Annex C.

At the conclusion of the in-country visit, the Evaluation Team held a Stakeholder Debrief Workshop in Zanzibar with all of the organizations involved in the Project. At this meeting, the Team presented preliminary observations, providing stakeholders with the opportunity to provide feedback and address any gaps or incorrect assumptions. Stakeholders were also given a list of the suggestions for future opportunities provided during the interviews. In groups, they selected top priorities from the list and shared them with all attendees. The slides prepared for the Stakeholder Debrief are attached at Annex D and the identified priorities are attached at Annex E.

At the Stakeholder Debriefing, May 17, 2018, UNDP Sub-Office, Zanzibar

Validation Meeting

Following the submission of this Draft Report and its adoption by the UNDP, a Stakeholder Validation meeting will be held in Zanzibar. Feedback will be received and incorporated as appropriate. A Final Report will be provided upon conclusion of that process.

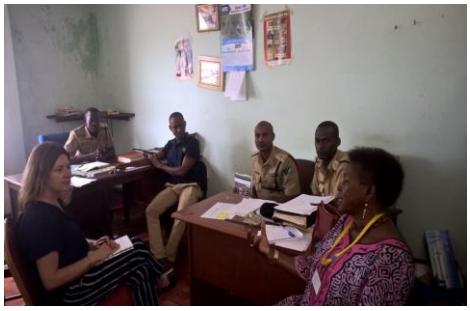
Risks Identified in the Inception Report

There were two risks identified in the Inception Report to the quality control of the Evaluation process: translation and the limited statistical data. These risks were mitigated throughout the Evaluation process and the Evaluator's response to the risk is set out below.

- ***Translation:*** The Evaluator does not speak or read Kiswahili so there is a risk of loss of accuracy in translation or in conversation. However, this risk is assessed as low as the documents are all in English, the National Expert speaks English and Kiswahili, and there is a high level of English spoken in Zanzibar.
- ***Response:*** The risk remained low. Most discussions were held in English. Where Kiswahili was spoken, the National Expert provided translation support to the Evaluator.

Meeting with the High Court of Zanzibar. In the centre photo, the Zanzibar Chief Justice, Hon. Omar O. Makungu, with Mr. Hamad Makame Ngwali, Head of IT, and Ms. Saada M. Shaaban. In the photo on the left, the Registrar of the High Court Hon. Mohamed Ali Mohamed, Deputy Registrar, Hon. Ali Ameir Haji, Mr. Ngwali and Ms Shaaban. In the photo on the right, the Chairperson of the Children's Court Ms. Nayla A. Omeyar, Ms. Thuwaib Amour, focal person for Child Justice and Ms. Zainab Pandu, Court Clerk.

- ***Limited statistical data:*** At the time of this Inception Report, very little statistical data was provided as part of the document review. It is understood that this is as a result of the status of progress. This issue is merely raised here to signal that there will be limited or no statistical data about the impact of the project to the people of Zanzibar. However, some of this impact can be assessed through the interviews, focus groups and a review of the contents of the deliverables and this cross-section of data points should adequately mitigate the risk.



With the Tanzania Police Force, Musa Kh. Abdalla, Inspector / Counselor, Gender Desk; , then Makame Haji Haji, Police Corporal / Adviser, followed by Mohamed M. Kificho, A/Inspector / In Charge and Yussuf Ali Nassif, Police Corporal / Counselor on May 15, 2018

- ***Response:*** It remains true that there was limited data to support the measurement of the success of project activities. The Project design for Results 1-3 did not contemplate significant data collection on impacts and did not have baseline measures with respect to impact on people. The UNICEF portion of the Project did plan for data collection, including a coordinated plan of data collection by individual organizations. Although this system was imperfect, some data was collected and the results have been provided.

At ZAFELA, with Executive Director Ms. Jamila M. Juma, May 11, 2018

Evaluation Framework

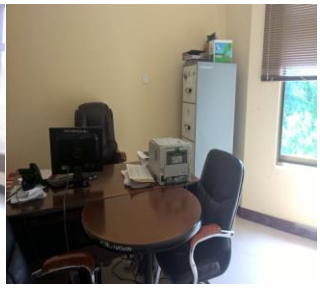
At the Prison, with SSP Seif Mabadi Makungu and Sergeant Haji Juma Haji, May 15, 2018

The Terms of Reference for the Terminal Evaluation (the TOR) provides a clear and comprehensive set of evaluation criteria, assessment areas and specific questions.

Evaluation Criteria: The UNDP-OECD DAC evaluation criteria are: relevance, impact, effectiveness, efficiency and sustainability.

Assessment Areas: Using these criteria, the TOR indicates that the evaluation will analyze the following points:

- Assess the extent to which the project achieved its overall objectives;
- Assess the degree to which the development objectives and outputs of the LRSP were achieved;
- Review the implementation of the project monitoring and evaluation framework, systems, and processes;


With the Deputy Attorney General, Mr. Mzee Ali Haji, and Senior State Attorney Ms. Hamisa Mmanga Makame, May 11, 2018. A picture of the equipment provided to the Contract Management Unit at the AG's Chambers.

- Describe and assess efforts of stakeholders in support of the implementation of the project;
- Describe the management processes – how did project activities change in response to new conditions encountered during implementation, and were the changes appropriate;
- Review the clarity of roles and responsibilities of the various institutional arrangements for overall program management and implementation and the level of coordination among relevant players;
- Examine and evaluate the extent to which project impacts have reached the intended beneficiaries;
- Assess the likelihood of continuation and sustainability of project outcomes and benefits after completion of the project – analyze how far the system of exit policy in the project ensures the viability of the project benefits;
- Review the risk assessment and management of the project;
- Describe key factors that shall require attention in order to improve prospects for sustainability of project outcomes and the potential for replication of the approach;
- Describe the main lessons that have emerged regarding local ownership.

Questions: A comprehensive list of 46 questions that fall under the OECD/UNDP DAC evaluation criteria has been set out in the TOR.

At MLEEWC, with State Attorney Mr. DidasKhalfan, May 15, 2018

Evaluation: Findings, Lessons Learned and Recommendations

Findings

The Support to Zanzibar's Legal Sector Reform Program (the Project) is a highly successful project. A significant number of tangible reforms have been introduced through the work of the Project that have directly increased access to justice for the people of Zanzibar. The Project is a milestone in justice sector coordination and dialogue among sector participants. It has created a collaborative approach to reform.

The launch of Zanzibar's Legal Sector Reform Strategy in 2015 represented the centre of the collaborative reform process and identified areas of priority across the sector that helped both sector participants, donors and international organizations, and the public understand the areas of challenge and targets for reform.

The Project focused on strengthening the foundation of Zanzibar's legal sector, through the introduction of critical legislative reforms, capacity building and increased knowledge and skills for important sector workers, and enhancing institutional capability.

The thematic focus on children provided tangible and positive outcomes that directly reduced the negative impact of the justice system on children. The programs and reforms introduced for children support their access to justice and their potential for rehabilitation.

The Project was ambitious and required the active participation of many institutions and individuals. As a result, some aspects of implementation struggled under the weight of the ambition. However, overall, the Project should be considered a successful contribution to the improved justice sector in Zanzibar and to meeting the targets of SDG 16.

There is still significant work to be done in Zanzibar's justice system. These reforms have created an appetite for improvement among local participants and have highlighted ongoing needs and new areas of potential focus. As well, sustaining the benefits of the Project will require ongoing commitment from the Revolutionary Government of Zanzibar, local civil society institutions and some components may require additional support and funding from international institutions. At the time of the evaluation, the sustainability plans for all of the activities were not yet confirmed.

Project Strengths

The Project had a number of demonstrable successes:

Overarching sector collaboration

This is a significant achievement of the Project. Prior to the inception of the Project and the early development of the National Strategy, a number of organizations advised us that sector wide discussions were rare. As a result of the Project, we were advised that organizations were included both in the overarching system reform and coordination through membership on the Steering Committee and that collaborative approaches to individual activities continue to occur.

In addition, the Project sought to introduce a level of government ownership in justice sector transformation and, while the process was not perfect, the introduction of this role was beneficial to ensuring local ownership and ongoing acceptance of governmental responsibility for the sector.

Capacity Building

There was a particular focus on capacity building in this Project and the Project goals in this area were achieved. Training occurred across the sector, on reforms and on skill and knowledge enhancement in a number of critical areas, including the administration of the justice system (such as reform management, case management) and key areas of law (such as legislative drafting, cyber-crimes, prosecution and support for SGBV-related cases, contract negotiation, public interest litigation, legal aid service provision). While this training was limited and intensive skill-building can always be enhanced, it was wide-spread in that almost every major organization in the sector received training and it was collaborative in that many trainings included individuals from a variety of organizations and roles. This component was a significant contribution to the strengthening of the legal sector.

The assessment of the potential for a law school is also an important achievement. As a result of the assessment and its companion work, including a visit to the Law School of Tanzania, there is widespread support for a law school and significant resources are now focused on its creation. Key leaders in the sector, championed by the Chief Justice, are now in the planning phase of the school and resources, including the designation of land, have already been dedicated by the government. This is an extremely positive development for Zanzibar.

Legislative Reform

Legislative Reform was an ambitious component of the Project and remains incomplete. However, its components were valuable. The process of legislative reform was more inclusive as a result of the Project and gave voice to a number of organizations.

Three of the Acts already in force introduced provisions that have immediate and tangible impact on the justice system. The Evidence Decree has introduced significant new process reforms that reflect modern realities, including the admission of electronic evidence. The Penal Code has reflected society's interest in addressing sexual and gender-based violence (SGBV) by disallowing bail for SGBV crimes. The Criminal Procedure Act has attempted to address delay in the system by reducing the role of assessors to only capital cases and by increasing the jurisdiction of the primary courts. These are all critical reforms that are already being used and have also had rules, regulations and guidelines developed to accompany the legislation.

Legal Aid

Very impressive gains were made with respect to legal aid in Zanzibar through this Project. The development of the policy meant that the system moved from a scattered and unsupported approach to a policy-driven and coordinated approach that has enhanced access to justice for vulnerable people in Zanzibar. The policy is in place, providers have been supported and trained, public awareness has

increased through targeted outreach in the community and dedicated providers including ZLSC and ZAFELA have been given additional resources to meet needs.

With respect to children, 100% of children in conflict with the law now have access to legal aid in the courts, in detention and in the community rehabilitation program, up from 0%. Legal aid support, in combination with the Community Rehabilitation program and the Child Supporters program has contributed to a dramatic reduction in the number of children in detention.

Under the new Legal Aid Policy, paralegals are now able to provide legal aid services. In addition to providing services to adult legal aid users, paralegals are now providing support to children in conflict with the law and who are at risk of conflict, at police stations and in the community. The value of the child supporters program is extremely high.

Children's Court

The opening of four Children's Courts has been an important step in the provision of justice services for children. The Court sees a high volume of cases – between 7 and 10 per day per location – and its child-friendly approach and goal of community rehabilitation where possible is a tangible improvement. Rule and guidelines that put the Children's Act 2011 into practice and increase the transparency of the Court have been enacted.

Community Rehabilitation

Community rehabilitation is an imperative and this Project is to be commended for the number of children who have been able to engage in the rehabilitation program (100 children during the period of the Project) and avoid detention or other harmful penalties. The community rehabilitation program supported by the Project has provided options to the court in sentencing and options to the police at the outset of a case. In addition, community leaders have also used the community rehabilitation program to assist at-risk youth.

There are two elements of the community rehabilitation program that have been successful: the work of social welfare workers from the Ministry of Labour, Empowerment, Elders, Women and Children (MLEEWYC) and the programming at TAYI. Social welfare officers play a critical role in rehabilitation – working with youth, visiting families and engaging with the community. The programs at TAYI are introducing children to life skills, counselling and positive activity.

The combined efforts under the Child Justice component have resulted in 100 children enrolled in community rehabilitation programs, 394 children provided with legal aid and an impressive reduction of children in detention from 72 in 2013 to 9 in 2017.

Child and Gender Desks in police stations

The Project introduced and rolled out Child and Gender specific desks in police stations. These desks receive all children's cases and women who have been victims of SGBV crimes. Specially trained police officers work at these desks and bring a child-friendly approach to interacting with the children. Child supporters are also present at the police station or are called by police to attend to and provide children with information about their rights, assist them with finding parents, mediate the issue and support the move to community rehabilitation rather than into the court system.

The Chuo Cha Mafunzo's approach to children

The Chuo Cha Mafunzo (Prison Department) has made significant changes in its approach to children with the support of the Project. The current facilities were upgraded to provide beds, mattresses, nets and toilets in the rooms and a new children's wing of the prison is under construction and almost complete. In addition, the ZLSC has been permitted to attend the prison to provide legal aid services for children. This new approach and relationship with the justice sector is to be commended.

Project Challenges

Case Management System
The development of a Case Management System was a commitment in the Project design. However, the approach to development did not appropriately include process engineering work with the Court and other users at the initial stages to ensure that the IT system worked for the users and advanced their processes and goals. Consequently, the system has been delayed and has gone over budget in order to re-write a number of system components. At the time of this evaluation, approximately 85% of the system had been deemed acceptable by the users and the other 15% was in development. This delay also contributed to feelings of disengagement and lack of ownership on the part of the Court.

DNA Machine
The purchase of a DNA machine to process DNA evidence, particularly for SGBV cases, was a commitment in the Project design. Like the case management system, it was a highly public promise. And, like the case management system, it was an ill-advised promised. The commitment to purchase was made in advance of an assessment of the overall cost to purchase, maintain and train staff to use the machine or an assessment of these costs against the ultimate value of the machine. Consequently, when that assessment was completed, the resulting cost was far above the amount put into the budget. The DNA machine was not purchased and the budget money was re-allocated elsewhere. However, this process and the decision-making contributed to the perception of broken promises and ineffective project management.

UNDP/UNICEF Project Design and Management
The UNICEF technical expert and the UNDP technical expert engaged for the second half of the Project had credibility with the stakeholders and demonstrated both strong technical knowledge and project management skills. It is observed that these individuals were significant contributors to the successes of the Project.

However, it is also observed that the breadth of this Project was sufficiently broad that the experts were unable to consistently dedicate meaningful time and focus to any one activity. Rather the requirements of project management, stakeholder relationships, financial management and, in many instances, supporting the capacity of the partners to implement activities, pulled them in many directions. The Project would have benefitted from additional support for the lead technical specialists.

While the outcomes and the logic model are clear and make logical sense, feasibility/practicality was not adequately considered at the design stage. The capacity of the institutions involved in the implementation of Project activities varies widely, in terms of resources and skill levels. In addition, a number of the planned activities relied on implementation by government as a precondition for success (for example, the passing of legislation is required in order for the prisons to enact a number of changes).

As a result of these two challenges, a number of activities remain incomplete or were not implemented as planned. These challenges also infringe upon the potential sustainability of existing Project successes.

Financial Management
Most stakeholders expressed concern for the impact that delayed disbursement of funds, a frequent occurrence during the Project, impacted their ability to conduct the activities in the allotted time frame or at all. The root cause of the perception of delay appears to be a combination of UNDP/UNICEF bureaucracy, the capacity (time, resources, etc.) of the stakeholders to be responsive to the type of financial information required by UNDP and the donor, and the method of disbursement at the Ministry level.

In addition, the Project overall struggled with respect to financial management. The original allocated amount was adjusted when the European Union joined the project and the UNDP struggled to maintain sufficient visibility into the spending of the project funds.

Evaluation Components

Theory of Change and the Intervention Logic Model

The Project is now closed with significant progress having been made against the project plan. The progress of the Project and its outcomes will be assessed in other sections of this report. This section will consider the Project's theory of change and intervention logic model, as set out in the Project documents. The methodology is based on four quality control criteria: plausibility, feasibility, testability and scope.

The Project Theory of Change and Intervention Logic Model are found primarily in two documents: the UNDP Project Document (03/02/13) and the LRSZ Results Framework (19/10/2016), which, along with the interviews with the Project Team and stakeholders, form the basis for this portion of the analysis.

Conclusions

The Project's theory of change is strong and logical with appropriate linkages between activities and outcomes. The combined focus on following the strategic plan, introducing foundational reforms (such as legislative change) and capacity building (including training and equipment supply) logically links to the desired result. These same areas tie appropriately into the child justice thematic focus and the activities under that result. The indicators of success are not as helpful as they could be, with more output measures than outcome measures. While there are some potential weaknesses in the logic chain (for example, the Project is highly dependent on the actions of external actors), these dependencies are necessary to the goals and are generally accounted for. The scope of the Project is quite broad, which from a theory perspective is appropriate given the desired results, but requires adequate resourcing.

Plausibility – The outcomes pathway is logical. The outcomes are in the right order and lead appropriately from one activity to the outcome to the next activity. Given the MIN modality and the nature of the activities, the project is completely dependent on the actions of external actors (primarily

the government and Parliament) and on the overarching justice sector environment, which has limited resources to accomplish activities. However, within that context, the activities identified for the project partners are logical and rational and lead meaningfully from one outcome to the next.

Feasibility – There are some inherent dependencies that impact the feasibility of the outcomes. The implementing partner organizations are resource-challenged – each organization has a different level of staffing, skill and capacity, and physical resources but very few of them have adequate resources for all of the intended activities. The resources provided as part of the project assisted with the feasibility in some areas. In addition, a number of the activities and intended impacts are dependent on the passage of legislation, which of course, cannot be predicted. These kinds of dependencies cannot be avoided in justice sector reform, as there are many actors with their own independent spheres of influence and, by nature, the system is highly regulated by legislative instruments. The NIM modality attempts to respond to these concerns with highly engaged technical specialists who engage with all actors to provide skill and resource assistance and with government to encourage adoption of key legislation.

Testability – The indicators are largely output based, rather than outcome based. Consequently, while they permit an assessment of whether activities have been completed, they are slightly less useful in assessing the ultimate impact of the activities. The indicators for Result 4 are outcome focused and the impact of the activities on the actions of the justice system and on access to justice for children can be more easily assessed. The Result 4 indicators will certainly be convincing to government, future donors and to citizens. The indicators for Results 1-3 are less convincing, but they are not entirely without merit. A number of the activities have obvious benefit from their completion and so the public and potentially future donors could be satisfied.

Scope – An overarching justice sector reform project necessarily has an extremely broad scope. This project is no exception – the activities touch a broad range of stakeholders and have multiple areas of focus (legal aid, legislative reform, infrastructure). Justice sector reform requires the active engagement and buy-in of many stakeholders and actors in the system and the Project is appropriately inclusive. However, in order to achieve such a large-scale project, additional resources from UNDP and UNICEF could have been identified to ensure that the broad range of actors and activities had sufficient support. With respect to accountability, the identified roles of UNDP and UNICEF are clear. The accountability ceiling appears clearly delineated and is strengthened by the Project's approach to local accountability for activity outcomes – the sharing of accountability increases the empowerment of the participants and ensures that the UNDP and UNICEF do not bear total responsibility for external factors.

Overall, the Project's theory of change is sound, rational and achievable on its face. The extent of the dependency on external actors for the success of outcomes and the broad-reaching nature of the activities creates an inherent instability in the model, but these factors are understandable in a sector-wide reform effort and there is sufficient pay off in the outcomes for these dependencies.

Measuring The Results – Indicators and Key Activities

Result 1: Support the Development and Implementation of a comprehensive Legal Sector Reform Program Strategy

Indicator	Assessment
1: LSR Strategy Documents: Volume 1 – Main Strategy Document, Volume 2 – Detailed Activity Budget, Volume 3. Reform Monitoring and Evaluation Framework, Volume 4 – Prioritized Activity Plan that requires immediate action	*Met* • Launched in 2015
2: No of stakeholder consultation workshops conducted	*Met* • 10 steering committee meetings were held during the Project period
3: No of staff trained	*Met* • 45 Ministry staff and 40 justice sector officials trained under this Result
4: No of Public awareness workshops on Legal Sector Reform conducted	*Met* • 4 community meetings on reform and legal aid
5: Funds mobilized from donors for the LSR Strategy	*Met* • In 2015 through funding from European Union

Key activities under this Result

- ✓ Strategy officially launched May 25, 2015, adopted by stakeholders, supported by study tour to Bangladesh, creation of a coordination unit inside POCLAPSGG and supplied with 14 pieces of electronic equipment including laptop and desktop computers, printers, scanners, camera and projector
- ✓ 45 Ministry staff trained on reform coordination
- ✓ 40 justice sector officials trained on gender mainstreaming
- ✓ 10 meetings of the Legal Sector Reform Steering Committee
- ✓ 9 laws put through reform process, 4 laws passed and implemented
- ✓ Study tour and needs assessment in support of a law school for Zanzibar resulting in government support for creation, land allocated and development panel convened by Chief Justice
- ✓ Overall: 9 number of planned activities complete, 1 partially complete, 0 not met

Result 2: Enhanced institutional and operational capacity of the justice sector institutions to deliver services efficiently and effectively

Indicator	Assessment
1: 30 staff at legal sector institutions trained on record and data management and analysis	*Met*
2: No of cases disposed	*Not met*
3: An automated case management system for the judiciary established and functional	*Not met*

4. No of cases captured in the case record management system	*Not met*
5. Reduction in time from arraignment to hearing for criminal cases	*Not met*
6. No of registration officers trained in case and record management	*Met* • 40 officials from Land Registration trained
7: Registration services available online	*Not met*
8. Legal sector information easily available after MOJCA website updated	*Not met*

Key Activities under this Result

- ✓ 85% of a case management system built but system functionality not satisfactory at the time of the evaluation and court awaiting requested changes and delivery of the system
- ✓ ICT policy for the Judiciary in Zanzibar and updated Court Circular/Court Rules and Practice Directions developed and adopted
- ✓ Review and strengthening of High Court filing system
- ✓ Study tour to the East African Court of Justice in Arusha to study case management system design
- ✓ 25 Judges, Registrars, Magistrates and Law Officers of the Judiciary trained on judicial case management
- ✓ 40 court officials from the Land Tribunal trained on record keeping, data analysis, retrieving and sharing information
- ✓ 30 clerks trained on case and record management
- ✓ 60 participants in a two-day Criminal Justice stakeholder's meeting in 2016
- ✓ DNA machine procurement was evaluated and DNA machine was not procured
- ✓ Prosecution Manual of the DPP updated and 2000 copies disseminated
- ✓ 40 prosecutors, magistrates, judges and police officers trained on drug trafficking and anti-corruption in 2016
- ✓ 35 prosecutors and police officers trained on the prosecution of gender-based violence related offences and services for survivors
- ✓ 35 state attorneys and police officers trained on cyber crimes
- ✓ Reference material procured for DPP office, Attorney General's office, Law Review Commission
- ✓ 4 junior prosecutors and 5 junior state attorneys had month-long placements in institutions on the mainland
- ✓ 2 issues of the Shahidi newsletter prepared and 2000 copies of each disseminated
- ✓ Establishment of contract management unit in Attorney General's office including provision of equipment and training on contract management for 20 government officials
- ✓ 30 state attorneys trained in contract negotiation
- ✓ 30 state attorneys trained in alternate dispute resolution, conflict resolution options and labour dispute litigation
- ✓ Legislative drafting manual produced
- ✓ 25 researchers and staff of the Law Review Commission trained in research and legislative drafting
- ✓ Overall: 10 number of planned activities complete, 0 partially complete, 7 not met

Result 3: Strengthened legal aid mechanisms for a justice accessible to the people especially the most vulnerable

Indicator	Assessment
1: Legal aid policy for Zanzibar developed and adopted and implementation has begun	*Met* • Launched in 2017
2: Code of Conduct established and % of legal aid providers signed up to the COC	*Partially met* • Code of Conduct established, no sign-up mechanism
3: Legal aid database developed	*Not met*
4: Legal aid legislative framework established in Zanzibar through a participatory and consultative process	*Partially met* • Legislation drafting process was participatory and consultative but legislation not passed at time of evaluation
5: No of coordination meetings held by the legal aid coordination body and other legal aid actors	*Not met* • Coordinating body not established at the time of evaluation

Key Activities under this Result:

- ✓ Legal aid policy launched December 2017
- ✓ Legal Aid Act 2017 drafted by not yet passed into law (at time of evaluation)
- ✓ 400 copies of legal aid policy distributed to stakeholders and service providers
- ✓ 4 community meetings in Pemba on human rights and access to justice
- ✓ 300 t-shirts and brochures about legal aid and the project disseminated to public
- ✓ 2 radio programs on legal aid
- ✓ 35 lawyers trained on public interest litigation
- ✓ 140 paralegals trained on paralegal service provision to indigent populations
- ✓ 40 lawyers and paralegals trained on gender dynamics in legal aid service provision
- ✓ 200 copies of legal aid providers Code of Conduct distributed to providers
- ✓ Overall: 3 planned activities complete, 1 partially complete, 2 not met

Result 4: Justice system enabled to handle children's cases and respond to the needs of child victims, witnesses and offenders

Indicator	Assessment
1. Annual implementation report reviewed by stakeholders	*Met* • Child Justice Working Group disseminates annual report
2. Regulations on juvenile justice drafted under Children's Act through a consultative process	*Met*

	• Guidelines developed for police, prosecutors, judiciary, prison and MLEEWYC
3. Developed protocols adopted by agencies when dealing with children's cases	*Met* • Protocols between MLEEWYC, police, DPP and health facilities
4. No. and % of Magistrates, court staff and assessors trained on child friendly approaches to handling cases involving children	*Met* • 100% of Children's Court magistrates, court staff and assessors trained (40 participants)
5. No. of children's cases heard by the Children's Court in the target area	*Met* • In 2017, 9 criminal cases and 3 civil cases
6. No. and % of Magistrates, court staff and assessors who have received advanced training on dealing with Children's cases	*Met* • 100% of Children's Court magistrates, court staff and assessors trained (40 participants)
7. Khadi's Court Rules developed and adopted by the Chief Khadi	*Not met*
8. No. of children's cases dealt with by the Police Gender and Children's desk in the target area	*Met* • In 2017, Police Gender and Children's Desk at Mahonda dealt with 86 cases
9. No. and % of Gender and Children's Desk Officers and Criminal Investigation Officers trained on child friendly approaches to handling cases involving children	*Met* • 120 Gender and Children's Desk officers (100%) and 130 CID officers (20%) trained
10. No. and % of Gender and Children's Desk Officers and Criminal Investigation Officers who have received advanced training on child friendly approaches to handling cases involving children	*Partially Met* • 50% of Police Gender and Children's Desk Officers (60 Officers) and 5% of CID Officers (40 Officers) received advanced training dealing with cases of GBV and Child Abuse
11. Prosecution guidelines formally adopted by the office of the DPP	*Met*
12. No. and % of prosecutors trained on child specific investigation guidelines	*Met* • 100% of all prosecutors (50 officers) trained on child specific prosecution guidelines.
13. No. and % of social welfare officers and probation officers trained	*Met* • 100% of all social welfare officers (40 officers) trained in discharging their statutory duties under the Children's Act 2011.
14. No. of beneficiaries referred to the diversion and alternative sentencing options in the target area	*Met*

	• More than 100 children enrolled in Community Rehabilitation program during project period.
15. Evaluation report shared and discussed by key stakeholders	*Met* • Evaluation report developed and findings shared and discussed with relevant stakeholders.
16. % of children with cases before the Children's Courts provided with legal aid	*Met* • 100% of children in conflict with the law with cases before the Children's Courts provided with legal aid.
17. % of children detained following conviction who have rehabilitation and reintegration plans	*Partially Met* • Activities relating to this indicator were successfully conducted (training of prison officials) but the data on the indicator was not provided

Key Activities under this Result

- ✓ Regulations, rules and guidelines developed and implemented for Children's Act 2011
- ✓ 4 Children's Courts now in operation
- ✓ 100% (40) judges, magistrates and court staff have received basic and advanced training and coaching on children's cases
- ✓ 120 police officers trained in basic handling of children's cases and 60 police officers received advanced training
- ✓ All 35 police stations have Police Gender and Children's Officers
- ✓ 100 children enrolled in community rehabilitation program
- ✓ 394 children provided with legal aid
- ✓ 100 prison officials trained on protection, care and rehabilitation of children in detention
- ✓ Renovations to the Children's Wing in the detention facility
- ✓ Overall: 14 planned activities complete, 2 partially complete, 1 not met

Evaluation Matrix

Responses to the specific questions posed in the TOR have been grouped in terms of the evaluation criteria and assessment areas in the matrix below. Detailed responses are found under the questions in the section below.

Evaluation Scoring
1 – Does not meet basic expectations
2 – Meets basic expectations but improvement required
3 – Fully meets expectations
4 – Exceeds expectations

	Design	Achievement	Management	Cross-Cutting
Relevance	- Objectives drawn from stakeholder's own assessment of challenges including key documents such as MKUZA II, remain valid for all partners and beneficiaries - Risks in design are unavoidable and worthwhile Score: 3	- The ongoing commitment to address the challenges facing the legal sector in a strategic and prioritized manner will support the long-term plan. Score: 4	- Decision-making was largely collaborative and inclusive Score: 4	- Project design not intended to focus only on cross-cutting issues but necessarily addressed needs of women and other vulnerable groups through legal aid reform and focus on SGBV crimes. - Thematic focus on children ensured access to justice for this vulnerable population. Score: 3
Effectiveness	- Reporting structure insufficient given broad scope of project - Indicators are not all SMART/outcome focused although all indicators are useful - Miscalculation in project design contributed to incomplete activities (case management and DNA machine) Score: 2	- Project was responsive to changes in local environment and supportive of local ownership - Creation of collaborative relationships among justice sector participants is a strength of the project Score: 4	- Quality of technical support from UNDP and UNICEF high but number of staffing resources insufficient given the scope of activities - Multiple partnership strategy effective in fostering local and collective ownership in outcomes Score: 3	- Reforms and programs targeted directly at children a strength of the program Score: 4
Efficiency	- Under budgeting for DNA machine (and potentially other areas) resulted in incomplete activities and reduction in credibility Score: 2	- Delayed disbursement of funds caused delay in project activities and reduction in UNDP credibility Score: 2	- Insufficient resources allocated resulting in reduced efficiency - Effective Steering Committee Score: 3	- The activities focused on children were on-time and on-budget. Score: 3

Impact	- Inclusive project design created local ownership and engagement Score: 4	- Significant successes and achievements across the activities – number and breadth of achievements is a strength of the project Score: 4	- Effective communication between UNDP/UNICEF technical experts and stakeholders led to increased collaboration in sector Score: 4	- Tangible reduction in the negative impact of the justice system on children in Zanzibar Score: 4
Sustainability	- The Project design had a limited focus on exit strategies - Unavoidable dependencies create instability and risk to sustainability Score: 2	- Ongoing engagement and support of partners is high - Commitments already made to sustain a number of activities Score: 3	- UNDP presence in Zanzibar legal sector removed at end of project creating a gap in engagement and ability to support sustainability Score: 2	- Key programming for vulnerable groups appears supported by government and organizations but funding is not yet allocated Score: 3

Total Score: 62/80

	Design	Achievement	Management	Cross-Cutting
Relevance	3	4	4	3
Effectiveness	2	4	3	4
Efficiency	2	2	3	3
Impact	4	4	4	4
Sustainability	2	3	2	3

Specific Evaluation Questions

The responses to each of the specific evaluation questions are set out in Annex F, attached to this Report.

Lessons Learned

- *Case Management System*: A proper approach to planning, needs assessment and user experience in advance of IT design/build, as well as involvement of the beneficiaries at the time of design, would improve the chances of timely implementation and user satisfaction.
- *Ministry Oversight*: Ongoing communication among partners is required, including clarity around roles with respect to financial and procurement matters. Dedicated personnel inside Ministry offices is required in order to avoid implementation delays and confusion of roles.
- *Communication among justice sector participants*: Communication is a valuable tool for reform and is a strength of the Project. Broad engagement such as this ensures user satisfaction, all perspectives are considered, and key stakeholders are engaged.

- *Training*: Training on the Project was welcomed and needed but short seminar trainings may be insufficient in the legal sector. Legal skills training requires more intensive training with extended time, skills practicing, coaching and mentoring, etc.
- *Reference Material*: A more coordinated, sectoral approach to building the knowledge in Zanzibar could reduce duplication and delay, focus money on a larger number of resources.
- *Law School*: Enhancing the skills and knowledge of the Zanzibar legal community will increase access to justice and strengthen the legal sector as a whole. A law school would provide professionalism, skills training and bring new insight and academic thinking to the profession.
- *Legal Aid*: Legal aid reform is critical to Zanzibar and support should continue to be provided through the legislation, the establishment of the legal aid secretariat, the clarification of funding models, the ongoing training of providers (lawyers and paralegals) and public awareness efforts.
- *Legislative Reform*: This was an important area of focus but given the need for a larger scale reform, some adjustments in the process, including clarity of roles between institutions of government and specialized training, would be helpful.
- *Community Rehabilitation*: A diversion program has tangible benefits for Zanzibar – it provides improved opportunities for youth and it likely results in cost savings for government. However, without a sufficient measurement framework and the capable resources to manage monitoring, the true benefit of the diversion program is lost and funding sources are potentially at risk.
- *Communication with the Public*: A limited amount of public engagement was planned as part of this Project. However, all sector workers indicated an interest in immediate communication plans.
- *UNDP Project Management*: A greater clarity of approach, including an adequate assessment of capacity in the sector and inside the UNDP, clear expectation setting with stakeholders and an early discussion on sustainability planning would service to enhance the success of the Project and reduce issues raised by stakeholders. Additional clarity and realistic timelines with respect to disbursement of funds would assist future projects.

Recommendations

Our recommendations are informed by the findings of our consultations with the stakeholders in Zanzibar as well as the donor agency, the EU and the management partners UNDP and UNICEF. The findings point to the attainment of commendable milestones/gains that have the potential for creating long-term impacts for the legal sector in Zanzibar.

As stated at the outset, this was a highly effective and impactful Project. The value of ongoing legal sector reform in Zanzibar is high and is matched by the impressive level of sector participant engagement and commitment in reform activities and governance. In order to maintain momentum on current Project benefits and to sustain programming that enhances access to justice as stipulated by MKUZA II and Vision 2020, as well as for consideration for next opportunities many of which have already been identified by stakeholders, the following recommendations are made:

1. Case Management System	The completion of the Case Management System at the High Court is critical to reform. Ensuring that the functioning of the judicial system is efficient, transparent and accessible is an important component of public credibility and of system success. In addition, a case management system is an important first step in a larger e-justice plan.

Recommendations:	1.5 Short Term: Complete current Case Management System development and ensure it is installed in the High Court. 1.6 Medium Term: Provide training and capacity building for IT staff in the court and adequate technology. 1.7 Medium Term: Support a visit to Zanzibar by an expert from Rwanda to support the Court, undertake strategic planning and develop training based on Rwanda's experience. 1.8 Long Term: Develop an E-justice project, starting with a sector-wide assessment of capacity and readiness.

2. Ministry Oversight	Ensuring government ownership in justice sector reform was an important goal of this Project and should be encouraged and sustained. This includes supporting government's leadership and ensuring that other sector actors clearly understand the lines of accountability.
Recommendations:	2.2 Prior to kick-off of next projects, UNDP or UNICEF should support the government to convene a stakeholder meeting to establish accountability and roles. In addition, the government should ensure that periodic project administration meetings are held, in additional to governance/steering committee meetings to identify project process challenges in a timely fashion and ensure support for the leadership.

3. Communication among justice sector participants	One of this Project's top successes was the increased communication and collaborative engagement in decision-making. Almost all of the justice sector actors remarked favorably on this feature. These relationships should be sustained.
Recommendations	3.5 Short Term: A final project meeting should be held and at that meeting, project participants should be asked to commit to ongoing engagement with each other and discuss the best method for that engagement, e.g. Regular meetings, shared project updates by email. 3.6 Medium Term: The Justice Sector Forum, which was reinvigorated as part of this Project, should meet frequently and regularly, ensuring that all members have an opportunity to contribute to the agenda.

4. Training inside the justice sector	Training was provided across the sector and all participants expressed a positive benefit from the training combined with a clear interest in substantially more training.

Recommendations:	3.7 Short Term: Sector-wide, collective workshops on the new laws enacted during the Project period, including the legal aid policy and legislation, and advanced training on children in contact/conflict with the law and handling GBV and child abuse cases. 3.8 Medium Term: Intensive training and coaching for: vi. Lawyers (both private and government) on civil skills with a focus on contract negotiation in oil and gas and construction; vii. Prosecutors on prosecution of new or increasing crimes such as cyber-crime and fraud/corruption-related crimes such as fraud, trafficking, and money laundering; viii. Government and Law Review Commission lawyers on legislative drafting; ix. Child magistrates on civil cases involving children; and **x.** Prison officers on international instruments related to women, children and human rights.

5. Reference Material, Equipment and Infrastructure	There is a clear shortage of the tools of the justice system in Zanzibar, including reference material on the law, equipment such as computers and printers, and in some cases, the necessary physical infrastructure.
Recommendations:	5.4 Short Term: Printing and distributing the legislative tools and associated rules, guidelines, etc. is an important step to ensure that lawyers and paralegals have the necessary access to the rights laws and that they are publicly available. This includes publishing those laws that have already come into force during the Project period (Evidence Decree, Penal Code, Rules of Criminal Procedure, Khadi's Court Act) and printing the advanced Standard Operating Procedure for Police in child cases. 5.5 Short Term: Targeted equipment provision is a preferred model for the next project. CMS support, central library, some equipment for the CSOs to promote legal awareness in the community (ZLSC, ZAFELA), remote testimony equipment for the Children's Court in Mahonda are all short-term recommendations for equipment purchases. 5.6 Medium Term: A central repository for legal books and information with a strong librarian would be the most efficient way to obtain the most material for the money.

6. Law School	A law school in Zanzibar would build Zanzibar-specific legal knowledge and permit the collective growth of skills. It is encouraging that the law school has a champion in the Chief Justice and that the government has already committed resources, including land, to the law school.

Recommendations:	6.3 Short Term: Support for the proposal of the Chief Justice that an administrator/initial dean for the school be hired immediately. 6.4 Short Term: A study of the Dodoma University model is recommended as part of law school development.

7. Legal Aid	The advances in legal aid made in this Project have already had a meaningful impact on access to justice in Zanzibar. Sustainability of the advances is dependent on funding.
Recommendations:	7.2 Short Term: 7.2.1 Ensure funding support for the Zanzibar Legal Services Centre in order to support key legal aid services for children – the children's advocates and the child supporters. 7.2.2 Increased public awareness of rights and the means of accessing services, following the model already employed by the service providers. 7.3 Medium Term: A specific project on legal aid could focus on increasing service to remote communities and to specific vulnerable populations, such as women and children.

8. Legislative Reform	Significant gains were made in legislative reform during the Project. However, there is clear need and potential for a next step in this process, as well as some key process reforms. It is noted that law reform should always remain a government responsibility.
Recommendations:	8.3 Short Term: Support the completion of the laws already worked on as part of the Project. 8.4 Medium Term: Support a government undertaking to review all of Zanzibar's laws. The UNDP could provide technical support, particularly in areas of the law that do not have significant expertise in Zanzibar.

9. Community Rehabilitation	The work done by TAYI and by social welfare officers has a tangible impact on the wellbeing of young people in Zanzibar. Continuity of programming for young people will require a concerted effort to measure the value and impact of the particular programming choices.
Recommendations:	9.5 Short Term: A cost/benefit analysis of TAYI activities to inform government about the value of providing this service instead of court

	based/justice system based project and to consider core funding for TAYI. 9.6 Medium Term: Increased numbers of social welfare officers focused on children in conflict with the law. 9.3 Medium Term: A project that studies the child supporters project, with the goal of converting the role to a paid position, rather than a solely volunteer model. 9.4 Medium Term: Expansion of community rehabilitation for children to Pemba.

10. Children's Courts	The Children's Courts have a valuable place in reducing the harm of contact with the justice system for children. While the Court is experiencing early growth challenges, there are a few things that are foundational.
Recommendations:	10.1 Medium Term: Hire more magistrates 10.2 Medium Term: Ensure jurisdiction is preserved, either through closing gaps/conflicts in the enabling legislation or through a practice directive between courts.

11. Public Engagement	Public engagement was not a large component of this Project. However, almost all of the justice sector members indicated that more could be done in this area in the future, and it is clear that the next component of justice sector reform is an educated populace who understand their rights and how to access services. We heard repeatedly that lack of transportation to the courthouse is a significant barrier to access to justice for women and children.
Recommendations:	11.1 Short/Medium Term: A project that supports public engagement about legal rights and services is recommended. It could have several phases including immediate information about legal aid and gender-based violence and then growth as new areas of law reform are introduced. 11.2 Short Term: Increasing the options for transportation is a long-term infrastructure project. However, the current legal aid providers, and particularly ZAFELA, indicated that they are willing to provide transportation. These efforts could be supported. 11.3Medium Term: School curricula could include teaching on legal and human rights.

12. UNDP/UNICEF approach	As noted above, this Project was a success for UNDP and UNICEF. A number of project approaches were used to ensure local engagement and ownership and the individual technical experts were strong and credible. However, there are some areas of the project design and approach that should be reviewed and strengthened in next projects. Overall, the justice sector in Zanzibar is a positive place for international organizations and donors. The local actors are engaged and there is recognized need and desire for outside expertise.
Recommendations:	12.1 Short term: Support the development of performance measures and indicators for the activities of the sector with a focus on legal reform. The ability to provide better data and measured outcomes will enhance the sector's credibility and is critical to convincing donors of the value of future project investment.

Meredith Brown
CALIBRATE
May 25, 2018

Annex A: Schedule of Evaluation Activities

Date	Activity	Deliverable
April 23-27	Initial Planning, First Meetings, Document Collection	
April 29		Inception Report
April 30 – May 4	In-depth Document Review, Remote meetings with Project Team, Finalization of In-country Itinerary	
May 7-8	In-country Visit – Meetings and Interviews in Dar es Salaam	
May 9-16	In country Visit – Meetings and Interviews in Zanzibar	
May 17	Workshop in Zanzibar with key partners	Comments and suggestions from stakeholders
May 18	In-country Visit – Meetings and Interviews in Dar es Salaam	
May 25		Draft Final Report and Lessons Learned Report
May 28 – June 2	UNDP and UNICEF: Review Report	Comments from UNDP and UNICEF
June 4		Evaluators/UNDP Version of Report
June 12/13	Validation Workshop: Presentation of Report and Receipt of Feedback	
June 18		Final Report

Annex B: List of Documents Provided

List of Documents Provided

1. Legal Sector Reform Prodoc
2. LSRZ Results Framework 19 October 2016 – Final

3.1.1 Revised LSRP Annual Report 2014 27 Nov 2014
3.1.2 UNICEF 2014 FINANCIAL REPORT
3.2 LSRP Annual Report 2015 - 2016 03 04
3.3 Final - LSRZ - Cumulative Annual Report 2016
3.4 LSRP - Annual Report - Jan - Dec 2017 finalized version
4. LSRP Final Four-Year Cumulative Report
5. Zanzibar Legal Sector Reform Strategy
6. Midterm Evaluation of the Legal Sector Reform in Zanzibar
7. Project Baseline Assessment Exercise Report
8. Report of Study Tour to EACJ - Case Management
9. Report Study Tour to Law School of Tanzania
10. Report on the Study for Establishment of Law School in Zanzibar
11. Case Management Guidelines
12. Case Management System Project Document
13. CPA BILL SUBMITTED
14. PENAL ACT ENGLISH 2018
15. Code of Conduct for Paralegals in Zanzibar - REVISED 5th Feb 2018
16. Zanzibar Legal Aid Policy
17. Legal Aid Bill 2017
18. The Criminal Justice Stakeholders Meeting
19. Data on Sexual Violence Cases in Unguja - July - December 2017
20. LSRP - Performance Against Targets 2017
21. LSRP - Lessons Learned Report
22. SIGNED Annual Work Plan 2017
23. ADR BILL
24. COURT ADMINISTRATION ACT BILL
25. EVIDENCE ACT 2017
26. LEGAL PRACTITIONERS BILL
27. PENAL ACT BILL
28. PROBATION OF OFFENDERS BILL

Documents 29 – 157 Provided by UNICEF

29. Child Justice Assessment
30. Child Justice StrategyZNZ-ENG-WEB
31. Approved Care and Protection Regulations
32. Explanatory guidance 4th December final (002)

33. Foster Care guidance final final (002)
34. Approved Residential Care Regulations
35. Residential Care Regulations Explanatory Guide
36. Copy of Copy of DFAMDash Donor Statement by Activity (Uncertified)
37. Copy of Donor Statement by Nature of Expense (Uncertified)
38. LSRP UNDP Report UNICEF Tanzania 29 Jan 2018 (004)
40. Meeting Recommendations
41. Report on the Functioning of the Children's Court August 2015
42. CCR Rules FINAL amd 29 12 14
43. Explanatory guide to the CCR
44 - 47. Materials for Children's Court Training
48. Kadhi's final report
49 – 56. Materials for Training for Judges and Magistrates on VAWC
57 – 63. Materials from EU Monitoring Mission 2017
64 – 69. Materials for Community Rehabilitation Programme
70 – 76. Inter-Agency Protocols
77 – 81. Legal Aid Programme Training Materials
82 – 94. Prison Materials and Training
95 – 101. DPP Materials
102 – 157. Police Materials
158. LSRP Draft Financial Report 2014-2017 Revised 26 Mar 2017

Annex C: People Interviewed During the Evaluation Process

People met in the various organizations during the Evaluation consultation process: 07 May to 18 May 2018

No	Name	Title	Contact Information
President's Office, Constitutional and Legal Affairs, Public Service and Good Governance (PO-CLAPSGG)			
1	Mr. Yakout H. Yakout	Principal Secretary	
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7	Iddi Hassan	Accountant	+255773283391
Law Review Commission (LRC)			
8	Ms. Asma Jidawi	Executive Secretary – Law Review Commission	
Director of Public Prosecution (DPP)			
9	Hon Ibrahim Mzee Ibrahim	Director of Public Prosecutions	+255242235567 / +255777260462 dppznz@zanlink.com
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Attorney General's (AG) Chambers			
12	Mzee Ali Haji	Deputy Attorney General	+255777434569
13	Hamisa Mmanga Makame	Senior State Attorney and Focal Person for the Project	+255777431114 hamisamakame40@gmail.com
High Court			

14	Hon. Omar O.Makungu	Chief Justice	+255777412049 omakungu@gmail.com
15	Hon Mohamed Ali Mohamed	Registrar of the High Court	+255773333377 mohashein@hotmail.com
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21	Zainab Pandu	Court Clerk	+255773517484
Ministry of Labour, Empowerment, Elders, Women and Children (MLEEWC)			
22	Didas Khalfan		+255777312037 didaskhalfan@yahoo.co.uk
Police Children's Desk			
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24	Musa Kh. Abdalla	Inspector / Counselor, Gender Desk	+255777473178
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26	Yussuf Ali Nassif	Police Corporal / Counsel	+255779686245
Prisons			
27	Seif Mabadi Makungu	SSP and Head of the Law and Corrections Unit	+255773046393
28	Haji Juma Haji	Sergeant	+255777599531
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United Nations Development Programme (UNDP)			
41	Natalie Boucly	Country Director	natalie.boucly@undp.org
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43	Paul Turay	Technical Specialist, Legal Sector Reform Programme	+255692890052 paul.turay@undp.org
44	Gitte Nordentoft	Programme Analyst, Inclusive Democratic Governance	+255 757695851 gitte.nordentoft@undp.org
45	Fridah Mwakasyuka	Programme Associate, Inclusive Democratic Governance	+255683286076 fridah.mwakasyuka@undp.org
46	Christian Shingiro	Development Management Specialist,	christian.shigiro@undp.org
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48	Ali Shaib	Finance Associate, Sub-Office Zanzibar	alishaib@undp.org
United Nations Children's Fund (UNICEF)			
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European Union (EU)			
50	Vania Bonalberti	International Aid / Governance Officer	vania.bonalberti@eeas.europa.eu

Annex x: Future Opportunities Prioritized by Stakeholders

Future Opportunities as Prioritized by Stakeholders

The following are the Future Opportunities as identified and prioritized by the stakeholders during the Stakeholders' Debriefing meeting in Zanzibar

Group 1:

1 Build separate buildings for police for child and gender cases
2 Increased public awareness / outreach on rights and services
3 Support the passing of the Offenders Education Act
4 Training for Assessors in Children's courts
5 Rehabilitation centers/vocational schools/residential facilities for children
6 Training for judicial officers on judgment writing
7 Digital audio recording in courts, remote testimony equipment in Children's Courts
8 Amendments to Children's Act to close gaps in

Group 2:

1. Continuous Professional Development for bench and bar
2. Zanzibar Law School
3. Public awareness and outreach
4. More paralegals
5. Reference materials and equipment
6. Case Management System
7. Digital / Audio recording in courts
8. Review of Legislations
9. Rehabilitation Centers
10. More exposure to other institutions –Kadhi's courts, other courts, etc

Group 3:

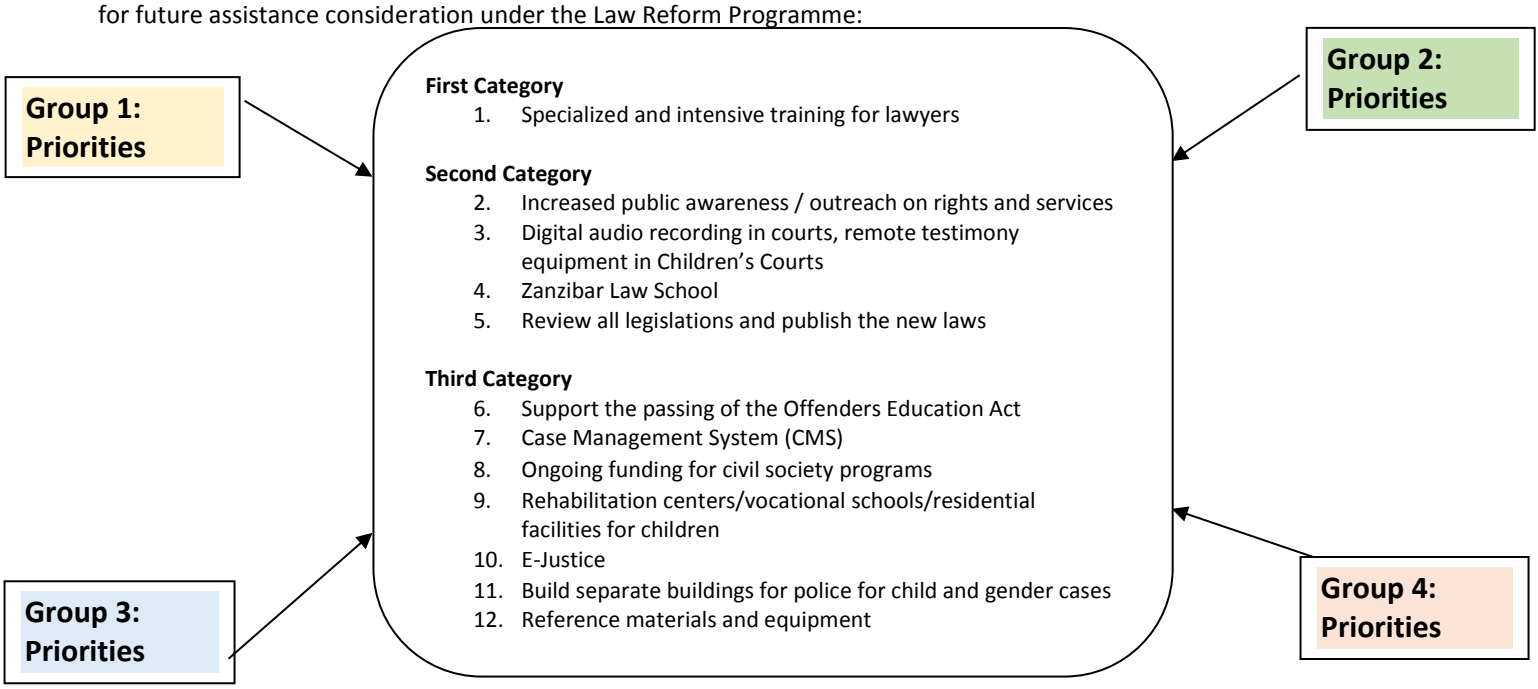
1. Zanzibar Law School
2. Increase public awareness
3. Support the passing of the Offenders' Act
4. Review all Legislations
5. Research
6. Sector-wide e-justice
7. Publishing the new laws
8. Specialized and intensive training / capacity building for lawyers
9. More sector-wide coordination
10. Ongoing funding for Civil Society Organizations

Group 4:

1. Zanzibar Law School
2. Review all Legislations
3. Case management System
4. Digital / Audio recording and remote testimony
5. Specialized training for lawyers
6. More reference materials and equipment
7. Advanced SOP for Police
8. Build separate buildings for GBV in police stations
9. Sector-wide E-Justice
10. More buildings for justices at district

Future Opportunities as Consolidated

The Future Opportunities from the groups have been consolidated and the following are the overarching priorities for future assistance consideration under the Law Reform Programme:



Others for considerations (also presented by the groups):

1. More paralegals/more Social Welfare Officers
2. Sector-wide Coordination
3. Training police and lawyers on how to handle GBV cases
4. Business reforms
5. SOP

Annex x: Specific Evaluation Questions

Specific Evaluation Questions

Relevance

1. Review the relevance of the project strategy and assess whether it provides the most effective route towards the intended results. Were lessons from other relevant projects properly incorporated into the project's design?	
Assessment Areas: Design	**Sub-Questions:**
Assumptions: The interviewees for this question will vary depending on engagement at the outset of the project or understanding of overall project design	Was there an assessment or baseline study undertaken prior to the formulation of this project? If yes were the results of the study taken into account?
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	Which previous projects were considered in the development of this project? How were lessons from those projects ascertained and incorporated? Are there measurable causal links between the desired results and the activities?

The project incorporated a number of strategies to achieve the intended results, including the strengthening of the legislative framework and justice institutions, the empowerment of the government ministries as administrators of the project, and a thematic focus on child justice. Importantly, it began with the development of a Zanzibar Legal Reform Strategy – a key document for transformation.

Past projects and assessments were reviewed and lessons learned incorporated into the project design, including the Financial and Legal Management Upgrading Project (FILMUP), a project of the World Bank from 1992 – 2000, the Capacity and Needs Assessment of the Legal Sector Actors in Zanzibar and the Assessment of Justice Needs and Obstacles in Zanzibar (both reports from the MoJCA in 2013, and MKUZA II, which proposed the comprehensive National Legal Sector Reform Program.

The review of these reports at least in part informed the UNDP's choice of the National Implementation Modality (NIM) for the overarching approach to the Project, as well as the particular target areas of the Project.

Given the clearly identified need for reform in the areas identified by the Project and the existing governmental support for this work, the Project strategy was highly relevant. This relevance did not wane throughout the period of the Project and all partners and beneficiaries reiterated its importance.

2. Review the problem addressed by the project and the underlying assumptions. Review the effect of any incorrect assumptions or changes to the context to achieving the project results as outlined in the project document.	
Assessment Areas: Design	**Sub-Questions:**
Assumptions: The interviewees for this question will vary depending on engagement at the outset	Which assumptions proved incorrect during the life of the project? How did they affect the outcome of the activities or the results?

of the project or understanding of overall project design **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	Has there been any change to the mandate of the partners or current situation that alters the validity/relevance of this project to them? What changes occurred during the project that impacted the results? Did the project design include an appropriate exit and sustainability strategy? Were gender issues included in the exit and sustainability strategy? Were stakeholders involved?

The Project approached reform in the justice sector through the pillars of foundational law-reform and institutional structure, capacity enhancement of the actors in the system, and collaborative reform. It also sought to target reforms for children in contact or conflict with the law. These problems had already been well-documented and accepted by the stakeholders as key barriers to a stronger justice system in Zanzibar.

Incorrect assumptions did not arise in the area of problem identification or relevance. However, the assessment of the capacity of both the UNDP and its partners to manage all of the identified activities in this very large and multi-pronged project was perhaps overestimated.

Overall, this wide-ranging approach was effective in producing change across the sector and ensuring a collaborative process of transformation. However, the scope of the project and choice of project modalities, and specifically the number of activities, meant that not every component received full support or reached completion.

At the outset of project design, an analysis of the scope of activities against the capacity of the UNDP and its implementing partners, would assist in ensuring that the strategy was the most effective route to achieving the results.

3. Review how the project addresses country priorities. Review country ownership. Was the project concept in line with the national sector development priorities and plans of the country?	
Assessment Areas: Design **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Key strategic documents that set national priorities such as Vision 2020, MKUZA and UNDAP • National priority documents, strategic plans and assessments • Interview questions for implementing partner • Interview questions for project team	**Sub-Questions:** How was the country engaged in the development of the project concept and plan? Does the country continue to feel ownership in the project and continue to feel that the project is addressing its priorities?

Yes. As noted above, the Project concept was developed directly from Zanzibar's own assessment of its needs in the legal sector. The government determined it should develop a comprehensive Legal Sector

Reform Program and requested support from the United Nations in Tanzania to develop and implement a multi-year, multi-sector, multi-stakeholder reform program.

The thematic focus on children was also directly developed from country assessment and government priorities, along with the recently adopted (at the time) Children's Act 2011.

4. Review the decision-making processes – were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the process, taken into account during the project design processes?	
Assessment Areas: Design/Management	**Sub-Questions:**
Assumptions: The interviewees for this question will vary depending on engagement at the outset of the project or understanding of overall project design	What decision-making process was created during the project design process and do the relevant contributors feel that their perspectives were considered?
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

The Project design contemplated a project board/steering committee that was convened by the Implementing Partner ministry and inclusive of all major justice sector institutions in Zanzibar as well as UNDP, UNICEF and the EU.

It also established a thematic sub-group – the Child Justice working Group – led by the MLEEWYC to manage the activities under Result 4.

While these are bodies created in the design process, it is clear that they were included as a result of the previously mentioned studies that outlined their needs.

In addition, it was clear to us through discussions with stakeholders that the initial phases of design and implementation had sufficient flexibility to allow stakeholders to assert their interests. Stakeholders reported that they felt included in design and in the steering committee process. Almost all stakeholders reported a sense of being "heard" at the steering committee and in the decision-making process, although some reported a sense that, while their voices were heard, their input was disregarded by the implementing partner. However, all stakeholders indicated that the decision-making process of the project was more inclusive than any other justice sector activity in the past.

5. Review the extent to which relevant gender issues were raised in the project design.	
Assessment Areas: Design/Cross-cutting	**Sub-Questions:**
Assumptions: The interviewees for this question will vary depending on engagement at the outset of the project or understanding of overall project design	
Data Points: • Assessment or baseline studies • Project documents – Initial Project document and reporting, evaluation documents	

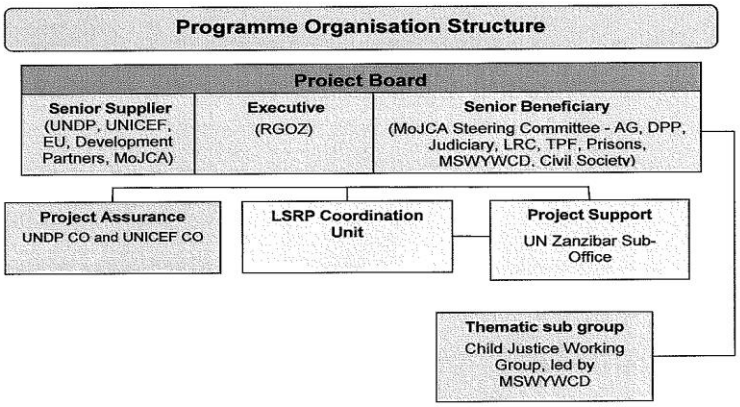
- Interview questions for partners, donors
- Interview questions for beneficiaries
- Interview questions for project team

The design of the Project incorporated a number of gender issues, including the strengthening of legal aid, the establishment of Police Gender and Children's Desks and the reforms to the criminal law with respect to SGBV crimes. However, gender issues were not a specific rationale for any of the reforms. Rather, the sector as a whole was the target of reforms, with a specific focus on children.

Effectiveness/Impact

6. Review overall effectiveness of project management structure as outlined in the Project Document. Are responsibilities and reporting lines well-defined? Is decision-making transparent and undertaken in a timely manner?	
Assessment Areas: Design/Management	**Sub-Questions:** Was there a capacity assessment done to determine an effective management structure? Were gender considerations taken into account in the set up of the project management structure Are there lessons learnt on these gender considerations
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for project team	

This is a complicated Project, using a NIM modality as an overall structure but then introducing a direct funding relationship with some stakeholders, supporting government empowerment in the sector but directly engaging independent bodies in project implementation. The scope of the Project results and activities was very broad.



The project management structure outlined in the Project Document (copied above) is somewhat murky, perhaps in line with the complicated project structure. While the best project management structures are linear, clear and understandable to all parties, this one appears to be both too simplistic

and confusing at the same time. The reporting relationships between the various groups is not clear and there appear to be overlaps in responsibilities and mandate.

In addition, given the size of the project, semi-annual committee/board meetings were insufficient to effectively manage project challenges as they arose.

7. Review the quality of support provided by the UNDP.	
Assessment Areas: Management/Achievement **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** Did the support provided by the UNDP positively affect the outcome of the activities and achieve the results? Do the partners, beneficiaries, donors feel that the support provided was sufficient, expert, helpful?

Overall, at the end of the Project, stakeholders reported satisfaction with the support provided by the UNDP and UNICEF. However, there were a number of challenges with the level of support provided.

In terms of technical expertise, while UNICEF maintained a consistent expert throughout the Project, the UNDP had a staffing change partway through the Project, resulting in part from stakeholder dissatisfaction with the support provided by the first UNDP technical expert. Consequently, there was a period without dedicated UNDP expertise on the project (during the recruitment period) and the second technical expert was faced with the challenge of repairing relationships and ensuring that lagging activities could be revived.

Both the UNICEF and second UNDP technical experts had credibility with the stakeholders and demonstrated both strong technical knowledge and project management skills. It is observed that these individuals were significant contributors to the successes of the Project.

However, it is also observed that the breadth of this Project was sufficiently broad that the experts were unable to consistently dedicate meaningful time and focus to any one activity. Rather the requirements of project management, stakeholder relationships, financial management and, in many instances, supporting the capacity of the partners to implement activities, pulled them in many directions. The Project would have benefitted from additional support for the lead technical specialists.

8. Critically analyze the Multi-Year Results and Resources Framework included in the project document.	
Assessment Areas: Design/Achievement **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for project team • Interview questions for project recipients	**Sub-Questions:** Have the results been achieved? Were resources allocated properly and used as expected? Are there measurable causal links between the desired results and the activities?

The Framework is reasonably comprehensive and the activities identified have logical causal links to the desired results.

It should be noted that the Indicators identified in the Framework under Results 1-3 are mostly outputs rather than outcomes. They are not SMART measures. The Indicators under Result 4 are outcome measures.

The predictable result of this disparity in the nature of the measures is that, while the Project will be able to demonstrate its impact in the justice system under Result 4, it will have a more difficult time showing meaningful impact under Results 1-3.

9. Has the project been appropriately responsive to political, legal, economic, institutional, etc. changes in the country?	
Assessment Areas: Achievement	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Independent assessments, evaluation • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

The Project was designed with sufficient flexibility to respond to changes in the Zanzibar environment. Contested elections were held midway through the Project, resulting in a change in government and subsequently in shifts in Ministry responsibilities and personnel. The elections were drawn out and ultimately boycotted by the opposition, creating a sense of instability in Zanzibar that resulted in a number of international organizations withdrawing support.

The UNDP remained present in Zanzibar throughout the election process and continued to work with stakeholders on this Project. This was viewed favorably by stakeholders and increased the credibility of the UNDP in implementing the Project.

The Project adapted well and was able to continue its activities with the newly designed implementing partners.

10. Has the project approach produced demonstrated successes?	
Assessment Areas: Achievement/Management	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Independent assessments, evaluation • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

Yes. This has been an important undertaking with tangible results and demonstrated successes.

It is a milestone in sector coordination and dialogue and for the first time created a collaborative approach to reform in Zanzibar's justice system. Government branches, judiciary, the private bar and civil society organizations are working together on reforms in a concerted and holistic approach.

The development of the National Strategy clearly identified priority areas across the sector and provided a road map that both institutional actors and members of the pubic could understand and follow. It ensured government support for the Project.

The Project focused on the foundations of the justice system:

- strengthening institutions through the development of policies and guidelines, along with institutional frameworks for project implementation,
- increasing knowledge and skills through capacity building and the provision of tools, and
- introducing critical legislative reforms that enshrine best practices and higher standards in the law.

The Project's thematic focus on children produced tangible and positive outcomes that are reducing the negative impact of the justice system on children and supporting their access to justice and potential for rehabilitation.

11. In which areas does the project have the greatest achievements? Why is this and what have been the supporting factors? How can the project build on and expand these achievements?	
Assessment Areas: Achievement	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Independent assessments, evaluation • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

The project included a number of significant accomplishments and gains for the improved functioning of the justice system and access to justice for citizens.

The items listed in this section do not represent all of the achievements but are highlighted as the most prominent achievements:

Overarching sector collaboration:
This is a significant achievement of the Project. Prior to the inception of the Project and the early development of the National Strategy, a number of organizations advised us that sector wide discussions were rare. As a result of the Project, we were advised that organizations were included both in the overarching system reform and coordination through membership on the Steering Committee but also that collaborative approaches to individual activities continue to occur.
In addition, the Project sought to introduce a level of government ownership in justice sector transformation and, while the process was not perfect, the introduction of this role was beneficial.

Capacity Building:
There was a particular focus on capacity building in this Project and the Project goals in this area were achieved. Training occurred across the sector, on reforms and on skill and knowledge enhancement in a number of critical areas.

The assessment of the potential for a law school is also an important achievement. As a result of the assessment and its companion work, including a visit to the Law School of Tanzania, there is widespread support for a law school and significant resources are now focused on its creation. Key leaders in the sector, championed by the Chief Justice, are now in the planning phase of the school and resources, including the designation of land, have already been dedicated by the government. This is an extremely positive development for Zanzibar.

Legal Aid:
Very impressive gains were made with respect to legal aid in Zanzibar through this Project. The development of the policy meant that the system moved from a scattered and unsupported approach to a policy-driven and coordinated approach that has enhanced access to justice for vulnerable people in Zanzibar. The policy is in place, providers have been supported and trained, public awareness has increased through targeted outreach in the community and dedicated providers including ZLSC and ZAFELA have been given additional resources to meet needs.

With respect to children, 100% of children in conflict with the law now have access to legal aid in the courts, in detention and in the community rehabilitation program, up from 0%. Legal aid support, in combination with the Community Rehabilitation program and the Child Supporters program has contributed to a dramatic reduction in the number of children in detention.

Under the new Legal Aid Policy, paralegals are now able to provide legal aid services. In addition to providing services to adult legal aid users, paralegals are now providing support to children in conflict with the law and who are at risk of conflict, at police stations and in the community. We assess the value of the child supporters program as extremely high.

Children's Court:
The opening of the Children's Court has been an important step in the provision of justice services for children. The Court sees a high volume of cases – between 7 and 10 per day – and its child-friendly approach and goal of community rehabilitation where possible is a tangible improvement. Rule and guidelines that put the Children's Act into practice and increase the transparency of the Court have been enacted.

Community Rehabilitation:
Community rehabilitation is an imperative and this Project is to be commended for the number of children who have been able to engage in the rehabilitation program (100 during the period of the Project) and avoid detention or other harmful penalties. The community rehabilitation program supported by the Project has provided options to the court in sentencing and options to the police at the outset of a case. In addition, community leaders have also used the community rehabilitation program to assist at-risk youth.

There are two elements of the community rehabilitation program that have been successful: the work of social welfare workers from the MLEEWYC and the programming at TAYI. Social welfare officers play a

critical role in rehabilitation – working with youth, visiting families and engaging with the community. The programs at TAYI are introducing children to life skills, counselling and positive activity.

Legislative Reform:
Legislative Reform was an ambitious component of the Project and remains incomplete. However, there are some extremely successful components. First, it appears to have been an inclusive process and gave voice to a number of organizations.

Second, there are four acts already in force that introduced provisions that have immediate and tangible impact on the justice system. The Evidence Decree has introduced significant new process reforms that reflect modern realities, including the admission of electronic evidence. The Penal Code has reflected society's interest in addressing sexual and gender-based violence (SGBV) by disallowing bail for SGBV crimes. The Criminal Procedure Act has attempted to address delay in the system by reducing the role of assessors to only capital cases and by increasing the jurisdiction of the primary courts. These are all critical reforms that are already being used and have also had rules, regulations and guidelines developed to accompany the legislation.

Child and Gender desks in police stations:
The Project introduced and rolled out Child and Gender specific desks in police stations. These desks receive all children's cases and women who have been victims of SGBV crimes. Specially trained police officers work at these desks and bring a child-friendly approach to interacting with the children. Child supporters are also present at the police station or are called by police to attend to provide children with information about their rights, assist them with finding parents, mediate the issue and support the move to community rehabilitation rather than into the court system.

The Chuo Cha Mafunzo's approach to children:
The Chuo Cha Mafunzo has made significant changes in its approach to children with the support of the Project. The current facilities were upgraded to provide beds, mattresses, nets and toilets in the rooms and a new children's wing of the prison is under construction and almost complete. In addition, the ZLSC has been permitted to attend the prison to provide legal aid services for children. This new approach and relationship with the justice sector is to be commended.

12. In what areas does the project have the least achievements? What have been the constraining factors and why? How can they be overcome?	
Assessment Areas: Achievement	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Independent assessments, evaluation • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

Case Management System – The development of a Case Management System was a commitment in the Project design. However, the approach to development did not appropriately include process engineering work with the Court and other users at the initial stages to ensure that the IT system

worked for the users and advanced their processes and goals. Consequently, the system has been delayed and has gone over budget in order to re-write a number of system components. At the time of this evaluation, approximately 85% of the system had been deemed acceptable by the users and the other 15% was in development. This delay also contributed to feelings of disengagement and lack of ownership on the part of the Court.

DNA machine – The purchase of a DNA machine to process DNA evidence, particularly for SGBV cases, was a commitment in the Project design. Like the case management system, it was a highly public promise. And, like the case management system, it was an ill-advised promise. The promise to purchase was made in advance of an assessment of the overall cost to purchase, maintain and train staff to use the machine or an assessment of these costs against the ultimate value of the machine. Consequently, when that assessment was completed, the resulting cost was far above the amount put into the budget. The DNA machine was not purchased and the budget money was re-allocated elsewhere. However, this process and the decision-making contributed to the perception of broken promises and ineffective project management.

13. What, if any, alternative strategies would have been more effective in achieving the project's objectives?	
Assessment Areas: Design/Achievement	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Independent assessments, evaluation • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

Case Management System – As noted above, this activity struggled as a result of a flawed approach to the process of the design and implementation of a new case management system. This could have been avoided by focusing resources first to working with the Court to understand their needs and goals and work with them to redesign their process for maximum effectiveness, in advance of any system creation. In addition, ensuring that the Court's IT department has sufficient resources and capacity to manage and maintain a CMS would have benefitted the initial design.

DNA machine – As noted above, the promise to purchase a DNA machine should not have been made until after an adequate assessment of all the factors involved and the all-in cost was determined. Making the promise and setting an inadequate budget created unrealistic/unmet expectations. A critical component of that assessment, and any assessment made for this purpose in the future should include an understanding of the capacity in Zanzibar to collect and handle DNA evidence.

14. Has the project made strategic use of coordination and collaboration with other national institutions and with other donors in the country/region to increase its effectiveness and impact?	
Assessment Areas: Management/Achievement	**Sub-Questions:**
Assumptions:	How has the project linked with other relevant ongoing projects?
Data Points:	

- Project documents – Initial Project document and reporting, evaluation documents
- Interview questions for partners, donors
- Interview questions for project team

There has been limited engagement with other institutions or donors in the field. With respect other institutions, there were useful study tours to the Law School of Tanzania, to the East African Court in Arusha, and to the Children's Court in Dar es Salaam. In addition, junior prosecutors and state attorneys had placements in mainland offices to increase their skill levels. Individuals from key institutions in Tanzania were invited to Zanzibar to take part in assessments and training.

Coordination with other donors (other than the EU) or projects in the area was not a component of the Project. Some individual organizations receiving funds from other donors (such as the ZLSC) were able to link activities to funding but this was not an overarching component.

However, it is unclear to us whether there are significant missed opportunities here. During the period of this Project, as a result of the political instability, there were not a large number of international donors present in Zanzibar. However, as donors return to Zanzibar, opportunities should be sought in the future.

15. Are the project's objectives and outcomes clear, practical, and feasible within its frame?	
Assessment Areas: Design	**Sub-Questions:**
Assumptions: The interviewees for this question will vary depending on engagement and understanding of overall project design	Are there measurable causal links between the desired results and the activities? Looking backwards, does the Theory of Change still work?
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners, donors • Interview questions for project team	

While the outcomes and the logic model are clear and make logical sense, feasibility/practicality was not adequately considered at the design stage. The capacity of the institutions involved in the implementation of Project activities varies widely, in terms of resources and skill-levels. In addition, a number of the planned activities relied on implementation by government as a precondition for success (for example, the passing of legislation is required in order for the prisons to enact a number of changes).

As a result of these two challenges, a number of activities remain incomplete or were not implemented as planned. These challenges also infringe upon the potential sustainability of existing Project successes.

16. How have the stakeholders been involved in project implementation? How effective has the project been in establishing national ownership? Is project management and implementation participatory and is this participation contributing towards achievement of the project objectives? Has the project been appropriately responsive to the needs of the national constituents and changing partner priorities?	
Assessment Areas: Management/Achievement	**Sub-Questions:**
Assumptions: The interviewees for this question will vary depending on engagement at the outset	

of the project or understanding of overall project design
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • National priority documents, strategic plans and assessments • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team

The Project has been very effective at ensuring stakeholder participation and implementation. The UNDP provided technical expertise and funding but the stakeholders, in their individual organizations and collectively were responsible for the implementation. Project management, at the activity and Steering Committee levels was participatory.

The use of the Ministries as coordinating bodies has contributed to the government's sense of ownership of the outcomes. The Project was able to adapt and respond to changes in government following an election mid-way through the Project.

17. Review the quality of execution of the implementing partners.	
Assessment Areas: Achievement/Management	**Sub-Questions:**
Assumptions:	What role did the implementing partner play? Were the expectations of the implementing partner clear?
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for implementing partner • Interview questions for project team	Did the implementing partner meet its obligations and contribute to the achievement of the results?

There were two Ministries that played a role in Project coordination and, as described above, two different models informed the nature of their roles. However, both Ministries struggled with their roles. The POCLAPSGG had a large responsibility which included activity coordination and disbursement of funds. The Ministry experienced criticism about the delay in disbursing funds and some organizations would have preferred to receive the funds directly from the UNDP. The mandate of the POCLAPSGG is very large and the legal sector is only one piece. The unit responsible for the administration had several other roles as well and no staff were dedicated to the Project.

The MLEEWYC did not disburse funds, other than to TAYI. However, as a result, it struggled to maintain control or ongoing communication with its organizations who preferred to deal directly with UNICEF. In addition, and like the POCLAPSGG, it had a small number of staff assigned to the Project, all of whom already had full workloads.

While some of the issues in ministry coordination are unavoidable and simply require management, dedicated resources for the Project, including legal capacity, could have mitigated this issue.

18. Are the project partners using the outputs? Have the outputs been transformed by the project partners into outcomes?	
Assessment Areas: Achievement/Cross-Cutting **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Project deliverables • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** How do the outputs and outcomes contribute to the UNDP's mainstreamed strategies? How do they contribute to gender equality? How do they contribute to the strengthening of the social partners and social dialogue? How do they contribute to strengthening the influence of human rights standards? How do they contribute towards the effective promotion and protection of human rights, overall access to justice and rule of law, equitable and sustainable development in Tanzania?

All of the Project activities that have been completed are actively in use and creating outcomes.

Efficiency

19. Has the UNDP's project implementation strategy and execution been efficient and cost-effective?	
Assessment Areas: Management **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents, budget documents • Interview questions for partners, donors • Interview questions for project team	**Sub-Questions:**

The Project implementation could have been more efficient and likely more cost-effective with an additional project resource to support the technical experts. The work under Results 1-3 was delayed partway through the Project, in part due to a personnel change, and in order to regain momentum and stakeholder credibility, additional funds were spent.

20. Has there been an economical use of financial and human resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes?	
Assessment Areas: Management **Assumptions:** The interviewees for this question will vary depending on engagement at the outset of the project or understanding of overall project design **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents, budget documents • Interview questions for partners, donors • Interview questions for project team	**Sub-Questions:**

In general, the funds for this Project were appropriately allocated with a few exceptions:

- DNA machine: As determined by the assessment report, an inadequate amount of money was budgeted for the purchase, maintenance and training required in order to purchase the DNA machine.
- Resource allocation: An insufficient amount of UNDP/UNICEF personnel resources were allocated to the Project. In addition, some components were not adequately budgeted for in terms of time or resources given the variation in capacity of some of the implementing organizations.

21. Have resources been used efficiently? Have activities supporting the strategy been cost-effective? In general, do the results achieved justify the costs? Could the same results be attained with fewer resources?	
Assessment Areas: Management	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents, budget documents • Interview questions for partners, donors • Interview questions for project team	

Given the Project modality, it is not clear exactly how resources were used inside the individual activities of the Project. However, it is understood that a form of financial review was conducted by the donor during the period of the Project.

From a high level, it would appear that funds were used reasonably. However, the first three results of the Project went significantly over the original budget amounts. It is not clear whether this is as a result of under budgeting or over spending.

The activities in Result 4 stuck to the original allocation and returned a small amount of unspent money.

22. Have project funds and activities been delivered in a timely manner?	
Assessment Areas: Management	**Sub-Questions:** Did time lapses have an impact on the delivery of the intended achievements? How were the time lapses dealt with? Suggestions on how these lapses can be avoided next time around
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents, budget documents • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

The disbursement of project funds was a difficult issue in this project. Almost all fund recipients expressed concern about the delay in the receipt of funds and cited tangible impacts to the project including delayed activities, having to use funds from other sources, and cancelled activities.

A clearer and more tightly controlled financial disbursement process that is communicated to stakeholders could have mitigated this issue somewhat.

23. How has the steering or advisory committee contributed to the success of the project?	
Assessment Areas: Management	**Sub-Questions:**
Assumptions:	
Data Points:	

- Project documents – Initial Project document and reporting, evaluation documents
- Steering committee minutes/reports
- Interview questions for partners, donors, members of steering committee
- Interview questions for project team

The Steering Committee played an active role in the success of the Project. The Committee was inclusive and had membership from both government and non-government sector participants. This fostered a sense of collaboration and gave a voice to more organizations in the sector. The Committee played a role at the early stages in project design, including identifying appropriate activities to meet the result.

24. Does project governance facilitate good results and efficient delivery? Is there a clear understanding of the roles and responsibilities by all parties involved?	
Assessment Areas: Design/Management **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents, project management documents and reporting • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** Through their involvement, to what extent have the stakeholders taken ownership of the project

Overall, project governance was reasonably successful. Positive attributes included the collaborative nature of the Steering Committee, the engagement and local ownership of outcomes and the resulting successes. However, it was observed that in a Project of this magnitude, more frequent Steering Committee meetings (more than once per year) would assist in ensuring active governance and maintain committee oversight of project issues as they arise.

25. Are the monitoring and evaluation systems that the UNDP has in place helping to ensure effective and efficient project management?	
Assessment Areas: Management **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents, project management documents • UNDP documents and processes • Interview questions for UNDP staff (external to project team) • Interview questions for project team	**Sub-Questions:**

Given the NIM modality, a limited number of monitoring systems were put in place for Results 1-3. It is not clear that structured monitoring, other than the quarterly requests for funding and the annual Steering Committee meetings, played a significant role in the Project.

With respect to Result 4, a monitoring/data gathering system was introduced to all of the organizations responsible for implementing activities. The MLEEWYC was responsible for the collection of the data and

the coordination of a progress report. It was clear that this was a difficult process, as many organizations did not keep consistent data or report as requested. However, under this Result, a number of justice sector institutions became aware of the need and expectation for reporting and this is a positive step.

Sustainability

26. Are there any social or political risks that may jeopardize sustainability of project outcomes?	
Assessment Areas: Achievement **Assumptions:** **Data Points:** • Project documents – risk analysis and mitigation • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** Sustainability may depend on the exit strategy that has been put in place. What mitigation strategies have been put in place to manage known external risks? What could be done to mitigate the risks? To what extent were the stakeholders involved in the development of the exit and sustainability strategies? Was gender taken into consideration?

Project outcomes are highly dependent on government funding. Government, of course, has many priorities and uses for its funds and consequently the sustainability of many outcomes will always be at risk.

Socially, it appeared that there is widespread support for the goals of the Project.

27. What is the risk that the level of stakeholder's ownership will be sufficient to allow for the project benefits to be sustained?	
Assessment Areas: Achievement **Assumptions:** **Data Points:** • Project documents – risk analysis, evaluation documents • National documents and priority setting • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** What circumstances may result in a decrease of stakeholder ownership? What could be done to mitigate the decrease and sustain the project benefits?

While all of the stakeholders appear engaged and willing to continue the positive project activities, their level of funding and capacity is varied. Some stakeholders, regardless of their level of "ownership" may be unable to maintain the programming without further support.

As noted above, given the significant role of the government in justice sector reform, support will be dependent on ongoing government prioritization of the reforms, including maintaining and augmenting the capacity within the implementing ministries.

28. Are the current stakeholders in support of the long-term objectives of the project?	
Assessment Areas: Achievement/Management **Assumptions:** **Data Points:** • Evaluation/assessment documents • Ongoing reporting documents • National documents and priority setting	**Sub-Questions:**

- Interview questions for partners, donors
- Interview questions for beneficiaries
- Interview questions for project team

The current stakeholders are very engaged in the long-term objectives of the project. Both in individual interviews and in the group debriefing meeting, the stakeholders voiced support for the long-term goals and identified priorities for the sector in the future.

In addition, a number of the individual activities have already been marked for government funding in the next fiscal year, in order to sustain momentum and achieve the objectives. These projects include the creation of a law school, some specific activities at the ZLSC, and what else?

However, as noted above, given the significant role of the government in justice sector reform, support will be dependent on ongoing government prioritization of the reforms, including maintaining and augmenting the capacity within the implementing ministries.

29. Are the lessons learned being documented by the Project Team on a continual basis and shared with appropriate parties who could learn from the project?

Assessment Areas: Management	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents • Interview questions for partners, donors • Interview questions for beneficiaries • Interview questions for project team	

Lessons learned from the Project as it was in progress were documented and shared in Steering Committee meetings as well as shared in informal discussions with individual stakeholders.

Both components of the Project (the UNDP and the UNICEF components) have final reports that contain lessons learned. In addition, this evaluation will be shared with stakeholders and we are advised that UNICEF will undertake its own evaluation of its project activities that will also involve stakeholders.

30. Do the current legal frameworks, policies, governance structures and processes pose risks that may jeopardize the sustenance of the project benefits?

Assessment Areas: Achievement	**Sub-Questions:**
Assumptions:	What mitigation strategies have been put in place to manage these potential risks?
Data Points: • National documents, laws, policies, etc. • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	

There are a number of legislative reforms that have not yet been enacted that are critical to introducing change in the sector. Notably, the Offender Education Act, the Legal Practitioners Act and the Legal Aid Act have not yet been passed into law. Partners in each of these areas are reliant on changes to legislation in order to effect their part of justice sector reform.

Additionally, the Children's Act is in need of revision to address jurisdictional gaps that present threats to the jurisdiction of the court and move children's matters into adult court.

The current structure of the implementing ministries presents a challenge to the sustenance of the project benefits. Both the POCLAPSGG and the MLEEWYC are large umbrella ministries with many mandates. Justice sector reforms are not the primary focus of the ministries or its staff, particularly in the POCLAPSGG.

31. Are there any environmental risks that may jeopardize the sustenance of the project's outcomes?	
Assessment Areas: Achievement **Assumptions:** **Data Points:** • National documents, UNDP assessments • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** What mitigation strategies have been put in place to manage these potential risks?

Overall in Zanzibar, there are challenges with respect to the capacity of those who work in the legal sector (both lawyers and other staff). Without a shift in this environment to support increased skills, there is a risk that workers will be unable to carry out reforms.

32. Do the UNDP interventions have well-designed and well-planned exit strategies?	
Assessment Areas: Design **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for project team	**Sub-Questions:**

At the end of the Project, only a few partner organizations were prepared to continue the activities independently. The implementing partner ministries reduced their level of engagement and did not introduce funding on project activities. A coordinated exit strategy or close-out plan was not prepared. Although the funding had ended a number of months before the evaluation, some organizations were still developing their next funding strategy. It did not appear that the UNDP had engaged in significant exit planning with the stakeholders.

However, it should be noted that the implementing partner ministries were well aware of the end date of the project and a significant burden lays with them to ensure the sustainability of the activities and ongoing support for the work of individual organizations.

33. What could be done to strengthen exit strategies and sustainability?	
Assessment Areas: Design/Achievement/Management **Assumptions:** **Data Points:** • Project documents • National priorities • Deliverables • Interview questions for partners, donors	**Sub-Questions:** Taking into account the internal and external risks to sustainability, the level of national and local ownership of the project outcomes and the project design, what further measures should be put in place to ensure sustainability and support project closure?

- Interview questions for beneficiaries
- Interview questions for project team

There are a number of actions that could be taken in order to strengthen the sustainability of the Project benefits and increase the likelihood of long term reform. Specific activities have been listed in the Recommendations section of this Report.

34. What changes if any should be made in the current partnership(s) in order to promote long term sustainability?	
Assessment Areas: Management	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners, donors • Interview questions for project team	

Given that the Project has completed, the partnership relationship is now one of close-out – finalizing those elements that have not yet been finished – and moving into a relationship maintenance and support mode.

It is recommended that the local sub-office of the UNDP located in Tanzania become more actively engaged in providing support and maintaining relationships and credibility with the stakeholders.

Partnership Strategy

35. Has the UNDP's partnership strategy been appropriate and effective?	
Assessment Areas: Design/Management/Achievement	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners, donors • Interview questions for project team	

As noted above, there were multiple partnership strategies in this Project. The partnership between the UNDP and UNICEF as sponsoring organizations, the partnership with the Implementing Partner ministries and the relationships with the organizations carrying out the activities.

While there were some challenges inside each of these relationships, overall it is our finding that the multiple partnership model was an effective strategy. The justice system itself is not a linear or unilateral system. It has many actors with a wide array of power, independence, resources and skills. Consequently, a variety of partnership strategies is required to engage these actors effectively.

A greater level of engagement between UNICEF and UNDP might have supported increased efficiency and use of stakeholder time, or at least provided a forum to discuss that possibility.

The challenge with the model of multiple partnerships is that it requires extensive coordination and administration to manage efficiently and effectively. This burden appears to have fallen to the two technical specialists on the Project, with minimal additional support. This work may have detracted from their ability to provide more in-depth technical expertise to the activities.

36. Are there current or potential overlaps with existing partners' programmes?	
Assessment Areas: Design/Management **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners • Interview questions for project team	**Sub-Questions:** Is there congruency of the programme objectives to the partner mandates? Are the current partners promoting the sustainability of the achieved results? Are the current partners willing to devote programme resources (human and financial) to sustain the achieved results?

The Project was closed at the time of the Evaluation so this question is addressed looking back to the Project. No negative overlaps with other programs were observed.

37. How have partnerships affected the progress towards achieving the outputs?	
Assessment Areas: Achievement **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners • Interview questions for project team	**Sub-Questions:**

As noted above, the success of the Project was dependent on strong partnerships. Challenges that the Project experienced do not appear to have been as a result of partnership issues and successes of the Project can be attributed to collaboration and the empowerment of the partners.

38. Has the project developed and leveraged the necessary and appropriate partnerships with direct and indirect stakeholders?	
Assessment Areas: Design/Management **Assumptions:** **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:**

The Project's implementation model depended on strong partnership with stakeholders.

39. Do local and national government stakeholders support the objectives of the project? Do they continue to have an active role in the project decision-making that supports efficient and effective project implementation?	
Assessment Areas: Management **Assumptions:** **Data Points:**	**Sub-Questions:** What decision-making structures are in place to support appropriate and effective contribution by national and local government stakeholders?

- Project documents – Initial Project document and reporting, evaluation documents
- Independent assessments
- National and local priorities
- Interview questions for partners
- Interview questions for project team

The Project had closed by the time of this Evaluation. Government stakeholders indicated support for the objectives of the Project and had already allocated funding and resources for the continuation of some elements, including land and funds for the law school, commitment to complete the case management system, support for further legislation reforms, and some program funding for legal aid and community rehabilitation providers.

40. To what extent has stakeholder involvement and public awareness contributed to the process towards achievement of project objectives?	
Assessment Areas: Achievement **Assumptions:** Public awareness levels can be measured **Data Points:** • Project documents – Initial Project document and reporting, evaluation documents • Project Deliverables • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** What data exists on public engagement/awareness levels with respect to the objectives? Is data readily available and accessible at all levels of programme implementation? Is data disaggregated by gender to determine effective compliance to gender issues and support the involvement of women in all endeavours of development

Many of the activities in this Project were not public-facing or dependent on public engagement for success, including legislative reforms, professional training and the case management system. Others are not dependent on the attraction of "customers" for success as they are responsive services, such as the Children's Courts or the Gender and Child Desks in police stations.

Legal aid providers reported an increase in cases following public communication and community engagement. Likewise, child supporters reported an increase in calls for their services following engagement with community leaders and police.

41. Review the internal project communication with stakeholders – is it regular and effective? Are there key stakeholders left out of communications? Are there feedback mechanisms in place? Does this communication with stakeholders contribute to their awareness of project results?	
Assessment Areas: Design/Management **Assumptions:** **Data Points:** • Project documents – Communications model and ongoing communications products • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	**Sub-Questions:** Do stakeholders feel the level of communication was adequate and effective?

Internal project communication can be divided into two categories – formal and informal. Formal communication included semi-annual Steering Committee meetings, quarterly reporting by organizations to implementing ministries (or directly to UNICEF) and reporting into the UNDP. Reporting to the donor occurred both at Steering Committee level and through the quarterly reporting process and other required reports including financial reporting. Both UNDP and UNICEF have prepared final project reports that have not been shared with stakeholders.

The Steering Committee meetings appear to have been a reasonably successful means of engaging stakeholders and discussing project issues and progress. However, the reporting process from organizations into the UNDP and UNICEF was challenging. Data collection was inconsistent and reporting capacity was insufficient to provide appropriate financial and progress reports. Some organizations were highly dependent on the technical experts for support with project communication. These challenges flowed through to communications with the donor, which were frequently found to be insufficient, reducing the credibility of the UNDP with the donor.

Informal communication between the technical experts, the implementing partners and the organizations was strong. Technical experts had regular engagement with all of the organizations and maintained open dialogue with the partners.

42. Review the external project communications – are there proper means of communicating the impact of the project to the public?	
Assessment Areas: Design/Management	**Sub-Questions:**
Assumptions:	What method of understanding the effectiveness of public communications has been established? What are the results? Is there a strategy for advocacy and networking for effective dissemination of project results?
Data Points: • Project documents – Communications model and ongoing communications products • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	

There is no overarching Project public communication strategy. Some components had public communication attached to them, including legal aid reforms, which had radio and television communications and engagement in the community, and the DPP's Shahidi newsletters. The TAYI program has been engaged in some public communication.

Many partners have called for public outreach as a next step in the Project.

43. Summarize the project's progress towards results in terms of contribution to the SDGs.	
Assessment Areas: Achievement	**Sub-Questions:**
Assumptions:	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Project Deliverables • Interview questions for project team	

This Project was begun prior to the introduction of the SDGs. Consequently, its activities and outcomes are not tied directly to the SDGs and no internal Project work was provided showing ongoing effort to align with the SDGs.

However, it is evident from the successful outcomes that the Project will enhance progress towards the SDG 16 as follows (at a high level):

SDG 16 Target	Responsive Project Activity
End abuse, exploitation, trafficking and all forms of violence against and torture of children	• Increased sentences and no bail for SGBV-related crimes • Increased legal aid for children
Promote the rule of law at the national and international levels and ensure equal access to justice for all	• Increased legal aid services • Legislative Reforms
By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime	• Training for police and prosecutors on the prosecution of new crimes
Substantially reduce corruption and bribery in all their forms	• Training for police and prosecutors on the prosecution of corruption cases • Increased transparency of process through publicly disseminated court rules and case management practices
Develop effective, accountable and transparent institutions at all levels	• Introduction of measurement, case management, government oversight of reforms, skill and resource enhancements

Cross-Cutting: Human Rights

44. To what extent have poor, indigenous and physically challenged, women and other disadvantaged and marginalized groups benefitted from UNDP Tanzania's work in enhancing access to justice and the rule of law?	
Assessment Areas: Cross-cutting/Achievement	**Sub-Questions:**
Assumptions: This question focuses on the specific achievements in this project; data on the impacts to these groups is available	Which activities specifically focused on and enhanced access to justice for these vulnerable groups? What strategies were put in place to mitigate wrong perceptions of these initiatives? Any documented results, positive and negative
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Independent Assessments, evaluation • Interview questions for partners • Interview questions for beneficiaries • Interview questions for project team	

Activities that strengthen the justice system enhance the rule of law and therefore benefit all citizens. The foundational work done as a part of this Project has created a stronger system by ensuring that all parties to the system have enhanced capacity.

Disadvantaged and marginalized groups were the main beneficiaries of a number of the activities, including legal aid reform, all of the child-focused activities and the reforms addressing SGBV.

Cross-Cutting: Gender Equality

45. To what extent has gender been addressed in the design, implementation and monitoring of the project? Is gender marker data assigned to this project representative of reality?	
Assessment Areas: Design/Management	**Sub-Questions:**
Assumptions: Gender specific data is available	
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Gender Specific data and data markers • Interview questions for project team	

Gender was not a specific focus of the overarching Project. Rather, the institutional reforms and capacity building were intended to benefit the justice system writ large. Some components of the Project activities have a gender focus, such as the increased focus on gender-based violent crimes. Legislative reforms denying bail for these crimes and enhanced prosecutorial training will be of assistance to women. The legal aid public awareness campaigns were targeted at women.

Additionally, throughout the Project, gender disaggregated data has been produced with respect to training workshops and other activities. This data was of assistance to the Project in seeking out or ensuring that women working in the sector received training. In addition, it is helpful information for the sector with respect to its understanding of its composition.

The Project was assigned Gender Marker 1: Some element of gender included in the Project. This is an appropriate assignment and reflects the reality of the Project.

46. To what extent has UNDP Tanzania's access to justice and rule of law engagement and support promoted positive changes in gender equality? Were there any unintended effects? Information collected should be checked against data from the Results-oriented Annual Reports (ROAR) during the period under review.	
Assessment Areas: Achievement	**Sub-Questions:**
Assumptions: Gender specific data is available; this question focuses on the specific achievements in this area	Which activities specifically focused on and enhanced positive changes in gender equality?
Data Points: • Project documents – Initial Project document and reporting, evaluation documents • Relevant ROARs • Interview questions for project team	Are the achieved results an indication of changes in women's human rights in the area of access to justice? Can this be replicated in other programmes?

This Project has been beneficial in promoting increased access to justice for women in Zanzibar. These benefits come from work done to increase women's awareness of their rights, to make legislative changes that support the protection of women victims, and to train justice sector workers on the provision of services to women. Additionally, the Project has increased the capacity of female

professionals in the justice sector. By ensuring that there are women professionals trained, the justice sector will more accurately reflect the population and in turn, be more responsive to the realities of women.

We are advised that the information has been cross-checked and is consistent with ROAR.