

Improved Access to Justice for Unrepresented Accused
Persons in the Criminal Justice System in Malawi

END OF PROGRAMME EVALUATION REPORT

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By// Mpala Nkonkomalimba

E-mail: mpalankonko@yahoo.co.uk

Mobile number// 260-977368403/966430251

List of Acronyms

CFJ	Citizens for Justice
DfID	Department for International Development
DPP	Director of Public Prosecutions
HDF	Human Dignity Foundation
IRLI	Irish Rule of Law
LAB	Legal Aid Bureau
MOU	Memorandum of Understanding
NGO	Non-Governmental Organisation
PASI	Paralegal Advisory Service Institute
UNICEF	United Nations Children's Fund

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1. Executive summary

The current programme commenced in mid-2014, funded by the Human Dignity Foundation (HDF) and Irish Aid's Civil Society Fund (CSF), with additional support from the Bar Council of Ireland, the Law Society of Ireland and private donations. In early 2016 a proposal for a +-five-year programme was submitted to Irish Aid Malawi and was successful; the Irish Aid funding at this point transitioned from the CSF to the country office and will carry on until 2021. IRLI also recently secured additional funding from the European Union for three years, to be implemented in partnership with two local partner organisations. The support from Human Dignity Foundation (HDF) came to an end in June 2017.

Overall, the programme sought to engage the Irish legal profession to build capacity in the Malawian criminal justice sector, with the overall aim of improving access to justice for unrepresented vulnerable persons in the criminal justice system in the Central Region of Malawi. The intervention strategy was one that had IRLI implement mechanisms in partnership with local actors to remove obstacles to free legal aid in the short-term (such as capacity constraints and shortage of lawyers) in order to bring about direct change at beneficiary level, while developing systemic, sustainable interventions aimed at providing long-term benefits to the wider criminal justice sector. IRLI's using a secondment approach partnered with the main criminal justice institutions namely the Malawi Police Service (MPS), the Director of Public Prosecutions (DPP), the Judiciary, the Legal Aid Bureau (LAB) and through these partnerships gained direct access to prisons and police stations. The partnership with the MPS facilitates the development and maintenance of the Diversion programmes whereby IRLI can provide legal advice and assistance to officers in the police stations where Diversion programmes have been established.

This end of grant was commissioned by the Irish Rule of Law and was undertaken in July and August 2017 to establish some more detailed qualitative assessment of the achievements of the programme to date, in order to capture the less tangible and more nuanced results of an access to justice programme. In particular, this evaluation sought to:

- Provide an overview of the results achieved to date by IRLI's Access to Justice Programme, with a primary focus given to the results and outputs included in the HDF funded grant
- Provide an analysis of the internal and external factors that have influenced positively and negatively programme progress and the achievements of programme results;
- Provide an analysis as to the extent to which programme activities and results are sustainable and relevant to national capacities and priorities;
- Provide an analysis of the gap between the gain in knowledge and the application of that knowledge and determined the reasons why gain knowledge might not be applied in practical sense by the targeted institutions
- Address the differing perceptions to what "access to justice" means to the different stakeholders and how this impacts on the reception of the programme;
- Analyse the evolution of IRLI internal structure and programme approach and determine whether they are sustainable to programme growth and effective to achieve programme long-term objectives;
- Provide accountability to IRLI management and donors;
- Contribute to the strategic planning process for the future of the Malawi programme.

In addition to what is above and in consideration of the substantive evolution of the programme to-date, the evaluation sought to also highlight lessons learned so as to will contribute to improved

implementation, provide feedback, appraisal and recognition, as well as enhance advocacy by showing the possible attribution of achievements to the programme.

2. Summary matrix of findings, evidence and recommendations

The matrix below highlights the key issues and problems identified during the evaluation.

	Findings: problems and issues identified	Evidence (sources that substantiate findings)	Recommendations
1.	The weakest component of the programme is the support to the DPPs office.	This is evidenced by the fact that over the last two years no traction has been made in implementing the planned interventions	A decision needs to be made on the type of support to be given to the DPPs office. This should be based on a discussion with the DPP. It is noted that another department within the Judiciary has been identified and will be supported.
2.	Collection of data on a number of indicators across the programme is not being done	Interviews with the Programme Lawyers and some of the stakeholders	Sessions need to be held with all Programme Lawyers to further explore and review particular indicators and establish what they really mean and decide on whether there is value in collecting it
3.	The programme structure is still based on a voluntary approach.	The overall documented approach and strategy and interviewed stakeholders	Consideration should be made to have the programme establishment become more professionalised with Programme Lawyers having more extended contracts under which they can work and better remuneration planned and budgeted for
4.	The overall approach is still needs based.	The overall documented approach and strategy and interviewed stakeholders	Consideration needs to be made to start to move the programme approach and subsequent interventions into being more rights based. This will entail having the programme take advantage of the access they already have to high level offices to engage in some evidence based advocacy grounded on the work on the ground.
5.	Despite there being anecdotal evidence, the impact of the mentorship component of the programme is not being adequately captured and documented	Interviews with the programme leaders and the stakeholders	There is need to better define what the mentorship component of the programme will look like and against this set some indicators that can be measured.
6.	Added support particularly to enhance administrative efficiency through the development of checklists,	Interviews with the programme leaders and the stakeholders	Each of the PLs needs to report on some of the guidelines and other such documentation they have worked on and the use of these by Institutions should be documented.

	databases, etc. is also not being adequately captured		
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3. Background and context

3.1 The Malawian context

Malawi is a small, narrow, landlocked country in sub-Saharan Africa. It shares boundaries with Zambia in the west, Mozambique in the east, south and south-west and Tanzania in the north. It has an area of 118 484 square kilometres, of which 94 276 square kilometres is land and the remainder is water. Malawi has an estimated population of 15.9 million. The country is divided into three administrative regions, namely the Northern, Central and Southern Regions. There are 28 districts: six in the Northern Region, nine in the Central Region and 13 in the Southern Region.

Economic context: Real gross domestic product (GDP) grew by 5.7% in 2014, but slowed down to 2.5% in 2016 after two consecutive years of drought, which has adversely affected the performance of agriculture, which accounts for about a third of the country's GDP. Flooding in southern districts, followed by countrywide drought conditions caused a further decline in agricultural production.¹ This has impacted on the Government's capacity to have resources available for most sectors of government including the Judiciary and the Police Service.

Social context: Encouraging progress has been made in terms of human development over recent years. However, poverty and inequality remain stubbornly high in Malawi. Poverty has been increasing in rural areas where 85% of the population lives, compared to urban areas where it fell significantly from 25 to 17%. A key obstacle to reducing poverty is low agricultural productivity. The majority of the poor remain locked in low productivity subsistence farming. New estimates on poverty numbers are expected in 2017. This social context means the majority of Malawians cannot actually afford legal fees charged by lawyers and are heavily dependent on the services of the Legal Aid Bureau.

Access to justice: The Danish Institute for Human Rights study 'Expanding Access to Justice for the Poor: Malawi's Search for Solutions, A Comparative Analysis with Other Select Informal Justice Systems' points out several challenges faced by the majority of Malawians in trying to access justice. Some of most pertinent ones include:

1. Most Malawians cannot access the formal state mechanisms for resolving civil disputes. Consequently, they use non-state institutions and draw on the processes available in the 'informal' or 'primary' justice sector. Most people in Malawi depend on non-state institutions, of which the most frequently used were found to be traditional family counsellors (ankhoswe), traditional leaders, religious leaders and community, non-governmental, and faith-based organisations.
2. For those who live in villages, the closest Magistrate Court might be 25 to 40 kilometres away. Most villagers cannot afford a personal vehicle, and public transportation in rural areas is non-existent. The only options available for villagers are walking, biking, or hitch-hiking to the court. Furthermore, it is necessary to get to the courthouse a couple of days prior to the trial's beginning. This requires Malawians to raise money for food, accommodation, and anything else they might need while traveling away from their homes.
3. The poor Malawians may be unable to access the justice system simply because they do not understand it, or lack knowledge about it. They may be illiterate, which severely hampers their ability to interact with the justice system. In Malawi, the law is drafted and administered in the official language, English, which many poor people are unable to speak and/or read thereby excluding the majority of the population that speak only local languages.

¹ <http://www.worldbank.org/en/country/malawi/overview>

4. Courts are under-funded, and judicial procedures may be inaccessible for those who lack legal representation, which is generally too expensive for the poor. Restrictions on who may practice law and provide legal services are other barriers that can block more accessible forms of legal services such as law student legal clinics and paralegals

Further and as noted in the annual reports of this IRLI programme, many systemic issues affecting the criminal justice system remain unchanged and include issues such as the low salaries of the public servants and the dissatisfaction and demotivation that comes with it. At the time of the evaluation, the court support staff had gone on a second strike in 2017 this time demanding among other things housing allowances. In addition, there are low numbers of staff within the targeted institutions. This is particularly the case for the Director of Public Prosecutions office where staff have gone away on study leave and have not been replaced.

Another negative issue within the context has been the decline in support to the sector following the coming to an end of the UK's Department for International Development's (DfID) five year Justice for Vulnerable Groups Programme in 2016. This has left several partners such as the Paralegal Advisory Service Institute (PASI) and others without secure funding

There have been other positive changes in the context too. These include the fact that within Lilongwe, a Child Justice Court which listens to matters relating to children including criminal matters was opened in November 2016. At the time of the evaluation, it was noted that the Court was not receiving a lot of cases and this was directly attributed to the fact that the Rogue and Vagabond Law had been repealed as well as the implementation of the Diversion component of the programme. The second positive change was with regard to the Legal Aid Bureau (LAB): their situation has improved with the recruitment of additional technical and administrative staff since the LAB became autonomous and sourced funding from the Government.

3.2 The Irish Rule of Law interventions in Malawi

Irish Rule of Law International (IRLI) is a joint initiative of the Law Society of Ireland and The Bar of Ireland, dedicated to promoting the rule of law in developing countries.

The current programme commenced in mid-2014, funded by Human Dignity Foundation (HDF) and Irish Aid's Civil Society Fund (CSF), with additional support from the Bar Council of Ireland, the Law Society of Ireland and private donations. In early 2016 a proposal for a five-year programme was submitted to Irish Aid Malawi and was successful; the Irish Aid funding at this point transitioned from the CSF to the country office and will carry on until 2021. IRLI recently secured additional funding from the European Union for three years, to be implemented in partnership with two local partner organisations. The HDF grant came to an end in June 2017. The evaluation primarily focused on assessing the implementation achievements and challenges relevant to this grant while also focusing on a higher level qualitative analysis of the programme as a whole, in consideration of its progressive evolution up until now and the planned implementation for the next four years.

The programme aims to improve access to justice for unrepresented accused persons in the criminal justice system in targeted areas in the Central Region of Malawi. The approach is two-fold: capacity building of criminal justice institutions, and support of direct legal service provision. Capacity building is undertaken in each of the key criminal justice institutions: the Legal Aid Bureau (LAB), Office of the Director of Public Prosecutions (DPP), the Malawi Police Service (MPS) and the Malawi judiciary. A Programme Lawyer is seconded to these institutions and undertakes one-on-one mentoring, which is further complemented by trainings and workshops. Direct legal services are provided with the support of partner organisations such as the Paralegal Advisory Service Institute (PASI) and relevant targeted

institutions such as the LAB and MPS. This takes the form of legal literacy sessions for remandees, the facilitation of prison camp courts, support for bail applications and the provision of a Diversion after-care programme for children in conflict with the law.

3.1 Evaluation purpose and objectives

An end of grant evaluation was carried out to assess the impact of the programme in delivering agreed indicators and targets as per the log-frame and original agreed indicators. In addition to this and in consideration of the substantive evolution of the programme to-date, the evaluation also sought to highlight lessons learned that will contribute to improved implementation, provide feedback, appraisal and recognition, as well as enhance advocacy by showing the possible attribution of achievements to the programme.

It was noted that IRLI had recently undergone a comprehensive review of monitoring and evaluation systems leading to the development of new tools for the collection of data with a heavy focus on the collection of quantitative results of the programme. With this in mind, IRLI through this evaluation was looking for a more detailed qualitative assessment of the achievements of the programme to date in order to capture the less tangible and more nuanced results of an access to justice programme. In particular, this evaluation tried to:

- Provide an overview of the results achieved to date by IRLI's Access to Justice Programme, with a primary focus given to the results and outputs included in the HDF funded grant
- Provide an analysis of the internal and external factors that have influenced positively and negatively programme progress and the achievements of programme results;
- Provide an analysis as to the extent to which programme activities and results are sustainable and relevant to national capacities and priorities;
- Provide an analysis of the gap between the gain in knowledge and the application of that knowledge and determined the reasons why gain knowledge might not be applied in practical sense by the targeted institutions
- Address the differing perceptions to what "access to justice" means to the different stakeholders and how this impacts on the reception of the programme;
- Analyse the evolution of IRLI internal structure and programme approach and determine whether they are sustainable to programme growth and effective to achieve programme long-term objectives;
- Provide accountability to IRLI management and donors;
- Contribute to the strategic planning process for the future of the Malawi programme.

3.2 Evaluation limitations.

The following were the challenges experienced during the course of undertaking the evaluation:

1. The project being evaluated started in 2014 but the final indicators against which its progress was to be evaluated were only finalised in 2016. When the project commenced in 2014 the project log frame did not include outcome level indicators, but rather indicators at the output level only. This meant that some data that ideally should have been collected as part of the project's monitoring process at outcome level was not collected.
2. The reporting done in the first and second year was output and not outcome and impact based.
3. At the time of the evaluation, the court support staff were on a strike and this impacted on the project's capacity to make appointments with some of the magistrates that should have ideally been interviewed.

4. It was not possible to trace and bring together individuals that have benefitted from the bail component of the programme for interviews.

4. Evaluation methodology

The consultants used different approaches and methods during the evaluation process these included:

1. **Literature review** of all relevant documentation initially provided by IRLI and the office in Malawi. This included the annual reports on the project, the project documents as have been submitted and supported by different cooperating partners and other relevant literature collected during the evaluation field trip. A full list of these is provided in Annex 3.
2. **Key informant interviews** with the different individuals from all the institutions currently being supported by IRLI. These included representatives from the Judiciary, the office of the DPP, the Malawi Police Service, LAB, children that are part of or have graduated from the Diversion programme and their parents, staff from the Ministry of Social Services and the project staff themselves. A total of 30 key informant interviews were held. Semi-structured questionnaires was used to interview all the representatives from the targeted institutions who were identified randomly in consultation with the programme staff. This was done given the qualitative nature of the evaluation. Programme staff in particular were engaged firstly through a staff session during which key elements of the project were discussed and analysed in plenary sessions and then individually using semi-structured questionnaire and the programme's new and old logical frameworks as the guides to further probe progress that had been made since inception.
3. **Focus group discussions** were also held specifically with the village headpersons and chiefs that were in attendance of a training during the evaluation.

5. Evaluation findings: Analysis based on evaluation criteria:

5.1 The projects' design

Overall, the programme appears to have been designed around the challenges that have been identified within the Access to justice sector. The approach overall is designed to be needs based and was described as such by different stakeholders that noted that IRLI does not come in with a set agenda but consistently listens in to the needs of the partners and adapts interventions to the identified needs.

By design, IRLI has a two-fold approach within the programme: capacity building of criminal justice institutions, and support of direct legal service provision. Capacity building has typically been defined as the development and strengthening of human and institutional resources and encompasses planned development of (or increase in) knowledge, output rate, management, skills, and other capabilities of an organization through incentives, technology, and/or training. By design, the programme appears to have adopted a broad definition of capacity development as is evidenced by the fact that the interventions touch on issues such as training but also enhancing administrative effectiveness of the Institutions within which they work through the development of guidelines, templates, data bases and checklists that can then be used by the staff in the targeted institutions.

In addition, and also by design, through the use of the secondment approach, IRLI has established important working relationships with all the key stakeholders within the criminal justice system in Malawi. This unique position also enables the project to provide real linkages between all of the key stakeholders which promotes a mutual exchange of learning and understanding while also helping to promote increased overall synergy between stakeholders.

The evaluation noted that a risk analysis and from it a risk matrix has been developed by the programme and is being used by the programme manager who monitors it with key action points identified appropriately. It is also noted that there was an attempt made in the initial design of the programme to ensure sustainability of the programme interventions.

Mainstreaming cross cutting issues: Mainstreaming in this context is simply the process of engaging in a structured way with an issue (gender, HIV and AIDS, disability) as an organisation, within the workplace, within the programmes and by contributing at the policy levels. It is done in order to address, and avoid increasing, the negative effects of that issue. Specifically, with reference to mainstreaming gender, this is a strategy for making women's as well as men's concerns and experiences a part of the design, implementation, monitoring and evaluation of policies and programmes in all spheres (political, economic, social) so that women and men can benefit equally and inequality stops. The ultimate goal is to achieve gender equality.

With regards to access to justice, women's capacity to access justice is hindered by structural inequalities and pressure coming from traditional stereotypes. Worldwide, the failure of the justice system to provide justice for women prevents them from filing grievances and suing or prosecuting those who violated their rights. This remains a significant human rights challenge.

As a programme, it is noted that gender is not being mainstreamed in a systematic way. Gender mainstreaming starts with a deliberate collection of data around identified issues, moving beyond numbers of women sitting as workshop participants to actually identifying gender issues within the justice system and using the programme/IRLIs comparative advantage to try and resolve these issues. This does not necessarily imply that the programme has failed to increase access to justice for women in the target communities but it may suggest the need to strengthen the design of future phases of the project to combine legal knowledge with empowerment strategies to make rights a reality.

5.2 Project relevance

There are at least two levels on which the relevance of the project can be assessed. First, is access to justice as it has been interpreted by this programme a current priority Malawi? Secondly, did the programme correctly identify the issues which are of the most importance in improving access to justice and responding to the identified needs? The relevance of this programme and the outputs it produces are unquestionable for the most basic reason that the context within which it was initially planned has not changed. This necessarily means that the initial challenges that the project was planned to mitigate actually still exist and in this sense the project is still very valid. The challenges include:

1. The low levels of knowledge around the different pieces of legislation among the Police service, the Judiciary staff and those that come into conflict with the law.
2. The inability of those that come in conflict with the law to afford legal services.
3. The non-availability of copies of the different pieces of legislation (Penal Code, Criminal Procedures Act, The Constitution) among the Judiciary and the Police particularly but also the community as a whole.
4. The low numbers of judicial staff, magistrates, lawyers and judges against the numbers of citizens that actually need the services. This is coupled with the lack of a pro-bono system for lawyers and the capacity issues within the LAB.
5. The high levels of congestion in the police cells and in the prisons

Quote
"Initially, when IRLI came to work with the police, we were very suspicious of them and were not ready to accept them. After some time, and after working with them, we have realised that they are in fact good people."
Police officer interviewed
Quote
"IRLI come in with no agenda, they want to hear my needs before they propose what can be done. Their agenda is informed by our needs."
Justice Kachale – President of the Training Committee

The programme encompasses a two-fold approach capacity building of criminal justice institutions, and support of direct legal service provision both of which are relevant in trying to respond to the issues within the context. All stakeholders interviewed noted that the approach of the programme is very appropriate and further note that IRLI is very different from other cooperating partners as it bases its interventions on the needs as identified by the local partners themselves.

One of the programme's greatest strengths is the recognition of the role played by the traditional leaders in the overall justice system in Malawi and their conscious engagement which may help to provide more effective protection to the most vulnerable members of the community.

One of the other critical issues pointed out by all the stakeholders interviewed is that the legislation in Malawi is for the most part very good and what has been identified as a problem is that of ensuring of its implementation. This brings into play the fact that many access to justice theoreticians and practitioners now advocate a legal empowerment approach to strengthening the rule of law which is defined by Stephen Golub as:

"[T]he use of legal services and related development activities to increase disadvantaged populations' control over their lives. This alternative paradigm, a manifestation of community-driven and rights-

based development, is grounded in grassroots needs and activities but can translate community-level work into impact on national laws and institutions.”²

The community education aspect of the programme could be made even more relevant if it moved beyond education regarding the formal legal system, rights and obligations towards empowering community members to make those rights and obligations a reality. Laws and rights can only protect the most vulnerable if they are implemented. This approach is particularly relevant within the context of Malawi where the formal legal institutions are not delivering adequate protection and access to justice for vulnerable groups within society. The Programme Lawyers are also in a unique position where they have access to different high-level officials within the institutions they are working and as such they can do some lobbying and use evidence from the community to conduct evidence based advocacy. This was recorded as an achievement in the second annual report where it was noted that IRLI had become increasingly involved in high-level policy discussions such as:

- The Panel of Experts for drafting the National Human Rights Action Plan;
- Member of Court User Committee (CUC) Taskforce;
- Member of the Steering Committee for the Young in Prisons Stakeholders Forum;
- Member of national core group on prison decongestion;
- Member of National Child Justice Forum;

This is an element of the programme that needs to be better planned for, monitored and impacts recorded.

5.3 Efficiency

This criterion looks at the extent to which the costs of programme interventions can be justified by its results, taking alternatives into account?

The budget, personnel and training processes across the different components appear to have been well managed. The programme staff have consistently worked to reduce the costs that they incur as they undertake the various planned interventions. This has included:

1. The project office was hosted by the LAB. This meant that the project did not incur any rental costs. With the LAB having hired additional personnel, the project has planned to move to their own offices.
2. Some of the trainings, particularly for the police, were done at their training centre and the programme therefore made savings on the cost of a venue.
3. Although the initial budgets had included per diem during the times when community sensitisations are being undertaken, this budget line has not been used because the teams have chosen to travel in the morning of the sensitisations and do not spend nights away.

It was explained that because the programme runs on very low costs, there was some underspending on particular budget lines and a no-cost extension had to be negotiated with HRD. It was also noted although the programme has scaled up activities significantly, the budget is also bigger than it used to be. This means that the noted trend in underspending is expected even on the next funding tranche as there is no anticipation of an increase in costs within Malawi.

On the other hand, the programme has also underspent on particular budget lines as a result of the following:

² Sally Lowe, Evaluation of the “Providing Access to Justice – Legal Awareness at the Grassroots Level” Project Timor Leste for Avocats Sans Frontières Brussels, December 2017

1. The interventions targeting the DPPs office have not been undertaken mainly because of the changes in priorities which has seen the office not take on any homicide cases over the last two years. The value for money of having had a PL sit in this office for the length of time they did is questionable as no tangible impacts have been noted.
2. The project administrator has not been recruited

The actual costs of having the PLs in Malawi is also kept to a minimum because the approach has been voluntary based. Although commendable, this has had implications on the funds available for the PLs who are not salaried but given stipends. Although the voluntary approach may be deemed as enhancing efficiency, this has to be weighed against the costs as a result of a loss in continuity as the staff keep changing and the overall reduced impact as a result of this lack of continuity.

5.4 Partnerships and cooperation:

This section reviews the extent to which partnerships have been sought and established, and contributed to the delivery of assistance. It also reviews the extent to which there is effective coordination among partners.

By virtue of the way in which the programme is set up, it is highly dependent on partnership as each of the Programme Lawyers is actually working within an identified institution. Several issues were noted:

1. The relationship with the Police Service is very positive, with all the officers talked to agreeing that the partnership and cooperation is positive. The facilitators of the various trainings confirmed participating in the preparation of the training materials and confirmed that there are high levels of cooperation between the programme and the Police Service.
2. The relationship with LAB is also noted as being good. It was noted that because the programme office was actually within LAB, it was possible that full use of the Programme Lawyer was not being made. Once the IRLI office moves out to their own offices, the Programme Lawyer will stay at LAB and it is at this point that the partnership can better be assessed.
3. The relationship with the Judiciary was said to be good with the Programme Lawyer expressing hope that it can be further enhanced with more communication.
4. The programme further has relationship with an organisation called Paralegal Advisory Service Institute (PASI). PASI had been receiving funding through the DfID programme that has since come to an end. They are now dependent on IRLI for financial support. They have been very supportive of the programme across its different components, e.g. when undertaking camp courts, doing age assessments as well as doing the community sensitisations.
5. The relationship with the DPPs office has been the most problematic, the actual reasons for this status have not been concretely established but it is attributed to among other things the shift in priorities to resolve the Cashgate cases and the subsequent stalling of all other interventions under the programme and the possible misunderstanding of what the role of the Programme Lawyer should be in this office.
6. At the community level, the partnership and cooperation fostered to date was evident during a follow-up meeting which was to be attended by Village Chiefs and headpersons. Although the Traditional Authority had not been invited to attend, they sent in two people to represent them showing ownership of the process but also a willingness and commitment to being a part of the process.

With regards to other cooperating partners, it was noted that UNICEF were providing funding at the same time that IRLI were expanding their police work. IRLI were able to take advantage of UNICEF's

work and piggybacked on it to drive their aims home and expand their police work and activities. Even though UNICEF funding is no longer available, IRLI have maintained the institutional relationship.

Key observations made are that the partnerships and levels of cooperation with other institutions and organisations is very much based on the personalities of the IRLI staff that are placed in the institutions. Although the partnership is between institutions, the actual interactions occur between particular individuals in each organisation. Thus, interactions between people are an important dimension of how partnerships work. What is definitely an issue therefore is how those in partnership, namely the targeted institutions, actually understand as being the role of the Programme Lawyers. This was not always clear to those interviewed with some stakeholders pointing out tasks that were undertaken by previous Programme Lawyers that were in fact out of the mandate of the programme to perform. The result is that there is a certain level of expectation from the institutions targeted based on a misunderstanding of the actual ToR of the Programme Lawyers.

Outside of the formalised institutional partnerships, the programme staff are also participating on different platforms, stakeholder meetings which are seen as bringing value to the programme, e.g. the stakeholder meetings attended by the Programme Officer under the Diversion component of the programme. Here, efforts have been made to link up with other civil society organisations so that services that cannot be provided by IRLI can be sourced for the children. A key challenge experienced has been the expectation that IRLI should pay for these services.

Success story – Collaboration and partnership in responding to crisis

One of the success stories witnessed during the evaluation was how the IRLI team, using their established social media platform (WhatsApp) coordinated efforts and managed to get a magistrate to visit some of the police cells so as to tray and reduce the congestion caused by having the court support staff on strike.

The success of this was based on their own capacity to network, but also their personal relationships with all the persons that then got engaged in ensuring this was made possible

5.5 Effectiveness and impact of interventions

This section of the evaluation looks at the extent to which the programme objectives were achieved at the results level and whether or not the benefits reached the target groups as intended? In addition, the impact of each of the components of the programme is discussed after comments on effectiveness as captured in the matrices.

This component of the report combines both the indicators as initially planned for in 2014 and the indicators as revised in 2016. The initial outputs and indicators are discussed under each of the relevant sections under the revised programme outcomes and outputs. The reporting covers year one and two of the planned three years as the third years reporting was at the time of the evaluation only due at the end of 2017.

It is noted that the indicators as identified in the initial proposal were mostly output based and did not do justice to measuring actual outcomes and impacts being scored by the programme. IRLI had recognised that the original indicators included in the proposal to HDF were capturing outputs and not adequately reflecting the identified outcomes. Pursuant to this, as part of the proposal development process commenced with Irish Aid in 2015, it was agreed that IRLI should develop a monitoring and evaluation system that would be better able to demonstrate the results and impact of the programme. Consequently, an M&E consultancy was factored into the newly developed budget with Irish Aid with the expectation that it would be completed as soon as possible after the new grant

commenced in July 2016. In this review process undertaken in November 2016, three types of outcome indicators were developed: Knowledge, Practice and Attitude indicators. The knowledge indicators focus on the changes in knowledge of those who are targeted for formal trainings supported by IRLI. The practice indicators are designed to assess changes in specific practices that IRLI is aiming to improve over the course of the programme. These practices are either related to the content of the trainings or are focused on improved institutional efficiency as a result of the continuous mentoring and support provided by the Programme Lawyers (PLs), who have been seconded to the various relevant institutions. The attitude indicators have only been used in relation to the wider community and their leaders' attitudes towards specific behaviours that the programme aims to change. Not all the indicators were changed but in effect the changes have helped the Programme Lawyers start to measure impact in the short and long term. In presenting this section of the report, effort is made to present both the initial and revised indicators and noting the interventions remain the same, i.e. secondments and trainings etc. the report then provides some details and insights on both the output level indicators, noting where training or meetings have continued but also reports on actual outcomes and impacts of the interventions undertaken to date.

To help in the review process of particular components of the programme and specifically the review of the indicators, the evaluation has colour coded the overall assessment against the set indicators as follows:

On track, no issues noted	On track but there are issues that need to be addressed	Major problems have been identified and immediate action is needed

5.5.1 The overall objectives

Objective	Set indicators	
Overall Objective: The criminal justice sector in Malawi is strengthened according to due process rights and human rights.	1. Level of availability and accessibility of legal assistance and representation services to people in conflict with the law	
	2. Level of availability and accessibility of Diversion and restorative justice practices to children in conflict with the law and juvenile offenders	
	3. Level of alignment of the Administration of justice by key institutions with norms relevant to due process and human rights	

No baseline data was available for this level of indicators and as such it was difficult to ascertain any progress made towards IRLI's contribution towards their achievement. Despite this it is noted that by virtue of the way in which the programme is designed, the programme is clearly contributing to the achievement of the first two indicators. At the time of the evaluation, IRLI was in fact said to be the only organisation offering Diversion programme targeting children.

One of the key issues to further note is that although the programme is limited in geographical coverage, particularly with the Diversion programme, the impact of the work being done is actually spreading well beyond the Central region. This is through the fact that in the case of the Police, trainings also include Officers from other regions and the fact that the Police have an active WhatsApp group through which they are influencing decisions being made across the country.

Initial outcomes set in 2014

Outcome 1: Prisoners and those in police custody are ensured of their due process rights and given greater access to restorative justice practices.

Outcome 2: Increased and applied knowledge of due process rights, human rights compliance and legal skills amongst criminal justice stakeholders.

There were no set indicators against these outcomes and as such measurement towards their achievement was done through the indicators at output level. That the output level indicators were not capturing outcome-level achievements was the driving force behind the development of new outcome level indicators.

A critical challenge being faced in achievement of the overall objectives is the occurrence of strikes within the judicial system, for instance, a major challenge faced by IRLI in the first half of the project year was the strike undertaken by judicial support staff from mid-November 2014 until the beginning of January 2015. During this period, all courts were closed thus frustrating the criminal justice sector as a whole. At the time of the evaluation, the support staff had again gone on strike and it was not known how long this was going to go on for.

5.5.2 Objective on Institutional Capacity Building

Specific Objective 1 on Institutional Capacity Building: To increase the institutional capacity to provide sufficient services to people in conflict with the law according to principle of due process and human rights

5.5.2.1 Interventions with the Police service

Outcome	Set indicators	Status and comment	
Enhanced capacities of Malawi Police Services to protect the rights of those in conflict with the law and /or police custody according to due process rights	1. OI 1.1.1 Average % increase in knowledge of police officers who attend IRLI trainings, three months after the training, disaggregated by rank and gender.	Data on this is being collected. Increase in understanding is evident in post-training surveys. What has been noted and what is yet to be investigated is the decrease in knowledge particularly among the women. This was attributed to the possibility that it is different female officers actually doing the post training survey.	
	2. OI 1.1.2 Proportion of persons in custody books who are processed (released or remanded in custody) within 48 hours of arrest.	This indicator was said to be too ambitious as there are too many Formations and the most that can be done are spot checks by the Programme Lawyer. IRLI has contributed to greater understanding of 48 hour rule, but this may not yet be captured in the data	
	3. OI 1.1.3 % child cases diverted from targeted formations (disaggregated by formation type)	The Diversion targets have all been met but this was attributed to the fact that Judgment was delivered on 10 January 2017 declaring the Rogue and Vagabond offence unconstitutional and invalid. ³	

Output	Indicator	Status/comment	
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³ Section 184(1)(c) of the Penal Code provides that “every person in or upon or near any premises or in any road or highway or any place adjacent thereto or in any public place at such time and under such circumstances as to lead to the conclusion that such person is there for an illegal or disorderly purpose, is deemed a rogue and vagabond.”

A1.1.1 Facilitate trainings on child justice and rights of the accused for the MPS.	10 trainings per year over five years targeting a total of 1,775 police officers, on child justice and rights of the accused in the central region disaggregated formation, gender and rank.	This is on track. The actual numbers of the police officers trained was being compiled at the time of the evaluation.	
A1.1.2 Document best practices/ success stories on work with the MPS.	At least one best practice documented every six months	These have been identified but have not been documented yet. The case of a Police Officer in Kawale that has become a champion for the cause was given as an example of a success story	
A1.1.3 Continual support to processing cases for LAB and DPP	Number of cases where support is requested from other IRLI team members each month	Given the issues being faced with the DPP's office, this has become difficult to achieve. The indicator needs to be rephrased.	
A1.1.4 Conduct regular cell visits to MPS Formations	16 cell visits conducted each month	On average the PL is covering 20-25 cell visits a month. This target has been met.	

Initial outputs and indicators from 2014

	Indicator	Target Year 1	Actual	Target Year 2	Actual
1.1 Suitable accused and those in police custody are targeted for restorative justice practices in selected Police Stations in Lilongwe District	1.1.1 No. of trainings undertaken	8	8	8	8
	1.1.2 No. of police officers, legal personnel and magistrates trained in diversion	160	168	160	205
	1.1.3 Increase in number of people diverted from formal criminal justice system in targeted Police Stations	30%	N/A	30%	N/A
1.2 Suitable accused and those in police custody are targeted for restorative justice practices in Police Stations in 6 additional Districts in the Central Region of Malawi	1.2.1 No. of Districts which receive Diversion Training	2 Districts (Dowa, Salima)	2 Districts (Dowa, Salima)	2 Districts (Mchinji, Kasungu)	2 (Mchinji & Kasungu)
	1.2.2 No. of police officers, legal personnel and magistrates trained	50	122	50	95
	1.2.3 Increase in use of diversion in diversion	30%	N/A	30%	N/A

The programme had no baseline data for Indicator 1.1.3 prior to rolling out the training on the topic, and as such it is not possible to link an increase in diversion directly to the IRLI training. For indicator 1.2.3, this was to be 30% of those trained report increased use of diversion 6 months after training. There was no baseline undertaken and no reporting against this indicator could be done.

For the other output indicators, the programme did surpass the targeted planned.

The relevance of this component of the programme was emphasised by all the stakeholders interviewed with emphasis being made on the fact that there continues to exist a huge knowledge gap among the Police regarding existing legislation. In addition, the overcrowding in the prisons and police cells makes Diversion a very relevant strategy to the problem.

Impacts of the interventions

In addition to the noted impacts above, additional ones, some unanticipated include:

1. The Police officers noted that there is a decline in the number of cases that are being referred to the Police. Officers are implementing Diversion, bringing parties together to dialogue and resolving issues before detention is considered.
2. In comparison with other regions, the coordination with other stakeholders particularly in relation to a referral system for children is very good. In Lilongwe, Police Officers noted that there is a clear referral pathway.
3. The training has mainly targeted lower ranking officers and there is now a knowledge gap between the lower ranking officers and their seniors. The Programme Lawyer has been instrumental in getting decisions to be made quickly by stepping in to explain what needs to be done or actually making follow-ups and requests at a higher level.
4. The added knowledge from having the Programme Lawyers present over the years impacted on some of the Police officers who noted learning a lot from the Programme Lawyers even as they sit in the offices with them.
5. There is enhanced knowledge even among the other Police officers in other formations. This was described as being done through the sharing of information and ideas on an existing social media platform (WhatsApp) through which the officer described being able to input into how cases ought to be handled.
6. The Police are now recording victims impact statements, this is something that was not being done before but whose introduction it was acknowledged IRLI had greatly influenced. Stakeholders interviewed noted that this is going to have an impact in helping the courts during the sentencing sessions and an example was given of the man that had received a 16-year sentence for defilement.
7. Part of the strategy employed in the first year during the training of the Police was to have other stakeholders also engage in the training. This was recorded in the first annual report as having had two distinct effects, firstly, the additional attendees who included representatives from the District Social Welfare Office benefited from the training itself (many of whom have never attended a workshop on the treatment of child suspects and child justice issues). Secondly, having the representatives from the various bodies speak at the workshops about their roles increased the knowledge of the other participants in the workings of other bodies involved in the criminal justice sector and allowed participants to become cognisant of issues within such other bodies. This was seen as further strengthening linkages between key juvenile justice stakeholders. It is noted that there were no indicators set to measure these strengthened linkages.

Challenges in implementing this component of the programme

1. The training sessions are usually short and with a lot to be covered, stakeholders noted that the training is sometimes rushed.
2. The training sometimes clashes with other planned activities of Police officers that should be in the training.

3. Getting compliance to the 48-hour rule is difficult for stations like Lilongwe which sometimes holds remandees on behalf of other substations.
4. Some of the sub-stations are located a significant distance away from the courts and with no vehicles, they cannot get people to courts in time.
5. Despite the training, some officers did not understand the meaning of the 48 hour rule and believed it should actually elapse.
6. The reoccurrence of strikes especially affecting the courts support staff means that certain services such as the issuance of bail cannot be done.
7. It has not been possible to follow-up at the community level to see how those trained are actually disseminating information both by IRLI and the Police themselves.
8. There is inadequate counselling being provided to the children when they come to the police stations.
9. There are not enough safety homes where children whose families cannot be traced, e.g. street children can be referred and related to this, there are inadequate programmes to which the children can be referred.

Observations made during visits to various offices

It was noted that IRLI's presence at the police station is highly appreciated with the Programme Lawyers working closely with the Police actually all having been given Police ranks. (The Officer in Charge stopped his car to greet one of the Programme Lawyers calling out... "Good morning Constable") A sign of acceptance and confirmation they are considered a part of the service.

The programme has continuously sought to improve materials and training techniques based on team discussions and feedback from the identified facilitators. One of the strengths of this component has been the skills acquired by several Police service staff in developing the training materials used. The trainers were very happy with the materials they have been using and indicated that they have consistently been a part of improving these materials and making them relevant. In addition, it was noted that the Programme Lawyers have been developing simple templates/forms for use by the Police officers. The impact of the use of these forms has not been captured at any point.

Another strength of the component is the potential for systematic assessment of its impact. Interviews conducted during this review have provided some indication of the level of impact (see above) but the data collection methods need to be further reviewed to ensure they are not too time consuming for the Programme Lawyer to actually analyse.

Recommendation

1. Consider running the trainings for a longer period of time, potentially two days to allow for more engagement and learning even between the Police offices and other participants.
2. The child justice training has now covered all police officers targeted and it will be critical to do refresher training and then start to train the officers in other areas such as prosecution, collection of evidence, etc.
3. Where the trainings have included other stakeholders outside of the police service, develop a system of monitoring impact of these training outside of the Police service. This may mean undertaking periodic snap shot surveys to document any changes as a result of the training.
4. As soon as possible, review the current police training curriculum and submit recommendations for its improvement if necessary.

5.5.2.2 Interventions with the Legal Aid Bureau

Outcome	Set indicators	
Outcome 1.2 Increased knowledge and capacity of legal personnel in the Legal Aid Bureau to ensure availability and accessibility of legal aid services to detainees and those in conflict with the law	1. OI 1.2.1 Average % increase in knowledge of those who attend IRLI trainings four months after the training, disaggregated by gender and institution.	At the time of the evaluation, the programme had not collected data on this indicators and one of the reasons for this was that some participants do not fill in the end line questionnaire.
	2. OI 1.2.2 Year on year decrease in average time taken to move from arrest to a decision on a bail application in a homicide case handled by LAB in the past month disaggregated by gender and age.	This as in indicator was said to be difficult to measure and will need to be reviewed.

Output	Indicator	Status/comment
A1.2.1 Conduct a knowledge and capacity assessment of the Legal Aid Bureau (LAB).	30 'mini' assessments conducted (one after each training) over five years.	It was assumed that this is the post assessments conducted and if this be it. This still needs to be done/followed up The pre-tests are done but the follow-up assessments have not been done consistently
A1.2.2 Develop Training materials for the LAB based on the knowledge and capacity assessments.	30 packs of training materials developed including pre and post-test questionnaires.	Presentations and other materials have been developed and used during the training.
A1.2.3 Facilitate initial trainings for LAB, DPP and PASI staff.	30 trainings facilitated in line with knowledge and capacity assessments	The training are ongoing
A1.2.4 Provide one-to-one mentorship to legal personnel in the LAB on a continual basis	Number of new criminal cases opened in LAB overseen by IRLI annually.	This is not being recorded and the indicator needs to be further reviewed. The possibility of having one-to-one mentorship may be enhanced once the Programme Lawyer is actually sitting in the LAB offices
A1.2.5 Document best practices on the provision and administration of criminal legal aid services.	At least one best practice documented every six months	This has been thought through but has not been documented.

Initial output, indicators and targets set in 2014

Indicator	Target Year 1	Actual	Target Year 2	Actual
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2.2 Improved advocacy and legal skills of legal personnel within LAD and DPP	2.2.1 No. of training workshops held	8	8	6 plus 6 follow up sessions	6 plus 6 follow up sessions
	2.2.2 No. of legal personnel trained in advocacy and legal skills	10/ wkshop	155 total	10	112 in total
	2.2.3 75% of those trained report increased advocacy and legal skills after training	75%	Over 75%	75%	100%

The programme at least for the first two indicators has met and exceeded the set targets. The programme did note the difficulty in measuring the last indicator specifically noted the need to start to measure impact of the training.

Impact of the interventions

Outside of the indicators, the stakeholders interviewed note that the component has had impact as follows:

1. Improvements in the drafting of appeals from the Legal Aid Bureau. A key informant within the Judiciary noted that these were not always up to standard and there is a noted improvement after the training has been done.
2. There is also an improvement in the way in which the LAB staff are making arguments. In the past particular arguments were being omitted but this has improved after the training.
3. The LAB staff also now show a change in belief in what could be mitigating factors. Whereas before they stuck to the five as indicated in text books, one can now see them moving out to explore what others there might be.
4. One unanticipated negative impact has been the fact that IRLI has been targeting the same officers within LAB and other staff members from the different regions have started to complain about feeling left out. This is impacting negatively on their morale.

Challenges being experienced during implementation

1. IRLI has no control over who gets sent to attend the training. It is therefore not always the same staff that come to the planned trainings.
2. There is high staff turn-over within LAB and as such different people turn up for the training.
3. The trainings are being conducted for an office whose services are on high demand and whose staff are trying to balance between work and attending the trainings. The actual value of the training particularly for the lawyers is questioned.
4. It was observed by one of the stakeholders interviewed that the training venue is right at the courts and the lawyers from LAB will constantly leave the training room to actually go and attend to court matters during the training hours.
5. The mentorship component of the programme has not worked well, this was attributed to three things: the positioning of the Programme Lawyers, who have not necessarily been sitting with the LAB lawyers, the different personalities of the Programme Lawyers that have come through and the lack of concrete ToRs for the Programme Lawyers explaining their roles.
6. Stakeholders noted that the changes in staff within IRLI tends to disturb continuity and therefore affects impact of the work done.

Observations and conclusions

One weakness of the component is the lack of systematic assessment of its impact. Interviews conducted during this evaluation have provided some indication of the level of impact (see above) but this does not substitute for longer term monitoring and evaluation. The numbers of people that are being trained under this component of the programme is very small and it is for this reason that collection of data from the people that attend the training is possible as people can actually be followed up on even within their offices.

The training combines both qualified lawyers and paralegals, two sets of people with varied levels of knowledge and training needs. As a training strategy this can work to IRLI's advantage as depending on the methodologies used there can be exchange of knowledge even between the participants. But it can also be a disadvantage if the trainer does not consistently keep this in mind and either moves too fast leaving the paralegals behind or too slow with the risk that the trained lawyers get bored. Some of the participants talked to that were in attendance explained that they found the training repetitive and boring. According to one, they were attending just so that they could be away from the office which was very busy.

The training observed was planned to last approximately for half a day. The trainer was knowledgeable and consistently explained different cases to bring practice to the training. What was observed was the lack of use of varied methods to keep the participants engaged. As a result, some participants were on their phones, others were dozing and generally they were consistently leaving the room to answer their phones.

Stakeholders interviewed see the role of IRLI with regards to LAB has having changed to focus only on training and not on the one-to-one mentorship and community meetings as had been done in the past. There is a general lack of clarity on the role of the Programme Lawyer and what is seen as a change in strategy by IRLI.

Recommendations on the component

1. There is need to have a session with the Programme Lawyer as the person in charge of collecting data to review the planned and set indicators and clarify the implications of trying to collect the data proposed for collection.
2. The training can and should be structured to be more engaging. This can be done by structuring more group work.
3. To learn how to better engage the participants, a brief write-up on adult education techniques and facilitation skills can be made available to the trainers.
4. Consideration should be made to host the training at a venue away from the courts.
5. Consideration should be made to periodically separate the lawyers from the paralegals and thus allow for provision of more technical delivery of materials at a pace appreciated by lawyers.

5.5.2.3 Interventions with the Judiciary

Outcome	Set indicators	Status/comment	
Outcome 1.3 Increased efficiency and effectiveness of the Malawi	1. OI 1.3.1 Average % increase in knowledge of magistrates who attend IRLI trainings three months after the training	With regard to the first indicator, the current Programme Lawyer does have the end-line surveys for workshops done in Jan 2017 but is yet to actually analyse them.	

Judiciary to understand and apply the law	disaggregated by grade and gender.		
	2. OI 1.3.2 Proportion of criminal cases annually where written judgements are delivered by magistrates within the 90 day limit.	With regard to the second indicator, it was noted that this indicator is impossible to measure as there are 41 courts that would have to be visited. This would mean having to visit the magistrates every week or relying on partners to collect and submit this data.	

Output	Indicator	Status/comment	
A1.3.1 Conduct a knowledge and capacity assessment of the Judiciary.	20 Knowledge and Capacity Assessment targeting the Judiciary carried out.	There are results for one assessment conducted. Currently planned for the next phase of the programme	
A1.3.2 Develop Training materials for the Judiciary based on the knowledge and capacity assessments	20 sets of training materials developed for trainings	It remains unclear what should really be counted. What has been counted has been the training materials used in each of the trainings.	
A1.3.3 Facilitate initial trainings for the Judiciary.	40 trainings facilitated. Each of 53 magistrates attends 20 trainings delivered by IRLI.	This is on track	
A1.3.4 Facilitate refresher trainings for the Judiciary.	20 Refresher training provided	This has been understood to mean one on one mentorship and not necessarily refresher workshops. The indicator has to be clarified	
A1.3.5 Provide one-to-one mentorship to legal personnel in the Judiciary on a continual basis	All 'Active' courts in the central region visited annually (currently 33). Number of guidelines developed and approved for use by magistrates.	This is a little behind following the departure of the last Programme Lawyer. In addition the types of guidelines to be developed is unclear. Instead there are a number of initiatives started by the current Programme Lawyer to strengthen some administrative systems. This is not being captured. To date what is being worked on includes: Lists of judicial trainings undertaken and who has attended, development of a chart showing judicial hierarchy, a database of judicial staff and their contacts and basic administrative forms.	
A1.3.6 Clear the backlog of confirmations.	Number of outstanding confirmations each month.	This was done through holding a retreat but this strategy is not sustainable. There is need to further work on this.	

A1.3.7 Document best practices on the provision and administration of Judicial Services	At least one best practice documented every six months	This is in progress	
A1.3.8 Attend Court User Committee Meetings	60 Court User Committee Meetings attended over five years (one per month). Proportion of action points recorded as completed at each meeting increases over five years.	This indicator was assessed as being unrealistic. There were funds for these meeting initially but not anymore. Even when there was money, the meeting were not actually taking place. The indicator needs to be reviewed	
A1.3.9 Updating Magistrates on Common Law	18 Case Summary Digests published and circulated (1 each quarter).	The indicator as to be reviewed as planning to do one per quarter is wrong. It is in progress but being reworked.	

Impacts outside of the set indicators

The Programme Lawyer that is in charge of this component of the programme had only been in place for three months and was still in the process of gathering data related to impact. One of the issues brought up in the discussion with the stakeholders was that in the last 18 months, the Chief Resident Magistrate had started to discipline lower level magistrates and ask for others to be retired based on the fact that a lot of them have been undergoing training but were implementing bad practices. Some were reported to be doing more injustice than good.

Challenges being faced in the implementation process

At the time of the evaluation, the court support staff were on strike and this in itself is a challenge to the programme which relies on the support staff to provide logistical support to the magistrates and judges but also help in ensuring the training actually does take place.

Observations and conclusion

It was noted that the judiciary role only became a fully-fledged role from April 2016. Therefore the outcome from original HDF proposal was to be covered by the DPP role as one aspect of the role.

The various interventions have continued to be implemented including holding the workshops, and delivering the court/magistrate visits. The Programme Lawyer has even managed to get approval of an annual plan for the judiciary trainings. At the time of the evaluation the component was at a planning stage. It came to light during the evaluation that the Judiciary has a Judicial Training Committee in place which has recruited a full time training officer and has undertaken a training needs assessment. At the time of the evaluation, the President of the Training Committee pointed out that the training needs assessment had just been approved and there were plans to develop a five year training programme that was then going to be shared this with other partners including IRLI.

Recommendations for this component of the programme

1. There is need for the Programme Lawyer to immediately engage the Judicial Training Committee and be brought up to speed with the process being followed in the development of a training programme.

2. The Training committee is further engaged on the role that can be played by IRLI in the rolling out of this training and in reviewing magistrates and other curricular.
3. The list of training undertaken to date and who has attended this training needs to be shared with the training committee to ensure there is no duplication of efforts and the same people are not attending the same course being offered.
4. Consideration should be made to produce simple toolkits that can be used by any trainer to lead the training of Magistrates.

5.5.2.4 Interventions with the Director of Public Prosecution office

Outcome	Set indicators	Status/comment	
Outcome 1.4 Enhanced capacities of legal personnel in the Office of the DPP to manage and process criminal cases	1. OI 1.4.1 Average % increase in knowledge of those who attend IRLI trainings four months after the training disaggregated by gender and institution.	Data has not been collected.	
	2. OI 1.4.2 Decreased average amount of time spent by DPP staff processing homicide files.	Data has not been collected as this was not even happening at all.	

Output	Indicator	Status/comment	
A1.4.1 Conduct a knowledge and capacity assessment of the Directorate of Public Prosecutions (DPP).	Register of trainings attended by Advocates and Paralegals from DPP maintained and up to date.	There was no register in place at the time of the evaluation.	
A1.4.2 Facilitate monthly meetings	60 monthly meetings held with rotating minute takers (not always DPP PL).	Monthly meetings – initially this was going well, with some momentum. Unfortunately from December 2016 to date there has only been one meeting.	
A1.4.3 Document best practices/success stories.	At least one best practice documented every six months	Has not been done	
A1.4.4 Drafting of legal opinions for historical files.	# of legal opinions drafted for historical files each quarter.	Legal opinions have been drafted but nothing is being done with them	
A1.4.5 Establishment of registers to record files involving child suspects	Proportion of files sent forward for trial (n=69)	Has not been done	
	Proportion with social inquiry form on file (n=69)	Has not been done	
A1.4.6 Criminal cases involving children are prioritised.	Homicide cases involving children are processed quicker than adult homicide cases.	Has not been done.	
A1.4.7 Development and approval of guidelines for DPP.	Number of guidelines developed and approved for use by DPP.	Has not been done	

A1.4.8 Establishment of a placement programme for advocates selected from DPP to be placed in Ireland for a period of a month.	One Advocate placed each year.	Two Advocates and the DPP did travel to Ireland in 2016	
A1.4.9 Support the DPP to improve efficiency in tracking and processing cases	Increased proportion of 'new' homicide case files (01/01/2015 or newer) that have a completed checklist.	Has not been done	
	Increased proportion of 'new' appeals and bail case files (01/01/2015 or newer) that have 'Memos of Attendance'.	Has not been done	

Impact beyond the indicators set

1. Criminal registry now has its own room.
2. IRLIs' advice is still taken on certain issues- for example, the DPP wrote to the Solicitor General about an anomaly in a law.

Challenges in implementing the interventions

1. Challenge in motivating DPP paralegals to attend trainings.
2. The role involves technical legal work – e.g. reviewing case files and providing legal opinions. Major challenge is that these files are not being looked at and decided on by the DPP.
3. There is a 'Brain drain' affecting office – operating on skeleton staff.
4. **However**, the sustained presence in the office has been an achievement in itself. Less knowledge transfer due to brain drain and lack of motivation. Limits skills and knowledge transfer.

Observations and conclusions

The work being done in the office of the DPP clearly has not gained traction over the last two years and the value for money of keeping someone in that office is questioned. From interviews, the theoretical value of having an IRLI Programme Lawyer is there, even though the focus is not currently on homicides. It was also noted that there appears to be a lack of clarity with regard to the role of the Programme Lawyer with the DPP office expressing an expectation that the Programme Lawyer should actually be doing a lot more than what they are currently doing.

In addition, the impact and value for money of having one of the lawyers travel to Ireland was questioned as it is not clear that they are able to come back to the office and implement any new things they may have learnt.

Recommendations based on the component

It is recommended that IRLI consider engaging the DPP's office to further discuss the kind of support that they actually want provided and to further clarify the role that is played by the Programme Lawyers. Even as this strategy is being elaborated, it is proposed that consideration is made to identify an additional Department within the Ministry of Justice that can also be supported by the same Programme Lawyer. The monitoring of progress of work within the DPP's office should be timed and the DPP engaged to review this progress. Should there be no traction after this second

engagement, IRLI should consider placement of the Programme Lawyer only in the other identified Department while maintaining very specific engagement with the office of the DPP given their importance in the justice system.

Under the initial proposal, specifically under the Outcome 2: Increased and applied knowledge of due process rights, human rights compliance and legal skills amongst criminal justice stakeholders, several outputs were set targeting the different justice partners. The table below captures the reporting against the set outputs up until 2016 when the indicators were revised.

Outputs, indicators and targets initially set

	Indicator	Target Year 1	Actual	Target Year 2	Actual
2.1 Improved understanding of human rights compliance and due process by police, legal personnel and magistrates	2.1.1 No. of additional districts which receive trainings	2 Districts (Dowa, Salima)	2 Districts (Dowa, Salima)	2 Districts (Mchinji, Kasungu)	2 (Mchinji Kasungu)
	2.1.2 No. of police, legal personnel and magistrates trained in targeted districts	40	122	40	95
	2.1.3 No. of police, legal personnel and magistrates trained during annual joint workshop in Lilongwe	20	N/A	20	N/A
	2.1.4 75% of those trained report increased knowledge	75%	97.9	75%	100% participants increased knowledge by average 21.4%
	Number of one day Magistrates workshops held	Not reported on	Not reported on	2	2
	No. of magistrates and relevant stakeholders at one day magistrates workshop	Not reported on	Not reported on	50	92 (72 magistrates and 20 police prosecutors)

In reporting against what was initially set, the programme did meet the set targets for three of the six indicators in the first year and then five out of the six in the second year.

5.5.3 Objective on Access to Justice and Legal Awareness

Specific Objective 2 on Access to Justice and Legal Awareness: to ensure the enjoyment of due process rights including legal representation and restorative justice to persons held in police custody and detainees in the Central Region of Malawi

5.5.3.1 Interventions on improved access and availability of legal aid services

Outcome	Set indicators	Status/comment	
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Outcome 2.1 Improved access to and availability of legal aid services for detainees and accused persons held in custody	1. OI 2.1.1 Average # of detainees and those in conflict with the law benefitting from legal services (defined as cases recorded in criminal registry) provided by LAB staff, per staff member increases year on year.	Data on this has not been collected. It was noted though that it can be collected.
	2. OI 2.1.2 # of pre-trial detainees and those in police custody benefitting from legal services (legal aid clinics or camp courts) provided by IRLI, PASI and/or CFJ annually, disaggregated by gender.	Data on this has not been collected. It was noted though that it can be collected.

Output	Indicator	Status/comment	
A2.1.1 Facilitate Legal Aid Clinics	850 accused persons reached through 50 legal aid clinics	This is difficult to track as people are being reached on a daily basis every time the paralegals go to the police cells and other places.	
A2.1.2 Facilitate Camp Courts	600 detained persons reached through 60 camp courts	The figure of 600 was seen as being too ambitious and this figure needs to be revised.	
A2.1.3 Support LAB and PASI to prepare pre-trial applications	150 pre-trial applications lodged in court, in cases overseen by IRLI and PASI.	This is currently taking the form of bail applications and this is on track	
A2.1.4 Trace witness and sureties to answer bail conditions.	% of cases for which sureties were successfully traced	Working with the paralegals, the sureties are being traced and this is on track. What is unclear to the Programme Lawyer is what the %age ought to be	
A2.1.5 Organisation of 3 Human Rights Day Celebrations in 8 prisons	# of Human Rights Day Celebrations carried out	These celebrations are being organised and are on track with no noted problems	

Challenges being experienced during implementation

Several challenges are being experienced in the implementation of this component of the programme, the biggest challenge being the court strikes that then impact on issues such as issuance of bail or getting the magistrates to actually do some work is very difficult in the absence of the community service officers as an example.

Impact of the interventions

In the absence of data having been consistently collected it is difficult to assess the level of impact of this component of the programme from a quantitative perspective. It is noted though that from the stakeholders interviewed, two critical impacts were noted, the first being that more people have been able to access legal aid services and the second being that there is increased knowledge and capacity to process the files particularly by the LAB staff.

Observations and conclusions

Without a doubt this component of the programme is another that is greatly appreciated by all stakeholders but with a note that the mentorship role that was to be played is still not being adequately played. It is also noted that the celebrating of Human Rights Day is strategically done, for instance, IRLI, in partnership with local NGOs Child Rights Advocacy and Paralegal Aid Centre ("CRAPAC") and PASI, held events in 2015 commemorating International Human Rights Day in the eight prisons and reformatory centers located in the Central Region of Malawi. The primary objective of this was to raise awareness of human rights violations in Malawi's prisons and to encourage the need for respect of detainees' basic human rights amongst key stakeholders. Each of the events involved legal literacy sessions on bail and pre-trial issues followed by interaction with the inmates allowing them to pose questions to certain some guests. The impact of this is not recorded but it is clear that in this case there was value for money in that knowledge was still being passed to the prisoners and invited guests also went away having learnt of human rights violations in some of the prisons.

Recommendations for this component of the programme

Based on the discussions with the different stakeholders and the Programme Lawyer, it is recommended that:

1. Efforts are made to review the monitoring framework with the Programme Lawyer and ensure that there is a clear understanding of what data has to be collected, analysed and documented, when and how.
2. As with the other components, ToRs for the position of Programme Layer are developed in relation to this component and shared with all relevant stakeholders.

5.5.3.2 Interventions on diversion and restorative justice

Outcome	Set indicators	
Outcome 2.2 Diversion and restorative justice opportunities are functioning and available for children in conflict with the law	1. OI 2.2.1 % of children diverted who have demonstrated sustained positive change on completion of IRLI Diversion programme (disaggregated by gender)	The programme is measuring re-offending during follow up visits. These are done three, six, and 12 months after the programme has ended. At the time of the evaluation, data on this was just being analysed

Output	Indicator	Status/comment
A2.2.1 Support delivery of child Diversion programme	17 Mwai Wosinthika' Child Diversion Programme supported in the 5 years	IRLI has continued to support the programme throughout the four years
	225 children reached through the Diversion Programme in the 5 Years (15 per programme)	Since 2014, the number of children has exceeded the 225 and at least 75 children have graduated
	Each child that completes the child Diversion programme receives four home visits.	The children are visited by the social workers at least three times after graduating. This is hampered by the

		logistical issues noted by the social workers interviewed.	
A2.2.2 Establish links with civil society organisations who run Diversion programmes.	# of quarterly stakeholder meetings participated in.	IRLI has been participating on a platform created by another CSO called Chance for Change whose initial vision on was to have all participating stakeholders host the meetings on a rotational basis. This has not happened.	

Outputs indicators and targets initially set in 2014

	Indicator	Target Year 1	Actual	Target Year 2	Actual
1.3 Suitable accused are targeted for participation in Diversion Aftercare Programme	1.3.1 No. of Diversion Aftercare Programmes held	2	2	2	2
	1.3.2 No. of participants in Aftercare programmes	30	19 in 1 st Prog.	30	34

Under the initial planned output, the programme met all the planned targets. In year one a second aftercare programme was run albeit the figures had not been available at the time of reporting.

Challenges with the delivery of the intervention

From the point of view of the facilitators that are then supported by IRLI to undertake follow-up sessions, the following are the challenges they are faced with:

1. Parents still want to take the children to the Police stations as a way of teaching them a lesson.
2. Counselling the children during follow-up minus the parents being present is difficult.
3. The places where the children stay are sometimes far away from the social welfare offices. They have to hire bicycles. This is particularly difficult during the rainy season as they do not have appropriate clothing, i.e. raincoats, umbrellas and boots
4. There are no resources within the Social Welfare Department. Two of the Social Welfare Officers participating on the programme are not even on the pay roll. One for the last 12 years and the other for four.
5. It has been difficult to find civil society organisations to refer the children particularly for services like counselling.
6. There has been an observation made that a number of girls that join the programme actually have babies they are looking after.

Impact of the Diversion programme

Interviews with different stakeholders on the programme pointed to the fact that there is an increase in the number of children actually being diverted. This is something greatly appreciated by the police service. No longitudinal study was done and it is therefore not possible to assess whether or not the programme had an impact on the behaviour of participants. Reports from facilitators state that behaviour and attitude had changed but this cannot be confirmed.

1. As a principle and practice, Diversion is now accepted by the judiciary, police and civil society as an alternative to prosecution and conviction.
2. The Programme Lawyers and other stakeholders interviewed noted that the treatment of children has improved as can be evidenced by the fact that particularly the Police are making efforts to ensure that the children are not held in custody.
3. The Diversion rates in some of the key stations has gone up by 20 or 30 percent. Evidence of change of practice. Number of children in cells has also decreased.
4. A visit made to at least one child and interviews held both with the child and her mother brought out the fact that the child had in fact changed. Whereas the issue that had seen her end up on the Diversion programme was theft of household items, the mother confirmed that the young girl was not stealing anymore and was always willing to admit when she had done something wrong and apologise. The girl had insisted on going back to school and had positive plans of taking on engineering as a career. At least for this parent interviewed, they were content with the overall behaviour change of the daughter but were even more content with the changes in the relationship between themselves and the girl as well as the girl and her siblings. The girl interviewed specifically noted that her relationship with her step father had greatly improved and explained that whereas he had not been engaging her and providing advice before she attended the programme, he was doing so since she had graduated.
5. Interviews with two children one a graduate and one still a participant on the Diversion programme, provided some insight as to what happens to them. It should be noted that these are subjective views from just the two children. The following is what emerged:
 - a. The programme content is perceived in a positive light and the children reported that they found it a useful learning experience. The boy interviewed particularly noted that the most helpful session had been the Passenger/Prisoner/Participant, (PPP) lesson.
 - b. They did not report any unpleasant experiences or perceptions in relation to the programme.
 - c. The programme facilitators were experienced in a positive light. This was particularly so for the girl that had graduated.
 - d. Both the children interviewed pointed to school as being important and to wanting to be back in school.

Observations and conclusions

Diversion is highly relevant in the Malawian criminal justice system and Diversion as an initiative should continue to be supported. Further, in principle, Diversion is more efficient because it saves on court time, investigation time, etc. There is nothing to suggest that this is not being achieved here. In effect, the linkages between this component and the component targeting the Police service for training is positive and will influence the continuity of the service. It is also noted that the effectiveness in the Diversion component of the programme is heavily depends on the knowledge possessed by key partners and stakeholders on child rights and child protection. The fact that it is an accepted component of the justice system in Malawi is very positive. What has to be recognised is that Diversion will require financial inputs from the different stakeholders and particularly the cooperating partners in the foreseeable future until the Malawian Government is able to provide support for this service by institutionalising it.

It was observed that the Diversion programme encompasses a component that engages the parents/guardians of the children on the programme, this provides an opportunity to influence the family environment, sometimes the root cause of deviant behaviour of children.

The sustainability of the component of the programme is hampered by the weak links that the programme has with other stakeholders that could offer services beyond the Diversion programme, this includes services such as vocational/skills training, scholarships/bursaries for those that want to go back to school and additional sexual reproductive health services.

Various vulnerabilities cause children and particularly young girls to abandon their childhood and seek coping strategies to ensure their survival. Girls are forced into deplorable situations of abuse and neglect by being trafficked for sexual exploitation. The common root of this lack of agency and choice in a child's life and the subsequent violation of their human rights is vulnerability caused by a range of factors many of which coexist and are interrelated. The real solution to the problem lies in addressing the real factors that push children into conflict with the law. In the meantime, Diversion will have to make all attempts to salvage and rescue children who are already in the predicament of being in conflict with the law. The programme is in a unique position in which it can without any additional costs further explore the plight of girls that end up on the programme. This would entail documenting issues faced by these girls and raising these during community sensitisations and at different fora. The programme will thus move from dealing with the symptoms to actually raising awareness around the actual causes of the problems.

Recommendations for the component

Based on the findings, it is recommended that:

1. Efforts are made to undertake a mapping of all stakeholders within the targeted geographical area that this component of the programme can link with. This list should include institutions offering counselling as well as bursaries to children. During parent's day, this map of stakeholders and services and products they offer should be shared with the parents/guardians of children under the programme and encourage them to follow-up on any issues that arise after the Diversion programme. This will be the first step in strengthening collaborations between the stakeholders so that they can effectively complement each other.
2. The programme consider documenting the issues faced by the girl child specifically and use its comparative advantage to include the findings in the awareness raising of the community members and the traditional leaders.

Success story - Kanengo as a model police station

Kanengo is a formation that is a little far out of Lilongwe. It was identified that they had a knowledge gap in child Diversion. After training was done, the Police officers at the station do not wait for the programme officer to go through but are doing referrals and Diversions on their own.

Potential good practice – Follow-up visits set as counselling sessions

As part of the follow up, the children once they have graduated from Mwai Wosinthika are visited after three months, after another six months then after a year. The initial visits were to follow up on the child using a questionnaire but this tool has been adapted and the facilitators are encouraged to spend time with the child counselling them as they made the assessment. This has been ensured by changing the flow of questions from yes/no questions to ones that

require the social worker to actually hold a conversation with the child. Though subjective, it has made it possible to make a better informed analysis of the progress the child has made. In the absence of professional counselling within the system, this is actually good practice

5.5.3.4 Interventions with the community and Traditional Authorities

Outcome	Set indicators	Status/Comment	
Outcome 2.3 Increased understanding among the communities under geographical Traditional Authorities (TAs) within the Central Region of legal rights relevant to due process and restorative justice practices	1. OI 2.3.1 Average % increase in knowledge of those who attend community sensitisations four months after the event disaggregated by gender and leadership position.	A tool now exists that is being used pre and post training/sensitisation to help measure this. At the time of the evaluation, this data was yet to be compiled. It was noted that the programme does not have the capacity to do mass surveys, but we use sample sizes.	
	2. OI 2.3.2 Improved attitudes of community members towards the rights of the accused since the initial community sensitisation	A tool has been developed but at the time of the evaluation, this data was yet to be compiled.	

Output	Indicator	Status/comment	
A2.3.1 Complete scoping visits in 15 communities.	15 x 30 pre-tests on knowledge and attitudes completed with community members	This was a new indicator and at the time of the evaluation only one pre-test had been done. In addition, focus group discussions are also being held to measure this.	
A2.3.2 Facilitate community sensitisation sessions.	15 community sensitisation sessions facilitated	Four have been conducted in 2017 alone.	
	15 x 30 pre-tests on knowledge and attitudes completed with participants in the sensitisations.	This was a new indicator and at the time of the evaluation only one pre-test had been done.	
A2.3.3 Provide Legal Aid Clinics at community sensitisations.	9 Legal Aid Clinics provided, reaching a total of 180 community members.	This is also a new indicator and the legal clinics are provided as part of the community sensitisations. The programme has also started to offer private legal clinics.	
A2.3.4 Facilitate follow up Focus Group Discussions (FGDs) with 15 communities	15 x 30 post tests on knowledge and attitudes completed with participants in the sensitisation sessions and community members four months after the event.	At the time of the evaluation this was yet to be done.	
	15 FGDs documented.	FGDs are being held with chiefs and community based leaders and documented.	

A2.3.5 Broadcast one radio programme per year on local/national radio	5 radio programmes broadcast.	These were not done under the HRD funding but will be done under the funding from the EU.
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The outputs indicators and targets initially planned in 2014

Indicator		Target Year 1	Actual	Target Year 2	Actual
2.3 Improved understanding of human rights, restorative justice and due process by targeted communities	2.3.1 No. of community legal literacy workshops held	4	4	3	3
	2.3.2 No. of people who attend community legal literacy workshops	20	App. 800 attended	50	App. 800 attended

In year one and two, the programme did meet the set targets and far exceeded the numbers of people targeted under the community legal literacy workshops.

Impact of the interventions

1. Police are now requesting IRLI to deliver trainings based on their own data and numbers (e.g. in child justice).
2. PASI are now coming to IRLI to request community sensitisations based on their scoping visit. Scoping visits are conducted with IRLI, after PASI identifies the community based on high crime rates, incidents of mob violence and stories of police abuse.

Challenges with the delivery of the intervention

1. In some villages, the community members still insist on having perpetrators of even small crimes taken to the police.
2. In cases where the Chief makes a ruling against a community member that is affluent in the community, the perpetrators of the crime tend not to respect the ruling as made by the Chief. In this instance the case is referred to the police.
3. There is no system in place to ensure quality of the information being given out to the communities by the head persons and Chiefs/headpersons once they have been trained.

Observations and conclusions

The choice made to work with the Traditional leaders is very positive as they are part of a recognised formal governance framework. They exercise power within their communities and therefore have opportunities to use that power positively. In addition, their already established role in dispute resolution means that the programme is likely to have a greater impact and resonance. Given the programme has chosen to work with the same targeted people strengthens the potential of guaranteeing continuity from one training/sensitisation to the next. This will lead to the development of a layer of community members with a good understanding of the range of topics covered in the programme. However more research is needed to determine if this is the most effective tool for

reaching the target communities and more research needs to be done to document the actual change in practice following the training.

It was noted during the FGD with the village headpersons that only one of the five that participated in the FGD actually reported having actually held a meeting with the community after the training. The rest of them said they had not.

Observation was made of one of the follow-up meetings to which village headpersons and representatives of the traditional authorities were in attendance. A questionnaire in Chi Chewa was administered and PASI paralegals explained the process and each of the questions allowing those present to answer the questions as they went along. It was noted that:

1. Some of those present were not literate at all and their questionnaires were being filled in by those that were without them being engaged to provide their own responses to the questions. This was particularly the case for a number of women village headpersons.
2. The process ended with the correct answer being provided and discussed which is noted as a positive way of reinforcing learning and ensuring that those that did not know actually go away with the right answers.

Recommendations for the component

1. It is recommended that IRLI invest in a periodic snap shot survey to document how the village heads and chiefs are disseminating information to the community. This will help determine the need to have repeat sessions on a topic identified as problematic but also ensure they are actually giving out correct information. These will also serve as ongoing evaluations of the impact of the training activities and help document knowledge, changed attitudes and changes in behaviour particularly among the headpersons and chiefs.
2. Some of the village headpersons were actually literate and requested that they be provided with some of the pieces of legislation so they quote it.
3. To ensure that data collected is not incorrect, it is important that those that are literate and respond to the questionnaire are separated from those that are not. Those that are literate can therefore undergo the process as already being undertaken, those that are not should then either be engaged on a one to one basis or instead a focus group discussion should be held and an assessment made of their levels of knowledge from this.
4. Access to justice for women and other vulnerable groups requires that deeply held traditions and attitudes are challenged. This is a long term process to which the programme, through its awareness raising among the community leaders, has made a significant contribution. However, ongoing change will require further empowerment of women within the communities by for example working with PASI to deliberately build the capacity of their women village mediators.
5. Consider providing additional training and support to selected women (and possibly some men); these can then become women's empowerment resource people, capable of delivering community training, undertaking advocacy to increase women's access to justice and possibly linking women's legal empowerment with other gender empowerment activities.

5.6 Sustainability

For the purposes of this evaluation, *Programme sustainability* is the continuation or viability of the [positive] benefits (social, economic, environmental, organizational and capacity) of development activities after the major financial, managerial and technical assistance has ceased. These benefits

include the well-being of individuals or a group, capacity or capability, processes, organizational change, services and service delivery, participation and representation.

One of the critical issues noted by all those that were interviewed regarding the potential to have the programmes benefits continuing after its termination was that the extent to which this can be done is hampered by the consistent lack of financial resources within the Government to support the various institutions (Police service, Judiciary, LAB).

The overall approach of the programme

As earlier noted, the current voluntary nature of the overall implementation is interrupted by the fact that all the IRLI staff positions are in fact voluntary and staff move on after a short period of time. This has an effect on the capacity of the programme to ensure a level of continuity on interventions being started, some of whose success is heavily dependent on the relations that are built between the Programme staff and individuals in the targeted institutions.

Another issue regarding the programme approach that was also noted by at least four key informants was that IRLI are not using their unique position of having access to the different high-level officers to influence things. The general sense was that being able to influence policy implementation of legislation enforcement has greater value than just implementing interventions at community level which should funding cease is also likely to stop. Influencing changes at the implementation of policies was seen as an important and sustainable approach to the access to justice problem in Malawi.

Several approaches being employed by the programme can be identified as positively impacting on the potential for enhancing the programmes sustainability both in terms of the interventions undertaken to date and the ones that are ongoing. These include:

1. The running of training which has broadened participation beyond just the initial target, e.g. in the case of the Police, involvement of community and faith based leaders. This ensures the message is far reaching and the overall impact of the intervention can be ensured by others beyond just the targeted police. In addition, and as already noted the Police have a WhatsApp group through which knowledge is being shared and capacity built across the country. This is at no cost to the programme and is something that the Police were sure was going to continue to exist.
2. The use of officers from within the targeted institutions to actually conduct the training. This means that the institutions have had their capacity built and there is no need for the institutions to budget for external facilitators. Interviewed trainers under the programme explained that given the capacity and even without funding from the programme and from the Government, they will use any possible avenues to continue to build the capacity of others.
3. The use of legal aid officers and paralegals to offer legal aid clinics and other services on the programme has built their capacities to offer the services even in the absence of IRLI. It was noted that the LAB sometimes sends interns to the training. These interns sometimes stay on or actually leave and get employed within other institutions. Again although there is no actual tracking of impact of this, one can hope that those that leave will use the knowledge acquired in their new places of work.
4. Building the training on already existing training materials, in the case of the training for the Police, the training is built on the training materials developed in 2011/2012 after the Act had been passed. Sustaining the training is therefore possible given the materials already exist. This is further strengthened by the fact that the programme has worked with local

facilitators to develop other accompanying materials like case studies and other handouts which means that there is a pool of trainers that have the capacity to produce relevant training materials within the targeted institutions.

5. Development of tools (managerial and administrative) that are then shared with relevant officers in the institutions targeted. This has included simply developed data sets that can be used to ease some of the work being undertaken by the identified officers. The tools when examined were simple tools that can be further reviewed and adapted by the different officers in the targeted institutions. This can be done without financial support from the programme. The foreseen impact of this is to improve efficiency and effectiveness within the targeted institutions. This, though not being adequately measured will positively impact on the overall programme outcomes and ensure they are sustained.
6. On the level of partnerships, the programme works with different organisations, e.g. PASI, which is a member of different platforms at a national level. Through the interactions with the programme, PASI's capacity in different areas has been built and it is hoped that they will be able to impact decisions at the national level based on their experiences through the work with IRLI. PASI does undertake some level of advocacy work and they can use the field experience to inform their advocacy work, i.e. ensure it is evidence based. Influencing policies and legislation enforcement is the best way of ensuring the impact of what has been done to date is sustained.

6. Lessons learnt

Identification of areas of best practices and opportunities for improvement.

Organisational development

1. Having organisational structures and systems in place is critical in ensuring not just success but credibility and a good reputation.
2. The volunteer strategy is no longer appropriate for the type of interventions being undertaken. There is need to professionalise the programme so as to ensure more and greater impact.

Building partnerships

1. Programme success is very dependent on the host institution and the level to which they cooperate. Without this cooperation, planned interventions do stall.
2. Even when there is an MOU in place with a targeted institution, things can still go wrong.
3. There is value in listening to the targeted institutions and allowing them to input into the overall strategy. The process consolidates trust and builds strong ownership and partnerships.
4. The personality of those staff as well as personality of those in the institutions does influence the partnerships and success of the cooperation.
5. For there to be ownership of the programme and to foster strong partnerships, there is need continuity within the programme staff.

Increasing the efficiency and effectiveness of the programme internally

1. Without proper institutional systems, policies and procedures in place, there is a possibility that IRLI will lose its reputation.
2. It pays to take time to set in place strong administrative systems and processes as this will reduce the amount of time it takes for any Programme Lawyer to settle in.

The Diversion programme

1. Investing in creating a relationship between the facilitators and the children is important and one should not assume it is already there.
2. Building the capacity of the facilitators has created a sense of ownership of the programme within them. This has even impacted on their attendance at the sessions.
3. Engaging the facilitators in the review of the programme gives them an increased sense of ownership. This has been further enhanced through the development of a calendar of responsibilities.

The community sensitisations

1. When legal aid clinics in the communities are made private, the attendance by community members increases.
2. Scoping visits done prior to the community sensitisations are important as the traditional Authorities and leaders are better informed and are better able to mobilise the community.
3. The post awareness raising surveys are helping in creating awareness around issues as time is provided at the end when further discussions are held and questions from the leaders answered.

7. Conclusions

Among the different stakeholders, there is a very clear understanding of what access to justice actually means and a very clear understanding of the contextual issues that are hindering the realisation of this for all Malawians.

The current team of Programme Lawyers were observed to work hard and remained committed to seeing things change despite the context and disruptions (court strike). They are trusted by staff in the targeted institutions and appreciated for the work they do. The team was also very in tune with the context they were working in and also alive to the fact that they needed to stay within their mandate. This has helped the programme remain focussed.

Overall, the programme remains very relevant and is well received by targeted institutions. The effectiveness of the different components of the programme has been positive except for that targeting the office of the DPP where additional engagement with the overall management is at this point important.

8. Recommendations

On the programme's design

Measuring justice performance may initially prove to be a difficult undertaking. This is drawn out of the essentially qualitative nature of human rights; democratic development and justice provisions. It is important that the staff are consistently reminded that qualitative and quantitative measurements are far from being incompatible, and are in fact complementary in assessing access to justice. It is important therefore that:

1. There is need to have a session with all the Programme Lawyers to further discuss the various indicators and decide which ones it makes sense to revise following the attempts to collect data on them. Criteria for the revision of the indicators should be based on; the time it takes to collect data on the indicator, the time needed to analyse the data and the cost of collecting the said data.

2. The programme needs to start to mainstream some cross cutting issues. The process should start with Programme Lawyers understanding that this is beyond ensuring equal participation of men and women on the programme. Each Programme Lawyer will need to start to look out for those issues.

On the management and operations structure of the programme

1. Registration of the programme as an organisation within Malawi. This has implications on things such as statutory payments including tax and personnel payments but will bring with it the advantage of having an organisation that can apply for funding in-country and develop organisational policies and guidelines that potential funders can assess and on which decisions for partnerships can be made.
2. Once this is done, consideration should be made to develop a strategic plan for the organisation which will be a management tool but from which other proposals can be developed.
3. There is need to consider the professionalisation of the positions of Programme Lawyer. This implies the creation of conditions of service that will attract such personnel. What this will allow will include better continuity of interventions. The volunteer strategy can be continued with the team annually identifying what sort of volunteers could add to the programme and the IRLI Headquarters helping source these.
4. This should be matched with engagement of local Malawians whose capacity can be built as part of the sustainability strategy. The engagement of locals will also help the programme in that the locals can consistently provide insights into the working of the different targeted institutions from a local perspective.
5. Consideration needs to be made to having IRLI host a platform that will bring together representatives from the different institutions to engage on different issues and further cooperation between them.

On partnerships and cooperation

1. As soon as possible, all the MoUs should be finalised and sessions held with the relevant officers in the different targeted institutions to discuss the MOUs and have them signed.
2. Clear ToRs on the roles of each of the Programme Lawyers within the identified institutions should be developed and shared with the different institutions.
3. IRLI should make an effort to periodically meet up with other NGOs or officers within the targeted institutions that are sitting on relevant partnership platforms to have a clearer understanding of what is being done outside the project but also ensure they can share lessons learnt with the other stakeholders in Malawi.
4. Particularly on the Diversion programme, a mapping of NGOs and other Government institutions should be developed as soon as possible and disseminated to parents and guardians of past graduates and any incoming child participants.

On the overall strategy of the programme and sustainability

Access to justice, from a rights-based perspective, refers to “the ability of people from disadvantaged groups to prevent and overcome human poverty by seeking and obtaining a remedy, through formal and informal justice systems, for grievances in accordance with human rights principles and standards. This perception goes beyond the administrative character of justice, i.e. justice as a social good. It delves on the capacity of the poor and marginalized to address their grievances by obtaining effective remedies through the existing modes of justice systems. Justice here, therefore, is taken from the “access” perspective and not solely from the “distribution” perspective.

1. It is proposed that the programme consider taking on a rights based approach to the work that they are doing in Malawi, this requires an assessment of both rights holder and duty-bearer on three particular aspects, namely: capacity, accountability and empowerment. Capacity refers to the ability of both stakeholders to solve problems, perform functions and set and achieve objectives. Consequently, capacity development requires both the accountability and empowerment of both stakeholders. Rights holders need to strengthen their capacities to become accountable in the exercise of rights; duty-bearers often need to be empowered to be able to fulfil their obligations more effectively.⁴ This would necessarily mean the following:
 - a. IRLI working with already existing partners to identify advocacy issues and conducting evidence based advocacy around issues identified. IRLI need not necessarily be the ones to do the advocacy but they could assist local partners in developing position papers on identified issues.
 - b. Based on the current mandate, IRLI should use some of the data it generates to write up brief position papers that can be given to high level officials and help them as they make decisions around policy implementation.

One the training interventions

1. Promote the institutionalising of the training by ensuring that it gets incorporated in the current syllabus for the Police and for the Magistrates that is normally run by the Government. Guidelines were developed on Diversion in 2011/2012. This just needs to be reviewed by IRLI and recommendations made on change in content if necessary.
2. Where institutionalisation has not happened, the already developed materials need to be developed into user friendly Toolkits that can be used by any trainer to deliver the training

⁴ La Salle Institute of Governance, Background Paper on Access to Justice Indicators in the Asia-Pacific Region

even in areas outside the targeted areas. The Toolkits should be in the form of the handouts (case studies, training exercises), presentations used, as well as summaries of the policies and legislation being discussed.

3. Lobby that those that are already trained and are actually practising police officers get to the Police training centres and conduct the actual training thus ensuring it is practical and relevant. This is being done in the judiciary where the Magistrate that offers training under the IRLI programme, is called on to provide training to the participants attending Magistrates training.

Annex 1: Terms of reference of the evaluation

Irish Rule of Law International Malawi 'Access to Justice' Light Touch Programme Evaluation,

July 2017

1. Introduction

Irish Rule of Law International (IRLI) is a joint initiative of the Law Society of Ireland and The Bar of Ireland, dedicated to promoting the rule of law in developing countries. IRLI seeks to harness the skills of Irish lawyers in using the law as a means of tackling global injustice and empowering all people to live in a society free from inequality, corruption and conflict.

IRLI is looking for a consultant to undertake an independent evaluation of their programme in Malawi: Improved access to justice for unrepresented accused persons in the criminal justice system. The current programme commenced in mid-2014, funded by the Human Dignity Foundation (HDF) and Irish Aid's Civil Society Fund (CSF), with additional support from the Bar Council of Ireland, the Law Society of Ireland and private donations. In early 2016 a proposal for a 5-year programme was submitted to Irish Aid Malawi and was successful; the Irish Aid funding at this point transitioned from the CSF to the country office and will carry on until 2021. IRLI recently secured additional funding from the European Union for 3 years, to be implemented in partnership with two local partner organisations. The HDF grant comes to an end in June 2017. The evaluation will primarily focus on assessing the implementation achievements and challenges relevant to this grant while also focusing on a higher level qualitative analysis of the programme as a whole, in consideration of its progressive evolution up until now and the planned implementation for the next four years. The evaluation is being funded by HDF.

The programme aims to improve access to justice for unrepresented accused persons in the criminal justice system in targeted areas in the Central Region of Malawi. The approach is two-fold: capacity building of criminal justice institutions, and support of direct legal service provision. Capacity building is undertaken in each of the key criminal justice institutions: the Legal Aid Bureau (LAB), Office of the Director of Public Prosecutions (DPP), the Malawi Police Service (MPS) and the Malawi judiciary. A Programme Lawyer is seconded to these institutions and undertakes one-on-one mentoring, which is further complemented by trainings and workshops. Direct legal services are provided with the support of partner organisations (such as the Paralegal Advisory Service Institute) and relevant targeted institutions such as the LAB and MPS. This takes the form of legal literacy sessions for remandees, the facilitation of prison camp courts, support for bail applications and the provision of a Diversion after-care programme for children in conflict with the law. In tackling access to justice for the poor and vulnerable, IRLI seeks to implement mechanisms in partnership with local actors to remove obstacles to access to justice in the short-term (via camp courts and legal aid clinics etc.) in order to bring about immediate change at beneficiary level while also developing systemic, sustainable interventions aimed at providing long-term benefits in the wider criminal justice sector.

2. Rational for the End of Programme Evaluation

The Access to Justice Programme has been implemented with HDF funds since July 2014, and that funding ends June 2017. An end of grant evaluation needs to be carried out to assess the impact of the programme in delivering agreed indicators and targets as per the log-frame. In addition to this and in consideration of the substantive evolution of the programme to-date, the evaluation will highlight lessons learned, will contribute to improved implementation, provide feedback, appraisal and recognition, as well as enhance advocacy by showing the possible attribution of achievements to the programme.

3. Objective of the Evaluation

IRLI has recently undergone a comprehensive review of monitoring and evaluation systems, leading to the development of new tools for the collection of data with a heavy focus on the collection of quantitative results of the programme. With this in mind, IRLI seeks a more detailed qualitative assessment of the achievements of the programme to date, in order to capture the less tangible and more nuanced results of an access to justice programme. In particular, this evaluation will:

1. Provide an overview of the results achieved to date by IRLI's Access to Justice Programme, with a primary focus given to the results and outputs included in the HDF funded grant
2. Provide an analysis of the internal and external factors that have influenced positively and negatively programme progress and the achievements of programme results;
3. Provide an analysis as to the extent which programme activities and results are sustainable and relevant to national capacities and priorities;
4. Provide an analysis of the gap between the gain in knowledge and the application of that knowledge and determined the reasons why gain knowledge might not be applied in practical sense by the targeted institutions
5. Address the differing perceptions to what "access to justice" means to the different stakeholders and how this impacts on the reception of the programme;
6. Analyse the evolution of IRLI internal structure and programme approach and determine whether they are sustainable to programme growth and effective to achieve programme long-term objectives;
7. Provide accountability to IRLI management and donors;
8. Contribute to the strategic planning process for the future of the Malawi programme.

The main users of this evaluation will be the IRLI programme staff, partners in the targeted criminal justice institutions, and donors.

4. Scope of the evaluation

The evaluation will cover the period July 2014 – June 2017 and focus on the activities outlined in the proposal to Human Dignity Foundation and the associated results logistical framework. The evaluation will also look at the programme as a whole and consider all related programme documents, including those related to the Irish Aid Malawi grant and the EU grant.

5. Evaluation criteria and key evaluation questions

The evaluation criteria are relevance, efficiency, effectiveness, impact, and sustainability, and are expanded upon below. Key questions intended to be answered by the evaluation are outlined below, though are not an exhaustive list as additional questions may arise and be answered through the course of the evaluation.

5.1 Criteria

Relevance: Are the programme objectives relevant? How relevant is the programme to target groups and beneficiaries (police officers, magistrates, advocates, paralegals, juvenile offenders, remandees)?

Efficiency: Are the results being achieved at an acceptable cost, compared with alternative approaches to accomplishing the same objectives?

Effectiveness: Is the programme achieving satisfactory progress toward its stated objectives?

Impact: What difference has the programme made to beneficiaries? What are the other effects on individuals, communities and institutions – either short, medium or long-term; intended or unintended; positive and negative?

Sustainability: Is the activity likely to continue after donor funding or after a special effort such as a campaign ends? Do the beneficiaries accept the programme, are they willing to continue and is the host institution developing the capacity and motivation to administer it? Can the activity become self-sustaining financially? To what extent are the programme results likely to continue after the programme?

Partnerships: To what extent does IRLI take advantage and maximize its impact while working with NGOs, partners and other stakeholders? Has working in partnership with other actors, stakeholders, etc. achieved long term results?

5.2 Key evaluation questions

The specifics of the approach will be finalised with the consultant in advance of the evaluation but general questions which should be addressed include:

- i) Relevance
 - a. How relevant is the programme to the defined priorities of the targeted institutions?
 - b. To what extent are the activities in line with documented and defined needs and priorities of the targeted institutions?
 - c. To what extent have the needs of the beneficiaries been measured against the agreed indicators in the project log-frame?
 - d. Do the implementation arrangements adequately account for the capacity of partners, and is the design fully supported by partners?
- ii) Effectiveness
 - a. How effective has the programme been in responding to the identified needs?
 - b. To what extent have the objectives been reached?
 - c. How adequate are the activities for the planned result?
 - d. To what extent are programme activities well implemented?
- iii) Efficiency
 - a. How efficient is the implementation of the programme?
 - b. To what extent have inputs been converted into outputs of the programme in a timely and cost effective manner?
 - c. To what extent does the programme make good use of resources in terms of people's expertise, time and the budget? Is the programme providing value-for money?
 - d. To what extent is there efficient financial control and management and how are these systems fostering or hindering the achievement of the programme results?
- iv) Impact
 - a. Is the programme meeting its intended outcomes?
 - b. To what extent will the programme have contributed to long-term changes for the programme partners and beneficiaries?
 - c. Has there been any unexpected results?
- v) Sustainability
 - a. What is the likelihood of the programme's sustainability?
 - b. What else could be done to consolidate and maintain the continuation of change?

- c. To what extent will the activities, processes, and systems facilitate the intended changes after the programme ends?
- vi) Partnership
 - a. How effective are partnerships?
 - b. How well has the programme established effective relationships with implementing partners and institutions? Are these relationships functioning as intended? How can these be improved going forward?
 - c. What is the role played by the implementing agency in leveraging internal or external resources and expanding partnerships with other actors to support and expand the programme?

The report should also include;

- a. What does the concept of “access to justice” mean to the different stakeholders
- b. The value-added of IRLI;
- c. Partners views of working with and the performance of IRLI;
- d. An Analysis of the evolution of IRLI internal structure and programme approach and recommendations as of whether the current structure and approach are sustainable to programme growth and effective to achieve programme long-term objectives.

6. Evaluation methodology

The evaluation design and methodology will be proposed by the consultant and agreed with the programme team and with the implementing partners at the beginning of the consultancy.

To achieve the objectives outlined above, it is expected that the consultant will apply a multi-layer methodology comprising of:

- Literature review, including relevant reports and other documentation available on the issues of criminal justice and legal aid in Malawi produced by the government, stakeholders and civil society organisations; • Review of project documents (past and present);
- Key informant interviews targeting both programme staff, partner institutions and other relevant stakeholders;
- Focus group discussions with target beneficiaries and interested-groups; • Observations during field visits;
- Any other relevant strategy.

Below is a brief description of the suggested methodology per each consultancy phase. It is expected that this will be further developed by the consultant during the inception phase of the consultancy.

- **Preparatory Phase:** The consultant will carry out literature review and refine the consultancy methodology.

The consultant is required to develop tools (questionnaires etc.) to ensure evaluation criteria are met and questions are answered.

The programme team will provide relevant documentation, as listed in Annex 1.

An inception report will be prepared by the consultant at the end of this phase to include preliminary finding, the revised methodology and the scope of the field work.

- **Field work in Malawi:** The consultant will travel to Malawi for a defined period of time. This visit will involve meetings in Lilongwe with programme partners as well as a full day workshop with the programme team.

The IRLI programme team will prepare a draft itinerary including contact details for final agreement with consultant. The IRLI programme team will arrange transport for the consultant but will not accompany the consultant unless requested otherwise.

Final day – the consultant will present preliminary findings, conclusions and recommendations to the IRLI programme team in Malawi. The team will provide immediate feedback to the consultant.

- **Report writing:** The consultant will finalise a written report to submit to IRLI for comments and review. The consultant will incorporate IRLI's feedback as deemed necessary and submit a final report to IRLI.

IRLI will provide comments within five (5) working days of the consultant's presentation of the draft findings. The consultant will then submit, electronically, the final report. The bound copies and external drive with soft copy may be submitted separately within a reasonable period of time.

- **Presentation of findings:** The consultant will engage with IRLI staff, including selected Board members, as well as HDF staff to provide a presentation of the main consultancy finding.

7. Interaction with IRLI Programme Beneficiaries

IRLI will support the organisation of all the sessions where the consultant will need to interact with programme beneficiaries. A relevant person from IRLI and/or from partner stakeholders will need to be present at these sessions.

Any discussions/ interaction with programme beneficiaries such as those detained in prison or police facilities, or under judicial proceedings, will adhere to the principles of 'do no harm'. The consultant will have to judge if engagement with those detained and the types of questions asked are appropriate and safe for the detainees and staff. A relevant person from IRLI and/or from partner stakeholders will need to be present at these sessions.

Language assistance will be provided when necessary, though it is intended most participants in the exercise will have sufficient English language.

8. Sampling strategy

Participants in the evaluation will be drawn from key partner organisations, beneficiaries and informed stakeholder groups from government and civil society. The evaluation will seek to ensure participants are representative of gender, age and location in relation to the area covered by the programme's interventions. The evaluation will largely entail interviews and discussions with informants identified in consultation with the IRLI programme team. During the evaluation, visits will be made to programme sites as well as observations of activities, where possible. Key contextual information will be provided from interaction with programme volunteers, national partners and other international agencies.

To provide triangulation and cross referencing, data will be collected from various sources, including but not limited to:

- programme documentation
- available Government documentation
- relevant reports from other international organizations

- meetings with the Programme Team
- meetings with Government officials
- meetings with non-state representatives
- meetings with the beneficiary community

9. Data collection instruments

Data collection will use a framework questionnaire. The framework questionnaire is designed to guide discussion to cover all questions as above, though depending upon the meetings, some questions may not be relevant and others might be asked. The questions will be developed by the consultant to seek opinion and experience that can, where possible, be supported by evidence.

10. Timeframe

Timeframe The consultancy is planned to be carried out between July and August 2017 and expected to last for maximum period of a month with the following schedule:

Phases Expected working days Preparatory Phase 3 working days Field Work 10 working days (including 2 travel days) Report writing 5 working days

Review and Submission of Final Report 3 days

Presentation of Findings 1 working days Total 22 working days

Final consultancy report is to be submitted no later than end of September 2017. Presentation of key findings can occur in October/ November 2017.

11. Outputs and deliverables

It is expected that the consultant will deliver the following outputs:

- Inception Report: This should be prepared by the consultant before commencement of field work which demonstrates the consultant's understanding of what is being evaluated
- Draft Evaluation Report
- Final Evaluation Report
- Power point presentation of Report Findings
- All study materials, including cleaned data sets and all filled quantitative data collection tools and qualitative data recording materials
- Two (2) bound hard copies of the Report and soft copy of the Report on one external drive to IRLI

12. IRLI's Responsibilities

The Consultant will be responsible to the IRLI Programme Manager in Malawi, with ultimate responsibility to the IRLI Executive Director in Dublin.

IRLI will provide the following:

- Transport to and from Malawi (Economy Class)
- All necessary programme documents as requested by the Consultant
- Accommodation & reasonable living expenses in Malawi
- Transport in Malawi
- Consultant is responsible for own insurance
- Pay consultancy fees at a mutually agreed rate

13. Expected Profile of the Consultant

For this Evaluation, IRLI is expecting to contract 1 lead consultant. The consultant should have the following:

- Advanced degree and experience in development evaluation or social sciences
- Documented experience in programme evaluation
- Experience in evaluating other similar justice programmes is a strong advantage
- Experience of Malawi is a strong advantage
- Good interpersonal skills and an understanding of cultural sensitivities
- Strong analytical and report writing skills
- Demonstrable capacity to deliver high quality outputs within the proposed timeframe

14. Submission of Expression of Interest

Interested candidates who meet the abovementioned criteria shall submit to IRLI an expression of interest which shall include:

- A suitability statement, including commitment to and availability for the entire assignment
- Technical proposal including proposed methodology to be adopted in the study and proposed schedule of evaluation activities
- Financial proposal containing a proposed daily fee
- If a company, profile of the consultancy company or organisation including experience with similar exercises
- Up-to-date CV of proposed lead consultant
- A copy of 1 similar consultant reports written by the consultant/ team
- Indication of 3 organisations that have contracted the consultant/ consultancy company for similar exercise and which can be contacted for reference

The expression of interest shall be sent to Vanina Trojan at applications@irishruleoflaw.ie no later than Sunday 25th June 2017.

Annex 2: List of persons contacted during the evaluation

	Name of person interviewed	Position/Organisation represented
1	Mr. Oliver Gondwe	Ministry of Justice – Principle State Advocate (IRLI Trainer)
2	Ms. Emily Kusani	Legal Aid Bureau - Lawyer
3	Ms. Agnes Ngoma	Legal Aid Bureau - Lawyer
4	Mr. Upile Jambo	Legal Aid Bureau - Intern
5	Ms. Ijeoma Onyema	Legal Aid Bureau - Intern
6	Mr. Gift Chunga	Paralegal Advisory Services - Paralegal
7	Mr. Masauko E. Chamkakala	Legal Aid Bureau - Director
8	Mr. Boswell Kamponda	Magistrate, Facilitator on the programme
9	Ms. Violet Chipao	Chief Resident Magistrate
10	Mr. Kachale	Judge, President of the Judicial Training Committee
11	Mr. Yotam Chaonani	Malawi Police Service – Child Prosecution officer (IRLI Trainer)
12	Ms. Fanny Chimbaya	Malawi Police Service – Inspector/ Child Prosecutor
13	Ms. Janet Thaulo	Malawi Police Service Victims Support Unit - Officer
14	Ms. Esther Kachingogo	Malawi Police Service Victims Support Unit - Officer
15	Mr. William Chirambo	Malawi Police Service – Child Prosecution Officer (IRLI Trainer)
16	Mr. Alexander Ngwala	Assistant Superintendent, National Child Protection Officer
17	Mr. Alie Piyasi	Participant on the Mweo Wosintika Programme
18	Ms. Deana Joshua	Social worker, Ministry of Gender, Children, Disability and Social Welfare - Facilitator Mweo Wosintika Programme
19	Ms Doreen Munkondya	Social worker Ministry of Gender, Children, Disability and Social Welfare - Facilitator Mweo Wosintika Programme
20	Vanessa Chiletsu Pangani	Graduate Mweo Wosintika Programme
21	Mr. Clifford Msiska	National Director – Paralegal Advisory Service Institute
22	Ms. Anne Ellas	Village Mediator - Sankani Kumwala Village
23	Ms. Matrida Mazombwe	Village Head - Fitizalimba Village
24	Mr. Siletiyasi Chisemphere	Village Head - Kasiyafumbi Village
25	Mr. Donald Kachinga	Village Head - Mbakulu Village
26	Mr. Chezenawo Kumbonya	Village Head - Mandiza Village
27	Ms. Columba O’ Dowd	Development Specialist – Embassy of Ireland
28	Mr. Ismael Munthali	Governance Advisor – Embassy of Ireland
29	Ms. Tara Mac Mahon	Intern at IRLI for a month
30	Ms. Claudia Bonifay	Programmes officer
31	Mr. Heath Mc Callum	Programme Lawyer - MPS
32	Mr. Macdara Dreioscil	Programme Lawyer - LAB
33	Jonnathan Scheib	Programme Lawyer - Judiciary
34	Klair O’Brian	Programme Lawyer – DPP’s office
35	Erin Gregg	Programme Manager

Annex 3: Desk review list

1. Activity Tracking Sheet
2. Human Dignity Foundation Evolution Fund, 2014 Application.
3. Human Dignity Foundation Evolution Fund - Proposal for a No Cost Extension to the Programme - 'Improved Access to Justice for Unrepresented Accused Persons in the Criminal Justice System' in Malawi
4. European Instrument for Democracy and Human Rights Country Based Support – EU full Application 2016.
5. Irish Rule of Law International, Improved Access to Justice for Unrepresented Accused Persons in the Criminal Justice System in Malawi, Year 3 Interim Narrative and Financial Report, Reporting Period: 1st July to 31st December 2016, Submission: February 2017
6. Irish Rule of Law International ('IRLI'), Annual Report, Reporting Period: 1 July 2015- 30 June 2016.
7. Irish Rule of Law International (IRLI) Report on team strategy day, 24 July 2017
8. Memorandum of Understanding Malawi Ministry of Justice and Constitutional Affairs
9. Memorandum of Understanding Malawi Police Service
10. Memorandum of Understanding Legal Aid Bureau
11. Memorandum of Understanding Malawi Prisons Service
12. Memorandum of Understanding Judiciary
13. Programme Monitoring Framework
14. Programme Results Framework
15. The Danish Institute of Human Rights, Expanding Access to Justice for the Poor Malawi's Search for Solutions - A Comparative Analysis with Other Select Informal Justice Systems, 2011.
16. Sally Lowe, Evaluation of the "Providing Access to Justice – Legal Awareness at the Grassroots Level" Project Timor Leste for Avocats Sans Frontières Brussels, December 2017
17. StewartGee, M&E Planning and Baseline Consultancy Report, January, 2017.
18. <http://www.worldbank.org/en/country/malawi/overview>
Accessed 21st August 2017