



# FINAL EVALUATION REPORT OF THE TRINIDAD AND TOBAGO JUVENILE COURT PROJECT

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## **ACRONYMS**

CCMS	Court Case Management System
CSO	Civil Society Organization
DPP	Director of Public Prosecutions
ICCS	International Classification of Crime for Statistical Purposes
JCP	Juvenile Court Project
NCSC	National Center for State Courts
NGO	Non-Governmental Organization
UN	United Nations
TT.jim	Trinidad and Tobago Judicial Information Management System
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
USAID	United States Agency for International Development

## ACKNOWLEDGEMENTS

All project partners as well as the implementing team and other stakeholders who contributed to the JCP deserve special thanks. This includes USAID, the Judiciary of Trinidad and Tobago, UNDP Trinidad and Tobago Office, NCSC and the Project Team. The JCP resulted in the modernization and improvement of the Child Justice System in Trinidad and Tobago and has initiated a transformation in attitudes and practice as it relates to child matters. The former system which was more punitive in nature has been replaced by one which is much more restorative and rehabilitative thanks to the hard work and commitment of the staff in the above-mentioned institutions.

## EXECUTIVE SUMMARY

This report provides an evaluation of the Trinidad and Tobago Juvenile Court Project (JCP). The JCP led to the establishment of a children court system and resulted in the modification of the legal framework and development of support systems necessary to staff and operate two Children Courts in Trinidad and Tobago. The JCP also led to the acquisition of two buildings by the Judiciary of Trinidad and Tobago and the customisation of these two buildings by the project to house the Children Courts in North and South Trinidad. The JCP was funded by the United States Agency for International Development (USAID) and the Judiciary of Trinidad and Tobago with project formulation, management and quality assurances provided by the United Nations Development Programme Trinidad and Tobago Office (UNDP). The National Center for State Courts (NCSC) provided additional technical support and the JCP Team served as the implementing agency.

The JCP sought to achieve the following core objectives:

- Establishment of two children courts in Trinidad that meet standards for adjudicating child justice cases.
- Building of institutional capacity of children courts to adjudicate cases in an efficient and effective manner in accordance with new laws and principles of restorative justice through training to improve adjudication, case management, implementation of rules and procedures, and court-annexed programs in collaboration with government agencies, NGOs, Civil Society Organizations (CSOs) and the Children's Authority.
- Building of institutional capacity of organizations providing services to Children in conflict with the law through the creation of effective referral and coordination mechanisms, training on new laws and procedures, improved programs and ability to fulfil the reporting and monitoring requirements of the children courts.
- Establishment of a Peer Resolution Programme based on principles of restorative justice and the development of a cadre of youth leaders. Youth courts will facilitate the adjudication of minor offences committed by persons falling within the ambit of the Children Act.
- Execution of public awareness campaigns to educate and sensitize the public to the reform of the child justice system and the JCP initiatives to support the implementation of the Children Act.

This report provides an evaluation of the implementation of the JCP. The main evaluation criteria which are used, are relevance, efficiency, effectiveness and sustainability.

This evaluation was based on data from a review of project documents and from focus group discussions and interviews with project partners and other key personnel who were involved in the JCP. Content analysis was employed to analyse the data. The findings, lessons learned and recommendations generated by the evaluation can be used by the Judiciary of Trinidad and Tobago, UNDP, USAID, NCSC and the project's key stakeholders to improve future projects and programmes related to child justice. The evaluation will assess the results of the project and will undertake a review of project implementation and provide useful and actionable recommendations for similar projects in the future.

## ***Main Findings***

Overall, the JCP accomplished the core objectives that it set out to achieve. This required the coordination and cooperation of the main partner agencies as well as a wide range of actors and agencies. The evaluation will be structured around the core areas of relevance, efficiency, effectiveness and sustainability.

### *Relevance*

- The JCP initiated reform in thinking and practice as it relates to child justice in Trinidad and Tobago. The child justice system, along with all of the main actors have begun a process of transformation which will result in a system which is more rehabilitative and restorative, and far less punitive.
- The JCP led to the location and development of two buildings to house the Children Courts, amendments to eighteen pieces of legislation, the development of court rules and protocols, the development of capacity of key stakeholders, the identification and development of auxiliary programs and services which will provide alternatives for children who come before the courts, the training of staff to administer the Children Courts and a public education campaign as well as an education campaign for key stakeholders. There was also a seamless transition from the project team to the Judiciary so that the Judiciary of Trinidad and Tobago fully owned and operated the Children Courts upon the completion of the JCP.
- The JCP has put measures in place to ensure that there is equity in the administration of justice, and that all children who come before the Court will be treated fairly. Several documents were developed which serve to ensure this. These include: the Judges' Rules for Children (2016), the Inter-Agency Protocols (2017) and the Multi-Agency Protocols (2017). In addition, the JCP was instrumental in the amendments of eighteen pieces of legislation, which will also serve to ensure equity. Training which was provided also stressed the issue of equity, and this applied to judges, juvenile prosecutors, peer resolution volunteers as well as other persons.
- Overall, the JCP was highly relevant for Trinidad and Tobago. It not only put the infrastructure in place to ensure that facilities were available for the provision of services required to improve access to justice where child matters were concerned, but started a process of transformation in attitudes and mindsets and resulted in the creation of relevant support systems, such as court annexed services, which would ensure the functioning of the Children Courts.

### *Efficiency*

- The JCP was a very complex project with several components which were undertaken simultaneously, and with several levels of actors involved within each component. In addition, there was the need for coordination among the various components/activities of the JCP. The limited time allotted to the achievement of several components also added to the challenges, and in many cases attainment of some goals were consequential on the achievement of other goals.

- The complexity of the JCP, as well as the practical realities involved in achieving some of the components created delays in some instances. For instance, government procedures which ensure transparency and best value for money in the acquisition of buildings, while necessary, resulted in unanticipated delays.
- Another factor which affected efficiency and completion time had to do with the fact that the quantity of work which was required was underestimated at the outset and this resulted, in some cases, in the delay in the completion of some project activities. An example would be the amendments to the various pieces of legislation. As the project progressed, and as a greater number of stakeholders became involved in the process, more limitations in the laws became apparent resulting in an expansion of the work which was required.
- A project such as the JCP could be subject to several risks across its duration. Given the dynamic nature of some aspects of the project, it was not possible at the outset to anticipate all risks and put measures in place, or at least develop measures to mitigate such risks. A collaborative approach to risk management was adopted and various actors dealt with and mitigated risks on an on-going basis. At the outset of the project a Risk Register was developed to identify possible risks and to propose possible mitigation strategies. Risk management was also considered at Project Board meetings. The Project Team was also responsible for identifying risks and for developing means to mitigate risks. Overall, the JCP encompassed several procedures and mechanisms to anticipate and manage risk. This enhanced the efficiency of the project.
- From the outset of the JCP there was very careful financial management and utilization of financial resources. In making financial decisions standard best practices were employed. While strictly speaking the UNDP was responsible for financial management of the JCP, a collaborative approach was utilized in making financial decisions and involved input from other project partners as well as from experts when this became necessary. The procedures which were used ensured efficiency, transparency and accountability.
- Overall, there was consensus that the JCP was conducted with efficiency though several factors affected the level of efficiency in some areas. Many of these factors could not be anticipated in advance and were outside the control of the project team and other stakeholders. Factors which affected efficiency related to the complexity of the project, lengthy governmental procedures involved in the identification and acquisition of buildings and not fully anticipating at project start the quantity of work which was required.

### *Effectiveness*

- Monitoring and evaluation of the JCP was conducted on an on-going basis to ensure project effectiveness and to take corrective actions where necessary. The UNDP played a critical role in quality assurance, and where necessary, contracted independent experts to supervise on-going works and to verify the quality of works completed. The project team and project board meetings also focused heavily on monitoring and evaluation. Independent monitoring and evaluation was also conducted by NCSC while periodic site visits by USAID also ensured quality.
- The JCP project was successful in bringing together various actors in the criminal justice system thereby improving the coordination between these actors as it refers to dealing

with child matters. This led to the creation of the Inter- and Multi-Agency protocols which formalize the nature of interaction among stakeholders and which provide mechanisms for coordination among such stakeholders. The Trinidad and Tobago Table of Equivalencies as well as the Judges' Rules for Children (2016), both of which were developed under the JCP, also serve to improve coordination among actors and agencies.

- A wide range of training was done under the JCP and included training provided to stakeholders, peer resolution volunteers, staff, including judicial officers, the Police Service, the Prison Service and other agencies. A challenge related to training was that it involved not just the dissemination of information, but also included an attempt to change attitudes so that persons would be more accepting of the newer approaches to child justice. Evaluation conducted by the NCSC determined that the training was highly effective.
- Despite its effectiveness, more time allotted to training as well as a greater level of staffing would have been helpful in the training component given that the training not only attempted to impart knowledge in specific areas, but it also tried to bring about a change in attitudes and true commitment to a newer approach to child justice.
- As a result of the JCP the Judiciary has acquired the software necessary for its data and case management needs. The data management system which has been acquired is called the Court Case Management System (CCMS) but has been branded TT.jim (Trinidad and Tobago Judicial Information Management System). This software is fully customizable so that it can be adjusted to the data capture and analytical needs of the Children Courts.
- Other types of information technology which are currently in use at the Children Court include voice transcription software as well as a video link. These technologies which were provided under the JCP greatly enhance the effectiveness of the courts.
- Several factors ensured the effectiveness of the JCP and led to the accomplishment of the goals set out at project start. These included competent and highly motivated project team staff, having an influential champion as well as several strong advocates, having close working relationships among project partners and external stakeholders, having guaranteed funding and performance evaluations to ensure quality output and timeliness.
- There were several factors however, which hindered the effectiveness of the JCP. These included changes in the scopes of work after project start, expansion of the amount of work beyond what was initially anticipated, challenges related to the identification of suitable buildings for the Children Court, high workloads of the project team and intermittent communication issues among project partners. Other factors included less than adequate housing for the project team, difficulties experienced by the project team in using the ATLAS software for procurement, and the high volume of reporting which was required of the project team.
- Despite several factors which hindered the project's effectiveness, overall, this evaluation found the JCP to be highly effective.



## *Sustainability*

- The development of a comprehensive handover strategy ensured that upon completion of the project the Children Courts were successfully transitioned to the Judiciary. This in conjunction with a “training wheels” phase ensured that the operation of the Courts continued after the transfer of ownership to the Judiciary.
- The JCP ensured that there was buy-in and commitment to the newer approaches to child justice prior to the hand-over. This commitment was necessary for the successful operation of the Children Court. Buy-in was achieved through aggressive advocacy, a public education and stakeholder campaign, and through the updating of several pieces of legislation and the development of several protocols which provided clear guidelines for the new model of child justice.
- One of the factors that affected the sustainability of the Children Courts is the availability of auxiliary programmes and court annexed services to provide alternatives to incarceration for children who come before the courts. The JCP identified court annexed programs in four key areas: 1) External Programs, 2) Internal Programs, 3) Peer Resolution, and 4) Drug Treatment. A rigorous vetting and training exercise was employed to ensure that only high-quality evidence-based programmes were selected for use as court annexed services. The adequacy of these programmes, however, is still unknown since the courts have only recently opened and it is too early to assess the full demand for such services.
- Peer resolution represents a mechanism which allows children to be assessed by their peers who will make recommendation to judicial officers on outcomes in cases where children commit minor offences. Systems are in place to ensure the sustainability of the peer resolution component of the courts and it is expected that a new batch of peer resolution volunteers will be trained in August 2018.
- Through public education the JCP attempted to build awareness and change attitudes about the newer approaches to child justice. A public sensitization campaign, that included a comprehensive information package, and a wide range of professionally done and attractive media releases, was developed for this purpose. While evaluations by NCSC indicated that the public education campaign was effective, it should be continued to further increase the awareness of the public to newer approaches to child justice.
- The Children Court depends on other agencies to function effectively. Such agencies include the Police Service, the Children’s Authority, Probation Services, the Director of Public Prosecutions and Legal Aid. These agencies received training under the JCP to increase their readiness to operate in the new child justice environment. In addition, some agencies have already made provisions for resources which are specific to children and which facilitate the operation of the Children Court. Continued support in the form of professional development and efforts to encourage buy-in to the new model of child justice may be necessary for some agencies.
- The Inter- and Multi-Agency Protocols are two critical documents which were created under the JCP. These developed procedures and guidelines which specify the nature of coordination and interaction among agencies which deal with child matters. Improved coordination among agencies, and between agencies and the Court facilitates the

effectiveness of the courts. While these documents were developed in collaboration with other agencies, continued education in the use of these protocols is necessary to ensure wide understanding and compliance within the different agencies.

- Overall, relevant systems were put in place to ensure the sustainability of the Children Courts in the medium to long term.

## **Main Recommendations**

- i) In future projects more emphasis and attention should be placed on gender equity.
- ii) Future projects of such scope and complexity would require the services of a dedicated project management unit (PMU) including necessary procurement staff.
- iii) In undertaking a project of this nature it is critical to have a costed Multi-Year Work Plan prior to the signing of the project document, and outline funding commitments due to each partner to ensure that funding is available. Gaps related to lines of funding should be addressed decisively. Where gaps continue to exist during project implementation, strategies should be developed which could be implemented to source additional funding if it becomes necessary to do so.
- iv) Future projects like the JCP should put systems to review and forecast resource requirements so that procurement requests could be placed in advance to allow for the processing time required by the procurement and finance departments so as not to cause delays in project progress.
- v) Projects of a similar nature should consider constructing a building as opposed to renting one as it is difficult to locate buildings with all of the specific requirements for courts, and in the long run, the cost of construction is cheaper than the cost of rent.
- vi) Future projects like the JCP should establish clear demarcations of the functions of the project team and other associated entities.
- vii) It is recommended that for future iterations of this project the project manager must have expertise in project management and in-depth knowledge of the law, particularly law related to children.
- viii) If a project of a similar nature was to be undertaken the design of the governance mechanism should be in line with UNDP Standards which ensure open and clear channels of communication among the agencies which are involved and a management and financial system which ensures efficiency, transparency, and accountability.
- ix) Similar projects of this nature should dedicate sufficient time for training purposes as training may involve not only the dissemination of information but may seek to change attitudes so that recipients of training become more open to newer approaches to child justice.

## I. INTRODUCTION

This report provides an evaluation of the Trinidad and Tobago Juvenile Court Project (JCP). The JCP was a project led by the Judiciary of Trinidad and Tobago for the establishment of a children court system, and resulted in the development and modification of the legal framework, support systems and staff necessary to operationalize the two Children Courts in Trinidad and Tobago. The JCP also led to the acquisition of two buildings by the Judiciary of Trinidad and Tobago and customisation of the two buildings by the project to house the Children Courts. The JCP was funded by the United States Agency for International Development (USAID) and the Judiciary of Trinidad and Tobago with project quality assurance, project design, management and administrative support provided by the United Nations Development Programme Office in Trinidad and Tobago (UNDP). The National Center for State Courts (NCSC) provided additional technical support to the project while the JCP Team was responsible for the development of the products, implementation of the project and the development of systems and procedures required for the operation of the Children Courts.

This evaluation is being conducted in line with the Monitoring and Evaluation provision of the project and in accordance with UNDP and USAID Evaluation Policies. In this regard, the evaluation exercise is independent, impartial and of the appropriate standard and quality and is designed with utility in mind. The evaluation is designed to generate relevant and useful information to support evidence-based decision making. The findings, lessons learned and recommendations generated by the evaluation will be used by project partners and project stakeholders to improve future projects and programmes related to child justice. The evaluation will assess the results of the project and will undertake a review of project implementation and provide useful and actionable recommendations for similar projects in the future.

The structure of this Evaluation Report was based on the UNDP's Evaluation Report Template which was guided by the United Nations Evaluation Group (UNEG) 'Standards for Evaluation in the UN System' and 'Ethical Standards for Evaluations'.<sup>1</sup> This evaluation was commissioned by the UNDP and conducted from April 23 to June 22, 2018. Dr. Randy Seepersad, Head of the Criminology Unit at The University of the West Indies, St Augustine conducted the evaluation. The Terms of Reference for this evaluation is included in [Appendix 1](#) while a list of stakeholders/individuals who were interviewed appears in [Appendix 2](#). Supporting documents which were reviewed appear in [Appendix 3](#) while the data collection instruments which were used for the evaluation appear in [Appendix 4](#). A short biography of the evaluator appears in [Appendix 5](#). An Evaluation Matrix appears in [Appendix 6](#) while a listing of all legislation modified under the JCP appears in [Appendix 7](#). A Results Framework for the project is included in [Appendix 8](#) and an Evaluation Work Plan is shown in [Appendix 9](#).

## II. DESCRIPTION OF THE PROJECT

The Judiciary of Trinidad and Tobago, in collaboration with USAID and the UNDP embarked on the Trinidad and Tobago Juvenile Court Project (JCP) in April 2014, with the Project Team starting its work in November 2014. This project was originally set to end in April 2017. However, the

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<sup>1</sup> UNEG, 'Standards for Evaluation in the UN System', 2005, available at: <http://www.unevaluation.org/unevaluationstandards>; and UNEG, 'Ethical Guidelines for Evaluation', June 2008, available at <http://www.uneval.org/search/index.jsp?q=ethical+guidelines>

project received a 3-month no-cost extension from April to June and a further 9-month costed extension thereby bringing the effective end date of the project to April 20, 2018. The project started with an initial grant from USAID of US\$4,545,765 and received additional funds of US\$999,633 for the 9-month extension.

The JCP aimed to strengthen the capacity of the Judiciary to deal with children matters using a rehabilitative, restorative and less retributive approach to justice. In keeping with international standards which guarantee the rights of children in accordance with the United Nations Convention of the Rights of a Child, it has become necessary to establish a well-functioning children court system in Trinidad and Tobago. The establishment of such a Court system was intended to correct the deficiencies in the existing judicial system, in relation to children matters and facilitate the reforms in child justice as intended in the package of Children's legislation and in particular, the Children Act 2012. The project established two Children Courts<sup>2</sup> in Trinidad with all of the supporting systems, recommended supporting auxiliary programmes and appropriate placement options to be utilized by judicial officers when adjudicating on matters related to children who come into conflict with the law and those in need of supervision.

To ensure the success of the JCP, it was also necessary to build the institutional capacity of the Judiciary of Trinidad and Tobago as well as that of those institutions whose work was critical to the effective implementation of the children court system. These include the Children's Authority of Trinidad and Tobago, the Trinidad and Tobago Police and Prison Services, the Law Association, and many non-governmental organizations (NGO's) and other key stakeholder organizations.

The JCP sought to achieve the following core objectives:

- Establishment of two children courts in Trinidad that meet standards for adjudicating child justice cases.
- Building of institutional capacity of children courts to adjudicate cases in an efficient and effective manner in accordance with new laws and principles of restorative justice through training to improve adjudication, case management, implementation of rules and procedures, and court-annexed programs in collaboration with government agencies, NGOs, Civil Society Organizations (CSOs) and the Children's Authority.
- Building of institutional capacity of organizations providing services to Children in conflict with the law through the creation of effective referral and coordination mechanisms, training on new laws and procedures, improved programs and ability to fulfil the reporting and monitoring requirements of the children courts.
- Establishment of a Peer Resolution Programme based on principles of restorative justice and the development of a cadre of youth leaders. Youth courts will facilitate the adjudication of minor offences committed by persons falling within the ambit of the Children Act.
- Execution of public awareness campaigns to educate and sensitize the public to the reform of the child justice system and the JCP initiatives to support the implementation of the Children Act.

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<sup>2</sup> The word "children" was thought to be more appropriate than the word "juvenile" when dealing with child justice as there are many negative connotations attached to the use of the word "juvenile" making it less appropriate for an approach to justice which focuses on rehabilitation and restoration. As such, while the Project was referred to as the "Juvenile Court Project" the actual courts were referred to as "Children Court".

The JCP had three core project components as follows:

- **Component 1 - Children Court** - The development of Children Courts that support the implementation of certain provisions of the Children Act 2012.
- **Component 2 - Peer Resolution** - The conduct of a pilot Peer Resolution Programme where children who have admitted guilt for minor offences or harm caused to others are sanctioned by their peers to make amends for what they have done. Peer Resolution uses court-like procedures.
- **Component 3 - Public Education and Communications** - The execution of Public Education and Communication strategies around project initiatives and related child justice issues.

By implementing the components of the JCP, the project aimed to correct the following key deficiencies in the child justice system:

- The punitive approach to child justice;
- The rate of repeat offending by children for serious crimes;
- The absence of specialized children courts to appropriately handle criminal matters; and
- Insufficient linkages between the courts and support programmes for children and their families.

Addressing these issues were the Key Outcomes of the JCP.

### **III. EVALUATION SCOPE AND OBJECTIVES**

The evaluation criteria are presented in this section. The main evaluation criteria are relevance, efficiency, effectiveness and sustainability. In utilizing these criteria it should be noted that the JCP is distinct from the Children Court, which is one of the outcomes of the project. While this study evaluates the JCP, in many instances questions about the Children Courts as well as other outcomes of the JCP are also asked since several outcomes are important indicators of the success of the JCP. This will be particularly evident when the findings on sustainability are presented since the JCP itself has come to an end, but many of the outcomes are expected to be sustained over the long run. Descriptions of each of the main evaluation criteria are presented below.

*Relevance* concerns the extent to which the JCP and its intended outputs or outcomes are consistent with national and local policies and priorities and the needs of intended beneficiaries. Relevance concerns the congruency between the perception of what is needed as envisioned by the initiative planners and the reality of what is needed from the perspective of intended beneficiaries.

*Efficiency* measures how economically resources or inputs (such as funds, expertise and time) were converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs. Efficiency is important in ensuring that resources have been used appropriately and in highlighting more effective uses of resources.

*Effectiveness* is a measure of the extent to which the initiative's intended results (outputs or outcomes) have been achieved or the extent to which progress toward outputs or outcomes has been achieved.

*Sustainability* measures the extent to which benefits of initiatives continue after external development assistance has come to an end. Assessing sustainability involves evaluating the extent to which relevant social, economic, political, institutional and other conditions are present and, based on that assessment, making projections about the national capacity to maintain, manage and ensure the development results in the future.

Other important areas of questioning are related to key success factors, good practices, challenges and lessons learnt.

#### **IV. EVALUATION APPROACH AND METHODS**

The methodology included several components as follows:

- Desk Review: Key project documents which are shown in [Appendix 3](#) were reviewed as part of the evaluation. These documents provided important information on the JCP and highlighted issues which were encountered during project implementation.
- Data collection instruments were developed in consultation with UNDP and other stakeholders. The instruments were guided by the key evaluation areas (relevance, efficiency, effectiveness and sustainability) and by the need to develop recommendations and derive important lessons which were learnt during project implementation. The instruments appear in [Appendix 4](#).
- Interviews and focus group discussions with key stakeholders: To ensure wide participation of stakeholders in the evaluation, individual interviews were organized with key informants in addition to which several focus group discussions/interviews were held with key stakeholders ([Appendix 2](#)). The Judiciary of Trinidad and Tobago and UNDP assisted with arrangements for the interviews and focus group discussions.
- Consultation meetings with project partners – at least one consultation meeting with each project partner was held. Project partners included UNDP, USAID and the Judiciary of Trinidad and Tobago. The National Center for State Courts (NCSC) which provided technical support for the project was also interviewed.

Documents for the desk review were sourced from the UNDP (see [Appendix 3](#) for the list of documents). These documents, along with other international documents were used to develop an initial list of evaluation questions. Stakeholders were also asked to provide questions which they thought were relevant and which they would like to see included in the evaluation. Both lists of questions were combined to produce a comprehensive list of questions. An evaluation matrix ([Appendix 6](#)) with the full list of questions and stakeholders was developed from the final list of questions.

Meetings were scheduled with stakeholders and project partners in order to collect data relevant to the evaluation. Stakeholders and individuals who were interviewed appear in [Appendix 2](#). Stakeholders included project partners, persons who were directly involved in the development and implementation of the Juvenile Court Project and those who are currently involved in the running of the Children Court.

At the outset of all interviews and focus groups, participants were introduced to the purpose of the evaluation as well as the key areas under which the evaluation would be conducted. They were asked to be as honest and as open as possible in providing responses and were assured of confidentiality of all responses. It was pointed out that the JCP was a very complex project with several parts and that it would be expected that there would be both positives and negatives, good and bad experiences, as well as things which were done well but other things which could have been done better during project implementation. The evaluator needed to get an honest sense of the strengths and weaknesses of the processes which occurred during project implementation so that organizations or countries which wish to undertake similar projects in the future, as well as funding agencies and implementing partners who wish to engage in similar projects in the future would, in reading the evaluation document, get an accurate sense of the processes and procedures and how they could be made more efficient or improved. All participants agreed to provide honest and open opinions and views. This lends to the credibility and accuracy of the findings in this evaluation report.

Unstructured interviews were used during data collection, with the questionnaire items being used to guide the interviews. Data from the interviews and focus groups as well as from project documents were used as the basis for the evaluation of the Juvenile Court Project. Content analysis was employed to analyze the data which were collected. In the current context, each evaluation question was posed to several stakeholders and focus groups. As such, there were multiple responses/perspectives to each question. In analyzing the data all responses for each question was examined. The content and context of the responses for each question provided a fuller understanding of the complexities and issues surrounding each area which was focused upon. In presenting the findings the evaluator ensured that all perspectives were properly and accurately represented, even where there were conflicting views on some issues.

Content analysis was used for preparation of this evaluation report. The objective in qualitative content analysis is to systematically transform a large amount of qualitative data into a highly organised and concise summary of key results. The initial step in content analysis involved listening to the recorded interviews or reading transcribed texts of the interviews to derive an initial sense of the overall picture presented as well as the meaningful parts which make up the whole interview. The second step in the analysis involved systematically mapping out the responses for each question from all stakeholders. This produced a full set of responses and perspectives for each question. The third step involved dividing up the content of all of the responses for each question into meaning units. Meaning units are significant parts of the interviews which convey the core ideas that respondents want to share.

In determining which meaning units are important the analyst must keep in mind that open-ended responses to questions may produce responses which are specific to the question asked, though respondents may also add necessary context but can also elaborate on other issues which are not precisely specific to the question which was asked. In this context, the specific questions which were asked were used as the benchmark to determine which meaning units are important or central, and which are peripheral or even irrelevant. It should be noted that where respondents provide information which may be 'irrelevant' to a specific question which was posed, such information may be useful for other questions. In such cases, meaning units from such 'irrelevant' information can be derived for other questions for which the information is relevant.

Once the full range of meaning units for each question were compiled, these meaning units were summarized as condensed meaning units. These represent clear and to the point statements of the key information which is necessary to understand the full set of responses to each question. Once the full set of responses were derived for each question the condensed meaning units were

examined to isolate similarities and differences among the responses. Context information which may be provided by respondents represent one means of resolving inconsistencies across the responses of various respondents, though it should not be expected in any case that respondents will always provide consistent responses to the same question. In documenting the responses, this method requires that the full range of responses be provided and that any context or other information which may help in explaining inconsistencies be provided. Information from project documents will be utilized at this stage of the analysis as such information may assist in verifying the findings and in adding additional context to help in clarifying the findings.

There are several strengths of the current methodology. Firstly, it allows for multiple perspectives on each of the issues covered. Various persons and groups would have been involved in different aspects of the project, and as such, each person or group would have been privy to certain types of information and processes, but not others. For example with the acquisition of materials, personnel from procurement and finance would have dealt with different aspects compared to the builders or persons from the JCP team. Getting the perspectives from each person or group allows for a fuller understanding of the processes within the JCP. A second advantage of the current methodology is that it allows the flexibility for clarification where inconsistencies are found within the data. Different persons/groups may provide responses which contradict each other. In such instances contradictions can be brought to the attention of the parties concerned so that clarity can be obtained. Several key persons/groups which were interviewed were asked whether they would consent to a follow-up interview in the event that inconsistencies were detected. All parties who were asked agreed to such follow-ups. Another strength of the current methodology is that it allows for triangulation of the findings. As indicated earlier, project documents were reviewed as part of the evaluation exercise. The documents included the minutes of Project Board Meetings as well as a large number of other documents detailing the development of each aspect of the JCP ([Appendix 3](#)). The findings from interviews and focus groups were compared with the information in such documents to determine whether there are inconsistencies in the data which were gathered. Finally, the use of content analysis ensured a faithful representation of the views of respondents and minimized the possibility that researcher bias may creep into the presentation of results.

A potential limitation of the study is the possibility that persons and groups who were involved in the JCP may want to present their work and efforts in a positive light. To mitigate this possibility all respondents were told at the start of the interviews that it was critical to the evaluation exercise that they provide the most accurate and honest information. It was acknowledged that a large amount of work went into the JCP and that persons deserved to be congratulated for the hard work that went into the project, but at the same time it was acknowledged that with a project as large and as complex as the JCP there would have been things which may not have been done as efficiently as they could, or things which could have been improved. Respondents were sensitized to the fact that Trinidad and Tobago now leads the Caribbean where child justice is concerned and that many other Caribbean countries may be desirous of following a similar path. In such instances it is important for such countries as well as other interested parties to be aware of the strengths as well as the limitations, of the positives as well as the negatives. It was expected that by explaining the need for honesty and openness in responding, that the interview process would gather the most accurate information possible. It should also be noted here that the use of open ended questions will not allow for quantification of the findings. As such, it would not be possible to say, for example, that a specified percentage of respondents felt one way about an issue while another percentage felt a different way. Responses were qualitative and in-depth and audio recordings or even transcriptions of such responses cannot be used as the basis for computing percentages or any other types of quantification of the data.



## V. FINDINGS

### RELEVANCE

As indicated previously, *Relevance* concerns the extent to which the JCP and its intended outputs or outcomes are consistent with national and local policies and priorities and the needs of intended beneficiaries. Relevance concerns the congruency between the perception of what is needed as envisioned by the initiative planners and the reality of what is needed from the perspective of intended beneficiaries. Overall this evaluation found that the JCP and its end products were highly relevant for the child justice system in Trinidad and Tobago. The findings related to relevance are organized into the following sections:

- i) Introduction of a Child Justice System
- ii) Equity in the Administration of Justice

#### *i) Introduction of a Child Justice System*

Responses from stakeholders indicated unequivocally that the JCP and its outcomes were timely and much needed in Trinidad and Tobago. The administration of justice for children was outdated and outmoded, and was based on archaic laws and practices which were not in keeping with the newest research about what works where child justice is concerned. While the laws of Trinidad and Tobago allowed for a wide range of dispositions when children commit transgressions against the law, there was a lack of systems in place to allow for the full range of dispositions leading to a situation where, more often than not, such children were committed to secure institutions. As such, approaches which were truly rehabilitative and restorative were not used and there was a tendency for the usage of more punitive approaches. Even in cases where status offences occurred, or where children were in need of protection, such as when they were physically or sexually abused or where they were destitute they were often placed in secure institutions. A study Deosaran and Chadee (1997), for example, showed that at the time 58.5% of the boys at the St. Michael's School for Boys and 92.8% of the girls at the St. Jude's Home for Girls had not committed any illegal acts. Much research has shown that taking a punitive approach with children may force them along a path to further delinquency and even criminality as they may be labeled as delinquent and may be socialized within such institutions to be more accepting of committing deviant acts (Moffitt, 1993). In addition, they may be stigmatized and discriminated against in the wider society after having spent time in a secure institution, further reducing their life chances and access to legitimate opportunity structures. The approaches which were used in Trinidad and Tobago, therefore, contributed to further problems with children when they ran afoul of the law.

The JCP resulted in the creation of a child justice system in Trinidad and Tobago. This was achieved through amendments to eighteen pieces of legislation ([Appendix 7](#)), the development of rules and protocols, a public education campaign and an education campaign for key stakeholders, the development of capacity of key stakeholders, including but not limited to the Children's Authority, the Trinidad and Tobago Police Service (TTPS) and the Prison Service, the identification and development of auxiliary and court annexed programs which will provide alternatives for children who come before the courts, the training of staff to administer the Children Courts, including not just training in procedures but also training in a restorative and rehabilitative

approach to child justice, and the location and development of two buildings to house the Children Courts. This was coupled with a careful hand over strategy so that the Judiciary of Trinidad and Tobago fully owned and operated the Children Courts upon the completion of the JCP.

The JCP resulted in a transformation in thinking and practice as it relates to child justice in Trinidad and Tobago. The child justice system, along with all of the main actors and a wide range of NGOs which provide court annexed services have undergone a transformation which has resulted in a system which is more rehabilitative and restorative, and far less punitive. As a result of the JCP the current system is one which is now consistent with international standards and best practices where child justice is concerned, and Trinidad and Tobago is now the exemplar for the Caribbean region in the area of child justice. Given the above the JCP and its outcomes were relevant and timely for the justice system in Trinidad and Tobago.

ii) *Equity in the Administration of Justice*

The issue of gender equity is an important one to consider in the development of any system which adjudicates child matters. International literature has shown that inequities in the administration of justice occur even in systems with the best safeguards. Literature from the United States and Canada, for example, show that there are inequities based on ethnicity, class, residential location, age and gender (Doerner & Demuth, 2010; Wortley, 1999). It is therefore important to consider the issue of equity and to determine what safeguards have been put in place to ensure that inequities do not occur in the administration of justice in the Children Courts. Equity in the administration of justice improves relevance of the JCP and the Children Courts. Gender equity is of particular importance in Trinidad and Tobago.

The JCP has ensured, through the development of several documents, including but not limited to the Judges' Rules for Children (2016), the Inter-Agency Protocols (2017) and the Multi-Agency Protocols (2017), as well as in the legislation which were amended, that there are clear procedures and practices and that clear expectations exist when dealing with children who come into conflict with the law. These guidelines apply to all children, regardless of gender and other demographic factors. Adherence to these guidelines should result in equity in the administration of justice. In addition, training which was provided stressed the issue of equity, and this applied to judges, juvenile prosecutors, peer resolution volunteers as well as other persons. Training represents an important strategy as it sensitizes court staff to issues of equity and can reduce the chances of bias in court outcomes.

While the above should result in safeguards which ensure equity in the administration of justice, respondents acknowledged that there was no specific document which addressed the issue of equity. In addition defense attorneys were not trained on the issue of equity. Also there are no laws or statements on the rights of children in Trinidad and Tobago which specifically address the issue of equity. It was assumed that adherence to the procedures which were developed under the JCP would result in equity. While this may be the case, international research has shown that even where safeguards are put in place, inequities may exist. Such inequities can occur not only in the courts, but in other areas such as policing or in the provision of services post adjudication. Inequities result when actors have biases and stereotypes about various groups or persons, and consciously or unconsciously act on these stereotypes and beliefs. These biases may result in discriminatory practices.

Stakeholders indicated that the data collection systems which are in place at the Children Courts will allow for the capture of data which can be used to determine whether inequities exist. This data can be supplemented with data from the police which are captured using the Child Custody

Forms. While it is too soon to assess this issue based on the limited amount of data which have been captured to date, it is recommended that once data for a period of one year become available that analyses be conducted to determine whether gender inequities exist in the Children Court. Prior to this an examination of the data systems should be done to ensure that all of the necessary information which is needed for an examination of the issue of equity is collected. It is also recommended that thought be given to the development of documentation and procedures which explicitly aim to safeguard the rights of children as it applies to the issue of equity in the administration of justice. Several approaches can be taken in this regard and include training on issues of equity, legislative amendments which speak directly to the issue of equity and the development of policies, procedures or manuals which safeguard equity. With respect to training on equity, NCSC has already developed and implemented such training as part of the JCP and it may be worthwhile to enquire about the possibility of acquiring the training materials for future use.

The issue of equity could also be applied to victims and offenders. All too often victims are excluded from judicial processes except in their roles as defendants. The restorative justice approach allows for much more active participation of victims. For example, victims may be allowed to express how they feel and the hurt which they experienced so that offenders are able to develop some level of empathy toward victims and better understand the effects of their actions. Victims may also be compensated by offenders under a restorative approach. Stakeholders confirmed that while they recognize the important role of victims, in its current mode of operation the Children Courts do not allow for any significant roles for victims which go beyond what already applies in the traditional approaches to justice. It is therefore recommended that consideration be given to the idea of allowing victims to play a more prominent role in court proceedings. Restorative justice research has shown that this can improve outcomes for perpetrators.

Overall, the JCP ensured relevance in its processes and outcomes by the development of several mechanisms and procedures which should ensure equity in the administration of justice. At the same time it was acknowledged that a specific document which focuses on the issue of equity still needs to be developed by the courts. The issue of equity in the involvement of victims as well as offenders also requires consideration. In doing further work on the issue of equity the data collection systems at the Children Courts can be used as an important source of information.

## **EFFICIENCY**

*Efficiency* measures how economically resources or inputs (such as funds, expertise and time) were converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs. Efficiency is important in ensuring that resources have been used appropriately and in highlighting more effective uses of resources. Overall, this evaluation found that the JCP was conducted with efficiency though several factors affected the level of efficiency in some areas. Many of these factors could not be anticipated in advance and were outside the control of the project team and other stakeholders. Factors which affected efficiency related to the complexity of the project, lengthy governmental procedures involved in the identification and acquisition of buildings and not fully anticipating at project start the quantity of work which was required. The findings related to efficiency are organized into the following sections:

- i) Efficiency in the Completion of Project Activities
- ii) Processing Time for Procurement and Financial Matters
- iii) Identification and Management of Risks

- iv) Accountability and Efficiency in the Use of Financial Resources
- v) Location of Court Buildings
- vi) Quantitative Findings

i) *Efficiency in the Completion of Project Activities*

Respondents were asked to indicate whether project activities were completed on time, in a logical sequence, and with appropriate quality. Responses indicated that the JCP was a very complex project with several components which were undertaken simultaneously, and with several levels of actors involved within each component. In addition, there was the need for coordination among the various components/activities of the JCP. The time allotted to achievement of several components also added to the challenges, and in many cases achieving some goals were dependent on the achievement of other goals which were logically prior.

The complexity of the JCP, as well as the practical realities involved in achieving some of the components created delays in some instances. A good example of this relates to the acquisition of suitable buildings and the refurbishment of these buildings so that they would be suitable for use as Children Courts. Governmental procedures which ensure transparency and best value for money in the acquisition of buildings, while necessary, resulted in unanticipated delays. Such procedures require several valuations of proposed buildings which can result in substantial delays in identifying suitable buildings. This is just one example of risk which may not have been fully anticipated. Stakeholders indicated that it was not always possible to foresee every possible risk and put measures in place to mitigate such risks, and in some cases, procedures which created delays, such as in this example, were essential and the risks and attendant delays could not be avoided. Such risks can add substantially to the time to completion, and as indicated earlier, this resulted in an initial no-cost extension of the JCP and then a second funded extension.

Another factor which affected efficiency and completion time had to do with the fact that the quantity of work which was required was not fully known at the outset and in some cases expanded far beyond what was initially expected. A good example of this related to the laws which were modified. As the project progressed, and as a wider range of stakeholders became involved in the process, a wider range of limitations in the laws became apparent. Different actors were affected by different laws and as they became involved and a wider range of issues were considered, a greater number of limitations became known. As such, what was initially thought to require modifications to a few key areas of legislation, over time expanded to include eighteen specific pieces of legislation. Having said this, it is acknowledged that in some areas it was not possible to determine the full scope of works at the outset. For example, with respect to building works, the full extent required could only be determined after a building was identified. This would then inform the design, the procurement plans and scheduling of work.

Expansion of the volume of work is to be expected in projects such as this where all factors are not fully understood at the outset. No entity had previously taken on a project of this scale which sought to create a child justice system in Trinidad and Tobago. The system which existed was extremely complex and fragmented with a lack of coordination and with many actors not fully cognizant of what other actors were doing. As such, it was difficult at the outset to be fully aware of all of the limitations and all the factors relevant to the creation of a child justice system and therefore to anticipate fully all that may have been required to completely establish the new system.

While the above has been said, in the initial stages of the project the project team was divided into units with each unit responsible for specific functions. Each unit was required to do process mapping which allowed for a detailed examination of all of the main aspects of the work for which they were responsible and allowed for proper planning. While this served to improve efficiency the fact that the volume of work expanded beyond what was anticipated underscores the need for the engagement of relevant stakeholders and experts in the planning stage so that the possibility of missing key activities would be minimised. It is recommended that where a similar project is to be undertaken in the future that a careful mapping exercise be conducted at the outset, ideally before funding is acquired so that the full projected scope of works could be understood. This would ensure that adequate time is allotted for the completion of the project and that adequate funding is sourced. Overall, there was consensus that the JCP was conducted with efficiency though several factors mentioned previously served to reduce efficiency in some areas.

ii) *Processing Time for Procurement and Financial Matters*

There were a few occasions where the time required for the completion of the procurement process created delays which affected the efficiency of the JCP. In terms of the processing time required, donor agencies such as USAID require robust procurement and finance processes which ensure transparency and accountability. Such processes, as obtained in the UNDP system, require competitive procurement, multi-level evaluation and several levels of approval which require sufficient time for completion of the procurement cycle. The realities of several aspects of a project, in contrast, may require very quick and ready access to materials and services, and so ideally would require very quick turnaround time for procurement and other financial processes for items not included in the procurement plan. An example highlighted by stakeholders relates to the purchase of materials for the construction/modification of the Children Court buildings. Builders may not anticipate everything which may be needed and may run out of materials or need additional materials. In such instances they may place requests for materials which are needed right away. Given that procurement processes at the UNDP did not allow for immediate payment to suppliers for materials, some short delays were experienced. In addition, some of the building works undertaken required engineering inputs which was not always a quick process as it involved site visits and several rounds of consultations. While this may have been time-consuming, it was important for the quality assurance of the project and therefore in some instances the procurement process could not progress until such works received approval from the project and UNDP's independent engineer. Delays at several points along the construction process could have the cumulative result of extending the time to completion but would have assured that other project requirements for transparency, accountability and quality assurance would have been met.

Several strategies were utilized by the UNDP to mitigate the risk of potential delays in the procurement process. Firstly, builders with a line of credit at designated suppliers were utilized. Where quick access to materials was required, such builders were able to get the needed materials without having to immediately pay the suppliers. Secondly, a reputable Quantity Surveyor was contracted to provide an accurate estimate of the quantity of materials which would have been needed for the completion of the Courts. This provides a clear idea of what materials will be required and when such materials may be required. This was coupled with an on-site engineer who was hired to manage the construction process. A manager with building experience would have been able to anticipate material needs before they occurred, and so would have been able to submit requests for funding in advance of when the funding was actually required. The UNDP also utilized petty cash to provide quick access to funds. While petty cash is normally limited, this can be increased to an amount which may be more suitable to cater to the needs of

the project. This was subject to the approval of funding agencies and must also be administered in a way which ensures accountability and in accordance with the ceiling established by UNDP.

While the example provided here relates to the actual construction/modification of the court buildings, the procurement and payment processes were relevant across project activities and it was important to put systems in place to anticipate procurement and payment requests so that they could be placed in advance to allow for the time required by the Procurement and Finance Units. In terms of the administration of funding, the use of a dedicated procurement staff member was also recommended by stakeholders. Given the volume and pace of work, a dedicated Programme Officer was also recommended. A project as complex and extensive as the JCP requires constant attention to procurement matters.

The availability of funding is another issue which can affect or even totally cripple a project of this nature. In the case of the JCP there were two lines of funding, one from USAID and the other from the Judiciary. In the case of Judiciary funding, this was sourced from the Government of Trinidad and Tobago. The JCP was implemented at a time when the country faced significant economic challenges resulting in difficulty in the provision of funding. The slow provision of funding from the government would have resulted in significant delays in the completion of the JCP, or in the worst case scenario, the non-completion of the project. Given this, the Judiciary and UNDP collaborated to seek a costed project extension which resulted in additional funding of US\$ 999,633 from USAID. In undertaking a project of this nature it is critical to ensure that funding be made accessible and to anticipate the risks involved with the potential lines of funding. Where risks exist, strategies should be developed which could be implemented to source additional funding if it becomes necessary to do so.

### *iii) Identification and Management of Risks*

A project such as the JCP could be subject to several risks across its duration. At the outset of the project a Risk Register was developed to identify possible risks and to propose possible mitigation strategies. However, as the project got underway this document was not updated due to the large workload of the project and the many other reporting requirements. Despite this, the monthly reports which were developed included a section on risks and their mitigation. A risk log was developed in early 2017 as the initial end of the project approached.

Given the dynamic nature of some aspects of the project, it would not have been possible at the outset to anticipate all risks and put measures in place, or at least develop measures to mitigate such risks. A collaborative approach to risk management was adopted and various actors dealt with and mitigated risks on an on-going basis. Procurement risks, for example, were discussed at Procurement Meetings attended by the Judiciary, UNDP and the Project Team and strategies were developed to deal with such risks should they occur. Other risks were considered at Project Board Meetings. At such meetings Project Board members, which included USAID, UNDP, the Judiciary and NCSC considered each of the aspects of the project and were appraised of the status and potential risks. Where risks were identified, Project Board members devised strategies to deal with same. The Project Team was also responsible for identifying risks and for developing means to mitigate risks. This was also done on an on-going basis. Overall, the JCP encompassed several procedures and mechanisms to anticipate and manage risk. This enhanced the efficiency of the project. At the same time it was acknowledged by stakeholders that in any project as complex as the JCP not all risks may be fully anticipated. Project team members and other staff were, however, adaptable and sufficiently competent to manage unforeseen risks when they occurred.

iv) *Accountability and Efficiency in the Use of Financial Resources*

At the outset the project team as well as the UNDP recognized that the project entailed a significant amount of work which needed to be completed with a finite budget. As such, from the start there was very careful financial management and utilization of financial resources. The allocation of financial resources was discussed on an on-going basis by the project team and the UNDP. Careful consideration was given to all of the areas of expenditure and discussions held to determine which expenditure was critical and which represented the most efficient use of financial resources. While strictly speaking the UNDP was responsible for financial management of the JCP, the project team was considered an integral part of the consultation process and again a collaborative approach was adopted which also involved the Judiciary, the Implementing Partner for the project. The project team was the implementing body for the JCP and was keenly aware of what activities and processes were in place at any given time. As such, their input was critical to the financial decision-making process. Project team members also took personal interest and actions to ensure cost effectiveness. A good example occurred when project team members attended a warehouse sale to purchase tiles at reduced prices. This demonstrates commitment at a very personal level to the JCP generally, and to ensuring cost effectiveness specifically.

In making financial decisions UNDP rules and regulations were employed. For example multiple quotations were always obtained where products or services were to be purchased. Discussions were held within the project team, the UNDP and other stakeholders with respect to quality versus price to determine the best value for money when decisions were made. Decisions were also never made in a secretive manner, but always involved discussion among several key staff members within the UNDP and project team, ensuring transparency and accountability. Where necessary, experts or persons with knowledge specific to an area (such as the project engineer or the electrical engineer) were also consulted to ensure that the decisions made were in keeping with the quality and cost effectiveness requirements of the JCP. A Bid Evaluation Committee was also established to review tenders and Requests for Quotes. In addition, UNDP submitted project reports and financial reports to USAID on a quarterly basis. These documents provided details of financial expenditure. Where necessary USAID could seek clarification and request verification of claims which were made in these documents. One means of verification involved project monitoring visits by USAID. Project Board Meetings also presented a forum which ensured transparency and accountability.

Stakeholders indicated that another factor which was key to the financial efficiency of the JCP was the close collaboration and good relationship between the project team and the UNDP. While it was acknowledged that they did not always agree on all issues, open and frank discussions led to understanding of varying points of view with respect to the use of financial resources and eventually, to consensus on the way forward. Open lines of communication were critical to success. From the point of view of the project team, they wanted the project to move as quickly as possible, but at times UNDP rules and regulations, for example with respect to procurement would require more time than anticipated by the team. While situations like this have the potential to create conflict, stakeholders indicated that it was critical to manage such situations so that the eventual decisions which were made would not lead to the deterioration of relationships between the project team and the UNDP. As such, all stakeholders worked together, oftentimes after-hours and weekends to ensure that project requirements were met while maintaining robust standards of transparency and accountability.

Stakeholders did indicate that there was one instance where more money was expended than initially estimated. This related to the sewer system in the south Children Court. The system which existed was found to be inefficient and a decision was taken to convert the sewer system to a

waste water treatment plant. This task resulted in unanticipated excavation work as well as the need to repair the driveway to the building that was damaged by the heavy machinery utilized to complete the excavation work. Overall, the JCP used financial resources very efficiently and had several mechanisms in place which ensured this level of efficiency.

v) *Location of Court Buildings*

Many factors affected the final selection of buildings for the Children Courts. To date, the number of cases in the Port of Spain court has been much higher than in Fyzabad. While this is said, locating a court in a rural community in south Trinidad increases access to such services. In Trinidad and Tobago the majority of government services are located either in Port of Spain or San Fernando, with very few services located in other parts of the country. In the future additional Children Courts may need to be established. The data management system at the Children Court captures information on the residential location of children who come before the courts. Staff indicated that this information will be used to determine the spatial distribution of such persons and can be used to help in the selection of optimal locations for future courts. The current locations lend to efficient placement, while the use of geographic information can ensure efficiency in future placements of court buildings.

vi) *Quantitative Findings*

A quantitative questionnaire was administered to participants ([Appendix 4](#)). Completed surveys were received from 22 participants. Participants were asked to rate the cost effectiveness of several of the activities which were carried out under the JCP. Table 1 shows the percent of persons who rated each area as either cost ineffective/very cost ineffective or cost effective/very cost effective. The highest cost effectiveness applied to the Court Case Management System (CCMS) for which 100% of participants rated this as cost effective or very cost effective. The public education campaign as well as the establishment of the location for the court as well as the acquisition of the buildings themselves followed with 87.5% of participants rating these processes as cost effective or very cost effective. Staff training, training on new laws and procedures, the establishment of court annexed programmes and the implementation of new rules and procedures were also seen as cost effective with at least 80% of participants agreeing that these activities were cost effective. Two areas were considered to be less cost effective than the others. The first was the creation of referral mechanisms with 62.5% rating this as cost effective while the second was training to improve adjudication with 66.7% rating this as cost effective.

**Table 1: Cost effectiveness of JCP activities<sup>3</sup>**

	<b>Cost ineffective or very cost ineffective</b>	<b>Cost effective or very cost effective</b>
Creation of referral mechanisms	37.5	62.5
Training to improve adjudication	33.3	66.7
Implementation of rules and procedures	20.0	80.0
Establishment of court annexed programmes	20.0	80.0
Training on new laws and procedures	20.0	80.0
Staff training	18.2	81.8
Establishment of physical location/building	12.5	87.5

<sup>3</sup> Percentages are shown.



Public education campaign	12.5	87.5
Development/improvement of the CCMS	0.0	100.0

**EFFECTIVENESS**

As stated previously, *Effectiveness* is a measure of the extent to which the initiative’s intended results (outputs or outcomes) have been achieved or the extent to which progress toward outputs or outcomes has been achieved. Overall this evaluation found that the JCP was highly effective. Despite this several factors also hindered the effectiveness of the JCP. These included changes in the scopes of work after project start, expansion of the amount of work beyond what was initially anticipated, challenges related to the identification of suitable buildings for the Children Court, high workloads of the project team and intermittent communication issues among project partners. The key areas identified with respect to effectiveness of the JCP are:

- i) Monitoring and Evaluation of the JCP
- ii) Coordination among Stakeholders
- iii) Training
- iv) IT and Case Management System
- v) Factors which Ensured Project Success
- vi) Factors which Hampered Effectiveness
- vii) Quantitative Findings

*i) Monitoring and Evaluation of the JCP*

In order to ensure effectiveness of the JCP monitoring and evaluation of each of the main components was critical. Stakeholders indicated that several things were done to monitor the progress of the JCP. One of the key components was UNDP’s role in quality assurance. This related to all aspects of the project. A good example was with respect to construction work on the Children Courts. UNDP hired an engineer as its independent technical advisor for building works. The engineer made frequent site visits to ensure that progress was satisfactory and that the quality of work met or exceeded the standards which were required. The engineer was required to certify that various aspects of the work were done to standard. An electrical engineer was also hired to oversee all electrical work which was done by the electricians. Again he visited the sites frequently and was required to inspect ongoing work and to certify that the work met or exceeded required standards.

With respect to other deliverables the JCP team maintained a log of activities which indicated what work was completed, what work was in progress, what still needed to be done, and what risks could affect the works to be completed. This log was shared with UNDP and discussed at Project Board Meetings. One of the main aims of UNDP and Project Board examination of the issues in the project log was to ensure that work was done on schedule and with the quality that was expected. Within the last few months of the project, USAID did monthly project monitoring visits, the main focus of which was to assess the pace of delivery as the project moved to completion. Six months prior to the projected end of the project (April 2017), a request was made for a three month no-cost extension. The request arose as a result of delays which were outside of the control of the project team and which had slowed the pace of implementation particularly

as it related to customization of the court buildings. At that time approximately one third of project funds were expended. In response, USAID sent two representatives to do a project monitoring and assessment visit. The no-cost extension was granted and subsequently, key milestones were identified (for example, completion of all AC units, partitioning in buildings, staffing, etc.). It was agreed that a nine-month costed extension could be considered only if the indicators which were identified were met. Again this served to ensure that project activities were completed in a timely manner and with the required quality levels.

NCSC also developed a Monitoring and Evaluation Framework for the 2014 to 2017 period for the JCP. One of the key areas assessed related to workshops which were designed to build stakeholder awareness about the project and to engage stakeholders in the conceptualization of the new children court system. The Youth Court Stakeholder Workshop and the JCP Stakeholder Workshop for the Bar were developed and executed to engage stakeholders who provide services to, and/or are involved in activities related to children. The workshops sought to build stakeholder awareness about the JCP project, the new package of Children's Legislation and the role of the Children's Authority; to introduce stakeholders to the concept of evidence-based practices; and introduce stakeholders to children courts and key features that may be included in the courts. The evaluation of the workshop which was provided for members of the Bar found that the workshop increased stakeholders' understanding about and appreciation for the children courts, increased their knowledge about children's legislation, and increased knowledge about evidence-based practices. The evaluation of the JCP Stakeholder Engagement Workshop found that the objectives of the workshop were met, that participants developed a better understanding of how their organization's workflow would contribute to the Children Court and that participants' knowledge about child justice in other jurisdictions had increased.

The NCSC also assessed the effectiveness of the engagement process which related to the development of a peer resolution framework which was to be used to guide the peer resolution process. The evaluation found that the content of the workshop was relevant and that the objectives were met. Participants also developed a deeper understanding of the Children Court and the role of peer resolution while their commitment to the project increased as a result of their engagement in the workshop. Peer Resolution Programme Training in Tobago was also evaluated by the NCSC. Here the NCSC assessed the effectiveness of training provided to youth and adult peer resolution volunteers. It was found that after training was received both groups of participants were more knowledgeable about the roles they would play in court, the mannerisms and attitudes which were acceptable in fulfilling these roles, courtroom protocols and sanctions, juvenile offences, restorative justice, and several other areas related to peer resolution.

Another key area investigated by NCSC related to the Harmonizing of the Juvenile Justice Multi-Agency Data Workshop. This workshop was done in recognition of the fact that several agencies in Trinidad and Tobago collect different types of data which relate to children, but there is a lack of harmonization and standardization of the data which are collected. NCSC conducted an evaluation to determine whether the objectives of the workshop were met and to assess the extent to which the engagement process undertaken by the JCP team was effective in obtaining information from stakeholders to assist in the harmonizing of agency data. NCSC found that the JCP team achieved a significant milestone by bringing partner agencies together to share information, make linkages and discuss challenges in the areas of data collection and the harmonization of same. Workshop participants were in strong agreement that the objectives of the workshop were met and that they had a much clearer understanding of what was required to enable the harmonization process.

Overall, the combined activities of the UNDP, project team, NCSC and USAID resulted in effective monitoring and evaluation of the JCP and in appropriate corrective actions where this was deemed necessary. Continuous monitoring and evaluation in turn led to effectiveness in the execution of the various components under the JCP. The results framework showing the status of the project deliverables at the end of the project is included in [Appendix 8](#).

ii) *Coordination among Stakeholders*

Prior to the JCP a major obstacle to justice where child matters were concerned related to a lack of coordination among the various actors. Various parts of the criminal justice system which dealt with child matters, as well as other organizations such as NGOs operated in isolation of each other to form a system which was fragmented and which lacked the cohesiveness to ensure a concerted and coordinated approach to dealing with children in need of supervision and those who came into conflict with the law. The JCP brought the various actors together, not only for the purpose of training and sensitization about child matters, but with the purpose of developing a system whereby the role of each actor was clear and where there were specified protocols in place for dealing with child matters. The JCP created a Children Court system to facilitate the coordination required for more effective administration of justice in child matters. In this regard the JCP can be considered effective, both in terms of the coordination which it fostered, and in terms of the procedures and documents which it developed to foster coordination among stakeholders.

The efforts of the JCP led to the development of the Multi-Agency Protocols (2017) and the Inter-Agency Protocols (2017). The Multi-Agency Protocols recognize that in the Trinidad and Tobago criminal justice system there are several agencies and stakeholders with varying roles and responsibilities when a child is in conflict with the law. These agencies include the Trinidad and Tobago Police Service, Trinidad and Tobago Prison Service, Probation Services Division, the Office of the Director of Public Prosecutions, the Legal Aid and Advisory Authority, the Children's Authority, the Judiciary of Trinidad and Tobago and several other bodies. The Multi-Agency Protocols was drafted, having regard to the existing roles and relationships of each agency, the local legislative landscape and in keeping with international standards and best practices. The intent was to encourage and foster greater efficiency and effectiveness by appropriate integration, coordination and collaboration among agencies that are the key actors in the child justice system while ensuring the requisite independence and unique role of each agency. The Protocols documents the agreed terms and conditions of collaborative partnerships. It is a guide that outlines the basis of a new working relationship, establishes good practices and documents what each agency can reasonably expect from each other. The main thrust of these protocols is to foster collaborative partnerships between and among the agencies that are in the best interest of the child who is in conflict with the law. Multi-Agency Protocols are designed to serve the following functions: formalizing and documenting the working relationship of partner agencies; establishing and maintaining effective relationships based on cooperation and shared understanding; maintaining consistency of those relationships; clarifying the roles and responsibilities of each agency in specific situations; stating what each agency has committed to do; identifying the type of support that can be received from partner agencies; and facilitating the effective sharing of data. Signatories to the Multi-Agency Protocols include the Ministry of Education, the TTPS, the Prison Service, the Children's Authority of Trinidad and Tobago, Probation Services Division, the Solicitor General's Department, the Legal Aid and Advisory Authority of Trinidad and Tobago and the Office of the Director of Public Prosecutions.

Inter-Agency Protocols have also been developed. These were developed given the important role that the Ministry of Education plays in child development. The Inter-Agency Protocols specify the procedures which are to be employed when school personnel interact with the TTPS to bring matters involving children to the attention of the criminal justice system. This protocol is designed to serve several purposes which include formalising and documenting the working relationship of partner agencies; establishing and maintaining effective relationships based on cooperation and shared understanding; maintaining consistency of those relationships; clarifying the roles and responsibilities of each agency in specific situations; stating what each agency has committed to do; identifying the type of support that can be received from each agency; and facilitating the effective sharing of data. Signatories to the Inter-Agency Protocols include the Ministry of Education, the Division of Education, Innovation and Energy, the TTPS, and the Children's Authority of Trinidad and Tobago. The Multi- and Inter-Agency Protocols provide concrete and specific guidelines for interaction among actors which are concerned with child justice and help to improve the effectiveness of the Children Courts and the child justice system in Trinidad and Tobago.

The Trinidad and Tobago Table of Equivalencies of the International Classification of Crime for Statistical Purposes (ICCS) was produced under the JCP. The Table consists of a hierarchical list of criminal offences and statistical codes which align with the classification structure found within the ICCS produced by the United Nations Office on Drugs and Crime. The offences are drawn from the following three areas: police copy of charges, charges filed at the Judiciary within the last 5 years and new offences under the Children Act 2012. Using the Table of Equivalencies allows the criminal justice system to generate more meaningful crime statistics, facilitates comparisons with other countries, allows for the more effective management of caseloads in the court and provides the tools for making more informed decisions about crime fighting policies and programmes. The Table of Equivalencies attests to the effectiveness of the JCP and significantly improves coordination and communication among stakeholders within and outside of the criminal justice system as it provides a common system of communication when dealing with offences.

The Judges' Rules for Children (2016) represent another key outcome of the JCP, and among other things, serve to improve effective coordination and communication between the Police Service and Courts. The Judges' Rules serve as a guide to police officers when conducting investigations and instituting criminal prosecutions. The Rules also apply to other persons who are involved in the treatment of child offenders. The Rules outline principles which are in keeping with the new approach to child justice and adhere to several principles which protect the rights of the child. The rules specify, for example, that the best interest of the child should always be paramount in all considerations when dealing with children, that children have rights and freedoms before the law equal to that of adults, that children's race, ethnicity, culture and religion should be respected, and that children should not be unnecessarily separated from their families. The Rules outline clear procedures and principles in several areas including stop and search of a child, questioning of a child, searches involving children, arrest of children and interrogation of children. The Rules anticipate all of the areas that police officers interact with children who are in conflict with the law and very clearly define the procedures and principles which are to be followed. The Rules represent another example of an output of the JCP which demonstrates effectiveness as it enhances effectiveness in procedural matters while at the same time enhancing the effectiveness of communication and coordination between the courts and the Police Service.

### *iii) Training*

A wide range of training was done under the JCP and included training provided to stakeholders, peer resolution volunteers, staff, the Police Service, DPP, providers of auxiliary services, the

Prison Service and other persons. A challenge related to training was that it involved not just the dissemination of information, but also included an attempt to change attitudes so that persons would be more accepting of the newer approaches to child justice. It was critical that stakeholders developed buy-in to the concepts that were being shared since these were critical to the success of the Children Courts. Training also involved special components to improve professionalism and courtesy among staff and stakeholders especially when dealing with child matters. The whole approach of the Children Court is one which embodies sensitivity and self-reflection and which puts the child first and looks at the complete development as well as needs of the child. The Judiciary recognized that when children come before the courts there is a sense of apprehension and fear and the JCP sought as far as possible to ensure that the Children Courts were warm and inviting so that they would serve to reduce apprehension about their use.

The Project Team indicated that more time allotted to training and staffing available for training would have been helpful in the training component given that a change in attitudes was required. While the training was considered effective, effectiveness could have been even further advanced with additional time and staffing. Respondents felt that while stakeholders and other persons who were trained were receptive to the training and got an appreciation for the general information which was disseminated there were many specifics which were missed. In addition, the volume of information which was disseminated was large. The time allotted to training should have been expanded to allow for better internalization of the materials, as opposed to the approach which was taken which was much more intense and compressed over a shorter time period. Given that the project team did much of the training this added to their workload and they recommended that future projects of this nature should reduce some of the burden of training from the implementing team. While utilizing the project team to do training may improve cost effectiveness, it may compromise the training if the project team is over burdened with other duties. Overall, the training was effective. This was supported by the results of NCSC's evaluation of the training which was conducted. Despite this, as indicated above, additional time and resources dedicated to training could have further enhanced effectiveness.

iv) *IT and Case Management System*

As a result of the JCP the Judiciary has acquired the software necessary for case management needs. This contrasts to previous types of software which were used by the Judiciary, but which were not owned and therefore which attracted annual, and usually very costly license fees. The software which was acquired through the JCP is fully customizable so that it can be adjusted to the data capture and analytical needs of the Children Courts. This contrasts to software which is used in other parts of the Judiciary which have not been customized but which can be customized, but only at considerable cost. Project team members argued that such software has the potential to distort data since the input of data must conform with the requirements of the software while in some cases important types of information cannot be effectively captured. The Children Court, in contrast, has a programmer who can customize its software and project team members have indicated that adjustments have been made since the opening of the courts. They indicated that as the data management needs evolved the software was altered to be consistent with these needs. This enables enhanced data capture and among other things represents an important tool which can be used for monitoring and evaluation purposes. The data management system which has been acquired is called the Court Case Management System (CCMS) but has been branded TT.jim (Trinidad and Tobago Judicial Information Management System). Given the customizability of this software it is recommended that early thought be given to monitoring and evaluation needs, including the need to assess equity in the administration to justice, and that the software be adjusted to capture the data that would be required for such monitoring and evaluation. Overall,

the acquisition of the CCMS by the JCP represents a very sound decision and is one which significantly enhances cost as well as process effectiveness of the Children Court.

Other types of information technology which are currently in use at the Children Court include voice transcription software as well as a video link. These technologies which were provided under the JCP greatly enhance the effectiveness of the courts. Judicial staff, however, indicated that an e-filing system would also serve to enhance effectiveness and would eliminate the use of large volumes of paper. An e-filing system is a computerized system which will allow users (e.g. the police, attorneys, the DPP, etc.) to file their submissions electronically and to access their submissions and that of other users where permission is given. Currently the Judiciary uses a paper-based filing system which is uneconomical and which necessitates a large amount of storage space for submissions. Paper-based systems also reduce efficiency in retrieving and disseminating information to users. Judicial staff also indicated that the use of a virtual courtroom would represent a useful addition to the court. This is essentially a communications system which will eliminate the need for various actors (e.g. attorneys, police, etc.) to physically come to the courts when cases are heard. This will reduce wastage of time as well as transportation costs. It is therefore recommended that consideration be given to the usage of an e-filing system and a virtual courtroom at the Children Courts.

v) *Factors which Ensured Project Success*

Several factors ensured the effectiveness of the JCP and led to the accomplishment of the goals set out at project start. As indicated before, the JCP was an extremely complex and multifaceted exercise, and according to stakeholders was an extremely ambitious project with very tight time constraints.

*Staff Expertise and Competence:* Success in a project of this nature requires that staff in the various components (management, project team, procurement, finance, legislative team, etc.) possess the required expertise and are highly motivated. At the outset it was ensured that there was a careful mapping of the tasks required and the expertise needed to complete each task. Interview and screening processes ensured that only staff with the qualities which will lead to success were hired to undertake various tasks which were to be completed. In Trinidad and Tobago the high level of competence of the project team allowed the use of team members in many of the training sessions which were needed under the JCP. This substantially reduced the need to hire external consultants to do the necessary training and therefore substantially reduced project expenditure. Despite the level of expertise of project team members they were also open to retraining to further deepen their understanding of the processes with which they were engaged and to build their competencies. It should be noted, however, that using project team members as the executing body and as trainers simultaneously put them under considerable strain as they simultaneously functioned as the management team and as the persons also executing some of the functions under the JCP. Project team members recommended that in projects of this nature budgets should provide for a separate project team and executing body.

*Staff Dedication and Commitment:* In the case of the JCP, project team members indicated that in many instances they continued to work even on weekends and after normal working hours in order to get the job done. As such, while competence was essential, commitment and motivation were probably even more critical as this resulted in a continued drive to get tasks completed on time and with the highest quality possible.

*Project Champion:* An undertaking of this nature also requires a champion who can lead the project. In this context, a champion is someone who is able to make the right connections at the

right time with the main actors and who has the respect and experience to ensure that actors take the necessary actions which are needed for the completion of the project. For the JCP stakeholders unanimously stated that the Project Manager was the champion for the project. The Project Manager was integral in ensuring buy-in from key stakeholders and decision-makers at the level of government, the Judiciary and other key persons. This buy-in was important as it provided support for project activities and reduced the possibility that key actors would engage in activities which could hinder the project. Another quality of the Project Manager which ensured success was competence in critical areas related to the project. In this case, the Project Manager was a legal expert who was personally involved in the crafting and modification of many of the legislative changes as well as other documents. This level of experience is required as it enables the incumbent of the post to spot issues and take corrective actions where a lesser experienced person may not have been able to do so.

*Advocacy:* Strong advocacy was also essential to project success, and especially within Trinidad and Tobago during the project period where economic difficulties could result in cost cutting measures by state agencies which could have negatively affected the JCP. Several key persons, including the Project Manager, UNDP Resident Representative, Chief Justice and the Attorney General were strong advocates for the project and lent support throughout the duration of the project.

*Close Internal Working Relationships:* Very strong partnerships and close working relationships among project partners (Project Team, USAID, UNDP, the Judiciary and NCSC) also contributed in a significant way to project success as issues were identified and dealt with in a coordinated and transparent way, and in a manner which drew on the expertise of the various entities which were engaged with the project. A good example which shows the extent of collaboration is the cost sharing engaged in by NCSC. NCSC agreed to provide some of the funding required for the project even though they were not required to do so. This demonstrated a very high level of commitment and contributed considerably to the success of the project.

*Close External Working Relationships:* Close partnerships also existed between project partners and external stakeholders. This was facilitated by a clear communication strategy and by continued engagement of stakeholders. It was recognized at the outset that external stakeholders represented an indispensable part of the solution when children come into conflict with the law. While the Judiciary makes determinations on cases, they must engage external stakeholders in various pre-adjudication processes and in rehabilitative services post-adjudication. The project team also underscored the importance of fully engaging stakeholders in the creation of the Inter- and Multi-Agency Protocols which defined the nature of the relationship between external agencies and the Judiciary where child matters were concerned. Involving them in this process ensured ownership of and therefore commitment to compliance with the protocols in these documents. Stakeholder consultations were thus thought to be critical in this specific area, and generally in many other areas which were addressed under the JCP.

*Funding:* Another critical factor for project success was a guaranteed line of funding. This funding was provided by USAID and by the Judiciary and allowed for clear planning of project activities and the allocation of resources to support each of the key activities. As noted there were two lines of funding, one from USAID and the other from the Judiciary. As indicated elsewhere in this report, additional funding was eventually sought from USAID since the Judiciary's funding was sourced from government and there were impending risks which became apparent with that line of funding. Guaranteed funding coupled with clear guidelines on how such funding should be used along with a robust system which ensured transparency and accountability were critical to project success and minimized the risk of cost overruns.

*Performance Evaluation:* Success of the JCP was also driven by mechanisms to evaluate performance and the achievement of outcomes, and by the flexibility to adapt when processes were thought to be less than optimal. Careful documentation of project activity with clear and measurable indicators ensured that the achievement of outcomes could be evaluated in a systematic and unbiased way. Project board meetings served a critical function in evaluating the extent to which outcomes were achieved and provided solutions and alternatives where issues were detected. The project team in turn was open to receiving suggestions for improvement and was flexible enough to alter its approaches where necessary.

*Summary:* Several factors contributed to the overall effectiveness of the JCP. In Trinidad and Tobago the Project Team, as well as other actors such as the UNDP and judicial staff had the required competencies and motivation which were required to get the job done in an efficient manner. In addition the Project Manager was able to secure buy-in from key actors and was able to motivate staff to give wholeheartedly of their time and expertise to ensure that the project was completed with the level of professionalism that was expected. In addition, the Project Manager not only had expertise in project management, but possessed expertise in areas specific to the project, most critically in the area of law, and also possessed the type of social capital which was used to engage key stakeholders in government and other agencies which supported the project. Careful mapping of the tasks required was also done to ensure that the right staff was hired to undertake the project. Other factors which ensured effectiveness, and which applied to Trinidad and Tobago were having support from influential champions and advocates, having open and clear channels of communication among the agencies which were involved, having clear lines of funding, and having a management and financial system which ensured efficiency, transparency, and accountability.

vi) *Factors which Hampered Effectiveness*

*Changes in Scopes of Work:* One of the challenges which affected effectiveness during the building customization phase of the project was changes to the scopes of work (e.g. due to errors, change of plans after submission, unanticipated risks which required alterations in the scope of works at a later date, etc.). It was noted that UNDP Procurement begins with scopes of work, so that any change from an initial submission would automatically result in delays in the procurement cycle. It is recommended that for projects as complex as the JCP it is important to carefully develop scopes of work and to ensure that there is sufficient time allocated for adjustment and flexibility.

*Increases in the volume of work after project start:* It was indicated earlier that as project implementation progressed, issues emerged which were integral to the success of the project. These issues could not have been foreseen or planned for and resulted in an expansion of project work. One example is related to the amount of legislative work which was required, and it was indicated that as some laws began to be modified others which required modification came to light. It is therefore recommended that as far as possible, very careful and detailed planning be undertaken before the start of any project similar to the JCP and that sufficient time be built into the project period to allow for possible work expansion within the project scope. This must involve a fairly comprehensive range of key stakeholders who could contribute to identification of those factors which need to be considered to inform the development of project documents. The project team underscored the critical need for the input of legal experts at this stage since the amount of legal work under the JCP was grossly underestimated. They also recommended a dedicated legal team to lead the modification of legislation once the project commences.



While the above has been said, it is recognized that even with the best planning the volume of project work could be underestimated or incorrectly specified. The project team, for example, discovered that as stakeholders became more accepting of the newer approach to child justice and as relationships developed they became more open to sharing information, some of which resulted in an expansion of the work which was required. As such, some factors which were relevant only came to light after strong partnerships had been established. As another example, the change in government during project implementation resulted in an expansion of the work which was required. In this case the new government which came into power requested that additional legislative changes be made beyond those which were initially contemplated. If a project such as the JCP is to be done in the future it is recommended that careful consideration must be given when scope of works are to be developed and these must be discussed with key personnel with the relevant experience and expertise to ensure that the scope of works are reasonable. It should also be anticipated that the scope of works may change and allowances must be made for this eventuality.

*Buildings to house the Children Court:* Another key challenge related to the location of suitable buildings for the Children Courts. Several considerations needed to be taken into account in identifying suitable locations and buildings. In terms of the location, considerations included accessibility and whether the location was situated within a suitable catchment area which would maximize the usage of court services and whether the location was close to other facilities which may house children who come into conflict with the law. While identifying suitable locations presented a challenge, there was also a challenge in terms of the suitability of buildings within any given location. Court buildings have specific requirements including separate circulation for judicial officers, accused, staff and public. They must also have separate and secure access points for staff versus the public. In addition, there are security considerations which the building must be designed to accommodate.

Given the specific requirements of location and building this created several challenges which delayed the opening of the courts. Given that the courts are now completed and operational and that the vision of what the Children Courts should be have been transformed into a reality, it is recommended that a prototype be created which specify the requirements for Children Courts as it applies to each of the key areas which need to be considered (e.g. location, building design, security issues, layout of the court and other areas, etc.). This prototype would be essential when the judicial system decides to expand the provision of services by increasing the number of Children Courts. Design briefs were already done for the north and south Children Courts, and can be used as the basis for the development of the prototype. While the design briefs would be specific to each of the buildings, they would embody the essential features, or at least the minimum standards, which is what needs to be captured in a prototype document.

*High workload for the project team:* In Trinidad and Tobago project team members were selected based on their exceptional competence in areas required for successful project implementation. Given their level of expertise, they made technical inputs into project delivery which resulted in cost-savings for the project. Contributions were made, for example, in the areas of legislative changes, development of documents, training and public education. However, this put project team members under considerable strain during project implementation. While this may have resulted in cost savings, for example by reducing the number of external consultants and additional staff, the project team recommended that for similar projects, consideration could be given to including technical experts as members of the project team. One of the areas in which there was a clear need for additional staff was with respect to the legal team. The legislative changes were far-reaching and considerable time and expertise was required to ensure that the changes which were made would properly support the Children Courts. While including technical

experts as members of the project team would increase costs, it would also improve effectiveness and result in quicker times to completion of various aspects of the project.

*Communication among project partners:* The importance of effective communication was stressed elsewhere in this document. However, there were times when communication was less than adequate and hampered project effectiveness. USAID, for example, expressed the view that greater and more open communication about some of the specific issues under the JCP which were handled by the project team would have been helpful. They indicated that all too often funding agencies are perceived as having played their part once the funding is provided, but it is also critical for such agencies to be more closely involved in the day-to-day events of the project since this gives a better sense of how project funds are expended. The project team also felt that they had difficulty in conveying to USAID that the project was not just about getting the buildings ready. While USAID was adamant about the importance of having the buildings completed, according to the project team these would have been ineffective without other changes (e.g. legislative, changes in attitudes and beliefs, development of suitable practices and procedures, etc.) and support systems (e.g. peer resolution, court annexed services, etc.). USAID, however, recognized the importance of these outputs, but also stressed the importance of having the buildings ready since without these, the Children Courts could not be put into operation. In the opinions of the project team there were also communication issues with procurement. They indicated, for example, that different persons would outline different procedures for procurement and that it appeared that procurement procedures changed across the duration of the project. This made it very difficult at times to follow proper procedures related to procurement. It is recommended that future projects of this nature consider as part of their communications strategy the nature and mechanisms for internal communications. While under the JCP there were specific documents which were required with a specific periodicity and which ensured communications, such communications need to go beyond the official documentation which is required and there must be clear and open lines of communication at all times.

*Adequacy of project team housing:* Another challenge related to the adequacy of the building which was provided for the project team at the start of the JCP. This was a small building with insufficient provisions made to allow meetings and other events such as the filming of documents. The building had only one conference room which was constantly in use since this one location was used to conduct meetings with a large range of stakeholders in each of the components of the JCP. The project team recommended that careful consideration must be given to the needs of the project when determining the suitability of a location to house a project of this nature.

*Procurement issues:* The ATLAS software which was used by the UNDP for procurement procedures was problematic. Project team members indicated that the initial training on this system was not adequate and as such the software was not well-understood. Users also questioned the complexity and accuracy of the software as queries using this system, for example to generate financial reports, consistently generated output which was at odds with their own records of expenditure. Project team members recommended consideration for the use of an alternate software system. Project team members also recommended the use of a dedicated Financial Manager at the UNDP as opposed to burdening the Project Manager with oversight of the financial processes. Due to the complexity of the project the Project Manager would already be in charge of an extremely large number of processes, and the complexity of the financial processes would have created additional challenges for the Program Manager. They argued that the use of a dedicated Financial Manager may have been able to facilitate financial processes and would have improved accuracy in financial reporting and in the provision of financial information.

*Reporting requirements:* Reporting requirements created a significant challenge for the project team. While the project team was involved in project implementation they were required to produce reports for each of the other agencies which were partners to the JCP (e.g. USAID, UNDP, etc.). The challenge here was that each agency had different reporting requirements, including even minor requirements such as differences in formatting of the documents. This resulted in a situation where a considerable amount of time and energy was expended on developing appropriate reporting documentation. While necessary, this took away from the time available for project implementation. The project team suggested that in projects such as the JCP project partners should collaborate to come up with a reporting template which is acceptable to all partners so that the same report could be disseminated to all partners. In addition to the above the project team felt that the reporting requirements were excessive. While quarterly reports, in their opinion were considered adequate, they considered that weekly or monthly reports were a bit excessive and placed unnecessary strain on the team. While the project team expressed the views above, USAID indicated that reporting needs to be timely and sufficient since without this they would not be aware of all of the developments in the project. USAID required quarterly reports as agreed with project partners at the start of the project, though where there are specific circumstances which warrant closer scrutiny, more frequent reporting would be required. While reporting can create challenges, it is necessary for projects such as the JCP. The evaluation noted that the project team did not voice these concerns to the other agencies during project implementation and complied with the reporting requirements.

vii) *Quantitative Findings*

A quantitative questionnaire was administered to participants ([Appendix 4](#)). Completed surveys were received from 22 participants. Participants were asked to rate the efficiency of several areas and outcomes under the JCP (Table 2). When asked whether the project helped to foster better coordination and synergy among different sectors in the child justice system 100% of the respondents felt that it did so. When asked whether project activities contributed to a change in the approach of child justice actors to dealing with children in conflict with the law and in need of supervision 94.4% felt that it did so somewhat or a great deal. Other areas which received favourable efficiency ratings from participants related to court staff commitment to a restorative justice approach, the effectiveness of the CCMS and the processing of court cases in an expeditious manner. Much fewer participants (47.1%) felt that the JCP contributed to buy-in from external stakeholders with respect to the importance of the Children Court. This suggests that the JCP should have allocated more time and resources in this area.

**Table 2: Effectiveness ratings for JCP activities/outcomes<sup>4</sup>**

	<b>Not at all or slightly</b>	<b>Somewhat or a great deal</b>
To what extent is there buy-in from external stakeholders with respect to the importance of the Children Court?	52.9	47.1
Does the Children Court process cases in an expeditious manner?	23.1	76.9
How effective is the case flow management system in the children court?	9.1	90.9
Are staff committed to using the RJ approach in the Children Court?	7.7	92.3
To what extent did project activities contribute to a change in the approach of child justice actors to	5.6	94.4

<sup>4</sup> Percentages are shown.

dealing with children in conflict with the law and in need of supervision?		
Did the project foster better coordination and synergy among different sectors in the child justice system?	0.0	100.0
	<b>No</b>	<b>Yes</b>
Were there systems in place to ensure accountability during project implementation?	15.4	84.6
Were there systems in place to monitor the progress of the project during implementation?	13.3	86.7

Participants were also asked to indicate whether there were systems in place to ensure accountability during project implementation. Eighty-four point six percent (84.6%) said ‘yes’ while 15.4% said ‘no’. Participants were also asked to indicate whether there were systems in place to monitor the progress of the project during implementation. Eighty-six point seven percent (86.7%) said ‘yes’ while 13.3% said ‘no’. As data elsewhere in this report show, there were robust systems which ensured accountability while monitoring and evaluation was carried out on a continuous basis by several project partners and the project team. As such, responses of ‘no’ to these questions may have been as a result of lack of awareness of such systems. This suggests that future projects like the JCP should disseminate information to staff to inform them about these areas.

**SUSTAINABILITY**

*Sustainability* measures the extent to which benefits of initiatives continue after external development assistance has come to an end. Assessing sustainability involves evaluating the extent to which relevant social, economic, political, institutional and other conditions are present and, based on that assessment, making projections about the national capacity to maintain, manage and ensure the development results in the future. Overall this evaluation found that relevant systems were put in place to ensure the sustainability of the Children Courts in the medium to long term. The key sustainability factors identified are:

- i) Handover Strategy
- ii) Buy-in to a New Model of Child Justice
- iii) Adequacy of Court Annexed Services
- iv) Peer Resolution
- v) Public Education and Communication
- vi) Responsiveness of the Courts to External Changes
- vii) Ability of External Agencies to Respond Appropriately
- viii) Inter- and Multi-Agency Protocols
- ix) Monitoring and Evaluation of the Children Courts

i) *Handover Strategy*

Upon the completion of the JCP the Children Courts were handed over to the Judiciary which was then responsible for operation of the courts and undertaking all functions required for the continuation of the courts (staffing, funding, etc.). The JCP ensured that systems and procedures were in place to ensure the continuation of the courts, prior to the handover of the buildings to the

Judiciary. With respect to staffing, for example, the project team was invited to deliver a presentation to the Cabinet on the work done and to explain staffing requirements and the funding required for such staffing. The JCP team also managed the recruitment and selection process. They disseminated information on the positions available and assisted persons in completing the online applications for posts at the Children Courts. This approach was so successful that over 14,000 applications were received.

A “training wheels” phase was implemented to allow for the transition of the Courts from the JCP to the Judiciary. Here project staff worked alongside judicial staff in various areas to ensure buy-in to the new modes of operation as well as competence of the staff. In several cases project members who already had the required skill sets were retained by the Judiciary to serve as staff for the Children Courts. Overall, the handover strategy was multifaceted and effective and ensured continuance of the courts after the conclusion of the JCP.

ii) *Buy-in to a New Model of Child Justice*

The Children Courts are intended to operate on rehabilitative and restorative principles. The use of such principles represent a fundamental departure from what occurred in Trinidad and Tobago where child justice was concerned. Ensuring the continued use of this new approach requires a change in attitudes and culture among organizations and actors within the justice system and within ancillary services such as those within the court annexed programmes. While it may be easy to express positive opinions about restorative approaches after the receipt of training or when interviewed to determine suitability for employment within the Children Courts, it is also easy to revert to older practices which agencies and actors were accustomed to prior to the start of the Children Courts.

Given the above, stakeholders were asked to indicate whether there were actual changes in attitudes such that persons would become willing to employ newer approaches to child justice and abandon the outdated and ineffective processes to which they had become accustomed. Persons who were involved in the public education component of the JCP as well as those who were involved in training indicated that stakeholders who were engaged were excited at the prospect of being able to utilize the newer approaches to child justice and that indeed many of them were keenly aware of the limitations of the older systems and operated in an environment in which there were few or no alternatives which would support or allow for the use of the newer approaches. In addition they operated in an environment in which a punitive approach to child justice was accepted and where there was the public perception that youths were dangerous and where the public believed that more punitive approaches were needed in dealing with youth violence.

Respondents were of the view that the public education campaign represented a promising start on the path to changing public perception, and the strong level of commitment and buy-in by key actors will ensure the continued use of restorative and rehabilitative approaches to child justice as the Children Courts begin to function. While the above has been said it is recognized that the change in attitudes with respect to the use of more restorative approaches in child justice needs to be supported by the continued use of staff education and public education campaigns. It is therefore recommended that ongoing public education and outreach be included as a feature of the Children Courts and that intermittent staff training be provided. The Children Court has instituted a unit which is dedicated to stakeholder engagement, and this unit could be at the center of continued efforts to improve buy-in to the new model of child justice.

Even more important than the above, systems and procedures were put in place, and in many cases were enshrined in law, which not only enabled but mandated the use of truly restorative and rehabilitative approaches. Good examples of this include the Judges' Rules for Children, the Multi-Agency Protocols and the Inter-Agency Protocols. These were designed specifically with the newer approaches in mind and operate to support such approaches. Other support services, sometimes referred to as wrap around services or court annexed services, were also put in place to ensure the success of the newer approaches to child justice. This approach relies heavily on diversionary strategies that take children out of the criminal justice system and provides alternatives which address core issues faced by children that can predispose them to engaging in acts of delinquency. It was stated earlier that a fundamental limitation of the older child justice system was a lack of alternatives, and this resulted in many instances in the placement of children in secure institutions even when they had not committed illegal acts. This type of approach has been abandoned in the Children Courts and adjudicators can now refer children to services which are available, and which were selected with due diligence to ensure that they are of the quality and effectiveness required for successful rehabilitation and restoration. Taken together with the strong commitment to the restorative approaches to child justice, the presence of procedures and systems to support the use of this approach will ensure that it is sustained in the future.

Sustainability has also been improved by the JCP's efforts to ensure buy-in by government. The JCP was implemented under two different political parties and enjoyed the commitment of both parties. This commitment and support was earned by the efforts of the JCP team and by strong advocates in providing information and sensitization to key members of government. In the long run, the success of the Children Court, and its ability to function depends on funding from government and by government's acceptance of the new approach to child justice. While the JCP put systems and procedures in place and ensured that court buildings were available and ready for operation, once they became operational the courts were taken over by the Judiciary which thereafter had the responsibility of running the Courts. Government buy-in and commitment to the new approach to child justice is therefore critical in ensuring the continuity of the Children Courts and the new systems and procedures.

### *iii) Adequacy of Court Annexed Services*

The success of the Children Courts depends on the availability of court annexed services which provide alternatives to incarceration for children who come before the courts. There must be adequate services available to cater to the needs of the courts, and the services provided should meet certain minimum quality standards. The Children Court has court annexed programs in four key areas: 1) External Programs, 2) Internal Programs, 3) Peer Resolution, and 4) Drug Treatment. External programs have been identified and were screened through a rigorous process to ensure quality in the services provided. Training was also provided to staff in agencies which were selected to ensure knowledge of and commitment to a restorative approach to child justice. A drawback of the external programs is that funding is required to support each child who is referred. Internal Programs were developed to reduce the costs associated with diversionary strategies. Currently there are five internal programs, though the expectation is that the offerings would be expanded in the future. Peer resolution (treated next in this report) represents an internal mechanism in which children who are brought before the courts for minor offences receive sanctions which are handed down by their peers.

The adequacy of court annexed services is as yet unknown. This is because the volume of cases which has come before the courts since doors were opened has far exceeded expectations. This implies that the services which are available may not be sufficient to meet the needs of all of the children who come before the courts. While there is a fairly wide range of services within Trinidad

and Tobago, the Children Court restricts its selection to services which are evidence-based and which meet specified quality standards. This reduces the number of services from among which providers may be selected.

Apart from issues of the number of services available, there is the question of the types of services which are available. Only specific services will fit within the new approach to justice and this effectively will serve to reduce the pool from which the courts may select providers. While several relevant services have been identified and are functioning, stakeholders indicated that one clear omission at present is that available services do not cater to children with special needs. Some special needs children may have conditions which lead to behaviours which could result in them being brought before the courts (e.g. autistic children could be perceived to be children in need of supervision, previously called 'beyond control'). Special services are needed for such children and these are yet to be identified and made available.

Financing is another issue which can affect sustainability in this area. Service providers must be compensated for the services provided. While the Judiciary has indicated its commitment to fully supporting the needs of the Children Courts, the economic difficulties currently being experienced in Trinidad and Tobago have the potential to create uncertainty where funding is concerned. Shortfalls in government funding can adversely affect the provision of court annexed services.

The data collection mechanisms in place at the courts will capture demographic, as well as other data from children who come before the courts. This includes but is not limited to their place of residence and the offence committed. Once sufficient data have been gathered it may be possible that such data could be used to provide insight into the needs of children such that the type and quantity of services offered are consistent with the needs of the recipients of such services. It is therefore recommended that an examination of the database be done to determine whether there are additional types of data which can be collected to provide information on the needs of children and that the data management system be updated to include such data, and that on an ongoing basis, perhaps annually, such data should be examined to determine whether adjustments need to be made with respect to the type and quantity of court annexed services that are available. While the above provides a more systematic means to determine the nature and quantity of services which may be required, judicial staff continue to work with external agencies which provide services to improve their capacity and to increase their relevance to the new model of child justice.

#### *iv) Peer Resolution*

The sustainability of the peer resolution component of the Children Courts must also be considered. This represents a critical mechanism which allows children who commit minor offences to be assessed by their peers who will recommend sanctions to the judicial officer. The peer resolution component will be used in schools as well as within the Children Courts. Sustaining this component requires access to a pool of youth as well as adult peer resolution volunteers. Stakeholders indicated that there was an overwhelming response when the call for volunteers was initially put out, and a team of youth and adult volunteers were trained and are ready for use. However, because youth volunteers cannot be older than 17 years of age, several youths who were initially trained have since aged out of the program. Of the approximately 170 youths who were initially trained approximately half can no longer serve as youth volunteers. Those who were left were retrained in April 2018 since the initial training was undertaken over two years before the actual start of the courts.

While at the time of this report there is a team of volunteers ready for deployment, continued use of peer resolution will require intermittent training of new volunteers due to the fact that youth volunteers will age out of the program. While such persons may go on to serve as adult volunteers, there must be mechanisms in place to ensure that new child volunteers come into the system on an on-going basis. This responsibility is held by the Peer Resolution Unit within the Children Court. Training is also important, and while the JCP team trained the initial set of volunteers, funding and staff must be identified to ensure that training is provided for new volunteers. Court staff indicated that they are already in the planning stage for the next rounds of training which is scheduled for August 2018. NCSC staff recommended that the peer resolution training modules should be digitized so that they could be offered online and in a distance format. Given that this particular area of training will have to be done periodically digitizing the training will reduce expenditure in the long run and will improve accessibility of the training. The suggestion of digitizing training can also be applied to other areas for which regular training is required.

Peer resolution volunteers also pointed to practical considerations in the use of this component. The majority of youth volunteers are in school and as such during normal school hours they are not available. Examination periods also represent a challenging time for them and they may be unable to serve during this period. There were also issues of transportation and the costs and time associated with this in getting from school to the courts. While there are systems in place for this, peer resolution volunteers were unaware that such systems existed.

v) *Public Education and Communication*

Public education which was aimed at building awareness about the newer approaches to child justice, and which was designed to change attitudes so that the public would eventually become more accepting of such an approach, and therefore more willing to use it, was pursued aggressively under the JCP. Public sensitization sessions and high quality media releases were among the approaches used and these were targeted at the general public as well as youths in schools. This is critical to the success of the Children Courts since public opinion, as well as the opinions of key decision makers were, in the past, supportive of more punitive approaches to dealing with transgressions of the law by children. This was driven in large measure by media practices which resulted in wide publicity when violent offences were committed by youths. While data from the TTPS show that only a very small proportion of minor offences are committed by youths, the public is of the opinion that youths are violent and should be punished severely<sup>5</sup>. The project team was of the opinion that the public education and communications strategy was sufficiently aggressive and was able to reach key stakeholders and persons and was able to change opinions. Independent evaluation conducted by NCSC confirmed that the public education strategies were effective.

Given the large number of cases which have been brought before the courts to date it is clear that the public education efforts under the JCP have started the process in the cultural shift which is required and has built awareness of the Children Courts. Despite this, beliefs about how to deal with youths are culturally ingrained and continued public education is important for the success of the Children Courts. A comprehensive information package, with a wide range of very professionally done and attractive media releases was developed under the JCP. It is recommended that public education continue and if possible, that periodic assessments be done

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<sup>5</sup> Data from CAPA show that for the period from 2007 to 2010, for example, persons between the ages of 11 to 17 years committed 1.5% of all murders, 1.2% of all woundings and shootings, 2.8% of all sexual offences, 2.2% of all kidnappings, 1.1% of all burglaries, 1.6% of all robberies, 0.5% of all larcenies and 5.2% of all drug offences.



to determine whether such education has created the desired impact in terms of awareness and changes in attitudes. Where a project such as the JCP is contemplated in the future stakeholders agreed that public education and outreach was a critical component, as this was the primary means whereby knowledge and attitudes were changed. They however indicated that the JCP could have benefitted from a larger budget allocated to this component. Overall, the public education campaign conducted under the JCP was effective and will lend to the sustainability of the Children Court.

*vi) Responsiveness of the Courts to External Changes*

While the Children Courts were set up to be relevant given current environmental, cultural and economic conditions as well as best practices, the issue of sustainability must consider the court's ability to adapt to future changes in external conditions which may necessitate changes in the way that the court operates, or in its philosophy and practices. This hinges on the court's ability and willingness to change its practices and procedures in response to future environmental changes which may as yet be unknown.

Stakeholders indicated that while there may be the willingness to be adaptive and to change, there are many obstacles which could hinder this ability. The first is that under the JCP there was a dedicated project team which drove change. The project team ensured relevance of the courts and its operations to current conditions, and was the agent for change. Now that the project team no longer exists, there may be no driver to institute change with the effectiveness to which it was done under the JCP. Having said this, many of the persons who formed part of the project team are now employed at the Children Courts and as such collectively they possess the expertise to enable the responsiveness of the courts. The Judiciary may consider drawing on the expertise of such persons in the future where changes become necessary.

*vii) Ability of External Agencies to Respond Appropriately*

The Children Court depends on other agencies to function effectively. Such agencies include the Police Service, the Children's Authority, Probation Services, the Director of Public Prosecutions and Legal Aid. Some agencies have already made provisions for resources which are specific to children and which facilitate the operation of the Children Courts. For example, Probation Services has instituted dedicated child probation officers while the Police Service has a specialized Court and Process Team which specializes in dealing with children matters. The presence of specialized units within external agencies will enable such units to become more proficient in dealing with child matters and will enable more appropriate and quicker responses in the provision of services to children. Stakeholders indicated that the current structure and format of many external agencies is not fully suited to dealing with child matters and where specialized units are not created there is the possibility that practices and procedures which apply to adults will be inappropriately applied to children.

Another factor relates to continued support and training for external agencies. Under the JCP the project team was the driver of such activities. Now that the Judiciary has taken over the Children Courts they will become responsible for such activity. Having said this, the Judiciary may be reluctant to engage with other stakeholders in this manner as this may be seen as an attempt to encroach on the freedom of such agencies. However, given that many project team members became employees of the Judiciary after the handover of the courts staff from external agencies were accustomed to working with these persons as it relates to building their capacity. Given this, such organizations may still be open to such persons engaging their staff members.

viii) *Inter- and Multi-Agency Protocols*

The Inter- and Multi-Agency Protocols were already described elsewhere in this document (see Coordination among Stakeholders). Legislation related to children which exist in Trinidad and Tobago, while specifying the responsibilities of various agencies which deal with children, do not specify the interactions among relevant agencies and do not provide mechanisms for that interaction. The Inter- and Multi-Agency Protocols seek to address this shortcoming. The Judges' Rules also cover some of these gaps as it specifies some of the roles of the Police Service in its interaction with children and the courts. The Multi-Agency Protocols was built using the Judges' Rules as its starting point since the protocols must be consistent with these Rules. The development of both protocols brought together all of the main agencies which play a role in child justice. These included the Trinidad and Tobago Police Service, Trinidad and Tobago Prison Service, Probation Services Division, the Office of the Director of Public Prosecutions, the Legal Aid and Advisory Authority, the Children's Authority, the Ministry of Education, the Solicitor General's Department, and the Judiciary of Trinidad and Tobago.

Bringing all of the main actors together for the creation of the Protocols gave each agency a chance to gain an in-depth understanding of the roles of each of the other agencies. Importantly, participants were also able to see inconsistencies in the operation of different agencies and were able to identify barriers to effective functioning and coordination within the overall child justice system. Prior to this, various agencies had only a general sense of the internal functioning and procedures within other agencies. Stakeholders indicated that it was a challenge to get buy-in from all agencies as it applied to the new model of justice and to their changing roles within this new model. Agencies were accustomed to doing things in a particular way, and some of them were resistant to change. For example, while the Children's Authority had a view which was more in keeping with the newer approaches to child justice, the Prison and Police Services indicated that the realities of dealing with violent children and children who commit transgressions against the law were different and felt that the newer approaches to child justice may not have been fully adequate. Participants felt that if more time was allocated to getting the Protocols completed then this in itself could have created the opportunity to develop greater levels of buy-in. Limited time resulted in Protocols in which some of the elements represented compromises among the various agencies since they did not fully have the opportunity to resolve all differences. As such, all agencies are not in full agreement with all of the provisions in the Protocols. Stakeholders indicate that this creates a risk that different agencies may revert to older practices if mechanisms are not put in place to ensure consistency with the newer approaches. Stakeholders were in agreement that even at present there is the need for continued efforts to resolve some of the areas of disagreement in the Protocols.

While many of the provisions in the Protocols are enshrined in law, and are therefore mandatory, this in itself may not guarantee compliance. Stakeholders felt that it was more important to get genuine buy-in and commitment to the newer approaches since this would result in willing compliance with new procedures. Concern was also expressed about the trickle down of the information about the newer approaches to other members within the relevant agencies. While key persons in each agency were involved in the development of the Protocols, many of the agencies were large and there was the risk that other staff members would receive only superficial or no information on the newer approaches to child justice. In this instance older practices, some of which would no longer be consistent with law, would continue. A good example related to this is the Prison Service's refusal to allow attorneys to see child clients without their parents being present. This is allowed under the new laws, but the older regulations of the Prison Service which disallow this are still being used. One mechanism that some agencies adopted in order to avoid this type of situation relates to the creation of specialized units to deal with child justice matters.

Such units would be staffed by persons who were specifically trained in the newer approaches. The Police Service has already taken this approach. Another mechanism which was suggested as a means to improve the sustainability of the Protocols related to frequent revision. It was expected that issue will come to light only after the Protocols begin to be used. Participants felt that additional modifications are necessary at present, and that the Protocols would have to be updated at least annually for the first three years, and thereafter revisited on a periodic basis to determine whether any additional modifications are necessary.

Other limitations and potential issues related to the Protocols were highlighted. One was that there were no provisions to govern the functioning of other organizations, particularly those which provide ancillary or court annexed services. While it is not necessarily that these provisions should be included in the Multi-Agency Protocols, stakeholders suggested that there should be a protocols document which governs the functioning of court annexed services as these play a critical role in the success of the courts. Another limitation is that not all relevant stakeholders were involved in the development of the Protocols. Children's homes, for example, were excluded from this process, and staff from the Children's Authority have already discovered that there is resistance from some of the homes to the new approaches and procedures. Children's homes represent a critical part of the infrastructure in dealing with child matters and buy-in from this important sector, and from other agencies which were inadvertently excluded from some of the processes under the JCP is critical. Having said this, it is understood that with the limited resources of the JCP project staff needed to prioritize their operations and thus all stakeholders could not always be involved in all aspects of the JCP. This gap, however, needs to be addressed as it affects the sustainability of the child justice system as a whole. The JCP has only started the transformation to a new culture and approach to child justice. While this is no small accomplishment, the work needs to continue to educate stakeholders and improve levels of buy-in and commitment to the new model of child justice. One suggestion in this respect is that the Judiciary could partner with other leading agencies such as the Children's Authority to further this effort which was started under the JCP. The issue of resources which are needed to make the Protocols work was another practical issue which was raised. Newer procedures may require additional resources to put into effect but some agencies may not have the resources to do so, or may need to prioritize resources and may do so in a way that reduces full compliance with the protocols. A good example here is that Legal Aid is experiencing great difficulty in keeping up with the demand to provide counsel to children who come before the Courts.

*ix) Monitoring and Evaluation of the Children Courts*

Monitoring and evaluation of the operation of the Children Court need to be conducted on a periodic basis. Such exercises should focus on each of the key areas which are necessary for the effective functioning of the courts. Areas may include medium and long-term outcomes for children who come before the courts, management of the courts, transparency and accountability in the functioning of the courts, performance of the peer resolution component, equity in the administration of justice, etc. The initial monitoring and evaluation exercise is critical as it must anticipate the future direction and needs of the courts so that measures which are included will remain relevant in the long term. This is critical since the first monitoring and evaluation exercise will collect baseline data on the courts and the same measures will be used in subsequent rounds of monitoring and evaluation so that trends can be assessed over the long term. While it may be too early to begin a monitoring and evaluation exercise, relevant staff should determine the starting point for the first exercise as well as the periodicity with which such exercises will be conducted. Findings from monitoring and evaluation can be used to detect areas of non-performance and will allow for corrective action which will improve the effectiveness of the Children Courts.

## **VI. LESSONS LEARNT**

There were several lessons learnt as a result of the JCP, as presented below:

- i) A detailed mapping exercise conducted at the outset, ideally before funding is acquired could contribute to ascertaining as closely as possible the full scope of works. This will assist in estimating the time and funding required. A wide range of stakeholders as well as relevant experts are invaluable to any mapping exercise undertaken by the project.
- ii) Notwithstanding the best efforts at mapping, with a project of this nature, there is need for flexibility and adaptability when the volume of work expands as the project progresses. Issues related to time, funding, expertise, staffing and other resources proved to be important.
- iii) The child justice system in Trinidad and Tobago is complex and made up of a wide array of diverse agencies which are not fully coordinated with each other and which are not fully aware of the roles and procedures employed within each of the respective agencies. It was found that sustained and multi-dimensional consultations with a wide cross-section of child justice actors are critical for reform of the child justice system.
- iv) The experiences in Trinidad and Tobago underscored the importance of a Project Champion and Advocates. A project such as the JCP has far reaching implications and results in a fundamental shift in thinking and in the operation of a system which may have become entrenched in the use of outdated practices related to child justice. Changing such a system requires buy-in from all levels of government and from a wide range of actors. Without key persons who can inspire the change in attitudes which is required, and who can develop the commitment from agencies to put in the hard work which is required to bring about this shift, projects such as the JCP may fail.
- v) Competence and motivation of the project team were critical success factors. In Trinidad and Tobago project team members were meticulously selected, not just for their expertise, but for their very deep commitment for what they were about to undertake. The project team is the driver of a project of this nature, and in the case of Trinidad and Tobago, the team went far beyond and above what they were asked to do or paid for. The volume of work required in a project such as the JCP is extensive and without a competent and committed project team such a project will fail.
- vi) Having an influential and competent Project Manager is indispensable to a project such as the JCP. The Project Manager is at the center of change, and must be a person who is not only technically competent, but must be highly driven and must be well-connected and sufficiently influential so that she/he can command the actions required of the project team and other stakeholders, and can get the required buy-in from Ministers of government and other senior officials.
- vii) The experiences in Trinidad and Tobago underscored the need for a dedicated legal team for future projects such as the JCP.

- viii) Having an oversight and administrative body with highly motivated and competent staff, and with procedures which ensure transparency and accountability in financial matters is essential for a project such as the JCP. The UNDP performed this role in Trinidad and Tobago and may be able to perform a similar role in other countries where they are present. In addition, dedicated procurement staff is required for a project of this nature.
- ix) The development of protocols to guide coordination and interaction among child justice agencies is essential for the success of a child justice system. In many Caribbean countries various agencies operate in isolation of each other with very little coordination and knowledge of the internal workings of other agencies. The development of protocols such as the Inter- and Multi-Agency protocols not only brings the agencies together and deepens their familiarity with each other, but allows the agencies themselves to determine how they will work together in the future. The formalization of rules and procedures for various agencies, coupled with their involvement in the development of these rules ensures that they will be applied and that agencies will not fall back into older modes of operation.
- x) Continuous monitoring and evaluation along with a responsive project team which can compensate for deficiencies when they are detected are important for the success of projects such as the JCP. This should be coupled with open dialogue, Project Board meetings and continuous risk assessment and the development of strategies to mitigate risks.

## **VII. RECOMMENDATIONS**

The recommendations of the evaluation are listed below:

- i) Where a similar project is to be done in the future specific attention should be paid to the issue of gender equity in the administration of justice and documentation and procedures which speak specifically to this issue should be developed.
- ii) The use of dedicated programme and procurement staff members is recommended if a project like the JCP is to be done in the future. Future projects of this nature should also have a separate program manager and financial manager. The separation of these functions is important due to the large volume of work required for each post.
- iii) In undertaking a project of this nature it is critical to keep funds available under continuous review to ensure that funding is available. Risks related to lines of funding should be assessed. Where risks exist, strategies should be developed which could be implemented to source additional funding if it becomes necessary to do so.
- iv) Future projects like the JCP should put systems to review and forecast resource requirements so that procurement requests could be placed in advance to allow for the processing time required by the procurement and finance departments so as not to cause delays in project progress.

- v) Projects of a similar nature should consider constructing a building as opposed to renting one. It is difficult to locate buildings with all of the specific requirements for courts, and in the long run, the cost of construction is cheaper than the cost of rent.
- vi) Future projects like the JCP should separate the functions of the project team and the persons who are actually involved in implementation. Clear demarcations of the functions of other entities should also be done prior to project start.
- vii) A champion is essential for a project such as the JCP if it is to be undertaken in the future. A champion is someone who has all of the right connections and sufficient influence in government and other agencies so that they can get buy-in to the project and can leverage the main actors to properly do their respective parts within the project.
- viii) If a project of this nature is to be undertaken in the future it is recommended that a Project Manager not only have expertise in project management, but should also possess expertise in areas specific to the project, most critically in the area of law, and importantly must also possess the type of social capital which can be used to engage key stakeholders in government and other agencies which can support the project.
- ix) If a project of a similar nature was to be undertaken it is essential that there are open and clear channels of communication among the agencies which are involved, that there are clear lines of funding and that there is a management and financial system which ensures efficiency, transparency, and accountability.
- x) Similar projects of this nature should dedicate sufficient time for training purposes as training may involve not only the dissemination of information but may seek to change attitudes so that recipients of training become more open to newer approaches to child justice.
- xi) A project such as the JCP should develop a monitoring and evaluation plan for the courts.
- xii) Future projects like the JCP should, after developing a monitoring and evaluation plan for the courts, ensure the customization of the Court Case Management System so that it captures data relevant to the plan.
- xiii) Future projects like the JCP should consider including an e-filing system at the courts.
- xiv) Very careful and detailed planning be undertaken before the start of any project similar to the JCP to ensure that the scope of works is properly specified. This must involve a comprehensive range of key stakeholders and it is essential that legal experts be included at this stage. It should also be anticipated that the quantity of work may expand once the project gets underway and allowances must be made for this eventuality.
- xv) If a project such as the JCP is to be undertaken in the future there should be a dedicated legal team to lead the modification of legislation. Projects of this nature should also have persons with social work expertise.

- xvi) Future projects similar to the JCP should create a prototype which specifies the requirements for Children Court buildings as it applies to each of the key areas which need to be considered (e.g. location, building design, security issues, layout of the court and other areas, etc.).
- xvii) Future projects of this nature consider as part of their communications strategy the nature and mechanisms for internal communication among the project partners engaged in the project. This must facilitate clear and open communications among all parties.
- xviii) If a project such as the JCP is to be done in the future it is recommended that careful consideration be given to the needs of the project when determining the suitability of a location/building to house a project of this nature. Sufficient work space and meeting facilities are essential.
- xix) In projects such as the JCP, if possible, project partners should collaborate to come up with a reporting template which is acceptable to all partners so that the same report could be disseminated to all partners.
- xx) Future projects such as the JCP should encourage the continuation of public education and outreach activities after the project has ended. This is because the development of buy-in to the newer approaches to child justice is critical to the success of the courts. The public education component should also have a dedicated budget.
- xxi) For future projects similar to the JCP attention should be paid to the requirements of special needs children and that court annexed programs which cater to these needs be included among those which are eventually selected.
- xxii) Future projects such as the JCP should digitize training modules which will be required after the completion of the project. The peer resolution training module is an example.
- xxiii) Future projects such as the JCP should include a mapping exercise to determine what types of data are collected by different agencies which work with children and should devote resources to the harmonization of the data collection systems with the view of streamlining communication and sharing of information among agencies and between agencies and the courts.

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## APPENDIX 1 TERMS OF REFERENCE FOR THE EVALUATION



*Empowered lives.  
Resilient nations.*

### TERMS OF REFERENCE

**UNDP Trinidad and Tobago Country Office  
Evaluation of the Trinidad and Tobago Juvenile Court Project**

**JOB TITLE:** Evaluator for the Trinidad and Tobago Juvenile Court Project

**DUTY STATION:** Trinidad and Tobago

**CONTRACTING AUTHORITY:** United Nations Development Programme

**CONTRACT DURATION:** 20 Working Days

**START DATE:** April 18, 2018

#### 1. BACKGROUND

The Judiciary of Trinidad and Tobago, in collaboration with the United States Agency for International Development (USAID) and the United Nations Development Programme (UNDP), embarked on the Trinidad and Tobago Juvenile Court Project (JCP) in April 2014. The JCP aims to strengthen the capacity of the Judiciary to deal with children matters using a rehabilitative, restorative and less retributive approach. This is in keeping with international guidelines and standards such as the United Nations Convention on the Rights of a Child (UNCRC) as well as the philosophy and provisions of the Trinidad and Tobago Children Act 2012.<sup>6</sup>

<sup>6</sup> Details available on the Project website: [jcptt.org](http://jcptt.org)

There are various challenges to improving public peace and security in Trinidad and Tobago. Like many countries in the Caribbean, transnational crimes such as trafficking of illicit drugs and weapons have contributed to significant increases in crime and violence in Trinidad and Tobago. More frequently, gang-rivalry and disaffected youth are perpetrators or victims of violent crimes. Based on the increased number of youths entering the criminal justice system, it is clear that the justice system and the traditional punitive approach have failed to deter those at-risk from the allure of lives of crime and violence. Recidivism rates continue to increase and for increasingly serious offences. While important strides have been made toward the modernisation of the child justice system in Trinidad and Tobago with the passage of the Children Act 2012, it was recognized that more was needed to give full effect to the package of Children's legislation.

The JCP aims to contribute to the successful implementation of this package which moved Trinidad and Tobago one step closer to fulfilling the provisions of the United Nations Convention on the Rights of the Child and addressing areas for reform identified in the Caribbean Juvenile Justice Assessment (research conducted through the Caribbean Basin Security Initiative (CBSI) on the status of juvenile justice systems in the Caribbean). Within the Children's package of legislation, there are more and better "sentencing" options which are better suited to addressing the needs of children in conflict with the law. However, much more needs to be done to ensure that the systems, rules, processes and resources are in place to improve the children services and rehabilitative interventions. The Juvenile Court Project therefore sought to ensure that all the needed infrastructure is established to achieve the goals of child rehabilitation and restoration in a new Children Court system to be established under the project.

#### **Project components:**

- **Component 1 - Children Court** - The development of Children Courts that support the implementation of certain provisions of the Children Act 2012.
- **Component 2 - Peer Resolution** - The conduct of a pilot Peer Resolution Programme where children who have admitted guilt for minor offences or harm caused to others are sanctioned by their peers to make amends for what they have done. Peer Resolution uses court-like procedures.
- **Component 3 - Public Education and Communications** - The execution of Public Education and Communication strategies around project initiatives and related child justice issues.

#### **Core Objectives of the project**

- Establishment of two juvenile courts that meet standards for adjudicating juvenile cases.
- Building institutional capacity of juvenile courts to adjudicate cases in an efficient and effective manner in accordance with new laws and principles of restorative justice through training to improve adjudication, case management, implementation of rules and procedures and court-annexed programmes in collaboration with government agencies, Non-Government Organizations, Civil Society Organizations, and Children's Authority.
- Building of institutional capacity of organizations providing services to children in conflict with the law through: the creation of effective referral and coordination of mechanisms, training on new laws and procedures, improved programs and ability to fulfil the reporting and monitoring requirements of juvenile courts.
- Establishment of youth courts based on principles of restorative justice and development of a cadre of youth leaders. Youth courts will facilitate the adjudication of minor offenses committed by persons falling within the ambit of the Children Act.

- Execution of public awareness campaigns to educate and sensitize the public to the reform of juvenile justice system and JCP initiatives to support implementation of the Children Act.

### **Key Outcomes**

By implementing the components of the JCP, the project aimed to correct the following deficiencies in the child justice system:

- the punitive approach to child justice;
- the increased rate of repeat offending by children for serious crimes;
- the absence of specialized Children Courts to appropriately handle criminal matters; and
- insufficient linkages between the Courts and support programmes for children and their families.

The project started in April 2014 with an initial grant from the United States Agency for International Development (USAID) of US\$4,545,765. The project received a 3 month no-cost extension from April 2017 to July 2017 and a subsequent 9 month extension to April 2018 with additional funds of US\$999,633 being provided.

The key implementation counterparts for this project are as indicated below:

- the Judiciary of Trinidad and Tobago – executing agency and implementing partner;
- the United States Agency for International Development – the project donor; and
- UNDP Trinidad and Tobago Office – fund manager and project quality assurance.

The National Center for States Courts (NCSC) provided technical support to the project.

The key stakeholders with whom consultations were held and work undertaken for new children rules, protocols, legislation and other project outputs are as indicated below:

- Ministry of the Attorney General The Legal Aid and Advisory Authority of Trinidad and Tobago
- The Solicitor General's Department
- The Office of the Director of Public Prosecutions
- Ministry of Social Development and Family Services
- Ministry of Education
- Trinidad and Tobago Police Service
- Trinidad and Tobago Prison Service
- Child Protection Unit of the Ministry of National Security
- Probation Services Division
- Children's Authority
- Judiciary of Trinidad and Tobago

This project forms a key component of the reform of the child justice system in Trinidad and Tobago follows on the adoption by Trinidad and Tobago of the Children Act (2012). The project seeks to fulfill Outcome 2 of the UN Development Assistance Framework (UNDAF) - *By 2015, government and civil society adopt an integrated response to violence in families and communities*. The expected outcome at the country programme level is under Pillar #3: National and Personal Security and the Country Programme Outcome (#2) is *improved human security through implementation of evidenced-based policies, strategies and practical initiatives*. The project is also part of the work of USAID on juvenile justice reform in the Caribbean. Have other evaluations been done in other countries, or have any interim evaluations been done in this country?

According to the Project Document, the expected Outputs are:

1. Support for implementation of the Children Act 2012 inclusive of the development of a pilot juvenile court system;

2. Conduct of a pilot Youth Court in Tobago; and
3. Execute a Public Education and Sensitisation Programme.

## **2. PURPOSE OF THE EVALUATION**

The evaluation is being conducted in line with the Monitoring and Evaluation provision of the project and in accordance with UNDP and USAID Evaluation Policies. In this regard, the evaluation exercise should be independent, impartial and of the appropriate standard and quality, and it should be designed with utility in mind. The evaluation should generate relevant and useful information to support evidence-based decision making.

As work continues in Trinidad and Tobago and in the Caribbean region in the area of juvenile justice reform, the findings, lessons learned and recommendations generated by the evaluation will be used by the Judiciary of Trinidad and Tobago, UNDP, USAID, NCSC and the project's key stakeholders to improve future projects and programmes related to child justice. The evaluation will assess the results of the project and it is expected that it will undertake a review of project implementation and provide useful and actionable recommendations for similar projects in the future.

## **3. SPECIFIC OBJECTIVES**

The specific objectives of the evaluation are:

- a) to provide feedback to the Judiciary of Trinidad and Tobago, USAID and UNDP on the relevance, effectiveness, efficiency, and sustainability of the project and make recommendations for work on similar projects; and
- b) to identify the key success factors, good practices, challenges in the approaches adopted and lessons learnt.

## **4. PROJECT EVALUATION QUESTIONS**

### **Relevance**

*Relevance* concerns the extent to which a development initiative and its intended outputs or outcomes are consistent with national and local policies and priorities and the needs of intended beneficiaries. Relevance concerns the congruency between the perception of what is needed as envisioned by the initiative planners and the reality of what is needed from the perspective of intended beneficiaries.

- Were individual and overall project strategies and activities sufficient to influence comprehensive child justice system reform?
- Did the project promote principles of gender equity?

### **Efficiency**

*Efficiency* measures how economically resources or inputs (such as funds, expertise and time) are converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs. Efficiency is important in ensuring that resources have been used appropriately and in highlighting more effective uses of resources.

- Were activities completed on time, in a logical sequence, and with the appropriate quality?
- How were risks identified and managed?
- How was the project progress monitored and evaluated during the life of the project?
- Were there synergies between the project partners which contributed to project outputs?

- Was the project implemented taking into consideration international standards for child justice?
- Did relevant stakeholders view the project as increasing their own capacity to fulfil obligations toward children?

### **Effectiveness**

*Effectiveness* is a measure of the extent to which the initiative's intended results (outputs or outcomes) have been achieved or the extent to which progress toward outputs or outcomes has been achieved.

- To what extent has the project's expected results been achieved?
- What were the major factors influencing the achievement or non-achievement of targets in each component?
- How successfully did the project adapt to any changing external conditions?
- Did project activities contribute to a change in the approach of child justice-actors to dealing with children in conflict with the law and in need of supervision?
- Did the project foster better coordination and synergy among different sectors in the child justice system?

### **Sustainability**

*Sustainability* measures the extent to which benefits of initiatives continue after external development assistance has come to an end. Assessing sustainability involves evaluating the extent to which relevant social, economic, political, institutional and other conditions are present and, based on that assessment, making projections about the national capacity to maintain, manage and ensure the development results in the future.

- In what manner will the attained results continue once project support ends?
- Was a phase-out/hand-over strategy an integral part of the project design and planning, and was it fully understood by all partners? Was it implemented successfully?

### **Key success factors, good practices, challenges and lessons learnt**

- What are the key success factors of this project?
- What were the good practices which could be applied in other projects?
- What were some of the challenges of the project? How were they overcome?
- What were the lessons learnt?

### **Recommendations**

- Which elements within the start-up of the Court need strengthening going forward, i.e. staff numbers and competency, systems and procedures in place?
- What other interventions are still to be undertaken related to the project to effect change in the child justice system?
- When should the next evaluation be conducted and what should be the key elements?

### **Suggested ratings**

The following ratings could be used or could serve as a guide to the evaluator for analysis of the findings:

<b>Evaluation Criteria</b>	<b>Suggested Rating</b>
Relevance	2. Relevant (R) 1. Not relevant (NR)

Effectiveness	<p>6: Highly Satisfactory (HS): The project had no shortcomings in the achievement of its objectives in terms of relevance, effectiveness, or efficiency</p> <p>5: Satisfactory (S): There were only minor shortcomings</p> <p>4: Moderately Satisfactory (MS): there were moderate shortcomings</p> <p>3. Moderately Unsatisfactory (MU): the project had significant shortcomings</p> <p>2. Unsatisfactory (U): there were major shortcomings in the achievement of project objectives in terms of relevance, effectiveness, or efficiency</p> <p>1. Highly Unsatisfactory (HU): The project had severe shortcomings</p>
Efficiency	<p>6: Highly Satisfactory (HS): The project had no shortcomings in the achievement of its objectives in terms of relevance, effectiveness, or efficiency</p> <p>5: Satisfactory (S): There were only minor shortcomings</p> <p>4: Moderately Satisfactory (MS): there were moderate shortcomings</p> <p>3. Moderately Unsatisfactory (MU): the project had significant shortcomings</p> <p>2. Unsatisfactory (U): there were major shortcomings in the achievement of project objectives in terms of relevance, effectiveness, or efficiency</p> <p>1. Highly Unsatisfactory (HU): The project had severe shortcomings</p>
Sustainability	<p>4: Likely (L): negligible risks to sustainability</p> <p>3. Moderately Likely (ML): moderate risks</p> <p>2. Moderately Unlikely (MU): significant risks</p> <p>1. Unlikely (U): severe risks</p>

**5. METHODOLOGY**

Evaluation methods should be selected for their rigour in producing empirically based evidence to address the evaluation criteria, to respond to the evaluation questions, and to meet the objectives of the evaluation. The type of information and methods selected must produce evidence, and they should combine both qualitative and quantitative aspects. The evaluation should use primary and secondary data, and should include a presentation of the results matrix of the initiative. The review, findings and recommendations should be derived from the following methods:

- **Desk review:** Key project documents, including but not limited to those outlined at **Annex I**, and to be provided by the Programme Manager, Citizen Security and Justice.
- **Interviews and focus group discussion with key stakeholders:** To ensure wide participation of participants in the evaluation, the evaluator will organize interviews with key informants and at least three focus group discussions with key stakeholders. The

Judiciary of Trinidad and Tobago and UNDP will assist with arrangements for the interviews and focus group discussions.

- **Consultation meetings with project partners** – at least one consultation meeting with each project partner - UNDP, USAID, the Judiciary of Trinidad and Tobago and the National Center for State Courts (NCSC).

## 6. DURATION

This evaluation is to be completed in 20 working days.

## 7. IMPLEMENTATION ARRANGEMENTS AND DELIVERABLES

The evaluator will report to the UNDP Programme Manager for Citizen Security and Justice. During the evaluation, UNDP Trinidad and Tobago will assist with identification of stakeholders and partners to be interviewed and will assist with the arrangements for interviews by the evaluator. The evaluator will work from home. The evaluator is also expected to arrange all resources needed to complete the assignment, if needed, at his/her own costs.

The evaluator will have a total of twenty (20) working days over the period [April 23 2018] to [June 8<sup>th</sup> 2018]. There are four deliverables of the evaluation:

1. **Evaluation Inception Report:** An inception report will be prepared by the evaluator before going into the full-fledged data collection exercise. The inception report will include a proposed schedule of tasks, activities and deliverables, containing work plan, evaluation methodology and evaluation matrix.
2. **Outline of Evaluation Report:** An outline of the report is to be provided to UNDP for review. This will be reviewed and comments made to ensure that the outline is in keeping with the evaluation requirements.
3. **Draft Evaluation Report:** The draft report will present, inter alia, findings, lessons learnt and recommendations. UNDP and key stakeholders in the evaluation will review the draft evaluation report to ensure that the evaluation meets the required quality criteria.
4. **Final Evaluation Report:** The Final Report must include an executive summary. A printed and electronic version of the report must be submitted.

The evaluator will have the overall responsibility for the quality and timely submission of the consultancy deliverables. Deliverables and payment schedule for the evaluation are as follows:

	Tasks	Number of work days	Tentative dates	Deliverable	Payment schedule (on approval of deliverable)
1.	Preparation and submission of Evaluation Inception Report	3	tbd	Inception report prepared and submitted to UNDP	10%
	Comments on the Inception Report to be				

	<b>provided by UNDP Trinidad and Tobago Country Office</b>				
2.	<b>Preparation and submission of Outline of Evaluation Report</b>	<b>7</b>		Outline of Evaluation Report	20%
	<b>Comments on the Outline of the Evaluation Report to be provided by UNDP Trinidad and Tobago Country Office</b>				
3.	<b>Preparation and submission of Draft evaluation report</b>	<b>8</b>	tbd	Draft evaluation report	40%
	<b>Collect comments on draft report from UNDP Country Office</b>		tbd		
4.	<b>Preparation and submission of Final Evaluation Report.</b>	<b>2</b>	tbd	Final Evaluation	30%
		<b>20</b>			100%

## 8. EVALUATION ETHICS

For the development of this evaluation, the evaluator will follow the ethical principles and guidelines established by the UNDP and the United Nations Evaluation Group (UNEG)<sup>7</sup>. Among other aspects, this includes the rights and confidentiality that must be guaranteed to the people providing information, explicit requirements for its use, necessary permission for interviewing children and young people and in accordance with protocols that allow for the safeguarding of information and preservation of anonymity and confidentiality. The evaluator shall operate in such a manner so as to guarantee the independence and impartiality of the process and outputs of the evaluation. The evaluator is expected to agree with the Code of Conduct for Evaluators in the UN System and sign it as part of his/her contract.

## 9. PROFILE OF THE EVALUATOR

The evaluator should have the following qualifications and experience:

- Minimum of a Master's Degree in Social Sciences or Law.
- Minimum of five (5) years' experience in managing programmes and implementation and evaluation of projects, preferably in the Caribbean.
- Experience in results-based management/logical framework approach and other strategic planning approaches, evaluation methods and approaches (qualitative and quantitative).
- Proven command of written and spoken English.
- Experience in conducting evaluations and report preparation.

<sup>7</sup> <http://www.unevaluation.org/document/detail/102>



- Strong analytical skills.

### **Annex I**

Documents for desk review

- Project Document and Extension Document
- Children Act 2012
- Family and Children Division Act, 2016
- Annual Work Plan 2014- 2018
- NCSC Workplans 2014-2018
- Quarterly and Annual Reports
- Minutes of Project Board Meetings
- Peer Resolution Framework
- Judges Rules for children
- Project Monitoring and Evaluation Framework
- Human Resources Report
- Instruments produced by the Project –
  - ✓ *Trinidad and Tobago Multi-Agency Protocols Addressing Children in Conflict with the Law*
  - ✓ *Trinidad and Tobago Inter-Agency Protocols Addressing Students in Conflict with the Law*
  - ✓ *Trinidad and Tobago Table of Equivalencies of the United Nations Office on Drugs and Crime's (UNODC) International Classification of Crime for Statistical Purposes (ICCS)*

## APPENDIX 2 INTERVIEWS AND FOCUS GROUPS

Date	Persons/Groups
24/04/18	Marcia Rampersad Programme Manager (Citizen Security and Justice), UNDP <a href="mailto:marcia.rampersad@undp.org">marcia.rampersad@undp.org</a>
10/05/18	Children Court Staff, Children Court Building, POS Master Christie-Anne Morris- Alleyne, Court Executive Administrator Wendy Lewis-Callender, Deputy Court Executive Administrator Carlene Cross, Children Court Administrator Communications Team: Kerry Ann Roberts, Oprah Francis and Amara Noel
21/05/18	Children Court Staff, Judiciary, POS Children Court Building Tobago 6 Elizabeth Street, St. Clair, Port of Spain 9:00 am to 11:00 am
22/05/18	Marcia Rampersad, Programme Manager, UNDP Lyndon Wright, Program Assistant
22/05/18	Beverly Charles, Operations Manager, UNDP
22/05/18	Operations Team, UNDP Stephen Rovedas, Finance Associate Michelle Kallie-Luke, Finance Assistant Lisa-Marie Clarke, HR Associate Vanessa Chiddick, Procurement Associate Dennison Charles, ICT Assistant
24/05/18	Legislation, Rules and Policy Angela Moore <a href="mailto:amoore@aq.gov.tt">amoore@aq.gov.tt</a> Carla Ali <a href="mailto:caali@aq.gov.tt">caali@aq.gov.tt</a> Elvin Scanterbury (Ag SOP Prisons) Glen Teesdale TTPS <a href="mailto:teesdale_g@yahoo.com">teesdale_g@yahoo.com</a> Nafeesa Mohammed <a href="mailto:nafmohammed@hotmail.com">nafmohammed@hotmail.com</a>
24/05/18	JCP Team. Children Court 5 <sup>th</sup> floor conference room.
25/05/18	Multi Agency Protocols. Children Court 5 <sup>th</sup> floor conference room. Sharlene Jagernauth Legal services Manager, Children's Authority <a href="mailto:sharlene.jaggernauth@gmail.com">sharlene.jaggernauth@gmail.com</a> Keisha Mitchell Team Lead, Children's Authority, <a href="mailto:Keisha.mitchell@ttchildren.org">Keisha.mitchell@ttchildren.org</a> Patrice Mendoza-Mason Legal Officer <a href="mailto:Patrice.mason@laaa.gov.tt">Patrice.mason@laaa.gov.tt</a>
25/05/18	Richard Blewitt, UNDP
25/05/18	Peer Resolution, Children Court 5 <sup>th</sup> floor conference room. Ariel Betancourt 7129655 <a href="mailto:160901ariel@gmail.com">160901ariel@gmail.com</a> John Patterson <a href="mailto:wiljpatt@gmail.com">wiljpatt@gmail.com</a>

Date	Persons/Groups
	Shameel Mohammed <a href="mailto:shamsham2419@hotmail.com">shamsham2419@hotmail.com</a> Anette Ann Marie Edwards <a href="mailto:anette1.55@hotmail.com">anette1.55@hotmail.com</a>
28/05/18	JCP Team. Children Court 5 <sup>th</sup> floor conference room.
28/05/18	Diversionary Programs (Stephanie Burke <a href="mailto:sburke@ttlawcourts.org">sburke@ttlawcourts.org</a> ) Children Court 5 <sup>th</sup> floor conference room.
29/05/18	Chloe Noble General Development Specialist, USAID/Eastern and Southern Caribbean <a href="mailto:cnoble@usaid.gov">cnoble@usaid.gov</a>   <a href="mailto:noblecm@state.gov">noblecm@state.gov</a>
04/06/18	Sharifa Ali-Abdullah, UNDP
08/06/18	Sharon Ramsaran, USAID <a href="mailto:sramsaran@usaid.gov">sramsaran@usaid.gov</a> Ted Lawrence, USAID <a href="mailto:elawrence@usaid.gov">elawrence@usaid.gov</a>
13/06/18	NCSC JoAnne Richardson, <a href="mailto:jrichardson@ncsc.org">jrichardson@ncsc.org</a>

## **APPENDIX 3 SUPPORTING DOCUMENTS**

### **JCP Documents**

About the JCP and Children Court  
JCP TT Budget Narrative  
Children Act 2012  
Gazette No. 20 Of 2018  
JCP Fact Sheet  
Overview Juvenile Court Project  
Peer Resolution Fact Sheet  
Programmatic Activity 9 month Extension  
Revised Appendices A, B, C - JCP TT Project Extension Document -July 14  
Revised JCP TT 9 month Project Extension Request July 14  
Signed JCP Project Document Apr 2014  
Sitting at Children Court  
V11 - Framework School-Based Peer Resolutions Programme -11-11-16  
V7- Court-annexed Peer Resolution Framework  
Inter-Agency Protocols July 2017  
Multi-Agency Protocols July 2017  
TT Table of Equivalencies for the ICCS

### **UNDP Documents**

Appendix 8.2 12 Adults Begin Training in CAPR in Tobago  
Appendix 7.1 FCD Employment Ad.jpg  
Appendix 7.4 Inter Agency Protocols July 2017  
Appendix 7.5 TT Table of Equivalencies for the ICCS.  
Appendix 7.6 Training Underway at TT Police Academy  
Appendix 7.7 Fifty-Nine Trained in Evidence-based Practices  
Appendix 7.8 Training for State Attorneys  
Appendix 7.9 Digital Voice Transcription Training  
Appendix 8.0 They're Not Delinquents  
Appendix 8.1 School-based PR Training in Tobago  
Appendix 8.3 Gail's Story  
Appendix 8.4 JCP School Outreach Ends in Tobago  
Quarterly Report\_Oct-Dec2017  
UNDP Evaluation Templates  
USAID Annual Report - October 2016 to September 2017  
USAID quarterly report Oct- Dec 2016

### **UNDP Project Board Minutes**

UNDP Project Board Minutes 1-5, 7,8  
UNDP Project Board Minutes 6th  
UNDP Project Board Minutes 9<sup>th</sup>  
UNDP Project Board Minutes 10th

UNDP Project Board Minutes 11th

### **UNDP Quarterly Reports**

UNDP Quarterly Report 2014  
UNDP Quarterly Report 2015 Apr - Jun  
UNDP Quarterly Report 2015 Jul - Sept  
UNDP Quarterly Report 2015 Oct - Dec  
UNDP Quarterly Report 2016 Apr - Jun  
UNDP Quarterly Report 2016 Jul - Sept  
UNDP Quarterly Report 2017 Jan - Mar  
UNDP Quarterly Report 2017 Jul - Sep

### **NCSC Documents**

NCSC WP Oct 2016 to July 2017 Rev May 2017  
NCSC February 2017  
NCSC January 2017  
NCSC March 2017  
NCSC Aug17 to Apr18 WP February 9 2018  
NCSC PROJECT BOARD JCP Monthly December 2016  
NCSC PROJECT BOARD JCP Monthly November 2016  
NCSC PROJECT BOARD JCP Monthly October 2016  
NCSC WP Oct 2016 to July 2017 Rev May 2017  
Quarterly SR April-June 2017  
Quarterly SR July-September 2017  
NCSC JCP QR Oct 2016

NCSC M&E Framework  
Appendix I - M&E - Information Needs Assessment  
Appendix II - M&E- Pre-Assessment 01-14-15  
Appendix III - M&E - Post-Assessment 01-14-15  
Appendix IV - M&E- Pre-Assessment 01-15-15  
Appendix V - M&E - Post-Assessment - 01-15-15  
Appendix VI - M&E- Stakeholder Workshop Assessment - 01-17-15  
Appendix VII - Complaint and Feedback Form  
Appendix VIII - Complaints & Issues Log

## APPENDIX 4 DATA COLLECTION INSTRUMENT

### JCP EVALUATION QUESTIONS<sup>8</sup>

#### A) Relevance

*Relevance* concerns the extent to which a development initiative and its intended outputs or outcomes are consistent with national and local policies and priorities and the needs of intended beneficiaries. Relevance concerns the congruency between the perception of what is needed as envisioned by the initiative planners and the reality of what is needed from the perspective of intended beneficiaries.

1. A) Can you identify some of the deficiencies in the child justice system in Trinidad and Tobago, which you think the project addresses? B) Do you think that project activities would contribute to reform of the child justice system in TT? C) How were children dealt with in the court system prior to the implementation of the Children Court?
2. What functions should a Children Court perform?
3. Is the Children Court better suited to dealing with children than the traditional methods which obtained prior to the implementation of the Children Court?
4. How does the Children Court System represent an improvement over former practices?
5. What can we do to make the Children Court more relevant?
6. Did relevant stakeholders view the JCP as increasing their own capacity to fulfil obligations toward children?
7. Did the project promote principles of gender equity?

#### B) Efficiency

*Efficiency* measures how economically resources or inputs (such as funds, expertise and time) are converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs. Efficiency is important in ensuring that resources have been used appropriately and in highlighting more effective uses of resources.

1. Were activities completed on time, in a logical sequence, and with the appropriate quality?
2. How were risks identified and managed?
3. How was the project progress monitored and evaluated during the life of the project?
4. Was the project implemented taking into consideration international standards for child justice?
5. Were financial resources used efficiently during the life of the JCP?
6. Are there areas where financial resources could have been used more efficiently?
7. Are there areas where other resources could have been used more efficiently? Specify which resources and how they could have been better used.
8. Two Children Courts were established in Trinidad under the JCP. What were the key processes involved in the establishment of these courts (e.g. physical location/building, public education, staff training, training to improve adjudication, development/improvement of a case management system, implementation of rules and procedures, establishment of court-annexed programmes, creation of effective referral mechanisms, training on new laws and procedures, ... list ALL of the key areas). On a scale of 1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective, rate the cost effectiveness with which each of these were accomplished under the JCP? For each of the key processes which were identified, indicate the factors which helped to improve cost effectiveness in achieving them. For each of the key processes which were identified, indicate the factors which reduced cost effectiveness in achieving them.

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<sup>8</sup> JCP = Juvenile Court Project

Key Processes	Rating: 1 very cost ineffective to 5 very cost effective	Factors which improved cost effectiveness	Factors which reduced cost effectiveness
Physical location/building			
Public education			
Staff training			
Training to improve adjudication			
Development/improvement of a case management system			
Implementation of rules and procedures			
Establishment of court-annexed programmes			
Creation of effective referral mechanisms			
Training on new laws and procedures			

**C) Effectiveness**

*Effectiveness* is a measure of the extent to which the initiative’s intended results (outputs or outcomes) have been achieved or the extent to which progress toward outputs or outcomes has been achieved.

1. To what extent has the project’s expected results been achieved?
2. What were the major factors influencing the achievement or non-achievement of targets in your respective area?
3. How successfully did the project adapt to any changing external conditions?
4. Did project activities contribute to a change in the approach of child justice-actors to dealing with children in conflict with the law and in need of supervision?
5. Did the project foster better coordination and synergy among different sectors in the child justice system?
6. Did the project produce a system of rules to govern the functioning of the Children Court? Are these rules properly understood and consistently applied?
7. Are there areas where additional rules and procedures need to be developed?
8. What did the JCP do to ensure that the Children Court promotes equity in the treatment of victims and offenders?
9. Are there modifications which could be made to the Children Court to improve access to justice?
10. Does the Children Court process cases in an expeditious manner?
11. What can be done to improve the effectiveness of the Children Court?
12. Are there any barriers to the effective functioning of the Children Court (geographic, economic, procedural, etc.)? If so, how can these be overcome?

13. Was specific training of staff carried out to ensure that persons who use the courts (in the broadest sense) are treated with professionalism, courtesy, respect, dignity, etc.? If not, what specific training areas are required?
14. Are staff properly trained/equipped to function using the RJ approach and other methodologies which are required for the effective functioning of the Children Court? If not, what types of additional training may be necessary?
15. Are staff committed to using the RJ approach in the Children Court?
16. Were there systems in place to ensure accountability during project implementation?
17. Were there systems in place to monitor the progress of the project during implementation?
18. Have formal referral systems been developed so that children in need of assistance can be directed to appropriate agencies? Are the referral agencies/diversionary programme which exist adequate for serving the needs of children who pass through the Children Court? Are there specific referral services which do not exist and need to be developed?
19. Has the project led to the establishment of an adequate data management system to support the needs of the Children Court? Is there an adequate IT system in place, and support staff to manage this system?
20. Are there any other technologies which could be employed to improve the functioning of the Children Court?
21. Were there any unanticipated/unintended outputs or outcomes emerging from the implementation phase?
22. How is the Children Court working in coordination with partner agencies to improve the system of Child justice?
23. Is there a case flow management system in place in the Children Court? How effective is it? Are there any problems/issues with this system which hinder effectiveness of the Court? Are there ways that this system could be improved?
24. What were the key success factors of this project?
25. What were the good practices which could be applied if this project was to be replicated in other countries?
26. What were some of the challenges of the project? How were they overcome?
27. What were the lessons learnt?
28. Are there adequate rehabilitation policies/ measures/programs/referral services etc. to support children who pass through the Children Court?
29. What laws were changed as a result of the JCP? How effective would these changes be in improving justice for children who come into contact with the law? What additional legal changes need to be made?
30. What training was done under the JCP to support the use of peer resolution procedures? How effective was this training? Were there any problems with the training for peer resolution during the project? Identify these problems and suggest solutions/alternatives. Are there additional areas of training which need to be done?
31. Two Children Courts were established in Trinidad under the JCP. What were the key processes involved in the establishment of these courts (e.g. physical location/building, public education, staff training, training to improve adjudication, development/improvement of a case management system, development and implementation of rules, procedures and manuals (e.g. Judges' Rules for Children, Children Court Rules, Tables of Equivalencies, Child Defence Standards, Multi-Agency Protocols and Inter-Agency Protocols), establishment of court-annexed programmes, creation of effective referral mechanisms, training on new laws and procedures, ... list ALL of the key areas). For each, indicate the successes and challenges which were experienced which increased/reduced the effectiveness with which each area was developed. What recommendations for future projects. Were there any factors which negatively affected the establishment of diversionary programs for use in the Children Court? What recommendations do you have for establishing such programs?
32. The JCP assisted in building institutional capacity among NGOs, the Children Authority and other agencies with diversionary programs. What factors hindered/helped in building this capacity.



33. What challenges were experienced in the development of referral mechanism for use between the judiciary and diversionary programmes? Are there challenges experienced in the functioning of these referral mechanisms?
34. What did the JCP do to ensure/encourage a change in culture/attitudes of stakeholders so that they were more accepting of a restorative justice model in dealing with children who come into contact with the law?
35. What has the JCP done to ensure the development and understanding of new operational systems and processes (e.g. various pieces of legislation, new Rules of Court, new Judges Rules, new Protocols, Children Defence Standards, and new philosophical paradigm) which are required for the effective functioning of the Children Court?
36. Has the JCP developed an M&E Plan for the Children Court?

#### **D) Sustainability**

*Sustainability* measures the extent to which benefits of initiatives continue after external development assistance has come to an end. Assessing sustainability involves evaluating the extent to which relevant social, economic, political, institutional and other conditions are present and, based on that assessment, making projections about the national capacity to maintain, manage and ensure the development results in the future.

1. In what manner will the attained results continue once project support ends?
2. What phase-out/hand-over strategy was put in place to ensure the smooth transition into the new Children Court System? Was it fully understood by all partners? Was it implemented successfully? What difficulties were encountered during this transition? Are there any things which could/should have been done differently during the transition?
3. Is the new children court system sufficiently robust to support the RJ approach for children in TT? If not, can you identify the gaps? Are there any barriers that you could identify (e.g. cost, institutional, political, technical, social etc.) to the effective implementation of the RJ approach in the Children Court in T&T and to the continued use of this approach?
4. Are there other systems/factors upon which the Children Court rely to function effectively (e.g. facilities for youths diverted out of the CJS, adequate counseling services, foster care, NGOs which may be utilized, public readiness for the new approaches used by the Children Court, political will to support the expansion of the Children Court, etc.)? Are these other systems adequate and/or functioning effectively?
5. What deficiencies exist within these other systems/factors which could threaten the sustainability of the Children Court? How can we remedy these deficiencies?
6. Are there modifications to or additions/subtractions to/from the RJ approach that you would recommend?
7. Would it be desirable to extend the use of Children Courts throughout T&T?
8. How many additional Children Courts would be needed to effectively serve T&T?
9. Which elements within the start-up of the Court need strengthening going forward (e.g. staff numbers and competency, systems and procedures, etc.)?
10. What other interventions could be implemented to effect positive change in the child justice system?
11. When should the next evaluation be conducted and what should be the key elements?
12. Is there adequate buy-in from external stakeholders? If not, what can be done to improve this? Are there any external stakeholders which still need to be informed about the JCP?
13. Are there any weaknesses/omissions in the inter-agency and multi-agency protocols which have been developed? Have these protocols been adopted and put into use by relevant agencies? Are there any barriers to the implementation of these protocols?
14. What types of additional training, if any, are needed for external agencies which support the Children Court?

15. With respect to the peer resolution system and procedures, what more needs to be done to ensure sustainability of this approach (e.g. is on-going training required; how many persons should be trained and how frequently; what would be the costs of such training; what would be done to ensure that the Peer Resolution Trainers are retained?).
16. Are there strategies put in place to sustain the public education campaign? If so, what are they (e.g. workshops, outreach events, dissemination and use of fact sheets, videos, brochures, comics, digital graphics, infographics, online platforms)? If not, what is required to sustain the public education campaign (in terms of funding, staffing, etc.)?
17. Diversionary programs are critical to the functioning of the Children Court. What recommendations are there to ensure the sustainability of these programs?
18. Are there additional posts which need to be filled to ensure the smooth running of the Children Court? Are there any potential barriers to getting these filled (e.g. financial, lack of persons with expertise in the specific area, etc.) and what can be done to mitigate these risks?
19. What mechanisms are there in place to maintain stakeholder engagement?
20. The JCP assisted in building institutional capacity among NGOs, the Children Authority and other agencies with diversionary programs. What factors may hinder/help in sustaining this capacity.
21. The Children Court is accepting of a restorative justice model in dealing with children in need of supervision and those who come into contact with the criminal justice system and would have put measures in place to inform stakeholders and the population of this new approach. What did the JCP do to ensure/encourage sustainability in a change in culture/attitudes in the long run?
22. What has the JCP done to develop strong partnerships with both public and private sector agencies and NGO's to ensure greater harmony and development of child-centered solutions? Are there mechanisms in place to maintain these partnerships over the medium and long term?

## **JCP Evaluation**

**Please rate the cost effectiveness of the following processes**

B8a) Establishment of physical location/building

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8b) Public education campaign

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8c) Staff training

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8d) Training to improve adjudication

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8e) Development/improvement of the case management system

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8f) Implementation of rules and procedures

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8g) Establishment of court-annexed programmes

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8h) Creation of referral mechanisms

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

B8i) Training on new laws and procedures

1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective

**Please answer the following questions**

C4) To what extent did project activities contribute to a change in the approach of child justice-actors to dealing with children in conflict with the law and in need of supervision?

1) Not at all      2) Slightly      3) Somewhat      4) A great deal

C5) Did the project foster better coordination and synergy among different sectors in the child justice system?

2) Not at all      2) Slightly      3) Somewhat      4) A great deal

C10) Does the Children Court process cases in an expeditious manner?

3) Not at all      2) Slightly      3) Somewhat      4) A great deal

C15) Are staff committed to using the RJ approach in the Children Court?

4) Not at all      2) Slightly      3) Somewhat      4) A great deal

C16) Were there systems in place to ensure accountability during project implementation?

1) Yes      2) No

C17) Were there systems in place to monitor the progress of the project during implementation?

1) Yes      2) No

C23) How effective is the case flow management system in the children court?

- 5) Not at all      2) Slightly      3) Somewhat      4) A great deal

D12) To what extent is there buy-in from external stakeholders with respect to the importance of the Children Court?

- 1) None at all      2) Some      3) A great deal

## **APPENDIX 5 EVALUATOR'S BIOGRAPHY**

Dr. Randy Seepersad is a Criminologist and Head of the Criminology Unit at the University of the West Indies, Trinidad and Tobago. Dr. Seepersad holds a Ph.D. from the University of Toronto and an M.Phil. degree from the University of Cambridge. Dr. Seepersad specializes in research methodology and statistics and has a research interest in economic deprivation and crime, gang violence, youth crime and justice, and penology.

Recent books which were published by Dr. Seepersad include *Gangs in the Caribbean* (2013), *Making Deterrence Work: Problems and Possibilities* (2014) and *Crime and Security in Trinidad and Tobago* (2016). Dr. Seepersad has also published in a number of peer refereed journals including the *Caribbean Journal of Criminology*, *Justice Report*, and the *Journal of Gang Research*.

Dr. Seepersad has also undertaken several commissioned studies for the governments of several countries and for international agencies such as the Inter-American Development Bank, United Nations Development Programme and the Organization of American States. Commissioned studies include the 2006, 2013 and 2016 Jamaican National Crime Victimization Surveys, the 2013, 2015 and 2017 Jamaican Citizen Security and Justice Programme Victimization Surveys, the 2011 Capacity assessment of forensic laboratories in CARICOM member states (CARICOM IMPACS), a 2013 study on Drug Use and Criminal Behaviour among the Prison Population in Trinidad and Tobago (Organization of American States) and a 2015 study on Race-ethnicity data within the Trinidad and Tobago Criminal Justice System (Inter-American Development Bank).

## APPENDIX 6 EVALUATION MATRIX<sup>9</sup>

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
Relevance Efficiency Effectiveness Sustainability	<ul style="list-style-type: none"> <li>• Can you identify some of the deficiencies in the child justice system in Trinidad and Tobago, which you think the JCP addresses? Do you think that project activities would contribute to reform of the child justice system in TT?</li> <li>• Is the new children court system sufficiently robust to support the RJ approach for children in TT? If not, can you identify the gaps?</li> <li>• Did project activities contribute to a change in the approach of child justice-actors (i.e. those outside of the Judiciary) in dealing with children in conflict with the law and in need of supervision?</li> <li>• Are there modifications which could be made to the Children Court to improve access to justice?</li> <li>• What are the good practices which could be applied if this project was to be replicated in other countries?</li> <li>• What laws were changed as a result of the JCP? How effective would these changes be in improving justice for children who come into contact with the law? What additional legal changes need to be made?</li> <li>• Were there any factors which negatively affected the establishment of diversionary programs for use in the Children Court? What recommendations do you have for establishing such programs?</li> <li>• What deficiencies exist within systems and institutions which are external to the Judiciary which could threaten the sustainability of the Children Court? How can we remedy these deficiencies?</li> </ul>	Chief Justice <sup>10</sup>	Interview	Content Analysis

<sup>9</sup> The questions which appear here represent the full list of possible questions which can be asked. Some areas were focused upon in more detail than others in the interviews and focus groups.

<sup>10</sup> The Chief Justice went on leave during the evaluation period, and as such, was unavailable for interview.

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• How many additional Children Courts would be needed to effectively serve T&amp;T?</li> <li>• What other interventions could be implemented to effect positive change in the child justice system?</li> </ul>			
Relevance	<ul style="list-style-type: none"> <li>• Can you identify some of the deficiencies in the child justice system in Trinidad and Tobago, which you think the project addresses? Do you think that project activities would contribute to reform of the child justice system in TT? How were children dealt with in the court system prior to the implementation of the Children Court?</li> <li>• What functions should a Children Court perform?</li> <li>• Is the Children Court better suited to dealing with children than the traditional methods which obtained prior to the implementation of the Children Court?</li> <li>• How does the Children Court System represent an improvement over former practices?</li> <li>• What can we do to make the Children Court more relevant?</li> <li>• Did relevant stakeholders view the JCP as increasing their own capacity to fulfil obligations toward children?</li> <li>• Did the project promote principles of gender equity?</li> </ul>	UNDP Judiciary USAID NCSC	Interviews / Focus Groups	Content Analysis
Efficiency	<ul style="list-style-type: none"> <li>• Were activities completed on time, in a logical sequence, and with the appropriate quality?</li> <li>• How were risks identified and managed?</li> <li>• How was the project progress monitored and evaluated during the life of the project?</li> <li>• Was the project implemented taking into consideration international standards for child justice?</li> <li>• Were financial resources used efficiently during the life of the JCP?</li> </ul>	UNDP Judiciary USAID NCSC	Interviews / Focus Groups	Content Analysis

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• Are there areas where financial resources could have been used more efficiently?</li> <li>• Are there areas where other resources could have been used more efficiently? Specify which resources and how they could have been better used.</li> <li>• What was the cost of the peer resolution training? Do you consider this to be cost effective? Are there things which could be done to improve the cost effectiveness of peer resolution training in the future?</li> <li>• What was the cost of the public education campaign? Do you consider this to be cost effective? Are there things which could be done to improve the cost effectiveness of public education in the future?</li> <li>• Two Children Courts were established in Trinidad under the JCP. What were the key processes involved in the establishment of these courts (e.g. physical location/building, public education, staff training, training to improve adjudication, development/improvement of a case management system, implementation of rules and procedures, establishment of court-annexed programmes, creation of effective referral mechanisms, training on new laws and procedures, ... list ALL of the key areas). On a scale of 1) Very Cost Ineffective, 2) Cost Ineffective, 3) Cost Effective and 4) Very Cost Effective, rate the cost effectiveness with which each of these were accomplished under the JCP? For each of the key processes which were identified, indicate the factors which helped to improve cost effectiveness in achieving them. For each of the key processes which were identified, indicate the factors which reduced cost effectiveness in achieving them.</li> </ul>			
Effectiveness	<ul style="list-style-type: none"> <li>• To what extent has the project's expected results been achieved?</li> <li>• What were the major factors influencing the achievement or non-achievement of targets in your respective area?</li> </ul>	UNDP Judiciary USAID	Interviews / Focus Groups	Content Analysis



Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• How successfully did the project adapt to any changing external conditions?</li> <li>• Did project activities contribute to a change in the approach of child justice-actors to dealing with children in conflict with the law and in need of supervision?</li> <li>• Did the project foster better coordination and synergy among different sectors in the child justice system?</li> <li>• Did the project produce a system of rules to govern the functioning of the Children Court? Are these rules properly understood and consistently applied?</li> <li>• Are there areas where additional rules and procedures need to be developed?</li> <li>• Does the use of the RJ approach in the Children Court facilitate access to justice on the part of victims? On the part of offenders?</li> <li>• What did the JCP do to ensure that the Children Court promotes equity in the treatment of victims and offenders?</li> <li>• Are there modifications which could be made to the Children Court to improve access to justice?</li> <li>• Does the Children Court process cases in an expeditious manner?</li> <li>• What can be done to improve the effectiveness of the Children Court?</li> <li>• Are there any barriers to the effective functioning of the Children Court (geographic, economic, procedural, etc.)? If so, how can these be overcome?</li> <li>• Was specific training of staff carried out to ensure that persons who use the courts (in the broadest sense) are treated with professionalism, courtesy, respect, dignity, etc.? If not, what specific training areas are required?</li> <li>• Are staff properly trained/equipped to function using the RJ approach and other methodologies which are required for the effective functioning of the Children Court? If not, what types of additional training may be necessary?</li> </ul>	NCSC		

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• Are staff committed to using the RJ approach in the Children Court?</li> <li>• Were there systems in place to ensure accountability during project implementation?</li> <li>• Were there systems in place to monitor the effectiveness of the project during implementation?</li> <li>• Have formal referral systems been developed so that children in need of assistance can be directed to appropriate agencies? Are the referral agencies/diversionary programme which exist adequate for serving the needs of children who pass through the Children Court? Are there specific referral services which do not exist and need to be developed?</li> <li>• Has the project led to the establishment of an adequate data management system to support the needs of the Children Court? Is there an adequate IT system in place, and support staff to manage this system?</li> <li>• Are there any other technologies which could be employed to improve the functioning of the Children Court?</li> <li>• Were there any unanticipated/unintended outputs or outcomes emerging from the implementation phase?</li> <li>• How is the Children Court working in coordination with partner agencies to improve the system of Child justice?</li> <li>• Is there a case flow management system in place in the Children Court? How effective is it? Are there any problems/issues with this system which hinder effectiveness of the Court? Are there ways that this system could be improved?</li> <li>• What were the key success factors of this project?</li> <li>• What were the good practices which could be applied if this project was to be replicated in other countries?</li> <li>• What were some of the challenges of the project? How were they overcome?</li> <li>• What were the lessons learnt?</li> </ul>			

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• Are there adequate rehabilitation policies/ measures/programs/referral services etc. to support children who pass through the Children Court?</li> <li>• What laws were changed as a result of the JCP? How effective would these changes be in improving justice for children who come into contact with the law? What additional legal changes need to be made?</li> <li>• What training was done under the JCP to support the use of peer resolution procedures? How effective was this training? Were there any problems with the training for peer resolution during the project? Identify these problems and suggest solutions/alternatives. Are there additional areas of training which need to be done?</li> <li>• Two Children Courts were established in Trinidad under the JCP. What were the key processes involved in the establishment of these courts (e.g. physical location/building, public education, staff training, training to improve adjudication, development/improvement of a case management system, development and implementation of rules, procedures and manuals (e.g. Judges' Rules for Children, Children Court Rules, Tables of Equivalencies, Child Defence Standards, Multi-Agency Protocols and Inter-Agency Protocols), establishment of court-annexed programmes, creation of effective referral mechanisms, training on new laws and procedures, ... list ALL of the key areas). For each, indicate the challenges which were experienced which reduced the effectiveness with which each area was developed. What recommendations would you suggest for improving effectiveness in the development of each of the listed areas?</li> <li>• Were there any factors which negatively affected the establishment of diversionary programs for use in the Children Court? What recommendations do you have for establishing such programs?</li> </ul>			

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• The JCP assisted in building institutional capacity among NGOs, the Children Authority and other agencies with diversionary programs. What factors hindered/helped in building this capacity.</li> <li>• What challenges were experienced in the development of referral mechanism for use between the judiciary and diversionary programmes? Are there challenges experienced in the functioning of these referral mechanisms?</li> <li>• What did the JCP do to ensure/encourage a change in culture/attitudes of stakeholders so that they were more accepting of a restorative justice model in dealing with children who come into contact with the law?</li> <li>• What has the JCP done to ensure the development and understanding of new operational systems and processes (e.g. various pieces of legislation, new Rules of Court, new Judges Rules, new Protocols, Children Defence Standards, and new philosophical paradigm) which are required for the effective functioning of the Children Court?</li> <li>• Has the JCP developed an M&amp;E Plan for the Children Court?</li> </ul>			
Sustainability	<ul style="list-style-type: none"> <li>• In what manner will the attained results continue once project support ends?</li> <li>• What phase-out/hand-over strategy was put in place to ensure the smooth transition into the new Children Court System? Was it fully understood by all partners? Was it implemented successfully? What difficulties were encountered during this transition? Are there any things which could/should have been done differently during the transition?</li> <li>• Is the new children court system sufficiently robust to support the RJ approach for children in TT? If not, can you identify the gaps? Are there any barriers that you could identify (e.g. cost, institutional, political, technical, social etc.) to the effective implementation of the RJ approach in the Children Court in T&amp;T and to the continued use of this approach?</li> </ul>	UNDP Judiciary USAID NCSC	Interviews / Focus Groups	Content Analysis

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• Are there other systems/factors upon which the Children Court rely to function effectively (e.g. facilities for youths diverted out of the CJS, adequate counseling services, foster care, NGOs which may be utilized, public readiness for the new approaches used by the Children Court, political will to support the expansion of the Children Court, etc.)? Are these other systems adequate and/or functioning effectively?</li> <li>• What deficiencies exist within these other systems/factors which could threaten the sustainability of the Children Court? How can we remedy these deficiencies?</li> <li>• Are there modifications to or additions/subtractions to/from the RJ approach that you would recommend?</li> <li>• Would it be desirable to extend the use of Children Courts throughout T&amp;T?</li> <li>• What would be required (staffing, expertise, physical plant, funding etc.) to extend the Children Court to one other location?</li> <li>• How many additional Children Courts would be needed to effectively serve T&amp;T?</li> <li>• Which elements within the start-up of the Court need strengthening going forward (e.g. staff numbers and competency, systems and procedures, etc.)?</li> <li>• What other interventions could be implemented to effect positive change in the child justice system?</li> <li>• When should the next evaluation be conducted and what should be the key elements?</li> <li>• Is there adequate buy-in from external stakeholders? If not, what can be done to improve this? Are there any external stakeholders which still need to be informed about the JCP?</li> <li>• Are there any weaknesses/omissions in the inter-agency and multi-agency protocols which have been developed? Have these protocols been adopted and put into use by relevant agencies? Are there any barriers to the implementation of these protocols?</li> </ul>			

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• What types of additional training, if any, are needed for external agencies which support the Children Court?</li> <li>• With respect to the peer resolution system and procedures, what more needs to be done to ensure sustainability of this approach (e.g. is on-going training required; how many persons should be trained and how frequently; what would be the costs of such training; what would be done to ensure that the Peer Resolution Trainers are retained?).</li> <li>• Are there strategies put in place to sustain the public education campaign? If so, what are they (e.g. workshops, outreach events, dissemination and use of fact sheets, videos, brochures, comics, digital graphics, infographics, and online platforms)? If not, what is required to sustain the public education campaign (in terms of funding, staffing, etc.)?</li> <li>• Diversionary programs are critical to the functioning of the Children Court. What recommendations are there to ensure the sustainability of these programs?</li> <li>• A HR plan has been approved by Cabinet for the Children Court. Are there any aspects of this plan which has a likelihood of being jeopardized in the future, and if so, what can be done to reduce the risks to this plan or to identified aspects of the plan?</li> <li>• Are there additional posts which need to be filled to ensure the smooth running of the Children Court? Are there any potential barriers to getting these filled (e.g. financial, lack of persons with expertise in the specific area, etc.) and what can be done to mitigate these risks?</li> <li>• What mechanisms are there in place to maintain stakeholder engagement?</li> <li>• What mechanisms are there in place to ensure the continued use of the Youth Level of Service Case Management Inventory?</li> <li>• The JCP assisted in building institutional capacity among NGOs, the Children Authority and other agencies with diversionary programs. What factors may hinder/help in sustaining this capacity.</li> </ul>			

Relevant evaluation criteria	Questions	Data Sources	Data collection methods/tools	Methods for Data Analysis
	<ul style="list-style-type: none"> <li>• The Children Court is accepting of a restorative justice model in dealing with children who come into contact with the criminal justice system and would have put measures in place to inform stakeholders and the population of this new approach. What did the JCP do to ensure/encourage sustainability in a change in culture/attitudes in the long run?</li> <li>• What has the JCP done to develop strong partnerships with both public and private sector agencies and NGO's to ensure greater harmony and development of child-centered solutions? Are there mechanisms in place to maintain these partnerships over the medium and long term?</li> </ul>			

## **APPENDIX 7    LEGISLATION MODIFIED UNDER THE JCP**

1. Supreme Court of Judicature Act, Chap. 4:01
2. Bail Act, Chap. 4:60
3. Summary Courts Act, Chap. 4:20
4. The Administration of Justice (Deoxyribonucleic Acid) Act, Chap. 5:34
5. Legal Aid and Advice Act, Chap. 7:07
6. Probation of Offenders Act, Chap. 13:51
7. Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01
8. Prisons Act, Chap.13:01
9. Young Offenders Detention Act, Chap. 13:05
10. Police Service Act, Chap 15:01
11. Matrimonial Proceedings and Property Act, Chap. 45:51
12. Adoption of Children Act, 2000
13. Status of Children Act, Chap. 46:07
14. The Family Proceedings Act, Chap. 46:09
15. Children's Authority Act, Chap. 46:10
16. Children's Community Residences, Foster Care and Nurseries Act No. 65 of 2000
17. Children Act No. 12 of 2012
18. Indictable Offences (Committal Proceedings) Act No. 14 of 2014



## APPENDIX 8 RESULTS FRAMEWORK

<b>INTENDED OUTPUTS AND DELIVERABLES</b>	<b>STATUS</b>	<b>COMMENTS</b>
<b><i>COMPONENT 1: Implementation of the of provisions of Children Act 2012, inclusive of development of pilot juvenile court system</i></b>		
<b><i>OUTPUT 1: Project Start-Up and Implementation: Recruitment of project staff, secure project staff office space and procure office equipment</i></b>		
<b><i>Deliverable 1.1: Establish Project Office</i></b>	Completed	
<b><i>Deliverable 1.2 Recruit Project Staff</i></b>	Completed	
<b><i>OUTPUT 2 One specialised Juvenile Court in at least 2 locations in TT</i></b>		
<b><i>Deliverable 2.1: Create Specialized Court Facilities</i></b>	Completed	
<b><i>Deliverable 2. 2: Integrated ICT Solution Plan.</i></b>	Completed	
<b><i>Deliverable 2.3: Juvenile Court Org Structure and HR</i></b>	Completed	
<b><i>OUTPUT 3: Develop rules of the court, policies and procedures for handling of juvenile matters</i></b>		
<b><i>Deliverable 3.1: Rules of Court</i></b>	Completed	
<b><i>Deliverable 3.2: Judges' Rules for Children</i></b>	Completed	
<b><i>Deliverable 3.3: Re-engineered Processes (Court Office, Legal and Administrative)</i></b>	Completed	
<b><i>Deliverable 3.4: Interagency Protocols</i></b>	Completed	
<b><i>OUTPUT 4 - Develop referral mechanisms in collaboration with the judiciary, government agencies and NGOs to establish formal links to diversionary programmes and juvenile courts</i></b>		
<b><i>Deliverable 4.1: Referral mechanisms between Judiciary and diversionary programmes.</i></b>	Completed	
<b><i>OUTPUT 5 - Build institutional capacity among NGOs, the Children's Authority, and other government agencies with diversionary programmes</i></b>		
<b><i>Deliverable: Rehabilitative Programme Options</i></b>	<ul style="list-style-type: none"> <li>• The Children Court will undertake follow up engagement with programme providers</li> <li>• Final assessment report submitted by programme assessors to</li> </ul>	

<b>INTENDED OUTPUTS AND DELIVERABLES</b>	<b>STATUS</b>	<b>COMMENTS</b>
	be reviewed by the Children Court	
<b><i>OUTPUT 6 Build capacity among juvenile courts and juvenile justice actors to manage cases in an effective and efficient manner.</i></b>		
<b>Deliverable 6:</b> Human Resource Capacity Development- Juvenile Justice Actors	CCMS (level 1) deployed for use in Children Court	Future work: Further customisation of CCMS to enhance system functionality
<b><i>Component 2: Conduct a Youth Pilot Court</i></b>		
<b><i>Output 7 - Framework created for establishment of Peer Resolution</i></b>		
<b>Deliverable 7.1:</b> Establishment of a Peer Resolution Sub-Committee	Completed	
<b>Deliverable 7.2:</b> Youth engagement and sensitisation in T&T	Completed	
<b>Deliverable 7.3:</b> Framework for the establishment of a Peer Resolution in T&T	Completed	
<b><i>Output 8- Draft legislation, rules and procedures for Peer Resolution</i></b>		
<b>Deliverable 8.1:</b> Legislation and Rules drafted to govern Youth Court	Completed	
<b>Deliverable 8.2:</b> Processes and Procedures to support Peer Resolution inclusive of referral system	Completed	
<b><i>Output 9 - Build capacity of youth participants, judicial officers, attorneys and social workers to manage court and hold pilot peer resolutions</i></b>		
<b>Deliverable 9.1:</b> Training of 150 judicial officers, attorneys and social workers in Peer Resolution roles and operations	Completed	Refresher training and hosting of PR hearing to be done by Children Court
<b>Deliverable 9.2:</b> Holding Peer Resolution sessions inclusive of training 180 children in Peer Resolution roles and operations	Completed	
<b>Deliverable 9.3:</b> Hosting of 15-20 children on a study tour to observe Youth Courts in the USA	Completed	
<b><i>Component 3: Design and implement a Public Education and Sensitisation Programme</i></b>		
<b><i>Output 10 - Identify and map key stakeholders; and conduct targeted communication, education and consultation to support the project objectives and open dialogue for an inclusive approach. Create a package of information for key stakeholder groups based on interests.</i></b>		
<b>Deliverable 10.1:</b> Comprehensive Stakeholder database developed		

<b>INTENDED OUTPUTS AND DELIVERABLES</b>	<b>STATUS</b>	<b>COMMENTS</b>
<b>Deliverable 10.2:</b> Project communications plan developed and implemented	Completed	
<b>Deliverable 10.3:</b> Stakeholder consultations exercise planned and facilitated	Completed	
<b>Deliverable 10.4:</b> Repository of communications material	Completed	
<b>Deliverable 10.5</b> End of project report	In Progress	
<b><i>Output 11 - Design and implement a public education and communication campaign targeted at the national community and the youth population</i></b>		
<b>Deliverable 11.1:</b> Base levels of project awareness rates identified	Completed	
<b>Deliverable 11.2:</b> Brand strategy developed and applied	Completed	
<b>Deliverable 11.3:</b> Project online presence established	Completed	
<b>Deliverable 11.4:</b> Public education communication campaign designed and implemented	Completed	
<b>Deliverable 11.5:</b> End of project awareness	Completed	

## APPENDIX 9 Evaluation Work Plan

### Work Plan

The evaluation of the JCP will take place from April 23 to June 08, 2018. Table 1 shows the Work Plan for the evaluation. Within the first two weeks from project start project documents will be reviewed, stakeholders would be identified and notified of the upcoming evaluation, and the interview questionnaire will be developed. Consultations and interviews will be conducted with project partners and stakeholders during weeks three to five while data analysis will be done in week six. The draft evaluation report will be submitted in week seven while the final evaluation report will be submitted in week eight. The consultant's ability to submit the final evaluation report in as indicated will depend on timely receipt of feedback on the draft evaluation report. The UNDP as well as key stakeholders will be asked to provide feedback on the draft report.

**Table 1: Work Plan**

	Weeks (April 23 – June 08, 2018)							
	1	2	3	4	5	6	7	8
Review of project documents								
Development of list of stakeholders								
Development of Interview Questionnaire								
Data Collection								
Data Analysis								
First Draft of Evaluation Report								
Final Draft of Evaluation Report								

### Deliverables

The following are the deliverables under this project:

- Evaluation Inception Report
- Outline of Evaluation Report
- Draft Evaluation Report
- Final Evaluation Report