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Government of South Africa

Capacity building in the area of Child Justice  
(The Child Justice Project)  
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Report of the Final Evaluation Mission

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## Introduction

## I. Executive Summary

The Child Justice Project is an excellent example of how to successfully develop and implement a social policy in a context in which responsibility for policy formulation, legislation and implementation is shared between national and provincial governments. It has also demonstrated how government ministries and agencies can interact, inter-sectorally and with the non-governmental sector, efficiently and effectively, to ensure that shared policy objectives are achieved. The Child Justice Project has been a catalyst for a major change process, which will continue in the immediate future.

The Child Justice Project supported the work of the Inter-sectoral Committee for Child Justice, which reports to the Cluster on Justice, Crime Prevention and Security. Because of the success of the Child Justice Project, the Child Justice Inter-sectoral Committee is being looked upon as a model for successful inter-sectoral co-operation. Its work on implementation planning and budgeting around the Child Justice Bill has set a new standard for policy development and formulation and is changing the way that legislation should be justified.

The Child Justice Project has also started to change the way that South Africans think about and respond to children in conflict with the law. In increasing numbers, children in South Africa, except those who commit the most serious crimes, are and will continue to be diverted out of the formal justice system where they are marginal and marginalized. The new Child Justice system will treat them, in accordance with Section 28 of the South African Constitution, in a way that promotes their sense of dignity and encourages in them a respect for the rights of others. In facilitating this transition, the Child Justice Project has also assisted South Africa to fulfil its international obligations under Article 37 and 40 of the Convention on the Rights of the Child and provided a model for other countries wishing to do so.

For example, at the start of the Project in 1999, there were approximately 8,000 children being diverted each year. The National Prosecuting Authority's latest figures, indicated to the Justice Portfolio Committee in June 2003, for the year 2002, indicated that 16,531 children had been diverted in that year (as compared with 13,058 in the preceding one-year period). Although, this trend is very encouraging, it is only a start, given that the number of children arrested each year is still increasing (114,780 in 1999; 146,150 estimated in 2002; 174,070 estimated for 2005).

The Child Justice Project also had, for a time, a direct impact on the number of children in custody in correctional facilities (2716 in 1999, reduced to 1862 in 2001). However, this downward trend has not been sustained, as numbers have more recently crept up again, but not yet to 1999 levels.

**The evaluators' key finding is that the Project has achieved the bulk of its original objectives and has had a broader impact than envisaged in the original Project document.**

Other findings are:

1. Despite the fact that the Child Justice Bill has not yet been passed, significant progress has been made towards implementing a new Child Justice system and in improving the situation of children who come into conflict with the law. We also find that the delay in passing the Bill was beyond the control of the Project.
2. The project has generated a model for the process of implementing new policy frameworks in South Africa, primarily through the development of a realistic costing and implementation plan.
3. The building of an interdepartmental partnership in support of the Child Justice initiative was strengthened through the project and was a critical success factor; although this was not explicitly provided for in the original project document.
4. Although the Project was executed by a UN agency, its location within a line Directorate of the Department of Justice ensured that its work could be integrated into the Department overall and consequently influence policy development regarding child justice.
5. The project clearly indicated that Interdepartmental policy initiatives or legislative reform projects within the South African government system require dedicated project staff and resources to drive those initiatives if they are to succeed. The dedicated project staff in this project contributed to the successes of the project.
6. Although relatively little formal training of government officials has taken place, a cumulative assessment of the project's outputs suggests that there has been an impact on transferring capacity, awareness and knowledge among officials and NGOs dealing with child justice. The draft Child Justice Practice Manual is a useful contribution to future capacity-building and training efforts.
7. While good work has been done on the development of an effective monitoring system for the new Child Justice system, monitoring plans have not been finalised. There will be a need for final improvements and amendments to be made once the Bill is passed.

**Key recommendations are:**

1. That UNDP and UNODC either individually or together ensure that the Project is documented as a case study as to how Member States can take forward

their obligations under Articles 37 and 40 of the Convention on the Rights of the Child, and that there is collaboration with, inter alia, UNICEF on how that work can be taken forward.

2. That the United Nations International Co-ordination Panel on Juvenile Justice established in 1997 be revived.

3. That the UNDP, together with the Swiss Agency for Development and Co-operation (SDC) and National Government of South Africa, agree to a brief (4 month) finalisation phase of the project, which will allow for complete handover of the project to the Department of Justice, and ongoing support to the Parliamentary process, to the end of its 2003 session. Such extension can probably be financed from unspent Project Funds.

4. That the various departments involved continue to ensure that the Child Justice Bill is promoted as a priority and to actively support its enactment as soon as possible; and, preferably by the end of 2003.

5. That the Justice, Crime Prevention and Security Cluster ensure that the entire process surrounding the Child Justice Bill and the transformation of the child justice system is documented as a successful example of how an intersectoral policy formulation and implementation process can work within the Government of South Africa.

6. That the Department of Justice ensures the continuity of the work of the project within the department and fills the position of Director: Children and Youth Affairs as soon as possible.

## II. Project Concept and Design

### A. Context of the Project

The project's overall objective was to assist the Government of South Africa in implementing a new system of Child Justice, in line with its Constitution, UN conventions and other international standards. The democratic Government of South Africa had been working towards compliance with the UN conventions and guidelines since 1994, when it first initiated the development of a National Programme of Action for Children of South Africa (NPA). As part of this process, the criminal justice agencies were required to address the needs of children in conflict with the law, especially those in the justice system.

An Inter-Ministerial Committee (IMC), led by the Minister of Welfare, was established in 1995, to focus on problems related to child justice and the residential care system for children. The IMC continued to operate until 1999, when a new Minister was appointed after South Africa's second election, and that Department was re-named the Department of Social Development.

In a parallel process during 1996, the Minister of Justice had requested the South African Law Commission to commence an investigation into juvenile justice (now called child justice), with a view to developing appropriate new legislation; as the apartheid-era legislative framework for child justice and care was no longer appropriate to the new policy environment.

In 1998, the Government of South Africa adopted a National Crime Prevention Strategy (NCPS), which, inter alia, stressed the need for reform and integration in the criminal justice system; as well as pointing to some of the historical and predicted problems of young offenders and youth crime. The NCPS, linked to the government's macro-economic Growth and Development Strategy, saw a reduction in crime as essential for economic growth.

In 1999, the South African Law Commission (now called the South African Law Reform Commission) published a discussion paper and a Draft Bill on Child Justice. At the time the original Project Document for Child Justice Project was approved, it was optimistically envisaged that the legislation could be passed in Parliament during 2000. The main task of the Project was accordingly envisaged to be to assist with implementation of the new legislation.

The project concept was therefore timely. By the time of South Africa's second democratic election, there was a growing recognition in government that, although a plethora of new policies in the fields of children's rights, crime prevention and criminal justice had been developed, there was need for assistance with *implementation* of these policies.

## B. Project document

### 1. The problem and the technical approach

As pointed out during the mid-term review, the problem to be addressed by the Project was stated at a fairly general level, and not clearly defined in all its facets. For instance, there was no mention of the number of deaths of children in police custody, or trends in the number of children awaiting trial in prison; both issues however became very important for government and subsequently came to occupy significant energy within the Project. Empirical evidence on the state of child justice and predicted needs for facilities and services was lacking from the original document – leading the mid-term review to conclude that a thorough needs assessment analysis had not been carried out prior to the project design.

The initial design of the Project was premised on the assumption that the new Child Justice Bill would be passed early in the Project's three-year lifespan; and that implementation by the various government departments would follow, assisted by the Project. (The Bill has at present still not been passed, although it is now anticipated that it will be legislated in the latter half of 2003.) The mid-term review suggested that this aspect of the design should have been made explicit, with the formal delineation of First and Second Phases of project activity: the first phase to focus on the passage of the legislation. This suggestion was not taken up by the Steering Committee, and the original project design was never amended.

The risk of the delays in the passage of the Child Justice Bill was identified in the project document, but the possibility that the Bill would not have been passed at all by the end of Project lifespan was not explicitly recognised. The mid-term review found that this risk should have been better internalised in the project design. No alternative strategies – to cater for a situation in which the Bill was not passed during the Project lifespan – were considered in the original project document; but this was addressed in the mid-term review.

The end-of-project documentation from the Project demonstrates that the lack of passage of the Bill through Parliament has not been a major impediment to progress on all the objectives within the project. This suggests that the success of the entire project was, in fact, not solely dependent on the passing of the Bill. However, a mid-term amendment of the Project Document might have ensured a closer match between actual and planned activities, outputs and expenditure at the termination of the project.

Specific attention was *not* paid, in the project design, to needs of girl children or women officials and service providers in the child justice system. This was likely because girls make up a very small minority of the children in the system. However, women make up a significant proportion of the officials non-government service providers involved in the child justice system, so attention should perhaps have been paid to the need to empower these women through the

project. In the context of the HIV/AIDS pandemic, particular attention could possibly also have been given to the plight of orphaned children in the child justice system.

## 2. Objectives, indicators and major assumptions

The overall and immediate objectives of the project should have been linked to measurable indicators. The absence of criteria by which to assess progress in achieving the objectives was a serious flaw in the original project document.

Outputs were not always quantifiable or sufficiently linked to the achievement of the desired objectives, so project resources could have been spent delivering outputs which actually fail to contribute to achieving the envisaged objectives of the project.

Timelines for the delivery of project activities were not clearly specified in the original project document.

## 3. Beneficiaries (identification, involvement in the formulation and implementation of the project)

Representatives of the South African government were closely involved in the drafting of the project document and discussions on its viability when the project concept was developed between 1997 and 1999. Government officials involved in Child Justice were one of the main beneficiary groups of the Project and their participation indicates that national government users and beneficiaries were well-represented in project formulation.

Representatives of non-government organisations involved in advocacy and service provision related to child justice were consulted in the drafting of the project document, notably at a consultation meeting held in 1996.

## 4. Modalities of execution (selection of the executing agency, the implementation agency and recipient institutions and work plan)

The location of the Project within the national government's Department of Justice was appropriate, as it needed to be centrally located (in a national department) where it could engage easily with all the criminal justice and welfare role players. The decision to place the Project in the Department of Justice was made because of alignment between project objectives and the prioritisation of child and youth issues within the Department, and the fact that the Draft Bill on Child Justice was a Bill promoted by the Department; rather than on the basis of an assessment of the institutional capacity of the Department.

As was pointed out in the mid-term review, insufficient attention was paid in the original project design to formalising the institutional arrangements for the project, in particular the functioning and seniority of the project Steering Committee. In practice, however, the Steering Committee appears to have operated effectively throughout, and no amendments to institutional arrangements were required during the project lifespan.

Locating the project team within in a large department may have contributed to occasional difficulties in accessing the Director-General and other top-level government decision-makers, because of the need to adhere to Departmental protocols and procedures for vertical communication. However, in practise this was never a serious concern and in fact the operation of the Project strengthened the Directorate where it was placed, and lent prominence to its work; which was useful, as youth issues can often be marginalized in large government institutions.

### III Project implementation

#### C. Activities

##### Schedule of implementation

The schedule of implementation of activities has followed the logical development of the project. The Project timetable was extended from the initial two-year period, to three years and nine months. This extension of time was completely appropriate and, in fact, an early draft of the Project document did foresee that it would require three years.

The one major event which has not run according to schedule is the passage of the Child Justice Bill: the timing of which was beyond the control of the project, and once introduced to Parliament also not within the direct control of any of the Departments. The Project has demonstrated a commendable flexibility in adapting to the fact that the parliamentary process would have a impetus of its own and has made superb use of the delay to ensure a far higher level of preparation for the implementation of the Bill than would have otherwise occurred.

##### UNDP and Government in agreement on implementation

The Government and UNDP remained in full agreement on the main issues regarding project implementation throughout the entire period of the programme. There were a number of reasons for this. The first was that the project was located within the Department of Justice itself. This meant a high level of day-to-day communication between the project and the South African government partner, which in turn ensured that the Government partners thoroughly "owned" the project. The second was that there was continuity in the

key persons involved with the project. The Project Co-ordinator stayed with the project from beginning to end. The Assistant Resident Representative at UNDP stayed involved and committed for the duration of the project; and, on the national Government side, although the Director: Children and Youth Affairs in the Department of Justice and Constitutional Development left that post in November 2002, the project benefited from the continuing leadership provided by the Chief Director and from the support of the Director-General, who maintained a close interest in its progress. The third reason is that the tri-partite review mechanism seems to have worked well. Issues were identified, sorted through and improvements made as a consequence.

For the list of activities implemented, see the final project report which is attached as Annex 4. The evaluators had no reason to believe that the costs for individual activities indicated were not entirely in line with the costs of comparable activities of this nature undertaken in South Africa. We also believe that the Project was delivered in a cost effective manner.

#### High government commitment

Although the costs of these have not been quantified as such, the various ministries and agencies of the Government of South Africa (at both national and provincial levels) dedicated significant staff time and other resources to advancing work on Child Justice. The level of commitment and enthusiasm which the project generated should be a source of satisfaction for both UNDP and the Swiss Agency for Development and Cooperation.

In all of the interviews which the evaluators held, it was clear that the responsible government officials and non-governmental actors who participated in this process 'owned' the Project completely.

#### Strategies used in project implementation

The project was implemented in an inclusive manner in which not only were all of the relevant government agencies involved but also the non-governmental organizations and traditional leaders.

In their interviews with the evaluators, virtually all of the participants said that they had personally grown or learnt a great deal from their involvement with the Child Justice Project. This is a very important indication that the Project has been a transformative and capacitating process, not only for institutions but for the individuals within them.

#### An innovative project

The project produced a number of innovations. Perhaps the most significant was the Budget and Implementation Plan drawn up to accompany the Bill when it

went to Parliament. As was acknowledged in the headline to a May 23, 2003 Financial Mail article "Costing of Justice Bill breaks new ground". The article went on: "The Child Justice Bill may be the best prepared piece of legislation yet to reach parliament." It was the first time that a cost benefit and impact analysis was undertaken of a bill while it was still in development. It has set a precedent and a high standard of compliance with section 35 of the Public Finance Management Act, which requires every piece of national legislation with financial consequences for the provinces to be subjected to prior costing. In addition, the Inter-sectoral Steering Committee managed to coordinate the presentations by the departments to the Parliamentary Portfolio Committee in such an effective manner that it led to an expression of appreciation from the Portfolio Committee. The Inter-sectoral Steering Committee could also influence presentations to other fora.

Child Justice appears to be a rare case in which government departments successfully work inter-sectorally. There had been and continue to be a number of similar attempts to work inter-sectorally but none has been, in the view of the participants, as successful as this one.

#### D. Quality of monitoring and backstopping

Although the initial absence of key performance indicators for the Project may have been a problem (as pointed out in the mid-term review), it was addressed to some extent as part of the annual reviews.

The Inter-sectoral Steering Committee played a monitoring role over the project, as a natural outgrowth of the intense involvement of its members. A mid-term review was conducted in February 2001.

### IV. Project results

#### E. Relevance

At the start of the Project in 1999, there were approximately 8,000 children being diverted each year. The National Prosecuting Authority's latest figures, (for the year July 2001 to June 2002) indicated that 16,531 children had been diverted. Although, this trend is encouraging, it is only a start, given the number of children arrested each year (114,780 in 1999; 146,150 estimated in 2002).

The issue of how children in conflict with the law are dealt with will remain salient for some time. The estimate in the Budget and Implementation Plan which accompanied the Child Justice Bill to Parliament is that over 170,000 children will be arrested in 2005.

The purpose, approach, modalities of execution and selected recipients are still relevant.

#### F. Efficiency

In the opinion of all those involved, which the evaluators agree with, the Project was well managed. Very good use was made of the available financial resources. In addition to the resources provided through the project itself, the participating government ministries and agencies (both national and provincial) contributed substantial human resources to raising awareness of the issue and taking forward the child justice policy framework.

#### G. Outputs

The project achieved the following outputs in a timely manner:

- Increased opportunities for diversion and for alternative sentencing for children
- Enhanced capacity and expertise to manage, operate and monitor facilities where children are awaiting trial or serving a sentence
- Enhanced capacity to implement legislation in the area of child justice
- Better understanding and awareness among the professionals in the criminal justice system and the general public, including children, regarding the transformation of child justice
- An effective monitoring system for the new child justice system at all levels.

The project document did assume that Child Justice Bill would be passed during the lifetime of the project. It was intended that the parliamentary enactment of the Bill would have been an early step in the unfolding of a new policy framework for how children in conflict with the law are dealt with. Although the Bill has been through its first scrutiny by Parliament through its Justice Portfolio Committee, it has not, at the time of this writing, been passed. The project however, had little or no control over the timing of this process. The project has adapted well to this change. As it stands now, the Bill, when passed, will ratify through legislative sanction, rather than create, the new policy and implementation framework which is already in place.

#### H. Immediate Objectives

The immediate objectives of the Project have been achieved save for Objective 3 which awaits Parliament's enactment of the Child Justice Bill (which will hopefully take place later in 2003).

- To enhance the capacity and use of programmes for diversion and alternative (non-custodial) sentencing and the development and introduction of new programmes.

- To protect children in detention in line with national and international standards through minimum standards and effective monitoring
- To implement legislation in the area of child justice
- To assist in raising awareness amongst professionals in the criminal justice system and the general public including children regarding the transformation of child justice
- To assist government in the establishment of a monitoring structure and procedure for the child justice system at all levels.

Achieving the objectives of the Project has already had an effect on how some children who have been arrested have been dealt with. They are no longer placed in adult institutions but dealt with through diversion.

#### I. Development Objectives

The Project has achieved the stated development objective of 'providing assistance' to the South African government for the implementation of a new child justice system in accordance with Articles 37 and 40 of the Convention on the Rights of the Child, and other relevant international instruments.

The achievement of having more children diverted away from the justice system into "re-integrative programmes" which will hold them accountable for their actions will be significant in ensuring their development into well-functioning adults and in reducing the rates of repeat offending in the future.

#### J. Effectiveness

Overall, the evaluators believe that the project results represent very high "value for money". The approach adopted in the project design delivered the desired outcomes and exceeded them.

#### K. Capacity building

The Project successfully delivered the following forms of capacity-building:

Enabling environment:

In November 2000, the Project convened a workshop Promoting Informed Debate in Civil Society about Child Justice Issues to promote a more accurate perspective on the issues relating to children accused of crimes. The workshop aimed to provide a better understanding for civil society about major issues involved in child justice, to identify areas in which more information was required, the form of the information and who should provide it.

As a result of the workshop, the organizations who attended established a Child Justice Alliance which became the focus of civil society's engagement with the

transformation of the child justice system. This initiative received financial support from the Swiss Agency for Development and Co-operation (SDC). The dialogue with government, and the access to funding, for the NGO Alliance, were facilitated by the Child Justice Project; evidence of its success in building civil society capacity as well as that of government agencies.

In June 2001, the Project organized an 'indaba' (conference) to explore critical issues relating to the availability and implementation of appropriate programmes and services aimed at protecting children from the damaging effects of courts and prisons.

In April 2002, the Project organized a workshop for Service Providers for Child Sex Offenders which brought together representatives from the government departments working in this area: Social Development, Justice, Corrections, and SA Police Service with various NGOs working in the field. Its purpose was to review existing programmes to identify gaps in knowledge and services and ways of filling those gaps.

In October 2002, the Project organized a workshop for traditional leaders to acknowledge the important role that they play in matters affecting local communities and to express appreciation for the guidance that they can provide in promoting peaceful and positive environments to allow children to grow to their full potential. The proposed Child Justice Bill is based on 'ubuntu' principles and as traditional leaders are custodians of African culture it was thought important to involve them in the process.

In November 2002, the Child Justice Project contributed to a national conference on "Restorative Justice from Theory to Implementation".

The Project published 45,000 fliers on 'Home based supervision' to promote the use of probation. In addition to general awareness raising activities, in July 2002 it designed a Z-card, (fold-up leaflet) Children and the criminal justice system copies of which were printed by the Department for distribution. This was funded by SIDA.

All of these activities contributed to a more informed process around the finalisation and implementation of the new Child Justice system, building capacity across both government and civil society.

Institutional development:

In addition to the success of the Inter-sectoral Committee on Child Justice and its ground-breaking work on planning and budgeting for implementation, the Project helped developed the institutional capacity of individual departments and the non-governmental sector.

In June 2000, the Project published an Interim Protocol for the Management of Children Awaiting Trial which provided an interim framework including performance standards for dealing with children in conflict with the law. This framework provided a basis for changing certain procedures and practices in advance of the passing of the Child Justice Bill, and enabled various role players to commence with training in these new procedures and practices.

The Situational Analysis of Reform Schools and Schools of Industry in South Africa done in November 2002 provided a useful first step to enable the Department of Education to take its planning for the Child Justice Bill forward. The Project is also assisting with the drafting of a protocol for the designation and placement of children sentenced to reform school.

The report on Minimum standards for the protection of children deprived of their liberty published in December 2002 made a number of recommendations for establishing consistent and comprehensive minimum standards for children deprived of their liberty across the sector and for mechanisms to ensure compliance with these minimum standards.

The Project not only developed the institutional capacity of government departments but also enhanced the capacity of the non-governmental sector in this area especially with regard to service delivery. In May 2002, the Project organized a conference with NGO's and service providers, to look closely at a number of issues related to child justice and the implementation of policies in this area through service level agreements. The conference identified the following three issues as central: standardization, improved communications, and clarity around the nature of partnership. It also concluded that attention must be given to the content of Service Level Agreements government and NGO's delivering services, including explicit agreements as to practical issues such as monitoring, management, performance evaluations, risk assessment and including experts in child care in the tendering and drafting process.

In addition to the work done at a workshop on a national monitoring structure held in March 2002 and one on data collection and analysis regarding child justice held in September 2002, the Project during July 2003 held a further monitoring workshop on a national monitoring structure and will also hold provincial workshops in the Western Cape later in July 2003.

Human resources development:

The Project developed and transferred considerable skills and knowledge in those immediately associated with it, such as the members of the Inter-Sectoral Committee on Child Justice. These skills have already been used on other inter-sectoral initiatives.

Most of the training required to implement the Child Justice Bill will follow its enactment. However, to ensure that this training goes forward in a systematic and coherent way, the Project in January 2003 developed the draft Inter-sectoral practice manual for child justice. This may need to be modified once the Bill is finally passed but it nonetheless provides an excellent head start for future training on the Bill.

#### L. Impact

The project has had a number of impacts. First, it has been a catalyst for changing the way the South African government and non-governmental sector think about how to deal with children in conflict with the law. It has supported the introduction of a new policy framework which will ensure that all children except those who commit the most serious crimes are diverted out of the formal adult justice system and dealt with in a way that seeks to minimize the prospect that they would re-offend. It has, for instance, involved the non-governmental sector in a much greater way than had been previously the case. It has sought to involve traditional leaders in creating more peaceful environments in which such children can live.

The Project has assisted both government and the non-governmental sector to increase their capacity to deal with the increasing number of children who are arrested each year. This assistance has taken many forms from consciousness-raising to knowledge and skills development. The resulting increased capacity has been detailed in the section on capacity-building immediately above.

In addition to its impact on the specific sector of children in conflict with the law, the Project has had a more general impact on improving the way new policy frameworks are implemented in South Africa. The work done by the Intersectoral Committee on implementation planning and budgeting has become a model and set a new standard for what Parliament requires from government departments with regard to planning for implementation of new pieces of legislation.

Through the implementation planning and budgeting process the government departments involved were able to secure large additional allocations from the State Treasury for the implementation of the Child Justice Bill. This was a very important impact of the Project.

The Project can also have an impact on thinking throughout the United Nations system as to how governments can be possibly assisted to change their policy framework to comply with the provisions of Articles 37 and 40 of the Convention on the Rights of the Child. Whether it will have such an impact, will depend on the follow-up work done by UNDP, UNICEF and UNODC to document the Project as a model of best practice and then disseminate the findings.

## M. Sustainability

The Project has successfully completed its succession planning. See the last pages of the End of Project Report (Annex 4). In terms of institutional sustainability, the Department of Justice and Constitutional Development has internalised the work of the Project in the Directorate of Youth and Child Affairs, and the strong commitment of the Chief Director, to whom the Directorate reports, will help ensure that the ongoing work required to full complete the process is undertaken. However, it is nonetheless important that a new Director: Children and Youth Affairs be appointed as soon as possible.

The Budget and Implementation Plan is an impressive model, which has raised standards as to what parliamentarians can expect government departments to produce in support of new policy framework and legislation. A precedent has been set which demonstrates that this quality of analysis is possible. Parliamentarians are unlikely to be satisfied with a lower quality of budget forecast and implementation plans in the future. As such, the Child Justice Bill, Budget and Implementation Plan represent a systemic improvement which has every prospect of being continued.

In terms of financial sustainability, the additional funds (totalling R469,086,000 in MTEF 2003-2005) which have been requested from the National Treasury by the National Departments of Justice, Safety and Security, and Social Development; and by Provincial Social Development and Provincial Education Departments to implement the Child Justice Bill will ensure that its provisions would be realized. Such additional expenditures could be expected to become continuing budget items and thereby completely incorporated in the Annual Estimates of all of the departments affected. This will ensure that the changes in the child justice system are sustained.

In human resources sustainability, the Draft Inter-sectoral Practice Manual for Child Justice will be used to train and inform practitioners implementing the new system, and thus provides an important device for supporting and sustaining the change process. It is intended that the Draft Manual will be finalised once the Bill is implemented.

## N. Follow-up

The Child Justice Bill should be passed by Parliament in the immediate future. Then the implementation training which has been planned can be delivered. Funds have already been requested and allocated in departmental budgets for implementation. Donor funds are also already secured to assist in this regard. Accordingly, this will provide continuing momentum for the Project's work.

Once the planned monitoring systems for the Bill are developed in July 2003 and put in place immediately after the passage of the Bill, there will be effective mechanisms for measuring follow-up impact.

## V. Conclusions

### O. Findings

The Project has achieved the bulk of its original objectives and has had a broader impact than envisaged in the original Project document.

#### 1. Finding concerning the Child Justice legislation:

Despite the fact that the envisaged Child Justice legislation has not yet been passed, significant progress has been made in implementing a new Child Justice system and in improving the situation of children who come into conflict with the law. One of the key findings of the evaluation is therefore that law reform is not an essential pre-requisite for reform of a system; rather that new practices and procedures can be developed in advance of new legislation. Also, we find that the delays in passing the legislation were beyond the control of the Project.

#### 2. Finding concerning the importance of the costing exercise

This project has generated a model for the process of implementing new policy in South Africa, primarily through the development of a realistic costing and implementation plan. This form of implementation planning was not envisaged in the original project document, which framed most of the implementation steps in terms of legal processes. The central importance of the collaborative costing and planning exercise by the Inter-sectoral Committee on Child Justice again suggests that it may be these aspects, rather than legislative steps, which are critical to changing how government systems work.

#### 3. Finding concerning the importance of interagency partnership-building

The process of developing the implementation plan relied on the strong inter-agency relationships which had been built by the Project, between all government agencies who had a role in the child justice system. The building of an interdepartmental partnership in support of the Child Justice initiative was a critical success factor; although this was not explicitly provided for in the original project document. Many policy initiatives require sound inter-departmental collaboration in order for implementation to be successful, and there are important lessons from this project about how such collaboration needs to be facilitated and supported.

#### 4. Finding concerning the institutional arrangements for the Project

Although the Project was executed by a UN agency, it was located within a national government department; and this combination of institutional arrangements for the Project contributed to its success. Administration and

management of the project were immune from restructuring or inefficiencies within the South African government department, yet the Project was located within a line Directorate of the Department of Justice, and was seen as an integral component of the Department, its work integrated into – and influencing – that of the Department overall.

#### 5. Findings concerning constraints experienced by the Project

The only significant constraint on the realisation of the objectives of the Project was the delays experienced in the passing of the Child Justice legislation. These delays were beyond the control of the Project or even, once introduced to Parliament, of the Department of Justice. Despite this constraint, significant progress was made in preparing for implementation of the coming legislation, and significant changes have already been effected in the administration of justice for children in South Africa.

#### 6. Finding concerning the importance of dedicated project management capacity

One of the key success factors in transforming the Child Justice system in South Africa was the provision – through this project – of dedicated project staff and resources to support and facilitate the process. Interdepartmental policy initiatives or legislative reform projects within the South African government system require dedicated project staff and resources if they are to succeed.

#### 7. Finding concerning the termination of the project

Although the project has successfully delivered on its objectives; the absence, at this time, of appropriate successor officials in the Department of Justice and the fact that the legislation has not yet been passed suggest that it would wise to provide for a brief project wind-up period following after 31 July 2003, the date set for the Project's formal end.

#### 8. Finding concerning the capacity-building aims of the project:

Although it is not yet possible to quantify the expansion in capacity for, or use of, diversion and non-custodial sentencing programmes in the child justice system, it is clear that there has already been an expansion in the use of such programmes; and the costing and implementation plan forecasts an increase from 30 000 diversions in 2002, to 75 000 diversions in 2005. The number of accredited diversion service providers (NGO's) at provincial level has already increased, indicating an improvement in capacity.

Although relatively little formal training of government officials has taken place, a cumulative assessment of the project's outputs suggests that there has been an impact on capacity, awareness and knowledge among officials dealing with child

justice. The draft Child Justice Practice Manual is a useful contribution to future capacity-building and training efforts.

#### 9. Finding concerning the monitoring of the child justice system

While good work has been done on the development of an effective monitoring system for the new Child Justice system, monitoring plans have not been finalised to a satisfactory level; in part because the Bill has not been yet passed by Parliament. Further work on the monitoring tools is due within the final month of the project; and there will be a need for final improvements and amendments to be made once the Bill is passed.

There is universal commitment from members of the Inter-sectoral team to use the Inter-sectoral Committee as a monitoring forum in future. This is promising evidence of a commitment to sound monitoring practice.

#### P. Assessment of:

##### 1. Relevance

The Project was, and remains, highly relevant. With increasing levels of youth crime, and improved efficiency of the criminal justice system in South Africa, greater proportions of young offenders are likely to be apprehended in future. By diverting an increasing number of children away from the formal justice system and dealing with them in a way that emphasizes counselling, prevention of future conflict and community integration, the Project should have an impact on reducing the long-term levels of criminality in South African society.

One of the central challenges facing the South African government is the practical implementation of much of its visionary policy. The Project has been extremely apposite in this respect: the Budget and Implementation Plan which the Project produced for the Bill has set a new standard for the quality and extent of background analysis required to support new legislation going before Parliament. This innovation has already had a system-wide impact, which will see legislators demanding evidence that future legislation is realistic, implementable and affordable.

##### 2. Performance

The Project was well managed, achieved its objectives and often not only met, but exceeded expectations. It came in under budget and within the agreed timeframes.

##### 3. Success

The Project met its objectives.

The Project has been successful in addressing the situation of children in conflict with the law. It has fundamentally changed the way such children are dealt with, to ensure compliance with the constitution and international conventions. Its impact has been far greater than initially envisaged, and perhaps disproportionately large, given its small capacity and budget.

Although the envisaged legislation on Child Justice has not yet been passed, the legislative process is likely to be complete by the end of 2003, and, more significantly, extensive change in the procedures and practices of child justice have already taken place.

In addition to meeting its original objectives, the Project also succeeded in tackling other related issues (such as the deaths of children in custody) and generating a strong inter-departmental partnership within government, which can serve as a vehicle for ongoing work around child justice, and as a model for other ventures requiring interdepartmental collaboration. The costing model for implementation of the new Child Justice system was so successful that it has become a model for future legislation.

The partnership which developed around the Project among the Department of Justice (South African Government), UNDP and the Swiss Agency for Development and Cooperation proved to be quite satisfying to all three.

The way that the project engaged with NGO's involved in children's issues was extremely positive, and has resulted in a collaborative relationship between government and NGO's in taking forward the implementation of the new system. This is noteworthy in a context where NGO's and government are often in conflict.

## VI. Recommendations

The Project will end this month and this is a final evaluation.

### a. Recommendations to UNDP / UNOPS/ UNODC

(i) That the UNDP, together with the Swiss Agency for Development and Cooperation (SDC) and National Government of South Africa, agree to a brief finalisation phase, which will allow for complete handover of the project to the Department of Justice, the development of a plan for documenting the Project, and ongoing support to the Parliamentary process, to the end of the 2003 session (during which it is envisaged that the Bill will be passed). This extension may possibly be financed from unspent Project Funds.

(ii) That UNDP, UNOPS and UNODC either individually or together ensure that this Project is documented as a case study as to how Member States can take forward their obligations under Articles 37 and 40 of the Convention on the Rights of the Child. That this documentation be widely circulated. UNDP has committed itself to such a documentation process and to providing funds for this. The Swiss Agency for Development and Co-operation have also expressed an interest in possibly co-funding the documentation of the project.

In their response to the reports of Member States, the Committee on the Rights of the Child has over the years made numerous findings and recommendations as to the need to improve compliance with the provisions of Articles 37 and 40 of the Convention. This Project is an excellent example of how one Member State, South Africa, has changed its policy framework to better comply. It is also an example of how United Nations programmes - with co-funding from the Swiss Agency for Development and Co-operation (SDC) - have provided the necessary technical and other assistance to support it to do so.

(iii) That the Resident Representative of UNDP in South Africa forward a copy of this evaluation to the Country Director of the Swiss Agency for Development and Co-operation (SDC) in South Africa, the Executive Director of UNICEF, the Executive Director of the United Nations Office for Drugs and Crime, the United Nations High Commissioner for Human Rights, and the Chair of the Committee on the Rights of the Child highlighting the two previous recommendations.

b. Recommendation to UNICEF, UNODC and UNOHCHR

(i). That the United Nations Co-ordination Panel on Juvenile Justice established in 1997 be revived and that it be asked to review this Project along with any other national initiatives among Member States which have sought to improve their compliance with Articles 37 and 40 of the Convention.

c. Recommendations to the South African Government:

(i) That it continues to view the Child Justice Bill as a high priority and to use its influence to indicate to Parliament that the legislative process should be concluded as soon as possible. Failure to enact the Bill soon may result in a serious loss of momentum in the transformation of the Child Justice system because of the resulting uncertainty it would create concerning implementation. Any further improvements required in some departments' capacity to implement aspects can be accommodated by a progressive implementation on certain aspects or possibly if required a delay of up to one year in the coming into force of the Bill after its proclamation.

(ii) That the relevant Departments continue to implement the Child Justice policy framework and best practices that are emerging and avoid any possible loss of momentum.

(iii) To the Justice, Crime Prevention and Security Cluster: The process surrounding the Child Justice Bill and the transformation of the child justice system, more generally, should be documented and used as a model of how an intersectoral policy formulation and implementation process can work.

(iv) To the Department of Justice: That the position of Director: Children and Youth Affairs be filled as soon as possible.

(v) See also Recommendation (i) to UNDP/ UNOPS/ UNODC above.

## VII Lessons Learnt

### a. Lessons for UNDP / UNOPS / UNICEF

For UNDP, the project represents a significant lesson as to how to parley a relatively small investment, \$ 100,000, into an enormous gain in capacity building of government and the non-governmental sector to enable them to better deal with a pressing social problem - young people in conflict with the law.

The Project is an excellent example of how the UNDP can multiply the impact of its limited funds. Through the partnership with the Swiss Agency for Development and Co-operation, who provided over \$500,000, sufficient resources were mobilized to support a small team to take the Project forward with the Inter-sectoral Committee on Child Justice.

The work of the Inter-sectoral Committee, especially its ground-breaking work on the Implementation Plan and Budget for the Child Justice Bill, has resulted in the Government of South Africa allocating an additional R 469,086,000 (about \$ 62,500,000) in the 2003 to 2005 MTEF cycle for programmes dealing with Child Justice.

As such, this Project represents a major success for UNDP in improving governance. It would be a useful case study for learning within UNDP itself.

For UNICEF

Unfortunately by not participating more fully in this Project, UNICEF South Africa, and UNICEF generally, missed an important learning opportunity especially as to how it might take forward its role in support of Articles 37 and 40 of the Convention on the Rights of the Child.

It is still timely for UNICEF to take the lessons learnt from the Project and disseminate them widely.

## b. Lessons for the Government of South Africa

### i. Lessons concerning project scope:

One of the reasons the project was successful was that it was sufficiently discrete and dealt with a limited universe of potential actors – total number of children arrested (ie possible candidates for diversion) was estimated at between 100 000 – 200 000 per annum over the 2000-2005 period.

It was important that the focus of the project was only on the reform of the child justice system; it did not get entangled in the complex process of re-engineering the criminal justice system which is driven through inter alia the South African government's 'Integrated Justice System' (IJS) initiative. When additional expert capacity (such as the project team) is placed in government departments, there is often a tendency to draw those resources into a wide range of processes, because they offer expertise which is not regularly available within the government system. This tends to dilute the original intended effect. In this case, the project staff were not required to get involved in departmental or intersectoral processes outside of the ambit of child justice. This enabled them to focus on the project deliverables and achieve objectives.

### ii. Lessons concerning dedicated project management capacity

Although there are many interdepartmental or 'intersectoral' teams operating within South African government systems today, with tasks similar to that of the Child Justice Project – to develop or implement policy, or to create new systems or build capacity – this project stands out as a success. One of the findings of this evaluation is that the provision of dedicated project management and expert capacity was a key success factor.

The experience of this project suggests that there is a need, when constituting dedicated project management teams, to combine technical abilities such as project management and facilitation skills, with good administrative abilities and some expertise in the subject matter of the project. (These attributes are unlikely to all be found in one individual, hence the need – as in this case – for a small team to support such projects).

Reflecting on this process, there was some debate among participants about whether content expertise is more important than project administration/management skills, in the attributes of the project support team. This indicates that a combination of both content expertise and technical skills in project support and management are required.

The location of the project management capacity is also critical, and attention needs to be paid to locating such teams in the correct departments and at the correct

level of the public service rank structure. This relates also to levels of remuneration, conditions of service and financial systems to be applied to project teams – the less divergent these are from other public servants with whom they will be working, the less conflict is likely between the project team and regular department staff.

### iii. Lessons concerning intersectoral project teams

One of the findings of this evaluation is that the management of the intersectoral partnership in this project was highly successful. While some of this may be due to the characteristics of the individuals in the Project and on the intersectoral team, and their commitment to children's issues, there may be some general lessons for intersectoral work:

- The lead department must play an active lead role, and actively support and champion the issue (in this case, the child justice issues). It is not sufficient for the department to play a merely a 'host' role, but must actively champion the project. This requires a recognition that intersectoral work will be demanding in terms of facilitation, administration, resources and time.
- The representatives from each department must be carefully selected, for their expertise and commitment to the project issue. In the case of this project, all the members of the intersectoral teams demonstrated a passion for children's issues, and this undoubtedly helped sustain their participation in the process.
- The representatives from departments must be mandated by their Directors-General, and provision must be made in their job descriptions and work plans to spend adequate time on intersectoral project work. They must report back on intersectoral work through the regular reporting channels in their departments.

### iv. Lessons concerning integration of special projects into regular workplans and reporting systems

Special projects, such as the Child Justice Project, must be as closely integrated as possible into the regular work of the national government and host department.

This requires that the project reports through the regular reporting line (in this case, the Directorate for Youth and Children, and the Chief Directorate for Court Services) in the department; and that the project's activities are regularly reported on by the Department – for instance, to the Justice, Crime Prevention and Security Cluster (JCPS) and in the Department's Annual Reports to Parliament.

These measures will ensure that the project is not seen as an 'add-on', and that its work will more likely be integrated and sustained by the national government.

v. Lessons concerning costing implementation of policy

One of the most valuable lessons to be drawn from the experience of the Child Justice Project concerns the importance of thorough, collaborative costing and planning for implementation of new legislation or policy.

The 'Budget and Implementation Plan' for the Child Justice Bill provides a model for future policy development and for assessing the viability of draft legislation already being considered in South Africa.

In order for this type of costing and planning to be meaningful, it needs to be developed through processes which are inter-sectorally collaborative. The Child Justice Project involved all relevant government departments, at both national and provincial level, in this process. The participation of the National Treasury was particularly important.

The budget-and-plan conversations need to involve both line staff (who will be responsible for implementing the policy/legislation) and finance staff (who are responsible for budgeting). Without the participation of both, the cost estimates are likely to be unrealistic or even if realistic, not accepted or 'owned' by the implementors.

vi. Lessons concerning interim arrangements and phased-in approaches to the implementation of new policies

One of the key lessons from this project is that significant changes in the system are possible, even before the new legislation has been passed in Parliament.

One of the key devices to achieve this was the development of the 'Interim Protocol for the Management of Children Awaiting Trial', which bound government departments to new ways of operating.

vii. Lesson concerning the importance of monitoring

The establishment of effective monitoring systems is critical to ensure the actual implementation of new policies. It is therefore necessary to develop the monitoring systems at the outset, at the same time as the new policies and procedures are being developed. This will assist in ensuring that the effects of policy change are measurable and demonstrable to politicians and the public.

Independent oversight bodies can play a useful role in monitoring compliance of government departments, especially when government's own internal monitoring mechanisms are weak. For instance, in the South African context, monitoring the Constitutional requirement that children should not be held in adult prisons

would fall to the Human Rights Commission, which could put pressure on government departments to improve compliance and develop new procedures for dealing with children in prisons.

Sustained monitoring is necessary. Experience in the project showed that a reduction in the number of children in custody awaiting trial was achieved when this issue was high on the political agenda and hence well-monitored. When the pressure abated, numbers of children in custody began to rise again.

#### viii. Lessons concerning relationship with NGO's

The Child Justice Project built a strong, positive and mutually supportive relationship with NGO's in the children's sector. This was achieved through a combination of the following:

- Maximum transparency and communication with NGO's. NGO's reported that they found the Project extremely accessible and helpful. The amount and quality of information put out by the project enabled NGO's to feel empowered rather than excluded by government's process.
- Regular interaction and consultation with NGO's. NGO's were involved with the project from the very early phase of conceptualising the project document.
- Engagement with a broad range of NGO's. Although working with a large number of NGO's can be difficult, this was necessary (given the scope of the project and the need to build capacity of NGO's to deliver diversion services), and far preferable to the situation in the past where a few NGO's were favoured by government. The broad approach built confidence in government and the Project, and eventually, the NGO's themselves decided to set up a coalition (the Child Justice Alliance) to streamline their interaction with government.
- Recognition of the need for capacity-building in the NGO sector. The Project was able to support the NGO coalition in its request for donor funding, and provide useful advice to NGO's wanting to develop diversion programmes. Although this was a government project, it recognised the need for strong civil society partners, and did not attempt to restrict all capacity-building efforts to government.
- Clear contracting procedures with non-government service providers, both in respect of work that was contracted by the Project Team itself during the project lifespan, and in terms of setting the frameworks for service-level agreements for provision of future diversion services by NGO's.

## Annex 1

## Terms of reference for the Final Evaluation Mission

## Terms of Reference

End of Project Evaluation  
SAF/97/034 – Capacity Building in the Area of Youth Justice

1. Introduction and Background

The Capacity Building in the Area of Youth Justice project was initiated in 1997 by UNDP and designed to improve the functioning of the youth justice system in South Africa. Started in 1999 for a duration of three years, the project has five main objectives:

- Enhance the capacity and use of programmes for diversion and appropriate sentencing and the development and introduction of new programmes
- Increase the protection of young people in pre-trial detention
- Strengthen the implementation of the legislation in the area of youth justice
- Raise awareness among professionals in the criminal justice system and the general public of the transformation of youth justice
- Establish a monitoring process

The project is based in Pretoria. It has been operational for 3 years and 6 months. The project was due to be completed in September 2002, but due to delays in the parliamentary processes, an agreement between the tri-partite members in a meeting held on the 11 September 2002 resulted in an extension of the project to 31 July 2003.

2. Target Beneficiaries

The direct recipients of the projects are those charged with providing services to young people in conflict with the law: these include the personnel of the relevant national and provincial ministries and departments such as Justice, Safety and Security, Welfare, Correctional Services, Education and those working with non-governmental and community-based organizations in this area. The ultimate beneficiaries will be the children whose contact with the criminal justice system is less damaging and whose development as people and as productive citizens of the Republic is enhanced

3. Implementation Arrangements and cost

The United Nations Office for Project services (UNOPS) is the Executing Agency of the project. UNOPS/HQ is responsible for the overall oversight, financial and legal management of the project. The Project management unit placed at the Department of Justice and Constitutional Development, which consists of one project coordinator and one assistant project co-ordinator and one administrative assistant, has been responsible for the coordination, the implementation, the day-to-day management and administration of the project. The assistant project co-ordinator left the project at the end of October 2002.

UNOPS is managing the project in close collaboration with the UNDP, the Centre for International Crime Prevention (Cooperating Agency), and the Department of Justice of the Government of South Africa.

#### 4. Funding

At the beginning of the project it had a total budget of US\$ 628,000 comprising US\$ 100,000 from UNDP and US\$ 528,000 from the Swiss government. While these contributions cover the project activities, the Government of South Africa provides for the use of an office, some equipment and administrative support. The majority of the funds have been spent.

#### 5. Project Implementation to date

The project has been in existence since October 1999. Three annual reports have been submitted, an independent mid-term evaluation was conducted, and 3 audit reports have been compiled by Price, Waterhouse Coopers. These documents will be submitted to the persons carrying out the independent evaluation two weeks prior to the evaluation.

##### 6.1. Purpose of the Project Evaluation

The project is now reaching its conclusion and there needs to be an end-of-project evaluation as indicated in the project document and in accordance with the UNDP/UNOPS financial and management guidelines. The purpose of the evaluation is to assess whether or not the project goals and objectives have been met effectively and efficiently within the given time frame and resources, as well as considering the level of contribution towards the desired outcome.

##### 6.2 Specific Issues to be covered

The end of project evaluation should cover:

- Assessment of whether the project has met the intended objectives, targets and outcomes.
- Assessment of constraints, if any, which have affected the project implementation.

- Assessment of the perceived impact of the project and the role it has played in the achievement of the ultimate outcomes.
- Assessment of whether effective succession planning has occurred in order to ensure that work begun by the project is taken over by government and, where applicable, civil society role players.

### 6.3 Lessons learnt

The evaluation mission should record any significant lessons learnt from the experience in order to improve future development initiatives to be supported by the members of the Tri-Partite agreement and other interested parties. Such lessons should include those that pertain to the design, implementation and management of the project.

## 7. Composition of the Evaluating Team

A team of two independent consultants representing UNOPS and UNDP/Government of South Africa will undertake the evaluation. The team will consist of one international consultant and one national consultant.

The international consultant will be an expert in project management and evaluation must have an advanced university degree with at least 5 years of experience in project management and evaluation. He/she should demonstrate an in depth knowledge of methods and procedures to conduct project monitoring & evaluation with particular reference to results assessment in terminal or cluster evaluations as well as the use of participatory methodologies. Extensive experience of the UN and UNOPS procedures would be an advantage. He/she should also have an ability to manage the team's work and should have excellent drafting skills to assemble, synthesize and integrate various inputs. Proficiency in the English is a basic requirement.

The national consultant must have an advanced university degree and have at least five years experience in the criminal justice sector in South Africa. He/she must have knowledge and experience of policy implementation in criminal justice as well as a good knowledge of governance issues.

## 8. Duration

The mission is expected to be carried out for ten working days and should start at the latest on 23 June 2003. The first draft report to be submitted by 7 July 2003 and final report on 14 July 2002. This deadline must be adhered to because of the fact that there will be a TPR meeting in the third week of July 2002.

## 9. Outputs

A Reference Group, consisting of UNOPS/SPM, the Project Coordinator, UNDP South Africa Representation and the Department of Justice of the Government of

South Africa will brief and guide the mission in its work. The team is expected to produce a report on the evaluation in accordance with UNDP requirements, concluding with an opinion on the performance and achievement of the project and any specific issues to be addressed or recommendations thereof.

A report midway into the evaluation will be prepared and presented to UNOPS/SPM, UNDP South Africa and the Project Coordinator, indicating preliminary findings. The report will indicate the methodology used by the evaluating team. For example, desk review, questionnaires, interviews, etc.

The Team Leader will finalize the report taking into consideration the comments made by the Reference Group. A final report will be submitted officially to UNDP and UNOPS HQ.

#### 10. Duty station

The mission is expected to be fielded from 23 June 2003 and to complete its work in about 10 days. The evaluation team will be based in the Project Management Unit in Pretoria. The proposed workplan is as follows:

- Day 1: Evaluation team meets the Programme Coordinator, the UNDP representative, the ODCCP representative and the Department of Justice and Constitutional Development representative, for briefings.
- Day 2 and Day 3: Evaluation Team examines relevant project documents.
- Day 4 and Day 5: Evaluation Team interacts with the project partners and reviews project achievements
- Day 6, Day 7, Day 8: Evaluation Team drafts the executive summary and outline of the report
- Day 9: Evaluation Team presents executive summary and draft report to the Programme Coordinator, and the representatives of the UNDP, the ODCCP and the Department of Justice and Constitutional Development.
- Day 10: Evaluation Team presents final draft and holds debriefing with UNDP and the Programme Coordinator. Team Leader sends final report to, UNDP, ODCCP, Department of Justice and Constitutional Development and UNOPS HQ.

#### 11. Consultation in the Field

The evaluation team leader will initially be briefed by UNOPS HQ and will work locally in close collaboration with UNDP, the Project Management Unit, the Department of Justice and Constitutional Development and the ODCCP South Africa. Although the team should feel free to discuss with the authorities concerned any matter relevant to the assignment, it is not authorized to make any commitments on behalf of UNDP, ODCCP or UNOPS.

## Annex 2

## List of persons interviewed

Ann Skelton	Project Manager
Dumisani Mngadi	UNDP
Annamarie Minder	Swiss Agency for Development & Co-operation
Pieter Du Rand	Chief Director: Court Services, Department of Justice
Thulani Mabaso	Head Monitoring, Evaluation & Finance, UNDP
Antoinette Brink	Snr Supt, Legal Services: Legislation, SA Police Service
Marga Van Rooyen	Snr Supt, Legal Services: Legislation, SA Police Service
Nanise Mkhulise	Deputy Chief Education Specialist: Inclusive Education Directorate, Department of Education
Joyce Matshego	Deputy Director: Youth and Females Sub-Directorate, Directorate Prison Services, Department of Correctional Services
Maggie Tserere	Senior State Advocate, Child Justice Section, Sexual Offences and Community Affairs Unit, National Prosecuting Authority
Buyi Mbambo	Former Assistant Project Manager
Gordon Hollamby	Formerly with the South African Law Commission, Chief Director: Budget, Procurement & Decision Support, Department of Justice
Johanna Prozesky	Assistant Director: Social Crime Prevention, Department for Social Development
Coenie Du Toit	Deputy Director: Social Crime Prevention, Department for Social Development
Ooshara Sewpaul	Former Director: Youth and Child Affairs, now Director: Constitutional Development & Chapter 9 Institutions, Department of Justice
Letshego Sehemo	Legal Administration Officer, Directorate: Youth and Child Affairs, Department of Justice
<i>Telephone interviews:</i>	
Conrad Barberton	Economist, Cornerstone Economic Research – consultant to the project on the costing exercise
Barbara Holtmann	Council for Scientific and Industrial Research (CSIR) Crime Prevention Resource Centre (NGO)
Rosemary Shapiro	Consultant to the project
Susan Pienaar	Assistant Commissioner: Social Crime Prevention, South African Police Service

## Annex 3

## List of documents reviewed

UNDP Guidelines for Evaluators,

Interim National Protocol for the management of children awaiting trial, June 2000

Project revision, Capacity Building in the area of Child Justice, SAF/97/034/B/01/31, August 2000

Annual programme/project report, 30 September 2000

Promoting informed debate in civil society about child justice issues, report of workshop, Child Justice Project, 29 – 30 November, 2000

Report of the UNDP/UNOPS mid-term evaluation of SAF/97/034, B.L. Fanaroff and V. Resta, March 2001

Minutes of Tri-partite Review meeting for the Child Justice Project, April 10, 2001

Indaba: Programmes to support the Child Justice programme, Child Justice Project, 20 – 21 June 2001

Annual programme/project report, 30 September 2001

Report of Workshop with service providers for child sex offenders, Child Justice Project, 4 April 2002

Bringing Children's Rights and Protection to the Centre of the Service Level Agreements in the Child Justice System, Child Justice Project, 30 – 31 May, 2002

Children and the criminal justice system, Z-card, Department of Justice and Constitutional Development, July 2002

Provincial plans on Diversion and Community Based Alternative Sentencing, Provincial departments of social services, September 2002

Child Justice Bill, Budget and implementation plan, Inter-sectoral committee for child justice, October 2002

Report of Traditional Leaders Workshop, Child Justice Project, October 29, 2002

A situational analysis of reform schools and schools of industry in South Africa, T. Blose, Child Justice Project, November 2002

Report of National Conference “Restorative Justice from Theory to Implementation”, Justice, Crime prevention and Security Cluster, 18 -20 November 2002

Research report, Minimum standards for the protection of children deprived of their liberty, J. Gallinetti and D. Kassan, University of Western Cape, December 2002

Draft, Inter-sectoral practice manual for child justice, Child Justice project, January 2003

Child Justice Bill Summary, February 2003

Child Justice Bill, Synopsis 2003, February 2003

Circles of care project: Community for AIDS Affected Children, The Child and Youth Care Agency for Development (CYCAD) South Africa, March 2003

News story, Costing of justice bill breaks new ground, P. Honey, Financial Mail, 23 May 2003

Confidential report on deaths of children in custody, A. Skelton, June 2003

Terminal project report, 31 July 2003

End of project report, SAF/97/034, A. Skelton, Child Justice Project, July 2003

## Annex 4

End of project report