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Support to the Justice Sector of Nigeria

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This evaluation report was prepared by an evaluation team consisting of Mr. Peter Allan, Prof. Ayodele Atsenunva and Dr. Ezenwa Nwokocha. The Independent Evaluation Unit (IEU) of the United Nations Office on Drugs and Crime (UNODC) provides normative tools, guidelines and templates to be used in the evaluation process of projects. Please find the respective tools on the IEU web site: <http://www.unodc.org/unodc/en/evaluation/evaluation.html>

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ABBREVIATIONS AND ACRONYMS

ACJA	Administration of Criminal Justice Act
ACJL	Administration of Criminal Justice Law
CRA	Child's Rights Act
CRL	Child's Rights Law
CONIG	Country Office Nigeria
DCO	Divisional Crime Officer
DP	Development Partner
DPO	Divisional Police Officer
EDF	European Development Fund
ER	Evaluation Report
EU	European Union
FCT	Federal Capital Territory
FJSRCC	Federal Justice Sector Reform and Coordination Committee
FRMS	Financial Resources and Management Services
GoN	Government of Nigeria
IGP	Inspector General of Police
IR	Inception Report
J4A	Justice for All
JRC	Judicial Research Centre
LACON	Legal Aid Council of Nigeria
M and E	Monitoring and Evaluation
MoBNP	Ministry of Budget and National Planning
MoIDC	Ministry of International Development Cooperation
MSC	Most Significant Change
MTE	Mid-Term Evaluation
MWASD	Ministry of Women Affairs and Social Development
NBA	Nigerian Bar Association
NGO	Non-Governmental Organization
NIP	National Indicative Programme
NJI	National Judicial Institute
NPF	Nigerian Police Force
NPS	Nigerian Prison Service
OIC	Officer In Charge
OPD	Office of the Public Defender
PMC	Project Management Committee
PRC	Programme Review Committee
PST	Programme Support Team
RP	Regional Programme
SAP	System Applications and Products
SoM	Smuggling of Migrants
TiP	Trafficking in Persons
ToR	Terms of Reference
ToT	Training of Trainers

UNDAF	United Nations Development Assistance Fund
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNOV	United Nations Office in Vienna
VAPP	Violence against Persons Prohibition

EXECUTIVE SUMMARY

Introduction and Background

Description

The concept of the ‘Support to the Justice Sector of Nigeria’ project NGAV18 (known hereafter as ‘the Project’) was identified, conceived and formulated by the European Union (EU), which also provided the majority of the funding. Within the National Indicative Programme (NIP) for Nigeria, the EU had identified Governance and Human Rights as the second Focal Sector of intervention aimed at supporting governance improvements at state and local authority level, with the specific aim of enhancing the functioning of the judiciary, improving prison conditions and reducing the “law’s delay”. The EU and the Government of Nigeria (GoN) entrusted the United Nations Office on Drugs and Crime (UNODC) Country Office in Nigeria (CONIG) with the development and execution of the Project under the 10th European Development Fund (EDF) programme. It had a fully pledged and costed budget of EUR €26,000,000 with an EU contribution of EUR €25,000,000 and UNODC co-funding with a EUR €1,000,000 contribution, out of which the United Nations Children’s Fund (UNICEF) is contributing US\$ 887,910.84. UNICEF was UNODCs joint implementing partner. The 42 month Project officially began on the 27th December 2012 and was due to conclude on the 30th June 2016. An extension of the Project was agreed to 26th August 2017 and the budget reduced to EUR €19,076,309 to reflect the revised outputs and activities.

Objectives

The Project’s stated overall objective was to “*improve governance and compliance with the rule of law in Nigeria through improved effectiveness, accessibility, accountability, transparency and fairness of the justice system*”. The Project looked to achieve this overall objective through three initial outcomes:

Outcome 1: to “improve coordination among justice sector institutions and their officials, as well as improve policies, plans and legislation in justice delivery, benefits the leadership and officials of the key justice institutions agencies”.

Outcome 2: to “enhance capabilities and improve facilities for effective functioning of the institutions and efficient administration of justice benefits the justice sector training institutions, Federal and States ministries of justice”.

Outcome 3: to “increase access to justice and respect for human rights. Especially for victims of crime, poor and disadvantaged persons, victims of human rights violations or abuses, women, children, persons with disability who come in conflict with the law, as well as the general vulnerable groups in Nigeria”.

Following the results of a EU Mid-Term Evaluation (MTE) in August 2015¹ the overall objective and outcomes were revised and an additional outcome added. In May 2016 the Project Management Committee (PMC) approved those changes.

Post May 2016 Objective *“To strengthen the justice sector in Nigeria through the reform of key institutions and the adoption of relevant policies and plans at the federal level and at selected focal states”.*

Post May 2016 Outcome 1: “Improved coordination between key justice sector institutions through the establishment of coordination structures and the adoption of supportive laws and policies”

Post May 2016 Outcome 2: “Training, research and operational capacity of key justice sector institutions (Nigerian Police Force (NPF), Nigerian Prison Service (NPS), Prosecution and Judiciary) is enhanced”.

Post May 2016 Outcome 3: “Increased access to justice and respect for human rights”.

Post May 2016 Outcome 4: “The justice system is better able to handle children’s cases and respond to the needs of child victims, witnesses and offenders”. (Implemented by UNICEF)

The Evaluation

This final Independent Project Evaluation was undertaken from 24th May 2017 to 30th September 2017 to cover the implementation of activities under the Project during January 2013 to August 2017 inclusive. The purpose of the evaluation was to assess the relevance, efficiency, effectiveness, partnerships and cooperation, gender and human rights, as well as the sustainability and impact of the project implementation. In addition it was to further derive lessons learned, best practice and recommendations to inform future decision-making and organizational learning. Field visits were undertaken to Abuja, Federal Capital Territory (FCT) and the States of Lagos, Cross River and Benue.

This evaluation followed a mixed-methods as well as gender-responsive evaluation methodology in line with UNEG and UNODC norms and standards, guidelines and requirements.

The evaluation assessment followed the OECD DAC (The Organisation for Economic Co-operation and Development - Development Assistance Committee) criteria: relevance, efficiency, effectiveness, impact and sustainability, as well as established partnerships and cooperation and gender mainstreaming and human rights.

The evaluation team consisted of Mr. Peter Allan, Prof. Ayodele Atsenunva and Dr. Ezenwa Nwokocha.

¹ Mid-term Evaluation of EU Support to the Justice Sector in Nigeria (FED/2011/021-747) Nigeria July – August 2015

Findings

Relevance

The Project was exceptionally relevant for both the Nigerian Criminal Justice Sector and the international community which was willing to support a well-conceived criminal justice intervention. The proposed partnership with the European Union (EU) as the main donor, UNODC CONIG as the executing agency and UNICEF as a key implementing partner was recognised as a pragmatic and practical approach to attaining a successful project. Additionally the Project sat within UNODCs own area of normative and substantive expertise as custodians of relevant criminal justice Protocols as well as fitting within UNODCs own Thematic, National and Regional Programming.

However the Project proposal document, which was developed by CONIG and subsequently ratified by the governance structures of the Project which included the donor and state beneficiaries, was overly ambitious. It envisaged the delivery of eighty nine activities, many multi-layered across a broad spectrum of criminal justice work within a relatively tight time-frame of 42 months and in an already acknowledged challenging security environment. It further aimed to work at a federal level, in the Federal Capital Territory and in nine other ‘pilot’ states with a total of eleven different national and state bodies. This evaluation report does recognise the pressure the Project was under trying to balance the demands of the many beneficiaries to the Project during its inception phase. Yet this risk should have been recognised and proper expectation management by the Project deployed. Coupled with this over-ambition the Project proposal document contained an objective and outcomes that were too broad and non-specific, Project indicators that were not fully developed or fully fit for purpose, a risk assessment that was inadequate and a monitoring and evaluation regime that was not fully developed.

Effectiveness

Since the MTE in 2015 and with that the ratification of the new work plan and the appointment of the new national Project Coordinator in October 2016, the Project has achieved much greater effectiveness, efficiency and improved its partnerships with its key stakeholders. There has been a substantial increase of Project activity at federal and state levels (e.g. mapping non-state actors providing Legal Aid services and State Action Plans finalised) and the development of a resource ‘library’ of sixty two documents printed and distributed including all the Training Manuals developed under the Project.

Yet project delivery is still hampered by a consistent theme that has run throughout the entire lifetime of the Project and revolves around project administration, most notably in the areas of procurement and finance. Some of this was a result of insufficient project resources e.g. the lack of a Finance Officer for much of the Project and the lack of properly trained administrative and finance officers. However the procedures themselves also appear unduly cumbersome. The length of time required purchasing equipment and recruiting staff was untenably long and created frustration for everyone involved with the Project. These problems were exacerbated when a new administrative system ‘Umoja’ was introduced at the end of 2015 which also introduced delays in reimbursement for partners, stakeholders and beneficiaries.

In addition, getting agreement under the reporting procedures required by the donor in order to release funds on an annual basis took a long time to get resolved. This was from an internal UNODC perspective with communication between HQ and the Project Coordinator causing delays as well as the discussions between the Project Coordinator and the EU delaying

proceedings. In both 2015 and 2016, the release of funds was delayed by several months until the reporting was agreed, and this had an impact on Project delivery.

Efficiency

Thus the risk of over-promising and under-delivering had been created, and when the Project failed to complete key activities within the first six months of the initiation phase this risk increased substantially and ultimately became a reality. The key limiting factor to project delivery in the early years of the Project was the inability to recruit and retain appropriate project personnel. The security situation along with cumbersome administrative recruitment procedures were the main causes of this failure. The Project did not have a contingency plan for this situation despite recognising the security situation as a challenge in its project proposal. The lack of a proactive response to this situation from the Project and UNODC as a whole meant the Project drifted without proper in-house ownership and with only temporary, piecemeal and borrowed leadership it continued to struggle. Key national and international Project posts remained unfilled. After 30 months very few of the original eighty nine activities were on schedule and many that had been earmarked to start within one calendar year of the Project beginning had still not been initiated. This under-delivery of project activity led to a deterioration in relationships between the Project, its main donor, its implementing partner and many of its state partners and beneficiaries.

The situation only began to improve after the MTE in August 2015. The evaluation recognised and highlighted a number of key issues that the Project needed to address. This included a rewording and reworking of the objective and outcomes, a refocusing and reduction in the number of Project activities and a reduction in the geographical scope of the Project by reducing the number of pilot states. The Project accepted the vast majority of the recommendations of the MTE and the new logical framework and work plan were ratified by the Project Management Committee (PMC) in May 2016 along with a no cost extension of the Project to the end of August 2017. This had an obvious effect of improving the focus of project activities. It proved difficult to evaluate if this had a direct effect on the efficiency of the Project given that other drivers of project change deriving both from the MTE recommendations and changes within CONIG staff occurred around the same time.

Impact

Project outputs as achieved so far primarily represent the means-to-an-end and do not constitute ends-in-themselves. There is potential for some of the outputs to achieve impact beyond simple improvement of individual knowledge of justice sector officers and officials to which the Project can rightly claim credit. The medium to longer term impact of the Project should be closely linked to the extent that systemic change is recorded in key areas such as interagency cooperation, recourse to professionalism in discharge of duties among key actors in the sector and legal representation for alleged offenders among others. It is too early to ascertain the extent to which Project outputs have achieved that type of impact dividend. However, the project made significant and consistent progress in delivering on activities, as well as demonstrated responsiveness to necessary changes. Additionally, the project set in motion machinery such as documents, facilities and collaborations that could engender impact even beyond the official period of project implementation.

Sustainability

Although elements of sustainability were widely noted by stakeholders, it is doubtful as to whether UNODC justice sector intervention in Nigeria beyond instituting the ingredients of sustainability also imbued factors that would catalyse its realisation. And it is important to state that although sustainability and impact are inextricably linked, sustainability does not, in itself, guarantee impact. The monitoring and evaluation processes and regime which the Project attempted to introduce but was ultimately lacking are critical elements for attaining sustainability of project benefits and by extension in some cases impact. One area where the Project has been particularly impressive is the focused approach to institutionalising human rights education for law enforcement and correctional officers. The multi-level approach of the Project which entails, jointly developing training resources with beneficiary institutions, providing training for the trainers and mobilising institutional support for integrating human rights training into the formal and informal programmes of various criminal justice agencies is a holistic approach that has great potentials for ensuring sustainability and impact in the long run. Consequently, it was essential for the UNODC to have prioritized devising ways of communicating with relevant stakeholders and gradually disengaging from the implementation process over a period of time as an exit strategy that would ensure sustainability.

Partnership and Cooperation

The Project managed to strengthen partnerships and cooperation through the establishment of different coordination structures which many found very commendable and is an improvement of the course of the Project. The majority of beneficiaries lauded it for fostering partnerships and cooperation at a level hitherto unknown to the justice sector in Nigeria. It can also be described as a good example of how building institutional partnership and cooperation can assist development agencies to gain traction in providing support for development.

Human Rights

One area where the Project has been particularly impressive is the focused approach to institutionalising human rights (which includes children's rights) education for law enforcement and correctional officers. The multi-level approach of the Project which entails, jointly developing training resources with beneficiary institutions, providing training for the trainers and mobilising institutional support for integrating human rights training into the formal and informal programmes of various criminal justice agencies is a holistic approach that has great potentials for ensuring sustainability and impact.

Gender Mainstreaming

The Project made a good start in giving consideration to gender in its conceptualisation of programming for justice sector reforms. A number of the workshops run by the Project had gender and human rights components and the Project ensured a fair degree of gender representation at all the trainings/workshops. However, the failure of the Project to design an appropriate strategy for ensuring a gender-based approach to the Project meant that gender considerations remained non-systemic throughout the implementation project. Gender mainstreaming and women's empowerment under the Project would likely have been better served if it had adopted a direction geared towards recognition and treatment of gender issues as separable from human rights considerations.

Conclusions

The Project was (and remains) relevant but it suffered almost irreparable damage from the outset. It lost a large amount of goodwill and respect from its stakeholders after an interminably slow start with little project activity. The lack of recruitment of project staff, in particular Project Management staff, coupled with over-ambitious outcomes and weak governance of the Project meant it did not make the critical adjustments that were required after the first 12 months.

The Project picked up a little speed during 2014 however the struggle to recruit and then retain staff continued with very little success. It was only with the 2015 MTE that the Project, CONIG and the wider UNODC became pro-active and adjusted the Project in line with the MTE recommendations. This allowed the Project to regain some of the lost trust and ultimately it began to deliver on some of its promised activities. These activities were generally well received by the Project's stakeholders including the beneficiaries.

The Project has ultimately proved capable of activity delivery in a challenging environment and has been particularly effective in improving awareness on Human Rights and Children's Rights within the criminal justice sector. Its support to the Administration of Criminal Justice Act / Law was its major success during the early years and the continuing provision of training in the ACJA is seen as bringing current and future value. Its work with the Nigerian Prison Service as a vehicle and focus to try and improve access to – and speed of – justice appears valid. However, like many activities which have been only recently completed, the ultimate impact is difficult to judge.

The closure of the Project should not mean the end of all project activity. There are certain activities that have demonstrated the potential to be considered worth continuing. The expertise and knowledge built up by the Project, in particular over the past 15 months, should be leveraged in the near future to ensure the legacy of the Project continues.

Recommendations

The main recommendations can be clustered into three different categories.

1. There are recommendations in connection with **Project initiation** which focus on the need for a robust review of the Project proposal document itself to ensure the objective(s) are sound and that the Project is not overly ambitious. There was also a need to review the Project early in its lifetime to allow for the quick identification of potential barriers to project delivery.
2. Other recommendations focus on the actual **administration** of the Project. These reflect the problems and difficulties encountered in staff recruitment and retention, specifically the cumbersome administrative procedures and the lack of a robust risk management strategy. Additionally the recommendations examine UNODC in-house financial administration around procurement and reimbursement and the role of 'Umoja' in these delays. They also consider the impact that slow project delivery had on stakeholder engagement with the Project, how that affected those relationships and how that could have been better managed.

3. Finally the third category of recommendation considers the Project's **legacy** and how that can best be maintained and promoted. This includes the development of a detailed exit strategy that encourages the Project to leverage its expertise into existing and proposed criminal justice activity in Nigeria. It suggests some activities that could be seriously considered for pursuing under a new project.

Lessons Learned

One of the key lessons to learn from this particular project is that it is counter-productive in the longer term to over-promise with the risk of under-delivering. This approach may garner funding initially but will lead to both donor and beneficiary disappointment which – in turn – may well lead to the withdrawal of support and a reticence to commit more resources to the Project. It should be noted that in this particular project the numerous beneficiaries and stakeholders were keen to see their wishes reflected in the work plan and this created some of the pressure to over-promise. Strong Project Management at the inception phase is required to inject realism.

Additionally there has to be a robust Monitoring and Evaluation approach to the Project, in particular with regard to managing risk to the Project. In this instance the poor security environment was recognised as a high risk to Project success yet the management strategy of this risk was ineffective.

Finally, the opportunity that a project such as this has to bring together participants from other national institutions and other States to share ideas and understand each other's challenges and limitations in the field of conducting criminal justice work is invaluable. Time and again the project beneficiaries noted the value of this aspect of all training workshops and meetings.

SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

Findings ²	Evidence (sources that substantiate findings)	Recommendations ³
Key recommendations		
<p>The Project has demonstrated more progress with certain outputs and activities after the MTE and enjoyed more apparent success in working with certain partners than with others. Having demonstrated this progress and success there exists a small but crucial window of opportunity with key stakeholders for certain project activities to be continued to deliver a lasting legacy.</p>	<p>Desk review material. Stakeholder interviews.</p>	<p>UNODC to identify those activities worth continuing and the appropriate stakeholders with whom to engage. This could include, but is not limited to support for;</p> <ul style="list-style-type: none"> - the development and implementation of the state Action Plans including support for the Justice Reform Teams - the establishment of core trainers at the state level on the ACJA and VAPP - the strengthening of the Judicial Research Centres - raising awareness of Human Rights and Children’s Rights - the adoption of sentencing guidelines at the state level - the implementation of the draft National Justice Policy <p><i>Project Management Committee UNODC Project Team CONIG UNODC Regional Section for Africa and the Middle East</i></p>

² A finding uses evidence from data collection to allow for a factual statement.

³ Recommendations are proposals aimed at enhancing the effectiveness, quality, or efficiency of a project/programme; at redesigning the objectives; and/or at the reallocation of resources. For accuracy and credibility, recommendations should be the logical implications of the findings and conclusions.

<p>Multiple activities among different stakeholders have been carried out under the Project. Many of these activities require further and continuing efforts to realise their potential.</p>	<p>Desk review material. Stakeholder interviews.</p>	<p>UNODC to devise an exit strategy, in conjunction with its governance structure, that would enable it continue to engage with beneficiaries where Project activities have led – or could reasonably be expected to lead – to substantial benefit within the criminal justice system of Nigeria. <i>Project Management Committee UNODC Project Team CONIG UNODC Regional Section for Africa and the Middle East</i></p>
Important recommendations		
<p>The initial Project Proposal document was over ambitious. The objective was poorly designed with a knock-on effect of outcomes that were too broad. The Project envisaged the delivery of eighty-nine activities in 42 months within a recognised challenging security environment.</p>	<p>Desk review material. Stakeholder interviews.</p>	<p>A process of Project Proposal review should require Project and non-Project staff to assess the anticipated inputs to the Project against the objective, outcomes and outputs to ensure the Project is neither over-stretched nor under-stretched. <i>UNODC Project Team CONIG UNODC Programme Review Committee (PRC)</i></p>
<p>The Project Proposal Logical Framework and Work Plan envisaged a number of milestones to be reached in the first six months of the Project. None of these were reached by then and some activities to reach those milestones had not started. No adjustment to the Log Frame or Work Plan was enacted.</p>	<p>Desk review material. Stakeholder interviews. Project Management good practice.</p>	<p>A robust review of any Project should be conducted no later than 6 months after the start of the Project. <i>UNODC Project Team CONIG UNODC Programme Review Committee (PRC) Governance Structure Representative(s)</i></p>
<p>The Project Proposal document contained a risk management section which correctly identified the security situation as a high risk to Project success. However the mitigation strategy was ineffective and remained unchanged 30 months into the Project.</p>	<p>Desk review material.</p>	<p>Create, maintain and update a risk management register ensuring mitigating strategies are reviewed and – if necessary altered – at a minimum every twelve months. <i>UNODC Project Team CONIG</i></p>

<p>Some of the indicators used by the project proved difficult to measure and quantify accurately and lacked practical application, in particular with regard to impact.</p>	<p>Desk review material. Stakeholder interviews.</p>	<p>Deploy appropriate expertise in the development and / or review of indicators during the Project inception phase. <i>UNODC Project Team CONIG In-house and / or external Monitoring and Evaluation (M & E) experts</i></p>
<p>The Project relied heavily on training and the concept of Training-the-Trainer (ToT) to achieve its objective. There was insufficient data to determine if the medium and long term effect of this approach was valid. A proposed Monitoring and Evaluation (M & E) regime within the Project proved too weak to provide the data required to assess the overall impact from the Project.</p>	<p>Desk review material. Stakeholder interviews.</p>	<p>Any M & E regime should be reviewed regularly to ensure it evaluates the impact of project activities. An appropriate M & E strategy should be developed that will; a) assess the validity of the ToT approach with regard to long term impact and sustainability b) deliver a process to allow the overall impact of the Project to be assessed. <i>UNODC Project Team CONIG M & E experts</i></p>
<p>The Project suffered from a lack of resources and expertise in the administration of the Project. This was particularly evident in the early years and in the area of financial management. The arrival of the new administrative system ‘Umoja’ added an additional challenge to this administration.</p>	<p>Desk review material. Stakeholder interviews.</p>	<p>UNODC to revise its induction training for project staff based in Field Offices paying particular attention to financial management and ‘Umoja’ training. <i>UNODC Project Team CONIG UNODC Heads of Field Offices UNODC HQ (FRMS / HRMS / Budget Training personnel</i></p>
<p>Stakeholder interviews revealed that certain partners alleged that UNODC side-tracked them as well as undertook some of the responsibilities that they should have undertaken in the course of project implementation.</p>	<p>Stakeholder interviews.</p>	<p>The regular meetings of project partners and stakeholders should include a standing agenda item reviewing the roles and responsibilities within the Project. <i>UNODC Project Team CONIG</i></p>

I. INTRODUCTION

Background and context

A decade ago the Government of Nigeria (GoN) recognised the need to enhance coordination and cooperation among the sector's justice institutions, which led to the creation of a Federal Justice Sector Reform Coordinating Committee (FJSRCC) with its secretariat in the Federal Ministry of Justice (FMoJ) in 2008. The committee developed an Action Plan for the Reform of the Federal Justice Sector (2012-2015). The Government of Nigeria (GoN) acknowledged the need to improve the systems and capabilities of justice sector officials (knowledge, skills, attitude and practices), the facilities of the justice institutions (IT-based case management infrastructure) and increase the access for citizens to the justice system, thus necessitating the setting up of the various reform initiatives. It was this background that led to the involvement of various international partners to offer assistance to the GoN in their criminal justice sector reform efforts.

Map 14 Nigeria and its composite States



⁴ <http://www.nigerianmuse.com/20090804062112zg>

The ‘Support to the Justice Sector Nigeria’ Project NGAV18 FED/2012/308-728 (known hereafter as ‘the Project’) was identified, conceived and formulated by the European Union (EU), which also funds it. Within the National Indicative Programme (NIP) for Nigeria, the EU had identified Governance and Human Rights as the second Focal Sector of intervention aimed at supporting governance improvements at state and local authority level, with the specific aim of enhancing the functioning of the judiciary, improving prison conditions and reducing the “law’s delay”. The EU also aimed at supporting the capabilities of non-state actors specializing in oversight of the administration of justice and enhancing the access of poor and marginalized groups to the justice system, especially at local level.⁵ The EU was also determined to support the Federal Ministry of Justice with the implementation of the Action Plan for the Reform of the Federal Justice Sector (2012-2015) and other government initiatives and policies aimed at improving the justice sector.

The EU and the Government of Nigeria (GoN) entrusted the Country Office in Nigeria (CONIG), UNODC, with the development and implementation of the Project. A key component of UNODC’s work on the rule of law is its specific mandate to guard and protect the United Nations standards and norms in crime prevention and criminal justice. UNODC has been providing technical assistance in the area of justice reform globally and in Nigeria for several years and has built up a knowledge base of successful practices in all the areas of crime prevention and criminal justice reform, including a strong focus on sectoral approaches to such reform.⁶ The fact that UNODC was also simultaneously implementing two other large-scale projects focusing on drugs and related crime and anti-corruption provided a solid ground for cross-fertilization between the Projects and their respective national beneficiary institutions.



UNODC Support to the Criminal Justice Sector of Nigeria

UNODC looked to implement the Project to assist the efforts of the Government of Nigeria to improve justice delivery through: i) Effective coordination and cooperation among justice sector institutions, with improved legal and policy frameworks ii) Enhanced operational structures and capabilities of officials in the sector, and iii) Increased access to justice and respect for human rights and the rule of law, especially for disadvantaged and vulnerable groups including women, children and persons with disability. It looked to improve mechanisms for accountability and engagement of civil society with justice institutions, thereby enhancing respect for human rights and public trust in the justice system. The Project aspired to complement and build upon UNODC’s expanding portfolio aimed at combating drugs, crime and corruption.

⁵ European Commission: *Country Strategy Paper and National Indicative Programme for the period 2008-2013* p. 55-56

⁶ UNODC: *Project Initiation Document* (December 2012) p.9

Evaluation Methodology

This evaluation followed a mixed-methods as well as gender-responsive evaluation methodology in line with UNEG and UNODC norms and standards, guidelines and requirements.

This evaluation report is constructed under the following methodological approach. Initially for the Inception Report (IR) a desk review of project documentation was completed by the evaluation team consisting of Mr. Peter Allan, Prof. Ayodele Atsenunva and Dr. Ezenwa Nwokocho. From this any gaps that existed in the information required to fulfil the Terms of Reference (ToR) requirements were identified and a small number of ToR questions were developed to fill these gaps. Some existing questions were altered purely to clarify the questions themselves. Subsequently three data collection instruments were developed and deployed. These were;

1. Semi-Structured Interviews. These interviews captured the feedback and voices of all stakeholder groups that were involved in or impacted by the Project. The majority of the interviews were face-to-face but where that proved impractical to achieve further interviews were conducted by telephone. The interviews introduced a quantitative as well as qualitative approach as some standard, Likert scale⁷ questions were asked in the areas of impact and sustainability from which some inferences based upon statistical analysis could be drawn. In total there were 57 interviews with 34 male and 23 female interviewees.

2. Most Significant Change (MSC) narration analysis. The theory and use of MSC narration is a well-documented and researched approach to evaluating and monitoring change projects. It is particularly useful in the evaluation of outcomes and impact and does not rely on the identification and monitoring of indicators. It is a systematic collection and then analysis of significant changes over a defined period of time. It allows interviewee respondents to answer an open-ended question in a way which highlights their own personal understanding and appreciation of the Project / programme.

The MSC question used for this evaluation was:

What is the most significant change you have seen as a direct result of this UNODC Project?

3. Field visit study. Purposeful sampling as detailed below identified geographical areas of the Project that this evaluation used as a focus for eliciting some of the details behind the implementation of the Project. A field study visit assisted in this task. It was of particular use when considering the majority of the ToR questions on 'Efficiency', 'Effectiveness' and 'Lessons learned'. The evaluation team met together from 9th to 16th June to conduct interviews within the Federal Capital Territory of Abuja. Subsequent field visits to the three selected States namely; Cross River, Lagos and Benue.

The key sources of information were drawn from the desk review material, UNODC staff and the core learning partners including:

⁷ A method of ascribing quantitative value to qualitative data, to make it amenable to statistical analysis. <http://www.businessdictionary.com/definition/Likert-scale.html>

- Federal Judiciary
- Judiciary of 10 pilot States
- Federal and State Ministries of Justice
- Federal Justice Sector Reform Coordinating Committee
- National Judicial Institute
- Nigeria Police Force
- Nigerian Prisons Service
- Federal Ministry of Budget and National Planning
- State Planning Commissions
- National Human Rights Commission
- Legal Aid Council of Nigeria
- Nigeria Law Reform Commission
- Nigerian Institute of Advanced Legal Studies
- Civil Society Organizations and coalitions

This evaluation used purposeful sampling to obtain an accurate representation of the universe of which the Project consists. This informed all of the data collection instruments including face-to-face interviews, telephone interviews and subsequent emailed follow-up questions. The four main stakeholder groups within this evaluation that were sampled to ensure a cross section of multiple source data was received were;

- a) State beneficiaries of UNODC Project assistance
- b) Donors
- c) External partners
- d) Internal (UNODC) partners

These groups were identified by the Project Coordinator but further refined by the evaluation team through the Desk Review phase of the evaluation and during the field visit. The data collection instruments noted were used to gather information from these five stakeholder groups. All groups were reached through face-to-face or telephone semi-structured interviews of key individuals within each stakeholder group and – where necessary – followed up by additional emailed questions.

The field visit was selected through purposeful sampling based on the following criteria:

- a) Geographic scope: Federal Capital Territory of Nigeria and three of the ten Project States selected, i.e. Cross River, Lagos and Benue, to represent a geographical spread and diversity of Project activity.
- b) Donor base: representing the main donor to the Project.

Through the use of these data collection instruments sufficient appropriate information was generated to complete the evaluation as per the ToR. The Likert Scale questions in the semi-structured interviews, the results from subsequent emailed questions and certain aspects of both the desk review material and the case studies supplied the quantitative data. The semi-structured interviews, the MSC narration analysis and specific aspects of both the desk review material and the case studies supplied the qualitative data. By applying this mixed, primary and secondary, multi-sourced data against the ToR questions appropriate triangulation of data was achieved.

There were no major limitations in connection with this evaluation. One minor limitation was the Inception Report (IR) phase was hurried given the late issuance of contracts and a tight timescale for field visits. A further minor limitation was the timeframe for arranging and conducting the field interviews in the target states of Cross River, Lagos and Benue which extended beyond the timeframe envisaged in the ToR. The national evaluators, therefore, faced reduced time for evaluating those field interview responses in line with the ToR questions to try and meet evaluation report deadlines. This was mitigated by slightly extending the reporting deadlines to achieve a balance between the need for the report to be delivered timeously and the need for enough time to be allocated to allow for a rigorous evaluation methodology to be applied. Finally the security situation in the north of the country meant no field visit could be conducted to either of the two northern states, i.e. Yobe and Borno States. This was mitigated by ensuring representatives of those northern states were interviewed whilst attending Project meetings in Abuja.

Coupled with this, the schedule for interviews during the mission to Abuja had not been finalised prior the arrival of the evaluation team and interviews were being arranged on a daily basis. Whilst this led to some time management issues the team still managed to interview the key stakeholders.

Whilst this evaluation has been conducted without detailed reference to any other projects within UNODC Country Office Nigeria (CONIG) it should be noted that another final Independent Project Evaluation was concurrently conducted for CONIG's 'Support to anti-corruption in Nigeria' Project, NGAX60. Since certain aspects of project management are common to both Projects – for example CONIG's Project Support Team (PST) services both Projects – it is recommended that the reader should also consult the NGAX60 final evaluation report, due to be published on UNODC's Independent Evaluation Unit's website, which may provide the reader with further context and insight.⁸

⁸ See: <https://www.unodc.org/unodc/en/evaluation/the-independent-evaluation-unit.html>

II. EVALUATION FINDINGS

Relevance

The Project formed part of UNODC's Regional Programme (RP) for West Africa (2012 – 2014) Sub-programme 2 "Building Justice and Integrity". In addition the Project aimed to contribute to the accomplishment of various Sub-programmes within UNODC's Strategic Framework (2012-2013), in particular Sub-programme 4 (Justice), Sub-programme 6 (Research and Trend Analysis) and Sub-programme 7 (Policy support), as well as to all three result areas of the UNODC Medium Term Strategy 2012-2015 (Rule of law, Policy and Trend analysis). It further contributed to UNODC's Thematic Programme on Criminal Justice and Justice Reform (2012 – 2015). Thus, from a UNODC perspective, the Project had relevance to national, regional and global objectives and priorities.

The justification for UNODC involvement and the basis upon which the Project's objective, outcomes, outputs and activities were developed came from strategic priorities agreed upon between the EU and the GoN under the 10th European Development Fund (EDF) as described under the Country Strategy Paper and NIP. They were further in line with the objectives of the United Nations Development Assistance Framework (UNDAF II) (2009-2012 extended to 2013). Nigeria's national priorities were articulated at the time in their 'Vision 20:2020' document which noted that within Justice and Judiciary some important requirements were:

- Improving capacity and efficiency in judicial service delivery
- Eliminating all forms of corruption in the administration of justice in Nigeria
- Improving professionalism in legal practice for better service delivery
- Improving justice delivery through the promotion of speedy resolution of disputes by courts; and
- Promoting the use of other dispute resolution mechanisms in order to enhance public confidence in the justice system.

Thus the Project used the express commitment of the GoN through this and other documents, alongside the agreed strategic priorities, to help frame the Project and define its **overall objective** 'to improve governance and compliance with the rule of law in Nigeria through improved effectiveness, accessibility, accountability, transparency and fairness of the justice system'.⁹ The Project was to receive a total of EUR 26,000,000 (EUR 25,000,000 of EU Contribution and UNODC co-funding of EUR 1,000,000) to cover a 42 month period and it officially began on the 27th December 2012. A no cost extension for the Project was agreed from June 2016 to August 2017 where the budget was reduced to EUR 19,076,309 to reflect the revised outputs and activities.

⁹ UNODC: *Project Initiation Document* (December 2012) p.18

Map 2¹⁰ - The Pilot States



It was envisaged that the Project would be delivered mainly at federal level, in the FCT and in the nine additional pilot States of Anambra, Bayelsa, Benue, Cross-River, Imo, Katsina, Lagos, Osun and Yobe where:

1. Other Development Partners (DP) were not carrying out similar project actions.
2. They are recognised as EU priority States.
3. They are UNDAF focus States.
4. The nine States (plus FCT) offer geographical spread and differing legal systems.

This evaluation shows that the logic behind UNODCs involvement, its positioning and partnership within international efforts to improve criminal justice in Nigeria and the Project's ultimate objective were all sound given the information that existed in December 2012.

The overall relevance of the Project in Nigeria cannot be overemphasized, an assertion which can be supported by the enormity of the challenges ascribed to justice delivery over the years¹¹. As the Project had articulated, solving the major problems related to effective administration of criminal justice in the country was crucial and the Project was to achieve that by focusing on 3 key outcome areas:

- i) Effective coordination and cooperation among justice sector institutions, with improved legal and policy frameworks
- ii) Enhanced operational structures and capabilities of officials in the sector, and
- iii) Increased access to justice and respect for human rights and the rule of law, especially for disadvantaged and vulnerable groups including women, children and persons with disability.

The Project underwent a mid-term, interim evaluation¹² during the third quarter of 2015 which resulted in the reworded objective "To strengthen the justice sector in Nigeria through the reform of key institutions and the adoption of relevant policies and plans at the federal level and at selected focal states" and the adoption of a fourth outcome namely;

- iv). The justice system is better able to handle children's cases and respond to the needs of child victims, witnesses and offenders¹³

This evaluation report concludes that the Project concept and the focus on the three key areas was valid at the time of the Project's inception. Indeed those three key areas are still valid and in line

¹⁰ UNODC: *Project Management Committee Meeting Presentation 30th May 2017* (May 2017) Slide No.4

¹¹ UNODC: *Project Initiation Document* (Dec 2012) p.5-18

¹² Cardno and Particip GmbH: *Mid-Term Evaluation of EU Support to the Justice Sector in Nigeria* (August 2015)

¹³ UNODC: *No cost extension Project Document Revision* (May 2016) p.12

with GoN priorities for criminal justice. Additionally the restructuring of the objective and outcomes after the mid-term evaluation ensured the Project remained properly focused.

Although the overall objective was sound, the Project appeared to set itself too many ambitious targets in order to achieve the objective and outcomes. The following are details of some of activities the Project stated it would achieve:¹⁴

- The Project would implement activities to increase cooperation and coordination between the relevant agencies as well as support the Nigerian authorities to establish protocols for coordination between investigators and prosecutors.
- These challenges [limited capacity, skills and infrastructure] would be addressed through interventions that would improve the training capabilities of relevant training departments / institutions, through advice, development of curriculum, training materials and methodology, the provision of teaching aids and the establishment of partnerships with similar training institutions in EU member states in order to sustain training capacity.
- The existing legal framework gave room for delays [in the administration of justice] and would need to be reviewed. The Project would address the above problems through interventions to reduce delays in concluding cases in court and pre-trial detention e.g. through improved record and case management systems and Alternative Dispute Resolution (ADR) options.
- Under the Project, a transparent complaints system [for users of the justice system] would be developed and tested, and legal aid providers would be identified and supported to enhance their ability to make their services available to vulnerable groups.
- The Project would adopt a robust civil society engagement for accountable, transparent and fair justice administration. It would undertake a detailed capacity mapping of Non State Actors (NSA) working in the justice sector and related areas, so as to identify and strengthen their individual and collective capabilities and support them to increase collaborative constructive engagement with the justice sector institutions.
- Under the present Project it was planned to provide capacity building assistance to the judiciary, prosecutors and law enforcement officials in order to support a fair and effective criminal justice response to multidimensional security threats that challenge national security, good governance and the respect of the rule of law in Nigeria.
- The Project planned to ensure participation of all the levels [both horizontally among the institutions and vertically between the State and federal levels] (...) in order to achieve a balanced positive impact on different areas of the justice system.
- This Project would revitalise these coordinating structures [State Ministries of Justice and state level institutions] so as to secure the statutory high level participation of key institutions. Furthermore, the Project would assist the ministries of justice of States to

¹⁴ UNODC: *Project Initiation Document* (December 2012) p.6,7,8,13,15,16

adopt and implement the model Administration of Criminal Justice laws. The Project would also work with state ministries of women affairs and youth development to strengthen relevant statutory committees on child justice issues.

- The Project would deliver actions targeting the media in order to encourage positive engagement and increase public awareness on justice reform issues.

The Project had a total of eighty nine activities listed for implementation including twelve activities being the responsibility of the United Nations International Children’s Emergency Fund (UNICEF). This evaluation concludes that given the proposed 42 month lifetime of the Project it was overly ambitious to expect to achieve all of the above aims and associated activities. Stakeholder interviews indicated that there was a desire to accommodate as many beneficiary activities as possible and this was a key factor in creating this overly extensive list. Indeed the MTE in 2015 stated ‘each activity could easily have been a project in itself’.¹⁵

There has been a marked increased rate of activity implementation since that MTE and this is fully reflected in the subsequent chapters of this ER. However, this overstretching could and should have been recognized at the outset of the Project as previous criminal justice work in Nigeria has proved extremely challenging and the majority of those issues which created those challenges remained in 2012. To provide balance, there was an air of political support from the GoN for the Project and its proposed activities which gave a certain level of confidence that the Project would enjoy relatively strong political buy-in. Additionally this evaluation recognises the pressure CONIG was under to include all possible activities from the large number of key stakeholders with which it was acting in partnership. For example, at focal point meetings to develop the project work plans, stakeholders insisted on activities being included in the plan, even while acknowledging that the plan was overly ambitious and would likely not be fully implemented. Stakeholders were of the view that it was better to include the activities to the work plan to ensure that there remained at least a small chance that such activities would be supported. However, project management should have taken a firmer approach to managing these expectations.

It is interesting to note that the Project did anticipate some of the key risks to achieving the stated objective and outcomes yet it did not adjust its approach or expectations prior to its launch. For example in December 2012 the Project advised, ‘*There has been an increase in challenges related to multidimensional security, especially in the northern part of the country. A diversity of responses is required to address this threat, including national/community dialogue and building a culture of peace*’.¹⁶ However no adjustment was made at that time, as might have been expected, to the pilot states selected or to the proposed activities. This aspect of risk recognition and reaction is covered more fully in the ‘Efficiency’ chapter of this ER.

As stated previously the relevance of the Project within UNODC mandated areas, its thematic and regional programmes and as part of the international response to assisting the GoN in tackling the key barriers to effective criminal justice is clear. Furthermore, the Project corresponded to the development objectives as stated in the 10th EDF. Additionally, the preparatory work done prior to the launch of the Project delivered a broad view on how to improve criminal justice in Nigeria and anchored this in activities where beneficiary needs were recognised and addressed and the

¹⁵ Cardno & Particip GmbH: *Mid-Term Evaluation of EU Support to the Justice Sector in Nigeria* (Aug 2015)

¹⁶ UNODC: *Project Initiation Document* (December 2012) p.8

donor community was keen to lend its support. This relevance is still current at regional and state levels and has support, with stakeholders generally agreed that reforming Nigeria's justice sector was timely and well-conceived in view of the inadequacies in the justice sector identified by a wide spectrum of actors. These inadequacies included bureaucratic bottlenecks, lack of procedural capacity among relevant justice administration personnel, paucity or non-existence of essential materials to aid the work officers involved in criminal justice administration and lack of synergy among critical stakeholders in criminal justice delivery.

The major flaw in the Project design was not a lack of relevance but more a lack of focus in what was a broad objective supported by broad outcomes, along with a lack of realism in what could be achieved. This made managing beneficiary and donor expectations difficult when promised activities did not materialise. The reasons for this lack of activity delivery are well-documented in the MTE report and this current evaluation does not intend to repeat what has already been expertly addressed within that report. Yet, as this is a final Independent Project Evaluation, a certain amount of re-examination will be required to provide context for how the Project has reacted since the MTE of August 2015 highlighted this lack of delivery.

Effectiveness

Effectiveness is the extent to which a Project achieves its objectives and outcomes.¹⁷ The Project's stated overall objective was to "*improve governance and compliance with the rule of law in Nigeria through improved effectiveness, accessibility, accountability, transparency and fairness of the justice system*".¹⁸ The Project looked to achieve this overall objective through three initial outcomes:

Outcome 1: to "improve coordination among justice sector institutions and their officials, as well as improve policies, plans and legislation in justice delivery, benefits the leadership and officials of the key justice institutions agencies".

Outcome 2: to "enhance capabilities and improve facilities for effective functioning of the institutions and efficient administration of justice benefits the justice sector training institutions, Federal and States ministries of justice".

Outcome 3: to "increase access to justice and respect for human rights. Especially for victims of crime, poor and disadvantaged persons, victims of human rights violations or abuses, women, children, persons with disability who come in conflict with the law, as well as the general vulnerable groups in Nigeria".

The logical framework and work plan for 2013 which detailed the Project activities, outputs, deliverables, indicators etc. was agreed by the Project Management Committee (PMC) in June 2013. The PMC oversees and validates the overall policy direction of the Project. It is made up of representatives of the NPC (Chairperson, as National Authorising Officer), the beneficiary agencies, UNODC, UNICEF, and a representative of the EU Delegation in Nigeria.

¹⁷ UNODC: *Guidelines for UNODC Evaluation Reports* (Aug 2017) p.5

¹⁸ UNODC: *Project Initiation Document* (December 2012) p.18

The logical framework and work plan were reviewed at the end of the first year of the Project when, by its own admission, anticipated progress had been slow. “The work plan for the first year appears to be too ambitious. Activities were designed for implementation under 15 out of the 18 outputs of the Project in the first year. It has proven to be quite challenging to balance the implementation of these activities with the strenuous process of recruiting suitably qualified staff, particularly because of the unprecedented security challenges being faced by Nigeria”.¹⁹ These implementation challenges are well noted in the MTE report and are further described within this evaluation under the following chapter on ‘Efficiency’. The revised logical framework and the work plans for 2014 and 2015 were not officially ratified until April 2015 since the PMC did not convene during 2014. The Project Management structure and process, which requires focal point meetings with numerous stakeholders to develop work plans which then have to be reviewed and adopted by the PMC, did not lend itself to providing a swift decision making given the length of time these process take and the fact the PMC sits, on average, only once a year. This re-emphasises the challenges the Project faced when dealing with so many stakeholders within a rigid reporting regime.

After the MTE of August 2015 the overall objective changed to “*strengthen the justice sector in Nigeria through the reform of key institutions and the adoption of relevant policies and plans at the federal level and at selected focal states*”. This change tightened the scope of the objective without compromising the relevance of previous project activities. The outcomes were restructured to reflect the need for a change of approach and priorities in activity delivery under the new objective. These changes produced a fourth outcome which was written with a focus on children within the criminal justice sector and which helped to clarify UNICEFs engagement within the Project and unify Project activities with child specific elements. These changes were ratified by the Project Management Committee (PMC) in May 2016.

Outcome 4: to “ensure the justice system is better able to handle children's cases and respond to the needs of child victims, witnesses and offenders””.

This evaluation concurs with the main thrust of the MTE report that project delivery – and therefore project progress toward achieving effectiveness – was extremely limited during the first 30 months of the 42 month Project. CONIG accepted almost in full the findings of the MTE report and its recommendations. As a result in November 2015 the Project Coordinator at CONIG began the process of developing, negotiating and agreeing a new logical framework and work plan with EU counterparts and key GoN representatives which was ratified in May 2016. A no cost extension until August 2017 was agreed to give the Project additional time to deliver on its reworked logical framework, work plan and budget. The total budget of the Project was reduced from € 26 million to € 19.8 million in line with the new focus and activities within the revised logical framework.

The streamlined logical framework reflected that the Project should look to:

- Enhance access to justice with the passage and adoption of the Administration of Criminal Justice Act (Law) in at least 3 states and issue sentencing guidelines in three States which will be beneficial to all Nigeria.
- Adopt the National Prosecutors Policy, Guidelines and Code of Conduct, not just by UNODC focal states but other states of the Federation.

¹⁹ UNODC: *First Year Narrative Report* (December 2013) p.27

- Enhance coordination among the Justice Reform Team across Nigeria.
- Institutionalize the Force Order on Police Duty Solicitors Scheme and Use of Force 237 within the Nigerian Police Force
- Develop a Legal Aid Strategy in line with the Legal Aid Council Act 2011.

Additionally it was recognised that while a number of activities are country-wide, 5 focal states, including Anambra, Cross River, Lagos, Yobe, Benue along with FCT, should be prioritised for focused intervention.

It is encouraging, therefore, for this evaluation to recognise the progress that has been made since that August 2015 MTE vis-à-vis improving effectiveness across all (now four) outcomes. All the reasons for this improvement are more fully explained below and in the following chapter on ‘Efficiency’ but a key reason was the willingness of the UNODC Project Management Team at CONIG to embrace the recommendations of the MTE report and refocus the Project.

Post May 2016 Outcome 1: “Improved coordination between key justice sector institutions through the establishment of coordination structures and the adoption of supportive laws and policies”²⁰

On the 14th May 2015 the Administration of Criminal Justice Act (ACJA) was passed into law and marked a milestone in the efforts to reform the Nigerian criminal justice system as it attempts to address many challenges in the administration of criminal justice at the Federal level and in the Federal Capital Territory (FCT). The importance of this legislation to UNODC and the Project and in particular to **Outcome 1** cannot be understated. Some stakeholders have cited the Project as a key facilitating factor in the eventual ratification of the Act with several interviewees making reference to the ACJA as “*the single most important achievement of the UNODC justice sector project in Nigeria*”. Of course the Project cannot claim to have been the sole facilitator that brought about the ratification of the Act. Yet it is to the Project’s credit that beneficiaries and stakeholders have recognised the work of the Project as invaluable in supporting the development and passing of the ACJA.

The Project has been involved in delivering many activities to support the passage of the ACJA. These activities included the Project support of the Federal Justice Sector Reform Coordination Committee’s (FJSRCC) National Action Plan. The Project work plan for 2015 also committed the Project to “continue to support advocacy and reviews of pending laws in the National Assembly especially the Administrating of Criminal Justice (ACJ) bill”.²¹ This it did in 2015 by providing legislative advocacy and drafting support to the enactment of the ACJ and Violence against Persons Prohibition (VAPP) Acts 2015 at the Federal level. It should be noted that the prosecutors’ policy documents of 2014 and 2015 provide content that closely follows the prosecutorial provisions of the ACJ Bill. The Project also provided technical support for the development of two draft model laws on the Administration of Criminal Justice Act preparatory to its state level adoption and presentation and secured the commitment of the conference of speakers of State houses of assembly for its adoption at State level. It further secured the commitment of the Body of Attorneys General to push for nationwide State adoption of the model in October 2016.

²⁰ UNODC: *No Cost Extension Project Document Revised* (May 2016) p.81

²¹ UNODC: *Annual Narrative Report* (December 2014) p.91

As the Project picked up impetus after the MTE in 2015 further activities in support of the implementation of the ACJA were provided through 2016 and into 2017 and included:

- Fast tracking the adoption of the ACJA at various State levels through increasing the number of justice sector stakeholders sensitized on the ACJA and related advocacy activities undertaken at targeted States. Around 300 officials of justice sector institutions including lawyers, magistrates, prosecutors and Prison Officers have been trained and sensitized on the application and content of the ACJA.
- Enhanced awareness on the ACJA amongst key Justice Sector Institutions at Federal Ministry of Justice, Nigeria Bar Association (Unity Bar, FCT), Nigerian Prisons Service and encourage these institutions to contribute towards effective implementation of the ACJA.
- Provision of guidance on the implementation of some of the provisions of the ACJA. These were done through the following: Development of the Implementation Guidelines for plea bargaining, use of bondsmen, contribution towards the development of a work plan for the ACJA Monitoring Committee, and development of Guidance Manual for effective Implementation of Non-Custodial Measures.

The extent to which Outcome 1 has been reached did not – and could not – rest solely on the activities surrounding the ACJA. The ambitious outcome required many other strands of related activities to help improve coordination among the different national and international stakeholders within the criminal justice sector.

Up to the MTE of August 2015 under Outcome 1 relatively little progress had been made with respect to delivering on the planned activities. Action Plans were developed in all focal States, but achieved mixed results, since they were not finalised at that point and, more importantly, their implementation had not started. In line with the recommendations of the MTE certain work-strands and activities were discontinued to allow enough time and resources to be dedicated to those activities that were deemed most effective and could be delivered within the timeframe of the no cost extension i.e. 25th August 2017.

Since then a number of activities under outcome 1 have been delivered during 2016 to help strengthen the capacity of the Federal Justice Sector Reform Coordinating Committee (FJSRCC) and support the development of the FJSRCC Strategic Plan (2016-2019). These have resulted in a strengthening of the coordination of justice sector institutions by encouraging them to come together to draw up action plans for justice sector reforms as well as supporting the development of action plans at both levels. The project gave support to the FJSRCC and their sub- committees to implement its action plan which contains activities that promote better coordination both at the Federal and State levels. There has also been the promotion of standardization of key policies and procedures to enhance the effectiveness of justice sector delivery in Nigeria. In line with this, through the support of the Project the Prosecutors' Policy, Guidelines and Codes of Conduct were revised, cleared and adopted by the Body of the Attorney Generals on 6 October 2016. The policy documents had previously been adopted at Federal level. And Guidelines on Effective Implementation of Non-Custodial Measures have been developed through the support of the Project.

In addition, in collaboration with Nigeria Law Reform Commission and the National Judicial Institute, Practice Directions on the comprehensive Sentencing Guidelines were drafted and finalized. These have been adopted by the FCT and Cross River State High Courts and are a good example of Project success. For example, following the JRT Network Meeting of November 2016 which was supported by the Project and which included a presentation of the sentencing guidelines on behalf of the Project, several State Chief Judges indicated their commitment to adopting similar guidelines in their respective Courts.

As the Project entered its final ten months from November 2016, the rate of project activity delivery under outcome 1 continued to increase. As an example of this the final seven weeks of the Project saw the following 11 activities delivered.

- Training for Judicial Officers on the use of Sentencing Guidelines – Cross River State
- Training of Trainers on Administration of Criminal Justice Act/Law – Cross River State
- State Action Planning Meeting – Cross River State
- Sentencing Guidelines Workshop for Lagos State Judiciary and Ministry of Justice – Lagos State
- Workshop on Nationwide Implementation of Prosecutors Policy, Guideline and Code of Conduct
- Training Workshop on Sentencing Guidelines – Benue State
- Training of Trainers on Administration of Criminal Justice Act/Law – Benue State
- State Action Planning Meeting – Benue State
- State Action Planning Meeting – Yobe State
- Workshop for the Finalization of the Draft National Policy on Justice – FCT
- National Justice Summit - FCT

Within the revised logical framework (May 2016) under outcome 1 there were four outputs;

- **Output 1.1** “Information collection, management and sharing between the Police, Prisons, Ministry of Justice and the judiciary improved”

Under output 1.1 an assessment on the ‘Availability and Accessibility of data on Crime and Criminal Justice in Nigeria’ was completed and the Project has supported planning meetings for a justice reform conference.

- **Output 1.2** “Justice Sector coordination structures and strategic plans at the federal level and 9 selected focal States and FCT are established and/or updated”

Under output 1.2 the State action plans developed in 2014 have been revised and prioritized by the liaison officers working with the State focal persons and activities in the action plans are now being implemented. The efforts to improve the effectiveness of Justice Service Reform Teams is continuing and eighteen states in Nigeria now have these teams through the Project’s efforts in conjunction with the FJSRCC and Justice for All (J4A) project.

- **Output 1.3** “Priorities Legislation and policies on justice sector reforms developed and advocacy for their implementation supported”

Under output 1.3 the Project worked with four focus states (Cross River, Anambra, Yobe, Benue) and FCT to adopt the sentencing guidelines. So far FCT and Cross River State have adopted them. Following the passage of the ACJ Act in 2015, the project provided support towards the

printing and dissemination of copies of the Act to key stakeholders and States, production of a model ACJ Law to ease adoption at the State level, and training and sensitization on the ACJ Act for justice sector institutions, etc. Benue and Imo States have commenced the process for the adoption of the ACJ and VAPP law. Benue State has already developed a strategy document and is seeking support from development partners for its activities. The ? supported them with drafting and workshops.

- **Output 1.4** “Capacity of FMoJ/NPC (MBNP) and lead agencies in the sector strengthened in monitoring and evaluation”

Under output 1.4 the Nigerian Prisons Service (NPS) requested training on Planning, Monitoring and Evaluation (PME). A PME workshop for the NPS was completed in October 2016.

Data collected from interviews noted that there was a need for the police, prisons and judiciary to be networked together in a way that allowed proper tracking of paperwork to speed up the legal process.

Four of the fifteen main activities within these outputs remain undelivered with two of them sitting in output 1.4 on monitoring and evaluation. This should be taken in context and it is important for the ER to balance this against the progress made in the delivery of the eleven activities under the four outputs. However, the fact that some activities have not started even after a refocusing and reprioritising of Project activity simply reemphasises the overly ambitious nature of the Project.

Post May 2016 Outcome 2: ‘Training, research and operational capacity of key justice sector institutions (NPF, NPS, Prosecution and Judiciary) is enhanced’.²²

Within the revised logical framework (May 2016) under outcome 2 there were two outputs;

- **Output 2.1** ‘Improved quality of training courses and provide teaching aids and equipment for justice sector training institutions’.
- **Output 2.2** ‘Enhanced operational and research capacities of the judiciary in 4 pilot states and the Federal Ministry of Justice’.

A key activity under output 2.1 was to address the shortcomings identified by the MTE of 2015 which noted that ‘Under outcome 2, scattered training has taken place. The institutional capacity assessment foreseen was not finalised at the time of the evaluation. The Evaluators questioned the validity of conducting so many training activities (planned costs for 2015 of EUR 2,775,899.84) if such an assessment is not ready’.²³ The Project completed a skills gap analysis during 2015 and as a result of this, training curricula were revised and appropriate training manuals developed for prosecutors, the judiciary, NPF and NPS. Yet two of the eight main activities within these outputs remain undelivered which again (re)emphasises the ambitious nature of the Project even after its rationalisation and refocusing.

Project activity delivery under outcome 2 mirrors the increased speed of delivery under outcome 1 as the Project approaches its conclusion. The reasons for this increased speed are highlighted

²² UNODC: *No Cost Extension Project Document Revised* (May 2016) p.88

²³ Cardno & Partecip GmbH: *Mid-Term Evaluation of EU Support to the Justice Sector in Nigeria* (Aug 2015) p.x

elsewhere in this report and can be traced to factors including an (almost) full team staffed by committed and knowledgeable individuals. It is also due, in part, to an increased speed of procurement, however procurement processes under the Project are still noted by some as problematic and it is not yet clear whether the practical solutions the Project has attempted to implement are sustainable within procurement rules and regulations.

The final seven weeks of the Project saw 21 different training activities delivered. These included:

- Eight Training-of Trainers (ToT) courses for Prison, Police, Judiciary and Prosecution personnel in various States including Lagos, Enugu, Kaduna and Cross River
- Three Human Rights Sensitization Workshops in Rivers, Oyo and Kaduna States for Divisional Police Officers (DPO) and Divisional Crime Officers (DCO).
- Three Human Rights trainings for Prison Officers in Bayelsa, Osun and Kaduna States
- Five Judicial Research Centre (JRC) deliveries and trainings on software activities in Yobe, Cross River, Osun, Imo States and FCT.
- Two training workshops for Nigerian Police Force (NPF) Human Rights Desk Officers for Bayelsa and Rivers States

And within outcome 2 there were five additional meetings held to mark the commissioning and launching of the JRCs in Osun, Imo, Cross River, Yobe States and FCT.

In line with attempting to fulfil its outcome 2 objective the Project, in particular with regard to providing support for improving training, has created a substantial library of written material that has been disseminated in hard copy and electronic to appropriate stakeholders and beneficiaries. These documents include but are not limited to;

- Training manual for court officials on remand proceedings
- Training manual for prosecutors
- Basic computer skills training manual for Justice Sector officials
- Training manuals for the NPF on 1) police duties 2) liberal studies and 3) legal studies
- Human Rights Training Manual and Trainers' Guide for NPF
- Human Rights Training Manual and Trainers' Guide for NPS
- Human Rights pocket handbook for NPF
- Training Manual and Trainers' Guide on Human Rights and Prison Management
- Prison training manual on principles of programmatic application
- Paralegal training curriculum
- Training pack on child justice for NPS
- Training pack for family court judges and magistrates
- Training pack on representing children in conflict with the law in Family Courts

Undoubtedly the Project has been energetic in delivering training and developing and providing the accompanying training material. And at the level of the training recipients and their immediate superiors these activities appear to have been well received. A large cross-section of stakeholders has consistently highlighted the increase in personal knowledge gained from the training, yet how this has been used by those individuals in their immediate work and the institutional improvement that can potentially bring in the longer term proved impossible to assess.

This evaluation contends that it is valid to state that the training is relevant to achieving the Project's objective, the content and quality of the training delivered has been of a high standard and it has been appreciated based upon triangulation²⁴. However, the extent to which the training will create lasting change is not – at this point in time – quantifiable. Due to the slow beginning of the Project and the subsequent flurry of training delivery during the closing months of the Project there is insufficient data to assess longer term effectiveness. This is covered in greater detail in the 'Impact' and 'Sustainability' chapters in this ER.

Post May 2016 Outcome 3: "Increased access to justice and respect for human rights".²⁵ Within the revised logical framework (May 2016) under outcome 3 there were five outputs;

- **Output 3.1** 'Strategic advice and support given to the Police in support of respect for human rights'.
- **Output 3.2** 'Improved capacity to decrease pre-trial detention and Prison congestion'.
- **Output 3.3** 'Support legal aid activities by the Legal Aid Council, NSAs and Police Duty Solicitor Scheme'.
- **Output 3.4** 'Increased access to HIV/TB and mental health services, vocational, educational, recreational and rehabilitation facilities for Prisoners, including vulnerable prisoners'.
- **Output 3.5** 'Accountability and integrity regime for the Judiciary strengthened'.

This particular outcome benefited from the MTE in 2015 in-so-far as it was decided that no further activities would take place under output 3.4. A mental health workshop had been held in regards to this activity in 2014. The remaining four outputs had thirteen related activities of which only (to support Police Duty Solicitor Schemes under output 3.3) had not started, primarily as the project was waiting for the adoption of the Police Force Order on the Police Duty Solicitor Scheme.

The Project post August 2015 has been relatively effective in pursuing its activities under output 3.1 based upon the rate of activity delivery and triangulated feedback. Its indicators have been met and include the drafting of two force orders, specifically 1) Police Duty Solicitor Scheme and 2) 237 which relates to Use of Force and Firearms. Additionally a total of 641 persons were trained under this activity, in regards to human rights standards. It should be noted that this indicator is also partially relevant to output 2.1 (improved quality of training courses).



Pictured to the left are 48 participants to the Human Rights Training of Trainers' Workshop for the Nigerian Police Force (NPF) Federal Capital Territory (FCT) in Abuja 6th – 7th October 2016. It comprised of individual and plenary sessions aimed at acquainting the Human Rights (HR) Desk Officers with the NPF HR Training Mainstreaming project. The Workshop provided participants a platform to acquire knowledge, reflect and discuss the contents of the NPF Human Rights Training Manual and Trainers Guide with respect to the daily operation of the NPF.

²⁴ An approach to assure the validity of research through the use of a variety of methods to collect data on the same topic from different sources www.researchgate.net

²⁵ UNODC: *No Cost Extension Project Document Revised* (May 2016) p.90

Under outputs 3.2 and 3.3 a number of proposed activities have been conducted, for example, the collation of data on prisoners awaiting trial in pilot States and research on the flows of those prisoners through the justice system, have by-and-large been completed. With the support of the Project, Nigeria has developed a National Legal Aid Strategy (2017-2022) and a Guidance Manual for Enhancing Pro Bono work. Furthermore, the Project provided paralegal training to ninety (90) Legal Aid Council of Nigeria (LACON) staff aimed at strengthening the quality of legal aid provision and access to justice. Only the strengthening of the established Clearing House system has not been addressed. Finally output 3.5 has been broadly achieved with accountability mechanisms for court and judicial officers reviewed and amended and three accountability and integrity workshops organised in 2014 however no subsequent workshops have since been undertaken.

The Project has given great focus in enhancing various justice sector institutions human rights awareness by promoting compliance to international and regional human rights instruments. By the end of 2016 a total of 879 persons had been trained (238 trained under the prison human rights project across the four NPS Zonal Commands and 641 trained under the police human rights project in Cross River, Anambra, Benue, Lagos States and the FCT). It should be noted this training is also relevant under outcome 2. Furthermore police human rights desks were strengthened and Nigerian Police Human Rights Training and Oversight Mechanisms were introduced in Cross River, Anambra and Benue States.

Overall the evaluators are satisfied with the extent of progress made by the Project since August 2015 to achieve outcome 3 given that only two activities had been undertaken under the output prior to August 2015.

Post May 2016 Outcome 4: “The justice system is better able to handle children's cases and respond to the needs of child victims, witnesses and offenders (Implemented by UNICEF)”.²⁶

Within the revised logical framework (May 2016) under outcome 4 there were five outputs;

- **Output 4.1** ‘Strengthened legal, policy and strategy framework for child justice’.
- **Output 4.2** ‘Improved capacity of the Police to handle children’s cases’.
- **Output 4.3** ‘Improved capacity of the judiciary to handle children’s cases’.
- **Output 4.4** ‘Improved capacity to decrease pre and post-trial detention of children’.
- **Output 4.5** ‘Improved capacity of detention centre personnel to uphold the rights of child detainees’.

Outcome 4 seeks to build a strong child justice system to ensure that children who come into contact with it as victims, witnesses or offenders are treated in a manner that upholds their rights, their due process guarantees and dignity, and that the best interests of the child is the primary consideration in actions taken and at all stages of the justice process.

Some examples of activities undertaken within output 4.1 include Bayelsa State adopting the Child’s Rights Act, 2003 by passing its Child’s rights Law with normative support from the project through various workshops and meetings. The law was signed on 6th May 2016 bringing a total of 23 out of 36 states with Child’s Rights Laws. Advocacy for the passage of child’s rights laws for Katsina and Yobe states is ongoing with close technical support from UNICEF within

²⁶ UNODC: *No Cost Extension Project Document Revised* (May 2016) p.94

the Project framework through the drafting of relevant Bills for state approval. Additionally the State Child's Rights Implementation Committee of Bayelsa, Lagos and Cross River states reviewed their annual work plans to include child justice reform components. A total of 3 States and the FCT now have incorporated child justice reform in the annual work plans. Finally there was the adoption of the Cross River State Adjudication Guidelines for Child Offenders in September 2016. These guidelines were reviewed and adopted at the same time as the Sentencing Guidelines and marks a significant achievement.

Output 4.2 saw a mapping of specialized police units conducted in 8 states (Anambra, Bayelsa, Benue, Cross River, Imo, Lagos, Osun and Katsina) and the FCT from April-June 2016. Following the completion of the mapping, a 2 day stakeholder meeting was held from 6-7 September 2016 to review and validate the findings of the mapping.. A specific recommendation was made to develop and adopt harmonized guidelines for specialized police units and standard operating procedures for handling children's cases (SOPs). NPF, with support from UNICEF under the Project, developed these draft guidelines and SOPs.

Also under output 4.2 a five day training of trainers (ToT) course was developed and delivered to 22 police instructors from Cross River, Lagos and Osun states as well as from the Force Gender and Youths Unit from 14-18 September 2016. A training pack was developed in order to impart police recruits (pre-service police officers) and police officers on promotional courses with knowledge and skills to handle children's cases. A separate training pack was delivered to 100 in-service police officers manning specialized police units in Cross River and Lagos States in Nov-Dec 2016.

Output 4.3 saw a five-day training pack for Family Court Judges and Magistrates was developed and delivered to 36 trainers from the National Judicial Institute (NJI), 3 Judges, 9 Magistrates, 1 Deputy Registrar, 1 Assessor and 1 officer from the Federal Ministry of Women Affairs and Social Development (MWASD) from 18-22 January 2016 at the Federal Capital Territory.

The training was cascaded to Family Court Judges, Magistrates, Chief Registrars and Research Assistants in the following states in 2016: 18 from Lagos and 4 officers from Benue MWASD from 11-15 April; 25 from Yobe State from 22-26 August; 18 from Bayelsa State from 22-26 August; and 48 Cross River 28 November- 2 December. The total number of Family Court Judges, Magistrates, Registrars and Research Assistants trained to date is 113. A separate training pack was developed for Family Court Social Welfare Officers and Assessors. A 5 day TOT on the training pack was delivered to 11 NJI Research Fellows and 12 Social Welfare Officers from Anambra, Benue, Cross River, FCT, Imo and Osun from 29 August-2 September 2016. The training pack was first tested in Lagos (29 June-July 2016) and Cross Rivers states (4-6 July 2016) to 54 social welfare officers and assessors; and 42 social welfare officers and assessors respectively. The training was then stepped down to 22 Bayelsa State social welfare officers and assessors from 12-16 September. The total number of Family Court Social Welfare Officers and Assessors trained to date is 130. If the assumption that effective capacity building can be achieved through training is accepted then the numbers trained by the project should lead to improved capacity. However, as stated throughout this evaluation report, there is no data available to determine the impact of this training and – therefore – by default, its effectiveness.

Within output 4.4 UNICEF is partnering with the Lagos Office of the Public Defender (OPD) to provide legal aid and social assistance to children in conflict with the law going through the justice system in family courts and in children and adult detention facilities. Training was

delivered to 25 OPD counsels in April 2016 which was followed by more training to 32 OPD legal counsels and social workers in June 2016. With this support, OPD has provided legal aid and assistance to 232 children in conflict with the law in Lagos State (as at November 2016). As a result of OPD's intervention, 81 children (80 boys and 1 girl) were released from detention. Triangulation suggests this training has been well received.

Output 4.5 saw a five-day Training of the Trainers on the Child Rights Module which was developed in 2014 was tested in 2015 to 52 Nigerian Prisons Academy and Colleges Trainers at the Prisons College Kaduna which received positive feedback.²⁷ A 3 day stakeholder meeting which was convened in Kaduna from 18-20 October 2016 reviewed the module with 48 Nigerian Prisons Service (NPS) officers including the Controller General of Prisons and an Assistant Controller General of Prison in attendance. This child rights module has now been reviewed, printed and disseminated to relevant stakeholders including to Prisons Instructors, Commissioners of Prisons and Heads of Borstal Institutions. Additionally, with technical support from Coram Children's Legal Centre (a UK based NGO contracted by UNICEF), a draft complaints mechanism for detention centres was developed in March 2016. Triangulation suggests this has been well received by the beneficiaries.

One aspect of UNICEF delivery that should be highlighted is their practical approach and flexibility to deliver solutions when unforeseen or unexpected issues are identified. For example, the state government could not pay assessors a monthly stipend of N20,000 - N25,000 which led to strikes by these assessors. UNICEF in addition to training the assessors entered into an interim agreement to pay the assessor till December 2017. The restructuring of the Project after August 2015 and the development of a new, discrete outcome focusing on children and children's rights within the justice system provided fresh impetus in this area. UNICEF as the implementing partner for outcome 4 was given the clarity and resources required by this restructuring to pursue the various activities within the outcome and outputs.

Examining the overall effectiveness of the Project against its stated original objective it would be valid to state that it has contributed to improved "*effectiveness, accessibility, accountability, transparency and fairness of the justice system*". It has contributed more in some areas - such as effectiveness - with triangulation of data confirming the effectiveness of the support in prison staff training and the training of staff within the Lagos Office of the Public Defender for example. In other areas – such as transparency – there is far less clarity on progress.

The change of objective wording in May 2016 underlined the over-ambitious original intention and even though the rate of project activity increased substantially after its realignment in mid-2015 it still suffered through an over-ambitious range and of activities given that the Project had 15 months to deliver after the final log-frame and work plan was agreed.

Finally a key message being stressed throughout this report is that project activity and project effectiveness is not necessarily causation. Thus the long-term effectiveness of project activity relies on the assumption that those activities were well enough designed to be effective. And prima facie many of those activities e.g. support to the development and implementation of the ACJA, embedding Human Rights training into criminal justice institutions appear to be well designed and should contribute to the achievement of the project objective. Thus, many activities have been delivered effectively however the effect of delivery cannot yet be measured given they

²⁷ Stakeholder Interview

were implemented, in most cases, less than a year ago. Only in the longer term will the impact – and thus the effectiveness – of those activities be realised.

Efficiency

Efficiency is a measure of how resources/inputs (funds, expertise, time, etc.) are converted into outputs.²⁸ During its lifetime the Project has faced a number of challenges in achieving an acceptable level of efficiency and these are identified and evaluated below. It is worth stating at the outset that many of these issues pertain to the Project from its beginning in January 2013 to August 2015 when the MTE was conducted. The subsequent Project Management response to this MTE mitigated some of these challenges, yet some still exist and other barriers to efficient delivery have emerged and these are detailed below under the heading ‘Efficiency challenges’. It is strongly suggested that both this ER and the MTE report are read in conjunction. However to give context to this ER the following sections highlight the key efficiency issues that impacted upon the Project from its beginning to its conclusion.

Efficiency challenges:

1) Staffing problems: The biggest challenge faced by the Project in its early years was its inability to attract and retain suitable staff including national and international Project staff and consultants as confirmed by triangulation. The work plan for 2013 envisaged a staff of 12 in place by the end of the year, by that time only 2 national staff (the Finance Officer and the National Project Officer, Criminal Justice and Multidimensional Security Officer) had been recruited and were effectively working on the Project.

These problems continued through 2014 and 2015. For example, two of the three international staff on the Justice project resigned in late 2014 and the Project’s finance officer post fell vacant in late 2014 due to lack of funds. The CONIG Project Manager post, critical for facilitating implementation, integration and oversight of all three EU funded Projects (Criminal Justice, Anti-Corruption and Drugs and Related Crime) was first filled, by a temporary posting from the Vienna office, in May 2015, 30 months after the Contribution Agreements were signed. The Country Representative resigned in December 2014 and a permanent replacement was only confirmed in early 2016. From effectively the beginning of January 2016 until October 2016 the Project did not have a Project Coordinator. As a result the Head of the Programme Support Team (PST) who arrived in Feb 2016 along with advice and support from the Project Coordinator of the ‘Support to anti-corruption in Nigeria’ project (NGAX60) and an international officer as Acting Project Coordinator ran the Project until a new Project Coordinator was appointed in October 2016. Support continued for the new Project Coordinator from the Project Coordinator of the Anti-corruption project with, for example, advice on procurement. It has only been since the recruitment and retention of a national staff Project Coordinator for the Project in October 2016 that the Project could be viewed as having a full complement of staff coupled with adequate CONIG staff resources.

One of the main barriers to the recruitment and retention of appropriate staff is the **security situation** in Nigeria as determined through triangulation. The bombings in Abuja of the Police Headquarters in June 2011 and the joint UN building in August 2011 led the Project to identify

²⁸ UNODC: *Guidelines for UNODC Evaluation Reports* (Aug 2017) p.4

the security situation as a potential risk to Project delivery as noted in the Project Initiation Document of December 2012. *‘Continuous interactions will be maintained with National Authorities and the EU, to ensure that project activities are conducted in a flexible way with due consideration to the prevailing security situation. Support would also be sought from Law Enforcement Agencies for the provision of adequate security for project staff, assets and activities’.*²⁹

However during the first year of the Project the mitigation measures to counter this risk appear not to have worked. *‘Difficulties encountered with recruitment processes were largely related to security concerns associated with living and working in Nigeria which made it particularly difficult to attract qualified international personnel.’*³⁰ *UNODC will continue to remain alert to these [security] concerns whilst also initiating proactive mitigating measures to minimise the likely impact of these risks on project implementation in the second and subsequent years of the Project.’*³¹

Once again these ‘proactive mitigating measures’ (which were undescribed) did not appear to be effective during 2014. *‘Ongoing security challenges in some of the Project’s focal states and the high turnover of project staff are some of the critical challenges that affected the Project implementation.’*³² *UNODC will continue to remain alert to these concerns whilst also initiating proactive mitigating measures to minimise the likely impact of these risks on project implementation.’*³³ The same situation repeated itself during 2015. *‘The ongoing security challenges in some of the Project’s focal states were one of the critical challenges that affected project implementation in 2015’.*³⁴ *UNODC will continue to remain alert to these [security] concerns whilst also initiating proactive mitigating measures to minimise the likely impact of these risks on project implementation.’*³⁵

Whilst this evaluation recognises that the national security situation lies well outside anything the Project can directly control or influence it does not appear that the Project was efficient in tackling the impact the security situation had on Project delivery. There was no realignment of Project activities, outputs, outcomes etc. until the MTE of August 2015 which was 32 months into the 42 month Project. Since then it is encouraging to note improved Project delivery and a lack of citing security concerns for Project delay within the Annual Narrative Report of December 2016. And during that time Project staff have been recruited and – to a large extent – retained.

Coupled with the security situation creating staff recruitment and retention difficulties, were the delays caused by the **recruitment process** itself. These delays occurred at all professional levels and – as a large part of the administration of the recruitment process lies with United Nations Office Vienna (UNOV) and the United Nations Development Programme (UNDP) – the Project struggled to positively influence the speed of recruitment. Some positions took over a year to fill and the majority took well over six months. Given the delays in the recruitment process the majority of professionals for the Project were only engaged approximately one year after the start

²⁹ UNODC: *Project Initiation Document* (Dec 2012) p.39

³⁰ UNODC: *Annual Narrative Report 2013* (Dec 2013) p.5

³¹ UNODC: *Annual Narrative Report 2013* (Dec 2013) p.28

³² UNODC: *Annual Narrative Report 2014* (Dec 2014) p.7

³³ UNODC: *Annual Narrative Report 2014* (Dec 2014) p.41

³⁴ UNODC: *Annual Narrative Report 2015* (Dec 2015) p.ii

³⁵ UNODC: *Annual Narrative Report 2015* (Dec 2015) p.47

date, which delayed implementation of the work plan. Examples of delays include the ToR for the Monitoring and Evaluation (M&E) Specialist position taking 5 months to be finalised. And in another example, recruitment for an international position (after competency and technical assessments) resulted in just one suitable candidate who was duly selected. The selected candidate then declined the offer due to security concerns in Nigeria. At the other end of the scale at the beginning of the Project there were 8,372 applications for nine national positions. Competing demands on UNDP, as well as the large number of applicants constituted a source of delay.

Finally, notwithstanding the above problems, the Project **underestimated the total number of staff** that would be required to administer a EUR 26,000,000 Project at a federal level and with ten pilot states. Even if there had been a full complement of staff in place as hoped for by the end of 2013 and they remained for the full-term of the Project it is extremely unlikely all Project activities could have been delivered within the Project's allotted 42 months. This over ambition on how much could be achieved was reflected not only with respect to staffing levels but with the overall project design.

2) Project design: The Project's overall objective, as noted previously in this report, was (and remains) entirely relevant. Additionally, the three initial outcomes which were partially reworked and a fourth outcome created post MTE report are also fully relevant. The design of the original objective and outcomes were broad in scope and made them difficult to measure. The analysis of the logframe and accompanying documentation showed that the monitoring and evaluating (M & E) process to measure progress toward the objective and outcomes suffered from a lack of appropriate indicator data. Although an M & E process existed within the Project – quarterly qualitative performance assessments and quarterly monitoring reports under the Contribution Agreement (CA) with the EU – it does not appear to have been effective. A more robust M & E approach may have helped to flag potential problems earlier in the Project.

Although a lack of quality M & E processes contributed to the failure to adjust Project objectives, outcomes, outputs and activities the Project lacked some realism on what could be achieved during the planning and inception phases. This evaluation has already recorded that eighty nine activities were envisaged for this Project and that many of those activities could have been a mini, stand-alone Projects of their own. As one example the following is the list of activities under one of the five outputs within outcome 2.

Outcome 2: Training, research and operational capability of the justice sector developed.

Output 2.1: Improved quality of training for staff of the justice sector (federal and state levels)

Activities:

- **2.1.1** Conduct skills gap analysis for the Police, Judiciary, Prosecutors, Ministries of justice, Legal Aid Council, National Human Rights Commission and the Prison system at federal and State-level and develop improved training modules and curricula in line with comparative best practices;
- **2.1.2.** Review, update and propose for adoption, staff development and training policies for the Police, Judiciary, Prosecutors, Ministries of justice, Legal Aid Council and the Prison system
- **2.1.3.** Conduct training of trainers and assist the institutions (including national training institutes) in the rolling out of the training programmes based on identified skills gaps, including through e-learning and CBT where applicable.

- **2.1.4.** Conduct specialised assessment and analysis of IT capacity needs of the Judiciary, FMoJ, State ministries of justice, Police, Prison and Legal Aid Council, and develop integrated cost effective IT training curricula and training tools, as well as training of trainers in each institution.
- **2.1.5.** Delivery of training, including training of trainers, in the areas of prosecution, investigation and adjudication of crimes including multidimensional security (training will include good practice in the use of special investigation techniques, scene of crime and operational management of Police investigation, conduction of and security in trials, and collaboration among investigation and prosecution work)
- **2.1.6.** Develop and implement basic/advanced IT training for prosecutors and investigators (Police, MoJ)
- **2.1.7.** Provide teaching aides, materials and equipment to training institutions for the Judiciary, prosecutions, and the Prison service.
- **2.1.8.** Provide training on the use of modern training methods for adult learning to the staff of training institutions.
- **2.1.9.** Conduct training on prison capacity management, prevention of recidivism and social reintegration, vocational and rehabilitation programmes, HIV/AIDS and drugs in Prisons, as well as complaints management and assist in integrating the same into the existing training curriculum.

To achieve all this whilst delivering another eighty project activities given the anticipated resources and challenging working environment appears overly ambitious. Along with the pressure to include as many partner activities as possible one of the key reasons for the over-promising leading to under-delivery appears to be the funding modality of UNODC and their projects / programmes. The vast majority of UNODC funding is extra-budgetary, running at approximately 92%³⁶. Therefore, to obtain donor funds in a competitive environment and initiate projects, it may make sense for project proposals to claim they can deliver substantially more than may be reasonably expected.

3) Project Management: Directly linked to the staffing problems was a lack of robust, proactive Project Management during the early years. As detailed above there was effectively a Project Management vacuum for the much of the existence of the Project. UNODC attempts to fill this vacuum were not effective or efficient, as management staff members left, and the gaps were filled from other CONIG resources with an Officer In Charge (OIC) remit. This led to a lack of obvious ownership and leadership for the Project and this had a negative impact on the Project's relationship with its key partners and some of its stakeholders and beneficiaries.

The Project also experienced some difficulties in the management processes involving Headquarters in Vienna. Although the Project paid an Administration Officer in Vienna the Project had to initiate much of their own paperwork (primarily financial reports) which is checked in Vienna. One example given was a delayed financial report required by the donor before the next tranche of Project money would be released. This 'cash flow' problem had an impact on project delivery. Funds had to be retained to ensure staff costs could be met leaving little money for project activities during the early part of 2017. A similar situation further happened at the end of 2015.

³⁶ UNODC Stakeholder interview

This evaluation recognises that there appears to be a ‘misunderstanding’ between the Project and HQ of the amount and value of support required and received by the Project from HQ. A major facilitating factor in this misunderstanding is the lack of a permanent, bespoke contact point within the Project to act as the conduit between the Project and HQ.

This evaluation further recognizes that a major reason for lessons not being learned was a lack of long-term project staff in appropriate project positions (Project Coordinator, Finance Officer) that could learn and apply the lessons within the Project and advise HQ of their requirements and expectations regarding HQ support.

4) Project Administration: A major aspect of project inefficiency is the length of time it takes to administer certain aspects of the Project. This evaluation highlights some of these challenges which, on some occasions, lie outside the influence of the Project or even UNODC as a whole. However a number of administration inefficiencies do rest with both the Project and UNODC.

There is no doubt that **procurement and financial** administration has caused frustration with project and non-project staff alike, and had a negative impact on project delivery and relationships with project partners. The introduction of a new System Applications and Products (SAP) system called Umoja (which is the UN wide standard system) at the end of 2015 was often cited by project and CONIG staff³⁷ as a major limiting factor. And the virtual shutdown of project financial administration for four months from the 1st November 2015 when Umoja ‘went live’ did have a negative knock-on effect on project delivery over that period and beyond.

However, financial administration issues had existed prior to the introduction of Umoja. Looking at the figures for budget implementation it appears that up to the end of 2015 less than 50% of the allocated budget had been spent. Whilst some underspend can often be justified a figure as large as 50% suggests that there was no real financial control over the Project. The MTE Report highlighted a number of short-comings in the financial management of the Project (and CONIG) and made recommendations in this area including:

- Strengthening the Finance Unit at CONIG
- Restructuring so all finance and administrative personnel involved in processing financial transactions come under the supervision of the PST, and
- Filling the vacant finance officer position for the Project (which happened in Feb 2016).

This evaluation recognises that the Project and CONIG have made attempts to improve the resilience of the financial administration of the Project. Yet it appears still not enough was done even after the MTE report made its observations and recommendations which came prior to Umoja implementation. Now (although the PST takes on some of the administrative burden) one administrative assistant serves the whole Project, including the 4 outcomes and numerous activities within those outcomes. With the introduction of Umoja this individual also functions as a Procurement Officer. The only training received on the workings of Umoja was delivered via an on-line course and issuance of job aids. Triangulation noted a general lack of sufficient orientation training for new UNODC staff. The evaluation further shows that the lack of a full-

³⁷ Numerous stakeholder interviews

time, dedicated Project Coordinator during much of 2015 left the Project struggling to redress these administrative challenges.

Several examples were given by past and present Project and CONIG staff during the interview phase of the evaluation of the challenges faced when attempting to arrange Project activities that involved numerous participants. The procurement process requires each participant to supply the Project with an original form of identification and each individual participant must have their own 'mini-master' form completed and uploaded into the Umoja system. It was estimated³⁸ that the administration time of completing each mini-master form was a minimum of two working hours per participant. Many of the Project's activities have upward of fifty participants often travelling to Abuja from the pilot States which means one activity will cost at least 100 administrative hours (12 ½ working days) in simply registering the participants. This is before travel and accommodation arrangements are made. Procurement rules mean that participants attending a conference are processed – to all extent and purposes – as though they are consultants. This makes providing support to the Project extremely difficult as it is heavy on meetings and workshops. On a very practical note, at a Field Office level, the system requires a fast and reliable internet connection as it is a memory and process heavy system. CONIG tends not to have either a fast or reliable internet connection and as a result staff are often left trying to do the best they can at work or waiting until they get home and using their own internet connections to do the administrative work.

Often 'Umoja' is blamed for inefficiency however there is a body of opinion within UNODC, in particular at UNOV³⁹ that Umoja is not the cause of inefficiency but rather it now 'forces' users to strictly follow existing procurement and disbursement procedures. Regardless of whether Umoja is the cause or a symptom it would appear that many procurement and disbursement procedures are overly cumbersome and time-consuming to administer as determined through triangulation.

This chapter has focussed on the main challenges the Project faced and how these had a negative impact on efficiency. Yet the Project was also relatively flexible in its approach to changing beneficiary requests and priorities and – within the confines of the challenges noted above – attempted to accommodate the changing environment. This included support for the development of the Draft Justice Policy, Prosecutor's Policy and the Network of Reform Teams.

Whilst the Project has faced very definite efficiency challenges, this evaluation can also reflect on much improved efficiency in the rate of project activity delivery since August 2015 with the publication of the MTE report and especially from May 2016 onward with the ratification of the new work plan by the PMC. Additionally October 2016 saw the appointment of the new, national Project Coordinator. Although this was technically an international position the Project took the pragmatic and ultimately sensible decision to reduce the likelihood of delay by identifying and appointing an appropriate national Officer. It is important to note that the Project Coordinator already knew the context and background to the Project having been involved as a partner Non-Governmental Organization (NGO) to the Project. This allowed the Project Coordinator to 'hit the ground running' and energise the Project whilst utilising an extensive network of contacts. Thus the combination of the revised work plan in line with the MTE report and the new Project Coordinator has had a positive effect on the efficiency of the Project, although the evaluation

³⁸ Stakeholder interview

³⁹ Stakeholder interviews

shows that the communication lines within the team requires to be further addressed to improve team dynamics.

Triangulation indicates the improving efficiency of project activity has also had a knock-on effect in regaining some of the goodwill that was lost during the earlier years of the Project. This evaluation highlights some of those issues with respect to the relationship between the Project and its main donor, the EU, coming under some considerable strain. This was also true of the Project's relationship with its main implementing partner UNICEF with a 3rd party stakeholder in the Project ultimately mediating between both the Project and UNICEF to help maintain a working relationship. That relationship has improved considerably since August 2015 with the refocusing of the Project and the subsequent improvement in delivery efficiency.

Ultimately the Project has delivered a substantial number of workshops and meetings, trained in excess of 1,000 officers and 62 publications have been created (see Annex V). The vast majority of these activities have been squeezed into the extension period which re-emphasises the lack of efficiency during the first 32 months of the Project. And although continuing efficiency challenges remain, in particular with procurement, recruitment and disbursement processes, the Project has demonstrated it can improve efficiency to allow for the delivery of the majority of its refocused activities.

Impact

Impact focuses on changes that result from the activities of a project, which may be direct or indirect, planned or unintended. This evaluation looks at the immediate effect of the Project outputs, the extent to which project activities have had impact on intended beneficiaries and innovations towards justice sector reform which could serve as a model in future interventions and programming. The Project was insightful in identifying the major challenges confronting the justice sector in Nigeria and also designing activities aimed at addressing some of the deficiencies as stated in the project initiation document. The extent to which the activities are adequate in addressing the gaps has been well captured in the section on relevance and need not be repeated here. Among others, the issues confronting the sector included:

- There are still huge challenges among justice sector institutions in undertaking coordinated strategic planning and collaborative operations both at Federal and state levels.
- Though some of the justice institutions have tried to improve their staff training curricula, most of the training institutions are still ill equipped with modern training tools.
- The lack of modern training capacity in the institutions impacts directly on their services and operational abilities. While the average time it takes the justice system to dispose of cases has considerably improved since 1999, backlog and delays in the trial of criminal cases and resolving civil disputes remain key problems in the sector, resulting in high number of pre-trial detainees in Prisons.
- Key reasons include a lack of coordination among stakeholders thus increasing bottlenecks in the penal chain; the use of outdated and complex laws and procedures;

inadequate management of detainee information hindering individual cases and weakening analysis and institutional responses; delays in Police investigations.

- Absence of effective oversight mechanisms is a key contributing factor. Systems of professional accountability, performance evaluation and performance management do not reflect modern management practices. Mechanisms to implement legislation like the Child Rights Act are not yet in place.
- Most users of the justice system lack legal representation due to the high costs which are beyond the reach of some groups. Few have access to the federal Legal Aid Council (LAC) and rely on legal aid services provided by NSAs. Special measures to facilitate access to justice services for the most vulnerable and population with special needs are not in place⁴⁰.

Therefore, impact of the UNODC justice sector project must be linked to the extent that the above issues have been addressed to bring about systemic change that finds expression in interagency cooperation, recourse to professionalism in discharge of duties among key actors in the sector and legal representation for alleged offenders among others. For the most part, these outputs represent the means-to-an-end and do not constitute ends-in-themselves.

Clearly, the Project made significant and consistent progress in delivering on activities and objectives particularly after the MTE. For instance, by the end of 2016 the number of laws and policies that enhance inter-agency coordination among key justice sector institutions increased from zero to four; the number of Federal and State Justice Reform committees established increased from 5 to 10; the number of Action Plans adopted by focal states increased from 0 to 10; Sentencing Guidelines were adopted and implemented by 5 states; the ACJ Act was introduced to 5 State Houses of Assembly for passage into law; the number training curriculum of training institutions revised increased from 0 to 4; and 8 training manuals were developed.⁴¹

In applying for a No-Cost-Extension, UNODC recognized that although progress was being made, the Project needed more time to complete some of the activities listed in the Action Plans. Some of the achievements listed to demonstrate progress and justification for extension of the Project period included:

- significant progress in the development of the relevant guidelines, policies, action plans, codes of conduct, etc., (some of which present a milestone in the Nigerian Justice System)
- improved capacity of the Justice Institutions, through various trainings/workshops/curricula revisions etc., including for the police, prosecutors, judiciary and prisons
- increased respect for human rights, including through the roll-out of training/workshops/awareness-raising, among police and prison services

⁴⁰ UNODC: *Project Initiation Document* (Dec 2012) p.5-20

⁴¹ UNODC: *Annual Narrative Report* (Dec 2016) p14-30

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- increased access to justice through the support of non-state actors and legal aid service providers⁴²

Indeed, most of these outputs were designed to drive impact beyond the Project timeframe and would require sustained engagement. It has to be acknowledged that a catalogue of project activities has taken place and a few were still being undertaken during the period of this evaluation. Most of the activities relate to outputs and outcomes. For instance, formation of the justice sector reform teams in 67 percent of the states in Nigeria; development of the Administration of Criminal Justice Act (which has been signed into law in some states); development of Adjudication Guidelines on children in conflict with the law; development of Sentencing Guidelines; development of Training Module for the Police on handling of cases among children; introduction of Justice Research Centres, development of Court Users' Guide and development of Human Rights Pocket Handbook for the Police among others are notable outcomes of the UNODC justice sector reform project. As has been consistently noted, the Project outcomes are largely well-conceived and appropriately delivered as has also been articulated in the section on relevance of the ER and need not be reiterated here. In the context of the UNODC justice sector project in Nigeria, impact would have constituted in systemic, attitudinal and behavioural change at macro-institutional and micro-individual levels respectively, which is usually a product of sustained intervention.

At the secondary beneficiary level, administrators of criminal justice that received training reported increased awareness on the content and reform elements of ACJA as well as had their morale lifted. Police authorities reported that at institutional level, the training of police officers has led to reduction in human rights-based litigations against the police. Although this is commendable and may indeed depict a predisposition of the police in Nigeria to adjust to necessary modifications, it is however, important to state that a few police personnel have benefitted from such trainings to bolster appreciable attitudinal and behavioural change in the system as reported. Perhaps, some other factors may have contributed to such important change.

In specific terms, impact would mean that cases are being disposed of more quickly, by criminal justice administrators, than what obtains presently; that the rights of suspects and offenders are emphasized and respected at all times and in all places; and that children in conflict with the laws are treated in a manner that depicts their age as a result of the activities of the UNODC project, among other indicators.

The import of the above scenario is unmistakable and suggests that the justice sector project activities and the concomitant outputs and outcomes are built-in mechanisms or machinery put in motion to engender impact in the long run, well after the official project timeframe. Thus, project exit strategies needed to be ingeniously crafted to ensure sustainability and forestall relapse. That is the surest way of ensuring that the ultimate beneficiaries (the generality of people in Nigeria) reap the benefits of the justice sector reform initiative of the UNODC.

It is obvious from the justice sector project documents namely the UNODC Initiation Project Document, Annual Narrative Reports 2013; 2014; 2015; 2016 and the logical frameworks, including the one reviewed after the mid-term evaluation, that impact was not explicitly contemplated as part of what needed to be achieved by the Project. Had such contemplation been undertaken at the period of project conception and design, the conditions under which impact is

⁴² UNODC: *No cost extension letter riders* (May 2016) p.6

attributed would have been clearly stated and included in implementation plans and among deliverables. Perhaps such recognition would have led to the streamlining and focussing on fewer activities in fewer locations than were covered in the Project.

CONIG admitted in the No-Cost-Extension-Letter-Riders (May 2016, p.4) that *'many activities in the current project set-up are designed for a long-term approach which also goes beyond the current project timeframe... its impacts may not be fully realised within the remaining 14 months of the Project period'*⁴⁰. We consider the allusion to impact in that document as an afterthought that conceives the indicator in a loose sense and not within the context of standard monitoring and evaluation definition. To be sure, however, most of the activities and outcomes recorded so far by the Project have tremendous potentials of driving impact, subsequently, if they are carefully sustained.

A substantial amount of Project activity is in the sphere of training-of-trainers (ToT). The long-term impact of this activity depends on a number of factors that must co-exist and are co-dependent upon each other. Specifically;

- those trained as trainers must remain in post long enough to be able to deliver and cascade the training
- the training must be embedded into existing training curricula
- there has to be an organizational commitment to maintain and update the training

Whilst the quality of the ToT material is often highly praised by its recipients⁴³ and the Project has developed training materials in conjunction with its key beneficiaries e.g. Training Manuals on: Police Duties; Liberal Studies; and Legal Studies, it is too early yet to assess whether this ToT approach will bring the expected impact. In general, the slow start of Project activity delivery, including ToT workshops and the development and publication of training materials, means there is no quantitative and very little qualitative data to assess its impact. However, some Project stakeholders have expressed reservations about the effectiveness of the ToT approach within the general Nigerian Criminal Justice environment.

Where some anecdotal and qualitative data exists in support of the training and ToT approach it lies within the Nigerian Prison Service (NPS). The trainings for the NPS have impacted a large number of prison officers. So far, more than 600 officers have been trained. This is about 1/5th of all officers in the system. The participants have been drawn from across states and sections within the Prisons Service. Those trained to date include all Comptrollers of Prisons Training Schools and it is expected that these trainings will not only be cascaded but they will also inform both the content and methodology of formal trainings offered through the training schools under the supervision of these Comptrollers.

This evaluation recommends that any future Project which intends to pursue a heavy ToT component in the Nigerian Criminal Justice environment should review the impact of the work of this Project in that sphere. However, there does appear to be a beneficiary appetite for this approach within the NPS and some potential donor support in this broad area of prison reform.

Generally, the Project introduced some innovations which could become a model in future programming. For instance, the development of State Action Plans for Criminal Justice Sector is

⁴³ Stakeholder Interviews

novel. Meant primarily to prioritize interventions in the justice sector, it also ensures that identified priorities are budgeted for implementation. This approach is essential in situations or sectors where challenges are enormous (such as Nigeria's justice sector and as has been indicated in various project documents) and would require prioritization and careful planning.

Sustainability

In examining the benefits of the justice sector project that will likely continue after the Project timeframe, it is imperative to appraise the sustainability mechanisms envisioned for the Project and whether and to what degree they were adopted. Measuring sustainability will also entail assessing the extent to which activities and outputs would likely continue and be utilized beyond the official life of the Project.

This is particularly necessary for a project whose impact is likely to be recorded way beyond the implementation period. The UNODC recognized the essence of ensuring sustainability of project activities as well as its capacity to institute mechanisms that will bolster sustainability by stating among others: *'UNODC has ample experience in Nigeria that allows it to maintain a consistent, long-term strategy in building national capacity and ownership. Based on long-standing working relationships with national government and non-government counterparts, UNODC Nigeria is well-placed to provide the continuity required for a sustainable transfer of expertise and skills'*⁴⁴¹

Interviewees reported that the Project has achieved notable milestones which have potentials for sustainability even beyond the implementation period. Thus, considering the inadequacies that plagued the justice sector over the years, it is easy to understand why stakeholders could readily identify some activities and outputs which they considered essential for attaining sustainability. This chapter of the ER presents analysis of sustainability along the four project outcomes.

Outcome 1

- The creation of Judicial Reform Teams in states which was set up by the Federal Justice Sector Reform Committee empowered by the Federal Government of Nigeria to drive and regulate reforms that will strengthen interagency cooperation and periodic reviews related to administration of criminal justice.
- The production of Prosecutors' Policy, Guidelines and Code of Conduct, Court Users' Guide, Human Rights Pocket Handbook for the Police and other resource materials (already highlighted earlier) meant for use by relevant individuals beyond the UNODC project.

Outcome 2

- The development of the Judicial Research Centre (JRC) with support from relevant state governments that have pledged money for its continued existence. Adequate use of the centre is capable of creating a culture of research and innovation among justice sector administrators in Nigeria. That way, stakeholders would have the opportunity of following trends and patterns in global best practices.

⁴⁴ UNODC: *No Cost Extension Project Document* (May 2016) p.53

- By enabling the development of State Action Plans which form part of the policy planning cycle for relevant states, the UNODC has developed a mechanism through which the operational capability of the justice sector could be maintained. It is also meant to identify justice sector intervention priorities for funding by states.
- Production and documentation various resource materials mostly in hardcopies, could continue to shape the reforms going on in the justice sector by leveraging on existing stock of information.
- Involving top officials of relevant justice sector institutions in project activities especially trainings is a mechanism for institutionalization. The extent to which sustainability would be achieved depends on appropriateness of step down trainings.

Outcome 3

- The Memorandum of understanding between LACON and NBA is expected to facilitate members' interest in *pro bono* legal services and assist LACON to continue to deliver on its mandate.
- The various human rights trainings received by the police and other groups especially Senior Officials are expected to lead to continuous cascading of trainings to the Junior staff in these organizations.

Outcome 4

- UNICEF acting as implementing partner to UNODC had trained Assessors for family courts in Cross River State and entered into an interim agreement to pay the assessor till December 2017. It also undertook advocacy to the state government for inclusion in the budget and prompt release of funds for the purpose they were intended.
- Training of that family court judges, magistrates and assessors, by UNICEF, for effective delivery of justice for children.
- To forestall lack of practice direction, UNICEF supported Cross River State to develop Adjudication Guideline for Child Offenders (the first state to have that) for handling cases involving child offenders. The Guideline have been signed into law (Practice Directions), disseminated and training of judges and magistrates has been conducted on it.
- UNICEF is supporting relevant state institutions to identify persons below 18 years that are in custody with a view to providing them with legal assistance.
- Other activities of UNICEF in Cross River State included trainings for prosecutors; and the development and delivery of training to police officers on handling of children's cases.

These items indicate that unlike the limitations related to adequate understanding or definition of impact in the context of the Project, this evaluation affirms that the issue of sustainability was well-emphasized and one of the major ingredients of the justice sector project. The list of

activities and outputs, however, suggest potentialities which would require a series of further efforts to come to fruition.

Many stakeholders noted that the Project promoted the building blocks for sustainability such as fostering ownership, development of training manuals and assistance in integrating training into regular curricula. This reflects clarity of understanding of the latent purpose of the Project on one hand and willingness to reinforce improvement in the justice sector on the other by key actors. It is however not clear the extent to which such integration and the concomitant outcomes will continue to resituate the justice sector after the formal closure of the Project.

The above narrative raises the question of whether the UNODC justice sector intervention in Nigeria beyond instituting sustainability elements of the Project also imbued factors that would catalyse its realism. Clearly, the Project had built some level of rapport with implementing partners and stakeholders but neither established a robust monitoring and evaluation structure nor periodic adjustment and/ or update system for stakeholders to effectively continue some of the activities towards impact.

The implication is that some of the notable activities and outputs already achieved by the Project run the risk of discontinuity soon after the implementation period. It is important to state at this juncture that although sustainability and impact are inextricably linked, sustainability does not, however, in itself guarantee impact unless what would be sustained in the justice sector project, for instance, is appropriate, well targeted and relatively persistent. Needless to say monitoring, evaluation and periodic updates of activity contents and stakeholder engagement are critical elements for attaining sustainability of project benefits and by extension in some cases impact after the implementation period.

Partnership and Cooperation

This evaluation has assessed the Project's performance in relation to partnerships and cooperation from two angles. The first angle derives from **Outcome 1** and assesses the Project's performance in terms of how well it worked to strengthen partnerships and cooperation among key justice sector institutions through the establishment of coordination structures. The second angle evaluates the extent to which the Project managed and optimised the partnerships and cooperation opportunities inherent in its design.

NGAV-18 has been commended by many of its beneficiaries for fostering partnerships and cooperation at a level hitherto unknown to the justice sector in Nigeria. The Project fostered the emergence of the Network of State Justice Reform Teams (JRTs) which met quarterly to exchange ideas and share lessons. Although some states already had JRT-type initiatives (which brought together justice sector leadership such as the Chief Judge, the Attorney-General and Commissioner for Justice, the Commissioner of Police and the Controller of Prisons) in place prior to the Project, these JRTs had remained state initiatives and had limited, if at all any, interactions with themselves or with the federal level team. The JRT network held quarterly meetings and with the participation of state JRTs at these meeting largely made possible by the support of UNODC. The project also strengthened federal and state cooperation through its support for the meeting of the Federal and State Attorneys-General. One beneficial outcome

likely traceable to the meetings is the institutional willingness of AGF and the Attorney-General for Lagos State to share prosecutorial powers in corruption cases as was seen in the last year of the project.

Another commendable approach to building partnerships and cooperation engaged by UNODC was bringing different law enforcement groups together in joint trainings which served to reduce the friction between these agencies. For example, the training on anti-corruption which brought prosecutors and judges together served to improve mutual understanding for their roles in the administration of criminal justice. The strategic approach of convening meetings which brought together key actors from different sectors helped to break down the traditional barriers and mutual suspicion.

The multi-dimensional nature of the partnership and cooperation inherent in the Project also enabled beneficiary institutions to work with new partners. For example, although the Lagos State Office of the Public Defender (OPD) directly collaborated with UNICEF on the project, it was indirectly acquainted with CONIG and EU institutional partners as the latter provided the funding for the project component relating to provision of legal aid to children in conflict with the Law in Lagos State. Under this collaboration, there were several trainings to equip legal officers and social workers in the OPD who represent children in conflict with the law on how to interview children, how to ensure that children are diverted away from custodial sentences especially the children in conflict with the law and deepened their understanding of the essence of Social Inquiry Report.

The trainings positively impacted the enhancing institutional ability to respond to children's justice needs by ensuring that the provisions of the Child's Rights Law of Lagos relating to children in conflict with the law are enforced and implemented in the prisons and in the courts. The trainings also bore out the need to develop a more structured and strategic approach to intervening on behalf of child offenders. OPD now uses only officers trained to conduct interviews of children for such interviews. It has also developed appropriate tools for capturing data on child offenders such as the Forms designed for tracking the processing of child offenders in custody. Also, it was after the trainings that OPD developed and now uses the Social Inquiry Report Forms which provides information to assist the court to determine the appropriate disposition measures for child offenders. The opportunities facilitated by the partnership with UNICEF have been critical in assisting OPD to identify and forge other partnerships to enhance child justice administration in the State. For example, OPD's intervention in the child justice system now transcends legal interventions and includes the delivery of psychosocial support to child offenders during and after the disposition of cases in court. OPD officers, most of whom are lawyers, acknowledged that they now work better with social workers as they have come to understand the significance of non-legal interventions in justice delivery especially for child offenders and child victims of crime.

The FJSRCC also acknowledged that even though it had been in existence prior to the Project, its support since 2014 has been critical to its sustainability and its achievements including the development and implementation of the 5-year plan developed in 2014 (*Interview with FJSRCC*). The convening of the first ever National Justice Summit by the Federal Ministry of Justice in August 2017 and the development of the Draft National Justice Policy may be described as beneficial output of the Project's support to the work of the FJSRCC as well as the network of JRTs with potentials for lasting impact. The adoption of the National Justice Policy by the meeting can be expected to diffuse the standards and goals as well as the lessons learnt and

actions plans derived from NGAV-18 project beyond the 9 participating states and the federal justice sector thus fostering its scaling-up.

The PMC which brought together all the key stakeholders in the Project also provided another opportunity for enhancing partnership and cooperation between the GoN, development partners and key actors in the justice sector across the country. PMC membership cut across Chief Judges (or their representatives) of project focal states and representatives of highest hierarchies of federal law enforcement institutions such as the Police and Prisons. The PMC was a platform that enabled periodic meetings for these key justice sector actors across the country to work cooperatively to criminal justice sector reform in Nigeria. The significance of such an approach cannot be over-emphasised given that one of the key concerns which the Project was designed to respond is the fragmented approach justice sector reforms in the country.

These achievements notwithstanding, there were significant shortcomings in relation to how the Project handled and optimised the opportunities of partnership and cooperation. The evaluation shows that UNODC did not optimise the opportunity of working with Ministry of Budget and National Planning (MoBNP) in the earlier phase of the project. The MoBNP, because of its direct working relationship with the EU, had great potentials for assisting UNODC to address some of the hitches it experienced in its work with EU particularly in relation to funds transfers but unfortunately there was distance between UNODC and MoBNP initially.⁴⁵ The relationship between the MoBNP and UNODC, however, improved after the MTE which recommended that MoBNP, EU and UNODC should have a meeting point on the Project. Accordingly, a trilateral meeting of the three groups started holding on the first week of every month and once each quarter of the year. The overall assessment after the MTE is the Project achieved 40 percent success post-MTE.

The level of project implementation in Cross River State was far-reaching as indicated by outputs such as the adoption of the Practice Directions for Sentencing by Family Courts, which at the time of the completion was the only state in Nigeria to have adopted such. Nonetheless, there was a perception among some PMC members, that UNODC did not fully take into consideration the importance of responsiveness to diversity in the local contexts of states in Nigeria's federal structure. There is one further indication that the Project did not always optimise the opportunity for cooperation to foster its sustainability. Advocacy visits to the leadership of the judiciary were undertaken at inception but these were not sustained even when the importance of such advocacy was consistently emphasised to UNODC Programme Staff. This did affect the level of leadership support to the programme in some institutions such as the NJI, which is critical for ownership and sustainability.

The evaluation however also shows that the project had some strengths when it came to how the issue of how it managed and optimised the opportunities for partnerships and cooperation inherent in its design. For example, although the Project was funded by the EU, some of its activities received support from other donors namely: the Swiss Embassy and GTZ. It also leveraged on partnerships with other donors such as the DFID-funded Justice For All (J4A) programme to overcoming some of its institutional challenges. Additionally, outcome 4 of the Project approved after the MTE in May 2016 brought in UNICEF to implement the child justice component of the Project. The willingness of the Project to embrace UNICEF's participation as an implementing partner enabled it to draw on its expertise and leverage its staff resources to

⁴⁵ Stakeholder Interview

achieve more in the limited time available to it post-MTE. With this, institutions of the child justice systems across Nigeria benefitted far more than was initially contemplated.

As regards partnership and cooperation with other development partners, the main thrust of Swiss work with the Project was the development of training to mainstream human rights (HR) into the Nigerian Police and, latterly, within the Prison Service. The Swiss involvement concentrated on the delivery of Training-of-Trainers to mainstream human rights training within the police training academies and curricula and was impressed by the level of engagement by the Nigerian Police when it came to supplying and developing training material. This training development involved civil society and non-governmental organizations such as ActionAid International and PRAWA, with PRAWA taking a lead role in the driving the process. By the time the Swiss involvement with the Project and UNODC came to an end in 2015, the Project had begun to see an increase in UNODC Project activities.

Notwithstanding some of the examples of challenges and mistakes made, the Project still offers useful lessons of how building institutional partnerships and cooperation can assist development agencies gain traction in providing support for development. This was one project where development partners worked together and were cooperative in leveraging on one another's resources and strengths.

Also, it appears that the potentials for enhancing partnership and cooperation that could have been gained through the support of the External Party Engagement (EPE) Unit in the HQ was not fully realised. The role of the Unit, established in mid-2015, this was to manage UNODC's relationship with its other UN partners. In the case of NGAV-18, this was the relationship between UNODC and UNICEF. The evaluation shows that that EPE needed more information from the field than it got to effectively manage the relationship at HQ strategic level, whereby a more proactive approach would have benefitted the implementation of the project.

Human Rights

Aside the focus on human rights and women's rights reflected in Outcomes 2 and 3, the Project Initiation Document of December 2012 contains a section (p.16) on 'Gender and Human Rights' where it acknowledges the importance of these issues. "For UNODC, a gender-sensitive approach will be taken into consideration in implementing the present project, in line with established UNODC criteria for the provision of technical assistance and with ECOSOC resolutions 2011/5 and 2011/6 to ensure that all activities have a fair percentage of women as direct beneficiaries". The Project also noted it "aims at maximizing the positive human rights impact of its work, and always takes the human rights perspective into account while planning its programmes".

The approach of the Project to delivering on Outcomes 2 and 3 was two-fold. The first was to integrate human rights modules into some of the training components of the Project. Training components of the intervention delivered to the Police mainly focused on fostering human rights awareness towards promoting a culture of respect for human rights. One major area of the Project activities was human rights training. Human rights trainings were designed for various justice sector institutions to the end of promoting compliance with international and regional human rights instruments. As at the end of 2016 more than 850 officers of the Nigerian Prisons Service and the Police had been provided human rights training and number of resources had been developed to support human rights education. The majority of the training resources developed by

the Project were also specifically aimed at human rights education. Some of the human rights specific manuals developed are:

- Human Rights Training Manual and Trainers' Guide for NPF
- Human Rights Training Manual and Trainers' Guide for NPS
- Human Rights pocket handbook for NPF
- Training Manual and Trainers' Guide on Human Rights and Prison Management

There is no doubt that the human rights trainings for the police were hugely beneficial to the individuals trained with huge potentials for transforming the institution. Participants at the training workshops generally acknowledged that they gained a broader view of Human Rights (HR) which changed; that indeed the police should protect lives and property.

Other beneficiaries shared that prior to the training, they would, ordinarily, resist any complaint against the police, but would now begin to view such complaints positively and as something that should improve the way the police do things in the light of the information and awareness received through the training. This is encouraging for sustainability as officers who have internalised the values and norms of human rights are more likely to conduct their professional activities including mentoring other officers in line with human rights standards.

The approach adopted for the development of the training resources not only involved the beneficiary institutions in the process but also encouraged them adopt of the resources as their own materials. It can be expected therefore that a different policing culture will emerge. Officers have noted in feedback that the training has the potential to improve Nigerian policing in the longer term.

The aspect of the project that focused on anti-torture and provided support to the process of developing the draft Anti-torture legislation and advocacy for its adoption was designed to complement the direct training of law enforcement and correctional officers in human rights and, the Project intervention that focused on anti-torture especially the proposed Anti-torture legislation was designed to foster the promotion and protection of human rights of individuals in conflict with the law and was well received.

The second prong of the Project approach to human rights was, however, less direct. The Project assumption was that respect for human rights would necessarily improve through the strengthening of institutions with mandates to deliver improved access to justice for those in conflict with the law. Thus, there was a focus on strengthening capacity of these institutions to deliver on their mandates. This assumption is reflected in the Guidance Manual for Enhancing Stakeholders Partnership on Legal Aid Services in Nigeria:

- Legal aid is an essential element of a fair, humane and efficient criminal justice system rooted in the rule of law. Access to legal aid is an important component of ensuring access to justice for the poor and disadvantaged groups. The poor often have less access to information and are less aware of their rights and entitlements. For example, the imbalance of power between the State authorities and the person being arrested is in all cases quite significant, but the gap is more pronounced in cases in which members of poor and marginalised groups have been arrested and detained, as they are often not aware of their rights or do not have the resources to retain legal advice and representation.

- A high number of inmates in Nigerian prisons are awaiting trial persons with many spending a long duration than necessary in prison custody. Lack of access to legal representation leads to delay in the speed of resolution of criminal trials.

Aside the specially designed human rights training activities, other project activities also incorporated major human rights themes related to the criminal process. For example, the project interventions on child justice clearly take off from a right-based approach and the training modules developed for the component under Outcome 4 address many components of internationally recognised standards on human rights of children.

- Training Pack on Child Justice for NPS
- Training Pack for Family Court Judges and Magistrates
- Training Pack for Family Court Assessors and Social Welfare Officers Training Pack on Children's Rights for NPF

Human rights issues are necessarily implicated in the contexts of arrest, detention, lack of access to legal representation, delay or prolonged trials. Against this backdrop, the Project's focus on strengthening institutions such as the Legal Aid Council and Office of the Public Defender can be expected to be significant for advancing human rights in Nigeria. Also, the Court Users Guide will be valuable for enhancing human rights awareness especially those relevant to the criminal process. Officers of beneficiary institutions who were interviewed generally reflected an openness to conceptualising the services they rendered in terms of being activities geared at the promotion and protection of human rights. For example, police and prison officers who were interviewed indicated an acceptance that a human rights approach was not antithetical to their goals and methods of work. Also, the coverage of the contents of the materials produced such as the training packs reflect the adoption of a rights-based approach by the project in its efforts at the reform of criminal justice administration in Nigeria.

The roll-out plan of the human rights training benefitted from a consultative process which engaged the national machinery for the promotion of human rights, that is, the National Human Rights Commission and beneficiary institutions themselves. However, there is no evidence that the project specifically defined and/or designed a comprehensive strategy for applying a rights-based approach to or mainstreaming human rights into the Project. Hence, while the implementation of the human rights training component was clearly focused in providing structured trainings and developing training resources as output as well as improving the level of human rights consciousness as project outcome, the project would have benefitted more from a strategic approach that embedded human rights considerations throughout the whole project. For example, where the activity was not human rights training, human rights mainstreaming was mere incidental and not directed.

Gender Equality / Women's Empowerment

As with human rights, there is no evidence that in programme implementation, a specific strategy was designed for ensuring gender equality or gender mainstreaming into the Project in a way that ensures a consistent and thought-through approach to these standards throughout the Project life time. The evaluation exercise did not find that specific minimum standards or benchmarks for the inclusion of women in various aspects of the Project were adopted by the Project and stipulated or prescribed to beneficiaries. However, the Project as a practice always encouraged national

partners to ensure that nomination of participants to the training workshops adequately reflected both genders. This is the case for all training activities involving all justice sector institutions - police, prisons, judiciary, prosecuting agencies, etc. As a result, a fair number of participants and beneficiaries of the Project activities were females. Of the 4,476 persons that benefitted from trainings or participation in meetings of the Project between July 2013 and October 2016, 1,451 representing 32.42% were females. The Project could hardly have done better to adjust for gender balance as a significant number of the trainings and meetings held targeted specific officers, there was little that the Project could do to adjust for gender balance.

For example, most of the training for the Police targeted specific offices/officers. The Sensitisation Workshops for Divisional Police Officers (DPO) and Divisional Crime Officers (DCOs) and the Training Workshops for the NPF Human Rights Desks Officers could only be attended by those who already occupied the offices. Hence, the gender composition of the participants in a number of workshops could not be influenced by the Project.

Some of the training modules, however, included Gender as a topic addressed. For example the Human Rights Training Module for the NPF included Gender and Human Rights and some of the policy frameworks referred to as resources for theme included the Nigeria Police Gender Policy (2012) and the National Policy on Gender. The Project also benefitted from the fact that in some of the partner institutions, the institutional heads or designated contact person for the Project were, in fact, women. The Director-General of LACON, the former Controller of Training, Prisons and the Director of the Lagos State of Office of the Public Defender (OPD) are females.

Although it was not possible to clearly determine how the Project's gender components benefitted from the fact that in some of the partner institutions, the institutional heads or designated contact persons for the Project were women, there are some indications that the inclusion of this women enabled the project to make some gender-related gains. The Director-General of LACON, the former Controller of Training, Prisons and the Director of the Lagos State of Office of the Public Defender (OPD) are females. One of these officials noted that being gender conscious, she used her office to ensure that nomination lists of officers for the training workshops included female officers by expressly prescribing such inclusion, female inclusion largely followed the existing pattern of male / female ratio in the institution and with the others.

The National Legal Aid Strategy 2017-2022, which was developed with support from NGVA-18 has potentials for improving gender justice through legal services delivery. The process of development of the Strategy was acknowledged by key stakeholders in legal services delivery as the outcome of a consultative and inclusive process enabled only by the support of the project. The inclusive process which allowed the participation of a number of women-led organisations may explain the significant attention given to gender concerns in the document. For example, the Strategy specifically aims at providing legal aid to women and girls among other vulnerable groups and paragraph 9.3.1 specifically identifies the actions needed for effective provision of legal aid to women, which include: (i) introducing an active policy of incorporating a gender perspective into all policies, laws, procedures, programmes and practices relating to legal aid to ensure gender equality and equal and fair access to justice; (ii) taking active steps to ensure female lawyers are available to represent female defendants and victims, where possible; and (iii) providing legal aid, advice and court support to victims of gender-based violence.

There is no doubt that some other interventions such as the support to Violence Against Persons (Prohibition) Act (VAPP) 2015 has potentials for advancing protection against gender-based

violence under the formal justice system. Although the legislation is aimed at protecting all persons against violence, the instrument is notably responsive to gender-based violence and, in fact, advocacy for its enactment was led by a coalition of women NGOs. Between 2015 and 2016, the project supported programmes aimed at information dissemination and training for various groups of stakeholders including journalists, judges and police officers about the Act. Through this support the Project demonstrated a gender-responsiveness critical to improving the potentials of the criminal justice system for delivering effective justice to women victims of crime.

Nonetheless, it is clear that the Project only took a tangential approach to gender. While recognising the limitations imposed by the fact that the Project had to work with existing structures, it is considered that if the Project had taken a more structured approach to gender-mainstreaming, it would have improved the chances of advancing women's empowerment and gender equality as well as for other marginalized or vulnerable groups. The Project did not strategically attempt to address or work around the embedded nature of the marginalisation of women in institutional structures of the criminal justice system to improve gender equality or women's empowerment.

Best Practice

- Establishment of the Network of Reform Teams, a platform that brings together stakeholders who, ordinarily, will not work together even though their work overlaps. The meetings which bring together all stakeholders such as prosecutors, police, judges and prison officials to interact, provide opportunities for the exchange of ideas, to understand the work of each other, to deconstruct barriers to cooperation and build trust.
- Establishment of a state-based team of trainers – each state has a Directory of state-based trainers in criminal justice sector.
- Monitoring and Evaluation training provided for members of the FJSRCC has been very helpful in developing their skills in this area.
- Interviewees generally rated the quality of the trainings provided by the project very high. Such high quality of training is closely related to the quality of resource persons engaged, which itself can only be the outcome clearly defined goals at the pre-planning stage and implementation.
- The fiat given by the Attorney-General for the Federation (AGF) to the Lagos State Attorney-General to prosecute federal offences under the ACJA on his behalf was consequent the trainings designed to strengthen the capacity of state prosecutors to work with the ACJA, This fiat helps the Federal Ministry of Justice to leverage on resources available at the level of states.
- The periodic meetings among state focal persons are an essential mechanism for cross-learning and experience sharing. It provided stakeholders in one location a platform to replicate activities that were successfully conducted in other locations. That way, resources (in particular time) are maximized.

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- Regular prison audit conducted by UNICEF, as an implementing partner to UNODC, led to identification of persons below 18 years. Such mapping revealed the number of young offenders and the offences alleged for easy review and possible release by the Chief Judge of relevant states.
 - The inauguration of the first model specialized children police unit in Maitama, Abuja in August 2017 provides the Police Force with an opportunity to not only operationalize the Child's Rights Act but to also apply the harmonized guidelines and standard operating procedures for handling children's cases before they are adopted for wider use. The specialized unit, which has been costed, also gives a clear picture of how much it would cost to replicate similar units across the country.

III. CONCLUSIONS

The United Nation's Office for Drugs and Crime (UNODC) 'Support to the Justice Sector in Nigeria' Project NGAV18 was well conceived. There was an appetite at the time of its inception in late 2012 from both a Nigerian State beneficiary perspective and the international community for this type of Project. And the European Union (EU) through its 10th European development Funding (EDF) Programme was keen to support work in the Criminal Justice Sector. The concept of the Country Office in Nigeria (CONIG), UNODC, as executing agency with the United Nations Children's Fund (UNICEF) as a joint implementing partner was sound. Additionally the Project was fully relevant to the environment in which it intended to operate. It began on the 27th December and was to run for 42 months with a EUR €26m budget.

The Project was developed and implemented by CONIG and proved to be over ambitious. Eighty nine activities were envisaged under the overall objective, three outcomes and eighteen outputs. Additionally the objective was general in nature and the outcomes very broad which made developing good indicators and employing an effective monitoring and evaluation system challenging. These 89 activities were to be conducted with eleven different partners / beneficiaries at both federal and state levels consisting of the Federal Capital Territory (FCT) and nine other states. Even if the Project had not run into difficulties it is unlikely all of this could have been achieved with the resources – most notably time – available.

Almost immediately the Project stalled when only two of the twelve personnel required to run the Project were recruited by the end of the first year. This was due in part to the security situation which discouraged suitably qualified applicants and a cumbersome recruitment procedure upon which the Office partially relied on 3rd party administration (United Nations Development Programme). With this slow recruitment, and the lack of a pro-active and objective approach by CONIG to reassess the capability of the Project to deliver its work plan due to these identifiable risks, the Project continued to struggle through 2014. Outside the continuing security problems for the delivery of activities, particularly in the north of the country, staffing problems were at the root of the majority of the difficulties the Project encountered.

Although there was an increase in Project activity in 2014 the Project was well behind schedule and it was losing the support of key stakeholders including its main donor. It was only in August 2015 after a mid-term evaluation (MTE) had been commissioned that the Project began to recover some of the ground it had lost in the previous 30 months. A new logical framework and work plan were developed which reworked the outcomes and refocused and reduced the number of activities. This was presented before the governance structure of the Project, namely the Project Management Committee (PMC) which ratified the revised documents and granted a no cost extension until the 26th August 2017 and reduced the budget to EUR €19,076,309 to reflect the revised outputs and activities.

This demonstrates how important it is to have a Project which is realistic in outlook and properly staffed. Without these two crucial components any Project will struggle to meet and manage expectations. It also brings into focus the need to have an effective review process prior to the start of the Project to ensure the Project is not over-extending, and early into the life of the Project to detect any warning signs that significant milestones may not be met.

Given that much of the Project's training activity and delivery has been within the past 15 months there is little data available on the impact that training activities have had outside of the initial feedback from participants which has been very positive. The provision of Training of Trainers (ToT) prima facie appears a sensible approach. And the Project has done exceptionally well in developing and providing training manuals and trainer's guides to help embed the training into beneficiaries existing training programmes. Yet there is no empirical data that proves this is effective and some stakeholders question the medium and longer term impact that ToT training has in general. Further work will have to be undertaken to ascertain the validity of this approach.

Outside of training the Project has focused a lot of resource in assisting in the development and subsequent adoption of the Administration of Criminal Justice Law / Act. This demonstrates the true added value of UNODC as a partner in this type of normative Criminal Justice work. Its subsequent support to the appropriate state bodies in the implementation of the Act through training workshops and meetings at both federal and state levels should not be underestimated. As an additional impact these joint training workshops and meetings where individuals from other agencies and other parts of the country meet, are an invaluable way to build networks of trust. In particular bringing officers together that have the same or similar roles from different states has proven extremely worthwhile.

The creation of a fourth outcome which focused on child justice and improving response to child victims, witnesses and offenders within the criminal justice system became the explicit responsibility of UNICEF to administer. This gave fresh impetus to this aspect of the Project but similar to other outcomes many of the activities have been delivered within the last 15 months thus impact is difficult to assess. However the training of police instructors, the drafting of Child Protection Bills and the harmonization of Guidelines all with respect to handling children's cases offers the potential for lasting impact.

The stakeholders demonstrated clarity of understanding of the purpose and future legacy of the Project and an apparent willingness to reinforce improvement in the justice sector. It is not clear the extent to which this will continue after the formal closure of the Project. Clearly, the Project has built some level of rapport with implementing partners and stakeholders but neither established a robust monitoring and evaluation structure nor periodic adjustment and/ or update system for stakeholders to effectively continue some of the activities towards impact and sustainability. The implication is that some of the notable activities and outputs already achieved by the Project run the risk of discontinuity soon after the implementation period and/or when the beneficiaries of the activities whose morale had been boosted disengage from service. Additionally, it is difficult to ascertain whether state governments would be willing to continue undertaking some of the responsibilities related to justice sector reforms after the Project implementation period.

One area where the Project has been particularly impressive is the focused approach to institutionalising human rights education for law enforcement and correctional officers. The multi-level approach of the Project which entails, jointly developing training resources with beneficiary institutions, providing training for the trainers and mobilising institutional support for integrating human rights training into the formal and informal programmes of various criminal justice agencies is a holistic approach that has great potentials for ensuring sustainability and impact. If the paradigm shift in policing and corrections implied in the right-based approach is engendered, justice delivery in Nigeria will be greatly improved.

Regarding gender equality and women's empowerment, the Project made a good start in giving consideration to gender in its conceptualisation of programming for justice sector reforms. A number of the workshops run by the Project had gender and human rights components and the Project ensured a fair degree of gender representation at all the trainings/workshops. However, the failure of the Project to design an appropriate strategy for ensuring a gender-based approach to the Project meant that gender considerations remained substantially tangential throughout the implementation project. The effect of this is noted in that while many beneficiaries of training under the Project readily and consistently alluded to human rights when asked to identify what they learned during the Project, almost none identified gender issues as the new knowledge acquired. Gender mainstreaming under the Project would likely have been better served if it had adopted a direction geared towards recognition and treatment of gender issues as separable from human rights consideration.

The Project looked to strengthen partnerships and cooperation through the establishment of different coordination structures which many found commendable. The majority of beneficiaries lauded it for fostering partnerships and cooperation at a level hitherto unknown to the justice sector in Nigeria identifying interventions and outputs such as the establishment of the network of State Justice Reform Teams (JRTs) which met quarterly to exchange ideas and share lessons. It is considered that the development of a draft National Justice Policy and the convening of a Justice Summit are efforts at scaling up the gains of the Network.

The Project can also be described as a good example of how building institutional partnership and cooperation can assist development agencies to gain traction in providing support for development. This was one Project where development partners worked together and were cooperative in leveraging on one another's resources and strengths. However, all that said does not take away from the fact that the Project failed to seize on some opportunities for enhancing partnership and cooperation to enhance its outcomes. Worse still the internal processes of UNODC relating to financial reporting and procurement often left its institutional partners and even individual beneficiaries of its interventions frustrated which led to partnership disharmony, especially during the early years of the Project.

Thus the Project, whilst coming to an end, has initiated a number of approaches and activities which deserve to continue. CONIG must devise an exit strategy with its partners to ensure that the positive aspects of Project activity and delivery are recognised and promoted. CONIG can potentially provide skills in the future to continue to support some of these activities.

IV. RECOMMENDATIONS

KEY RECOMMENDATIONS

1. The Project has demonstrated more progress with certain outputs and activities and enjoyed more apparent success in working with certain partners. Having demonstrated this progress and success there exists a small but crucial window of opportunity with key stakeholders for certain Project activities to be continued to deliver a lasting legacy.

- UNODC to identify those activities worth continuing and the appropriate stakeholders with whom to engage. This could include, but is not limited to support for;
 - the development and implementation of the state Action Plans including support for the Justice Reform Teams
 - the establishment of core trainers at the state level on the ACJA and VAPP
 - the strengthening the Judicial Research Centres
 - raising awareness of Human Rights and Children's Rights
 - the adoption of sentencing guidelines at the state level
 - the implementation of the draft National Justice Policy
- [Project Management Committee, UNODC Project Team CONIG, UNODC Regional Section for Africa and the Middle East]

2. Multiple activities among different stakeholders have been carried out under the Project. Many of these activities require further and continuing efforts to realise their potential.

- UNODC to devise an exit strategy in conjunction with its governance structure that would enable it continue to engage with beneficiaries where Project activities have led – or could reasonably be expected to lead – to substantial benefit within the criminal justice system of Nigeria. [Project Management Committee, UNODC Project Team CONIG, UNODC Regional Section for Africa and the Middle East]

IMPORTANT RECOMMENDATIONS

3. The initial Project Proposal document was over ambitious. The objective was poorly designed with a knock-on effect of outcomes that were too broad. The Project envisaged the delivery of eighty-nine activities in 42 months within a recognised challenging security environment.

- A process of Project Proposal review should require Project and non-Project staff to assess the anticipated inputs to the Project against the objective, outcomes and outputs to ensure the Project is neither over-stretched nor under-stretched. [UNODC Project Team CONIG, UNODC Programme Review Committee (PRC)]

4. The Project Proposal Logical Framework and Work Plan envisaged a number of milestones to be reached in the first six months of the Project. None of these were reached by then and some activities to reach those milestones had not started. No adjustment to the Log Frame or Work Plan was enacted.

- A robust review of any Project should be conducted no later than six months after the start of the Project. [UNODC Project Team CONIG, UNODC Programme Review Committee (PRC), Project Management Committee]

5. The Project Proposal document contained a risk management section which correctly identified the security situation as a high risk to Project success. However the mitigation strategy was ineffective and remained unchanged 30 months into the Project.

- Create, maintain and update a risk management register ensuring mitigating strategies are reviewed and – if necessary altered – at a minimum every twelve months. [UNODC Project Team CONIG]

6. Some of the indicators used by the project proved difficult to measure and quantify and lacked practical application, in particular with regard to impact.

- Deploy appropriate expertise in the development and / or review of indicators during the Project inception phase. [UNODC Project Team CONIG, In-house and / or external Monitoring and Evaluation (M & E) experts]

7. The Project relied heavily on training and the concept of Training-the-Trainer (ToT) to achieve its objective. There was insufficient data to determine if the medium and long term effect of this approach was valid. Any M & E regime should be reviewed regularly to ensure it evaluates the impact of project activities.

- . An appropriate M & E strategy should be developed that will;
 - assess the validity of the ToT approach with regard to long term impact and sustainability
 - deliver a process to allow the overall impact of the Project to be assessed[UNODC Project Team CONIG, M & E experts]

8. The Project suffered from a lack of resources and expertise in the administration of the Project. This was particularly evident in the early years and in the area of financial management. The arrival of the new administrative system ‘Umoja’ added an additional challenge to this administration.

- UNODC to revise its induction training for Project staff based in Field Offices paying particular attention to financial management and ‘Umoja’ training. [UNODC Project Team CONIG, UNODC Head of Office, UNODC HQ / FRMS / HRMS / Budget Training personnel]

9. The Federal Ministry of Budget and National Planning and the Cross River State Ministry of International Development Cooperation alleged that UNODC side-tracked them as well as undertook some of the responsibilities that they should have undertaken in the course of project implementation.

- The regular meetings of Project partners and stakeholders should include a standing agenda item reviewing the roles and responsibilities within the Project. [UNODC Project Team CONIG]

V. LESSONS LEARNED

- It would have been essential to clearly understand at the point of project conceptualization the standard definition of indicators of progress (output, outcome, impact). Such clarity will essentially guide activities, plan and targets. In this project for instance, some outputs and outcomes were mistaken for impact which had implications for the ambitious number of activities proposed.
- For a massive project such as the justice sector reform in a country like Nigeria characterized by religious, cultural, social, linguistic and climatic diversity, it would be necessary to undertake a full risk-assessment as part of project planning. Without identifying upfront issues that may constitute sensitivities, unforeseen factors when they arise could prove quite challenging in the Project implementation processes. The initial delays experienced in implementing the Project partially resulted from a lack of proper risk-assessment to enable UNODC to factor in the likely inhibitors into the Project implementation plan.
- The Project suffered from an overly ambitious initial set of activities. These came about in part due to the large numbers of beneficiaries and partners to the Project all wanting their voices heard and activities included. It is incumbent that at the initiation of any Project expectations among all partners is well managed and documented.
- The Project Management governance structure did not lend itself to quick decision making. Ratification of new work plans and activities related to those work plans often took several months to achieve. Proper cognizance should be given to the speed with which a Project can react to its changing environment and suitable governance structures and processes put in place.
- Avoid over-reliance on foreign consultants for training. Create a blend of local and international consultants to ensure that training is well-contextualised. Some foreign consultants do not have sufficient understanding of the environment to be able to contextualise their training for effective delivery and to appreciate the contextual differences that may challenge the theories, principles and practices.
- Training needs within the same institution need to be disaggregated. Even though the trainings for the police were beneficial and of high quality the training needs of the legal officers and those involved in regular policing were not disaggregated.
- It is unclear the extent to which selection of beneficiaries for training was not systematically approached. With respect to TOT, there is no evidence that any pre-training assessment was undertaken to determine their suitability of selected participants for the role. The exception to this is UNICEF when they conducted 3 assessments (i. Child Justice Bottleneck Analysis; ii. Family Court Capacity Assessment and iii. Mapping of Specialized Police Units) which identified among others, the training needs

for the police, prosecutors, family court and detention centre personnel. It is based on the findings and recommendations of these assessments that the training materials were developed.

- UNICEF model offer lessons for UNODC where staff support for project is slim. UNICEF trained NJI (a beneficiary institution) finance staff on UN financial system and they were able to provide support that enabled more efficient project implementation throughout all its stages. NJI finance staff took off some of the burden of programme implementation from UNICEF while strengthening the internal capacity of the beneficiary institution. It also worked directly with the Accounts Office and Training Department of the Prisons Service. It provided training for the Accounts Officers which enabled it to decentralise and facilitate smooth implementation of project activities for which it had responsibility.
- There should be a de-emphasis of international status in determining competency for employment. NGAV-18 was substantially slowed down because the Project required that the Program Manager be an international staff. The Project in its last 10 months was managed by a local staff whose competence has been proven and it cannot be denied that the Project gained significant traction at this stage.
- There needs to be better orientation training for new UNODC staff in Regional and Field Offices to ensure they are fully conversant in UNODC process and procedure. This orientation training needs to be properly tailored to their roles.

ANNEX I. TERMS OF REFERENCE OF THE EVALUATION

I. BACKGROUND AND CONTEXT

Project number:	NGAV18
Project title:	Support to the Justice Sector in Nigeria
Duration:	56 Months (December 2012 – August 2017)
Location:	Nigeria
Linkages to Country, Regional and Thematic Programmes:	UNODC Regional Programme for West Africa 2010-2014 and 2016-2020; Thematic Programme on Crime Prevention and Criminal Justice Reform (2012-2015)
Executing Agency:	United Nations Office on Drugs and Crime (UNODC) Country Office Nigeria (CONIG)
Partner Organizations:	<ul style="list-style-type: none"> • Federal Ministry of Justice (FMoJ) • Federal Justice Sector Reform Coordinating Committee (FJSRCC) • Justice Sector Reform Teams in the 9 Focal States • Nigerian Prisons Service (NPS)

	<ul style="list-style-type: none"> • Nigeria Police Force (NPF) • Nigerian Law Reform Commission (NLRC) • National Human Rights Commission (NHRC) • Legal Aid Council of Nigeria (LACON)
Total Approved Budget:	US\$ 21.9 Million
Total Overall Budget	US\$ 21.9 Million
Donors:	European Union (EU)
Project Coordinator:	Uju Agomoh
Type and time frame of evaluation: (Independent Project Evaluation/In-depth Evaluation/mid-term/final)	Final Independent Project Evaluation; 3 April 2017-31 August 2017
Timeframe of the Project covered by the evaluation:	December 2012 – the date upon which the evaluation starts
Geographical coverage of the evaluation:	Nigeria (National/Federal) and Nine Focus States (Anambra, Bayelsa, Benue, Cross River, Imo, Lagos, Katsina, Osun and Yobe) and the Federal Capital Territory (FCT)
	US\$ 115,875

Budget for this evaluation:	
Type and year of past evaluations (if any):	Mid-Term Evaluation – 2015
Core Learning Partners ⁴⁶ (entities):	<ul style="list-style-type: none"> • European Union (EU) • Ministry of Budget and National Planning (MBNP) • UNICEF

A. Project overview and historical context

Nigeria was governed by successive military regimes for a long period of time during which government's investments into improving the laws and structures of justice administration were limited. As a result, the country's justice system remained ineffective and incapable of meeting the growing demands of the society. Despite the return to a democratic system of government in 1999, there are still policies and practices that negate international standards and norms on human rights and the rule of law, including those policies and practices that encourage undue delay of cases and limited access to justice by citizens especially the poor and vulnerable persons. Nigerian laws still impose the death penalty for certain offences. Since 1999, several attempts at reforming the justice sector have been initiated at federal and State levels, but were hampered by complexities of the system itself, changes in political leadership, systemic corruption and weak capabilities of sector officials, which create bottlenecks in the system.⁴⁷

The "Support to the Justice Sector in Nigeria" Project (NGAV18) was identified, conceived and formulated by the European Union (EU), which also funds it. Within the National Indicative Programme (NIP) for Nigeria, the EU has identified Governance and Human Rights as the second Focal Sector of interventions aimed at supporting governance improvements at state and local authority level, with the specific aim of enhancing the functioning of the judiciary, improving prison conditions and reducing the "law's delay".

This project has been developed by the European Union, UNODC and the Government of Nigeria in collaboration with national stakeholders, and contributes to UNODC's mandate to support United Nations Member States, including Nigeria, in strengthening the rule of law. The Project

⁴⁶ The Core Learning Partners (CLP) are the key stakeholders of the subject evaluated (project, programme, policy etc. who have an interest in the evaluation). The CLP works closely with the Evaluation Manager to guide the evaluation process.

⁴⁷ In "Annex1- Description of the Action" of the Contribution Agreement between UNODC and EU.

builds on the achievements of two related completed projects: the first is the EU-funded project “Support to the EFCC and the Nigerian Judiciary” (NGAS08) under the 9th European Development Fund (EDF), and the second pertained to a project funded by the United Kingdom (UK) on “Improving the Nigeria Prison Service adherence to international standards in the treatment of prisoners through human resource development” (NGAT52).

The EU and the Government of Nigeria have entrusted UNODC with the implementation of the Project. A key component of UNODC’s work on the rule of law is its specific mandate to guard and protect the United Nations standards and norms in crime prevention and criminal justice. UNODC has been providing technical assistance in the area of justice reform globally and in Nigeria for several years and has built up a knowledge base of successful practices in all areas of crime prevention and criminal justice reform, including with a strong focus on sectoral approaches to such reform.

Key project activities include the adoption and domestication of relevant policies for justice sector reform in Nigeria, such as the Administration of Criminal Justice Act (ACJA) 2015 and the Sentencing Guidelines. These are supported by sensitization across the justice sector target groups, specifically the members of the judiciary and officers from prisons and the police. Strategic and action plans for justice sector reform were also developed at the federal level and across the focal states and the Federal Capital Territory of Nigeria.

In the area of human rights, human rights manuals were developed and human rights training programmes were delivered to key justice sector institutions, particularly the police and prisons service. The Project also worked closely with the National Human Rights Commission and the Legal Aid Council of Nigeria to strengthen paralegal services in the country and to institutionalize non-custodial measures and policies. Work on the Mandela Rules and Bangkok Rules was also done to sensitize prisons and police officials on these human rights policies. In the aspect of gender equality, the Project promoted the participation of both women and men in the Project activities.

B. Main challenges during implementation

UNODC has strong relationships with key national counterparts (i.e. justice sector institutions) in the country through its experience on the previous justice sector reform project (NGAS08). It is therefore well placed to assist the Government of Nigeria (GoN) in improving its justice system as a necessary means of enhancing good governance, respect for human rights and the rule of law. As a member of the United Nations Country Team in Nigeria, all UNODC’s interventions in the country are guided by, and fall under the framework of the United Nations Development Assistance Framework for Nigeria (UNDAF). This project is in line with the UN commitment to contribute to the achievement of national development aspirations, the realization of the Millennium Development Goals (MDGs) and the advancement of the implementation of the Paris Declaration principles emphasizing ownership, alignment and mutual accountability, among others.

The original project design was formulated quite broadly to cover the essential aspects for justice sector reform in Nigeria. It involved the reform of policies and structures, as well as the capacity-building of institutions and the coordination of these, plus a special component on children’s rights. Ultimately, the concept required working with a wide range of institutions within the justice sector of Nigeria which stretched the abilities of the Project team and the resources made

available for the Project. Hence, a key recommendation that was raised during the mid-term evaluation of the Project, which was completed in 2015, was to focus on key activities and achievements. There were also other challenges faced by the Project in terms of the agency-wide transition to Umoja starting in late-2015 that coincided with the need to fast-track actions on the mid-term evaluation report, as well as personnel turnovers and the late on-boarding of key project and support staff.

C. Project documents and revisions

Project document	Year	Please provide general information regarding the original project document
Original Project Document: Contained within the “Description of the Action”-Annex I of the Contribution Agreement between the EU and UNODC	2012	The original project document is part of the Contribution Agreement between the EU and UNODC which was signed in December 2012. In that agreement, the Project Document is called “Description of the Action” in order to conform to the EU format. It includes the context of the Project, and its activities, implementation strategy, and expected results in a project logical framework matrix.

Project revision (please add further rows as needed)	Year	Reason & purpose	Change in (please check)
1 Project Revision	2016	A revision was made in line with the recommendations of the mid-term evaluation of the Project which was completed in 2015.	<input checked="" type="checkbox"/> Budget <input checked="" type="checkbox"/> Timeframe <input checked="" type="checkbox"/> Logframe

The Contribution Agreement between UNODC and EU that includes the original project document (or “Description of the Action” in EU terminology) and project budget (or Budget for the Action in EU terminology) was finalized and signed in December 2012.

As part of the post mid-term evaluation process that transpired starting on the 3rd quarter of 2015, revisions were made to the Project document and the Project log frame matrix. The main modifications done were meant to focus, restructure, and improve the coherence between the activities of the Project, to demonstrate a better way to increase the capacities of justice and security stakeholders/counterparts, and improve the overall impact of the Project. Operationally, the revision resulted in the adoption of 4 outcomes (from the original 3), an extension of the Project timeline until August 2017 (from June 2016), and a reduction in the budget (from the original €26 million to €18.98 million). The latest version of the Project document was prepared in June 2016.

D. Main objectives and outcomes

The overall objective of the “Support to the Justice Sector in Nigeria” Project (NGAV18) is to strengthen the justice sector in Nigeria through the reform of key institutions and the adoption of relevant policies and plans at the federal level and at selected focal states. Project activities are grouped under the following outcomes:

Outcome 1 seeks to improve coordination among justice sector institutions and their officials, as well as improve policies, plans and legislation in justice delivery, and benefit the leadership and officials of the key justice institution agencies such as Federal and State Ministries of Justice, Police, Prisons, court users and Courts. Related agencies of the justice sector including the Federal Justice Sector Reform Coordinating Committee (FJSRCC) National Judicial Council (NJC), National Judicial Institute (NJI), Police Service Commission, National Human Rights Commission, Public Complaint Commission, Legal Aid Council of Nigeria, State institutions and agencies involved in policy making in the administration of justice such as legislative houses and relevant ministries as well as relevant non-state actors are also targeted to achieve this outcome.

Outcome 2 aims to enhance capabilities and improve facilities for effective functioning of the institutions and efficient administration of justice. It seeks to benefit the justice sector training institutions; Federal and States Ministries of Justice including the FJSRCC and State reform committees; Judiciary at federal and State levels: judges of the High courts, magistrates, area courts, Shari’a and customary courts of the States; Judicial administration including registrars, court staff and administrative officials of the courts; other justice institutions including the Law Reform Commission and Administration of Criminal Justice commission or committees; Prosecutors and investigators; Prison officials and practitioners of Alternative Dispute Resolution (ADR), legislators and other informal justice practitioners; and, justice sector researchers and related institutions.

Outcome 3 focuses on improving respect for human rights, the rule of law and the demand for access to justice for the poor and vulnerable Nigerians. It aims to benefit the Legal Aid Council, public defenders and citizens’ rights centres of the States, NSAs and NGOs working on justice and human rights, informal justice providers including networks of such organizations, prisoners, especially those awaiting trial, victims of crime, poor and disadvantaged persons, victims of human rights violations or abuses, women, children, persons with disabilities who come in contact with the law, as well as other vulnerable groups in Nigeria.

Outcome 4 is being co-implemented with UNICEF and it aims to build a strong juvenile justice system to ensure that children who come into contact with it as victims, witnesses or offenders are treated in a manner that upholds their rights, their due process guarantees and dignity, and that the best interests of the child is the primary consideration in actions taken and at all stages of the justice process.

E. Contribution to UNODC’s regional and thematic programme

The Project is linked to the UNODC Regional Programme for West Africa (2010-2014), in particular sub-programme II "Building Justice and Integrity", and also the current Regional Programme 2016-2020. It also contributes to the Thematic Programme on Crime Prevention and Criminal Justice Reform (2012-2015).

F. Linkage to UNODC Strategy Context and to the Sustainable Development Goals

The Project is in line with the strategic priorities agreed upon between the EU and the Government of Nigeria under the 10th European Development Fund (EDF) as developed under the Country Strategy Paper and National Indicative Programme.

For UNODC, the implementation of the Project will contribute to the expected accomplishment of the Sub-programmes outlined in the UNODC Strategic Framework 2012-2013, in particular Sub-programme 4 (Justice) and Sub-programme 7 (Policy support), as well as to all three result areas of UNODC Medium Term Strategy 2012-2015 (Rule of law, Policy and Trend analysis). Concerning Sub-programme 4, particularly, the expected achievement with direct relevance to this project pertains to “Enhanced capacity of Member States to develop and maintain fair, humane and accountable domestic criminal justice systems in accordance with the United Nations standards and norms in crime prevention and criminal justice and other relevant international instruments”.

The Project contributes to Sub-programme 2 “Building Justice and Integrity” of UNODC’s Regional Programme for West Africa (2010-2014, which is used as a framework for all programmes and projects developed at the national level. The Sub-programme is expected to achieve the following: “Member States identify opportunities for improvement of national criminal justice systems and act upon them with UNODC assistance”. The Project is also in line with UNODC’s Thematic Programme on Criminal justice and justice reform, 2012-2015, for its Outcomes 1 (Requesting States have developed and implemented crime prevention and criminal justice reform initiatives, including strategies, action plans and measures in accordance with UN standards and norms in crime prevention and criminal justice and recognized good practices); 2 (UNODC tools, manuals and training materials are used by Member States to improve criminal justice procedures and practices and to develop, adopt and implement effective strategies and programmes for crime prevention); and 3 (New UN standards and norms in crime prevention and criminal justice are developed and existing ones are updated by Member States with support of UNODC). The overall objective of the Thematic Programme is to provide UN Member States, including Nigeria, with expertise and advice to develop effective and responsible crime prevention strategies and policies and to build the capacity of their criminal justice systems to operate more effectively within the framework of the rule of law, while promoting human rights and protecting vulnerable groups.

The Project is aligned with the achievement of the Sustainable Development Goals (SDGs), particularly SDG 16: Promote Peaceful and Inclusive Communities and specifically Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.

II. DISBURSEMENT HISTORY

Time period covered by the Project: December 2012 to August 2017

Time period covered by the evaluation: December 2012 to beginning of evaluation

Time period covered by the Project: December 2012 to August 2017

Time period covered by the evaluation: December 2012 to beginning of evaluation

Total overall budget (fully pledged): US\$ 26,000,000.00

Total disbursed budget as of 21 March 2017: US\$ 14,946,526.00

Total expenditures (disbursements + obligations) as of 20 March 2017:⁴⁸ US\$ 12,373,549.37
Total expenditures in % against disbursed budget: 83%

III. PURPOSE OF THE EVALUATION

A. Reasons for the evaluation

The conduct of a final evaluation for the “Support to the Justice Sector in Nigeria” Project (NGAV18) is in line with UNODC Evaluation Policy, and in fulfilment of the commitments set in the Project document which was agreed upon by UNODC, EU and the Government of Nigeria. The final evaluation will be summative in nature, assessing the relevance, efficiency, effectiveness, partnerships and cooperation, gender and human rights, as well as sustainability and impact of the Project implementation. It will further derive lessons learned, best practice and recommendations to inform future decision-making and organizational learning. In addition, it will assess the implementation of the recommendations of the EU mid-term evaluation in 2015. These were:

- To identify interventions that can realistically be achieved in the remaining period as well as the selection of activities that consolidate already initiated activities;
- To arrive at a better balance between assessments/studies/surveys and the support to plans and strategies on the one hand, and concrete interventions with tangible results on the other hand;
- To closely monitor the developments related to the new role of the Federal Justice Sector Reform Coordinating Committee and taken into account in the remaining period of project implementation; and
- The training activities should be more anchored in the activities and work plans of partner institutions’ training bodies (National Judicial Institute, prison, police).

B. Assumed Accomplishments of the Evaluation

Through the final evaluation process, the Core Learning Partners (i.e. the justice sector institutions in Nigeria) are expected to be objectively and independently informed of the

⁴⁸ Source:

Total Disbursement from inception to 31 December 2015 (FRMS certified 2015 financial report)	\$ 7,064,867.10
Total Disbursement from 2016 to 2017 (Umoja report as at (21/03/2017)	\$4,162,340.37
UNICEF Total Disbursement for 2016 (Not reported in Umoja)	\$1,065,608.00
Total Disbursement to date	\$12,292,815.47
2017 Obligations (Umoja report as at 13/03/2017)	\$1,863,498.22
UNICEF Obligations (Balance of unspent disbursement)	\$819,822.18
Total Disbursement + Obligations	\$14,976,135.87

achievements of the Project, as well as the gaps and challenges faced in project implementation and support. The results of the final evaluation are envisioned to guide planners in designing future interventions on justice sector reform, taking stock of the lessons derived from project implementation. As Core Learning Partners, the Project partners are expected to provide critical inputs to the evaluation process.

C. Main Evaluation Users

The justice sector institutions in Nigeria that act as the Project partners, and the Government of Nigeria as a whole will be the main users of the final evaluation report, in terms of guiding their next steps on future programming for justice sector reform initiatives. The EU will also benefit from the final evaluation exercise, specifically through the information that will be generated by the process and its possible effects on current reporting demands and donor programming. UNODC, as well as UNICEF, will also be a key user of the evaluation outputs, primarily through the evaluation's impact on reporting of results and planning for future justice sector reform programmes.

IV. SCOPE OF THE EVALUATION

A. Unit of Analysis

The unit of analysis to be covered by the final evaluation is the UNODC-implemented project entitled "Support to the Justice Sector in Nigeria" (NGAV18). It encompasses the 4 outcomes expected from the Project activities, and the outputs associated with these outcomes, as well as the activities and inputs that were planned and/or delivered per the logical framework matrix and the Project work plans. However, possible synergies between this justice sector reform project with the other EU-funded projects (e.g. the anti-corruption project and the drugs project) will also be explored through the evaluation process, specifically through the reports from the various projects that indicate joint activities, and also by interviewing the Project coordinators.

The task is an independent project evaluation in accordance with the UNODC evaluation policy, norms, standards and guidelines. As such, while the review may explore synergies or complementarities with the two other EU-funded projects being implemented by UNODC in Nigeria through document reviews and interviews with the Project coordinators, the process and means to be followed for this final evaluation will be treated distinctly from the other final evaluation that may be held within the same period.

B. Time period of the Project covered by the evaluation

The final evaluation will cover all work plans, activities, achievements, and lessons under the "Support to the Justice Sector in Nigeria" Project (NGAV18) from 1 December 2012 until the date upon which the final evaluation starts.

C. Geographical coverage of the evaluation

The final evaluation will cover project activities and effects at both national (federal) and focal states levels. For example, in the analysis of actions and achievements on supportive policies, the evaluation will analyse the interventions and effects of such for the whole of Nigeria (if there are any), and also at the level of the 9 focal states (Anambra, Bayelsa, Benue, Cross River, Imo, Lagos, Katsina, Osun and Yobe) plus the Federal Capital Territory (FCT). This approach is necessary because of the federal nature of the country, which affects policy-making and institutional coordination and capacity-building.

V. EVALUATION CRITERIA AND KEY EVALUATION QUESTIONS

The evaluation will be conducted based on the following Development Assistance Committee (DAC) criteria: relevance, efficiency, effectiveness, impact and sustainability, as well as partnerships and cooperation, gender and human rights and lesson learned. The questions will be further refined by the Evaluation Team.

<p><i>Relevance</i></p> <p><i>Relevance is the extent to which the aid activity is suited to the priorities and policies of the target group, recipient and donor.</i></p>
1. To what extent was the Project aligned with the needs, plans and priorities of the Government of Nigeria as a whole?
2. To what extent did the Project match the needs of the justice sector institutions and focus states in Nigeria?
3. To what extent did the Project correspond to the development objectives stated in the 10 th EDF?
<p><i>Effectiveness</i></p> <p><i>Effectiveness is a measure of the extent to which an aid activity attains its objectives.</i></p>
1. To what extent are the Project objective and outcomes being achieved as planned?
2. To what extent are the Project outputs and activities being delivered, and to what extent are the Project outputs and activities useful to beneficiaries and end-users?
3. How effective are the implementation and visibility strategies as envisioned in the Project

document and as implemented by the Project?
<p><i>Efficiency</i></p> <p><i>Efficiency measures the outputs - qualitative and quantitative - in relation to the inputs.</i></p>
1. To what extent were the activities implemented and outputs delivered as planned?
2. To what extent were available knowledge, material, technological and financial inputs utilized to achieve the Project purposes?
3. To what extent did the governance and management mechanisms function to make relevant and timely decisions related to the achievement of the Project objective?
<p><i>Impact</i></p> <p><i>Impact is the positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended.</i></p>
1. What are the immediate effects, if any, of the Project outputs (e.g. policies and justice sector reform teams) on the justice sector reform efforts in Nigeria?
2. To what extent have the capacity-building activities created an “impact” on the beneficiaries (i.e. institutions and persons)?
3. To what extent has the Project created a pioneering, innovative, or novel approach towards justice sector reform in Nigeria that can be regarded as a model for replication in future interventions?
<p><i>Sustainability</i></p> <p><i>Sustainability is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn.</i></p>
1. What sustainability strategies were envisioned for the Project and to what extent were these adopted?
2. To what extent are the Project activities and outputs expected to continue and be utilized beyond the life of the Project?
<p><i>Partnerships and Cooperation</i></p> <p><i>The evaluation assesses the partnerships and cooperation established during the Project/</i></p>

<i>programme as well as their functioning and value.</i>
1. To what extent were the partnership and cooperation agreements established through the Project relevant for the achievement of the Project objective?
2. To what extent were the partnership agreements created by the Project aligned with the sustainability strategy of the intervention?
3. What factors affected the effectiveness, efficiency and sustainability of the partnership and cooperation initiatives of the Project?
<i>Human Rights and Gender Equality/Women's Empowerment</i>
<i>The evaluation needs to assess the mainstreaming of human rights as well as gender aspects throughout the Project/ programme.</i>
<i>Human Rights</i>
1. To what extent was the theme of human rights analysed and considered in the Project design?
2. To what extent was the aspect of human rights addressed through the Project activities?
3. What factors affected the effectiveness of the Project in mainstreaming and addressing the issues of human rights?
<i>Gender</i>
1. To what extent was the theme of gender equality and women's empowerment analysed and considered in the Project design?
2. To what extent was the aspect of gender equality and women's empowerment addressed through the Project activities?
3. What factors affected the effectiveness of the Project in mainstreaming and addressing the issues of gender equality and women's empowerment?
<i>Lessons Learned and best practices</i>
<i>Lessons learned concern the learning experiences and insights that were gained throughout the Project/ programme.</i>
1. What best practice/s on justice sector reform can be cited from the Project experience?
2. Are there key lessons on the capacity-building approaches (i.e. training, input provision)

followed by the Project that should be considered for future programming?

3. What key lessons on partnerships in the context of justice sector reform in Nigeria should be considered in a future project design?

VI. EVALUATION METHODOLOGY

This evaluation will use methodologies and techniques as determined by the specific needs for information, the questions set out in the Terms of Reference and the availability of resources and the priorities of stakeholders. In all cases, the evaluators are expected to conduct a thorough desk review, analyze all relevant information sources as provided by the Project management, such as reports, Project Document, project progress reports, project files and any other documents that may provide further evidence. The evaluator may further request additional desk review material if necessary. The evaluators are also expected to use interviews, surveys to ascertain the immediate effects and sustainability of the various training courses and sensitization workshops across the justice sector institutions. questionnaires or any other relevant quantitative and/or qualitative tools as a means to collect relevant data for this evaluation. Concrete examples of project successes, good practices and lessons learnt will be collected, analyzed and included in the report.

The evaluation uses a participatory approach through the active participation of the evaluation stakeholders, in particular the Core Learning Partners (CLP), in the evaluation process (see Annex II). The CLPS are the main stakeholders, i.e. those deemed as particularly relevant to be involved throughout the evaluation process. In particular, this means being involved in reviewing and commenting on the TOR and the evaluation questions, reviewing and commenting on the draft evaluation report, taking note of the final report, attending the presentation of results (if possible) and agreeing on implementation of recommendations.

Stakeholders in general include all those to be invited to participate in the interviews and surveys, including the CLPs. (In Annex II, a distinction may be made for these two different groups). The present ToR provide basic information as regards to the methodology, however this should not be regarded as exhaustive. It is rather meant to guide the evaluation team in elaborating an effective, efficient, and appropriate evaluation methodology that should be proposed, explained and justified in an Inception Report.

The evaluators will present a summarized methodology (evaluation matrix) in an Inception Report which will specify the evaluation criteria, indicators, sources of information and methods of data collection. The evaluation methodology must conform to the UNODC evaluation norms, templates and standards as well as the United Nations Evaluation Group (UNEG) Norms and Standards.

While the evaluation team shall fine-tune the methodology for the evaluation in an Inception Report, a mixed approach of qualitative and quantitative methods is proposed as per below. Special attention shall be paid to an unbiased and objective approach and the triangulation of sources, methods, data, and theories. Indeed, information stemming from secondary sources will

be cross-checked and triangulated through data retrieved from primary research methods. Primary data collection methods should be gender sensitive.

The credibility and analysis of data are key to the evaluation. Rival theories and competing explanations must be tested once plausible patterns emerge from triangulating data stemming from primary and secondary research.

The limitations to the evaluation will be identified by the evaluation team in the Inception Report, e.g. data constraints (such as missing baseline and monitoring data), which may create the need for the evaluation team to retrospectively reconstruct the baseline data and to further develop result orientation of the Project.

All evaluations of the United Nations system are guided by the principles of human rights and gender equality. Evaluation methods that are gender-sensitive and methods that explicitly address issues of marginalized, hard-to-reach and vulnerable populations are essential for conducting this evaluation.

Project management will provide logistical support to the evaluation team before, during and after the missions specified in the Terms of Reference. The required support will include, for example, provision of assistance in setting up meetings for interviews (face-to-face or by phone or Skype) with key informants and stakeholders, and additional key internal and external stakeholders that be requested by the evaluators if deemed necessary, supporting in all logistical matters, making available all relevant project materials to the evaluation team, and arranging discussions.

The main elements of method will include:

- Preliminary desk review of all relevant project documentation (Annex II), as provided by the Project Manager/Coordinator;
- Preparation and submission of an Inception Report (containing preliminary findings of the desk review, refined evaluation questions, data collection instruments, sampling strategy, limitations to the evaluation, and timetable) to IEU for review and clearance by IEU before any field mission may take place;
- Field mission to Abuja, Nigeria where the Project office and partners are located, and also to a sample of the 9 focus states (Anambra, Bayelsa, Benue, Cross River, Imo, Lagos, Katsina, Osun and Yobe);
- Interviews (face-to-face or by telephone or Skype), with CLPs and key informants including beneficiaries, partners, project staff and consultants, and officials from UNODC, UNDP and EU, both individually and (as appropriate) in small groups, as well as using surveys, questionnaires or any other relevant quantitative and/or qualitative tools as a means to collect relevant data for the evaluation; including field missions;
- Analysis of all available information;

- Preparation of the draft evaluation report (based on Guidelines for Evaluation Report and Template Report to be found on the IEU website <http://www.unodc.org/unodc/en/evaluation/index.html>). The evaluators submit the draft report to IEU for IEU clearance and subsequent review by the Project management team for factual errors and stakeholders for review and comments;
- Preparation of the final evaluation report. The evaluators will consider all comments received, finalize the evaluation report;
- Presentation of final evaluation findings and recommendations to the target audience, stakeholders etc.;
- In conducting the evaluation, the UNODC and the UNEG Evaluation Norms and Standards are to be taken into account. All tools, norms and templates to be mandatorily used in the evaluation process can be found on the IEU website: <http://www.unodc.org/unodc/en/evaluation/index.html>.

1. Validation of Data/Information

Data/Information to be used in preparing the inception and evaluation reports shall be subject to a validation process through the various informant interviews (as part of the triangulation technique), and the formal reviews of these data/information by the Core Learning Partners.

2. Special Considerations

In 2015, the UNODC Country Office in Nigeria (CONIG) piloted a Results-Oriented Monitoring and Evaluation (ROME) System which is being applied for the Project. The system has enabled a monitoring of the Project results through the conduct of pre/post-tests, questionnaires, and a survey.

The final independent evaluation is considered as part of the ROME System, and as such, the monitoring work and data should be considered and analysed as far as possible, without jeopardising the independence of the data collection and analysis.

UNICEF is an implementing partner of UNODC for the child rights component of the Project (i.e. Outcome 4). UNICEF also has its own system in monitoring this component. The final evaluation shall also include, as part of the desk review phase, the monitoring data and reports from UNICEF.

3. Limitations

Throughout the implementation period, the Project has worked with changing Focal Points from some justice sector institutions and the focus states who may have limited data/information to share for the final evaluation. There is also a challenge in their internal liaison with their respective superiors who represent their agencies at the Project Management Committee (PMC)

Meetings. The Focal Points and PMC Members who will be interviewed for the evaluation will have to be carefully considered by the Project Coordinator together with the evaluators, in order to ensure relevant informants with adequate data/information to share with the Evaluation Team.

B. Sources of Data/Information

Secondary data/information to be obtained by the Evaluation Team for the final evaluation shall be sourced from the various project documents, work plans, progress reports, monitoring tools and reports, publications, and other documents that are listed in Annex II of this TOR.

Primary data/information that will be generated by the Evaluation Team are expected to come from the key informant interviews, survey/s, and validation meetings (i.e. briefings and presentation meetings) that will be conducted as part of the evaluation process. The set of informants shall include the following:

- End-users of the Project outputs (e.g. policies, guidelines, and publications)
- Beneficiaries of the training courses and sensitization workshops
- Members of the justice sector reform teams
- Justice Sector Experts (e.g. Justice HQ Experts, Attorney-Generals, and Justices)
- Officials from the Justice Institutions, including Focal Points and Members of the Project Management Committee
- Senior and Key Officials from UNODC (CONIG), UNICEF, EU and MBNP
- Officials from Partner-Institutions (e.g. Nigerian Institute for Advanced Legal Studies, PRAWA, Police and Prisons Training Institutions)
- Project staff (current and former) and consultants
- Counterpart UNICEF staff (for Outcome 4)
- Donors that have partnered with UNODC in the implementation of some of the Project activities (e.g. Swiss Embassy, GIZ).

VII. TIMEFRAME AND DELIVERABLES

Time Frame for the Evaluation

The final evaluation of the “Support to the Justice Sector in Nigeria” Project (NGAV18) will be conducted over a period of 5 months, from April until early August 2017. This time frame includes a home-based inception phase (3 weeks), a field mission to Nigeria for the conduct of primary research and presentations (2 weeks), and a home-based report-writing phase (4 weeks).

Time Frame for the Field Mission

A field mission to Nigeria by the Evaluation Team is expected to take place from 15 May to 1 June 2017. Aside from collecting data/information needed to address the evaluation questions, the evaluators are also requested to make an informal presentation of the inception report and key findings from the evaluation mission to the Core Learning Partners.

Expected Deliverables and Time Frame

The Evaluation Team is expected to deliver the following (in line with UNODC evaluation guidelines, templates, etc.):

- **Draft and Final Inception Report** – An inception report that describes the evaluation team’s initial understanding of the Project based on the document review, specific evaluation questions to be addressed, approach and methodology to be applied including the tools to be used, schedule of activities and delivery of reports, and foreseen limitations of the study will be prepared and cleared prior to the conduct of the field mission. A draft of the report will be submitted, and an informal presentation shall be made to the Core Learning Partners at the onset of the field mission to Nigeria. Factual corrections and comments by the Core Learning Partners and the IEU on the draft should be addressed by the Evaluation Team in preparing a final version.
- **Draft Evaluation Report** – A draft evaluation report that mainly addresses the evaluation questions and is based on UNODC evaluation guidelines, handbook, norms and standards shall be prepared and submitted by the Evaluation Team. The report should be structured per the outline shown in Annex IV of this TOR. IEU thoroughly reviews the report for quality assurance and communicates necessary changes and revisions to the evaluation team. Project management has the opportunity to comment on factual errors before the final draft cleared by IEU is shared with the CLPs for their review.
- **Final Evaluation Report** – In order to produce the final report, the evaluation team will consider all received comments and revise the report accordingly under the premise of continued independence, rigor of methodology and robustness of findings. These shall be consolidated per the format shown on Annex V, and sent to the Evaluation Team to be used as bases in revising the report. The Evaluation Team will be asked to come back to Nigeria to present the draft report to the Project Management Committee that is envisioned to hold its meeting in July 2017.

<i>Duties</i>	<i>Time Frame</i>	<i>Location</i>	<i>Key Tasks</i>
Desk review and preparation of Draft Inception Report	22 – 28 May 2017 <u>(7 work days)</u>	Home-based	Draft Inception report (to be submitted by 28 May for review and approval by IEU) List of evaluation questions;

			Evaluation tools;
<u>Field Mission in Nigeria</u> Briefing of project stakeholders (at PMC meeting) Finalization of inception report (incorporating comments from IEU and Project Management)	29 May – 4 June <u>(7 work days)</u>		29 May: meeting of project team and evaluation team 30 May: attend PMC meeting
Deliverable A – Final Inception Report (approx. 20 pages) in line with UNODC Evaluation Guidelines, Handbook, Templates, Norms and Standards	By 4 June 2017		To be cleared by IEU and accepted by UNODC CONIG

<p><u>Field Mission in Nigeria (continued):</u></p> <p>Interviews/ field visits</p>	<p>5 – 17 June 2017 (13 work days)</p>	<p>Abuja, Nigeria and a sample of the 9 focus states (Anambra, Bayelsa, Benue, Cross River, Imo, Lagos, Katsina, Osun and Yobe)</p>	<p>Interviews/ Field visit</p>
<p>Drafting of the Evaluation Report; Submission to Project Management and IEU for review</p>	<p>19 June 2017 – 7 July 2017 (15 work days)</p>	<p>Home-Based</p>	<p>Draft evaluation report (to be reviewed and cleared by IEU; can entail various rounds of comments)</p>
<p>Review of IEU for quality assurance and Project Management for factual errors</p>	<p>10 - 21 July 2017</p>		
<p>Consideration and incorporation of corrections and comments from IEU and Project Management</p>	<p>24 July - 2 August 2017 (8 work days)</p>	<p>Home-based</p>	
<p>Deliverable B – Draft Evaluation Report in line with UNODC Evaluation Guidelines, Handbook, Templates, Norms and Standards</p>	<p>By 3 August 2017</p>		<p>To be cleared by IEU and accepted by UNODC CONIG</p>
<p>Draft Evaluation Report to be shared with CLPs for comments</p>	<p>4 – 17 August 2017</p>		<p>Comments of CLPs on the draft report</p>
<p>Consideration of comments from Core Learning Partners</p>	<p>18 -21 August 2017 (2 work days)</p>	<p>Home-based</p>	

Final review by IEU; incorporation of comments and finalization of report	22 -31 August 2017 (<u>3 work days</u>)	Home-based	
Deliverable C: Final Evaluation Report	By 31 August 2017	Home-based	Final evaluation report, to be cleared by IEU and accepted by UNODC CONIG
Project Management: Finalise Evaluation Follow-up Plan in ProFi	8 September 2017		Final Evaluation Follow-up Plan to be cleared by IEU
Project Management: Disseminate final evaluation report	15 September 2017		Final evaluation report disseminated

VIII. EVALUATION TEAM COMPOSITION

Number of Evaluators Needed

The final evaluation of the “Support to the Justice Sector in Nigeria” Project (NGAV18) will be carried out by a team of three experts. The Team Leader will be an International Evaluation Expert with at least 10 years of experience in conducting high-quality evaluations, preferably final summative evaluations. Two National Evaluation Experts will serve as members of the team. These experts should have at least 8-9 years of experience or knowledge on justice sector reform initiatives, preferably in Nigeria and in the areas of research, legislation or capacity-building.

At least one of the team members should be female. In addition, the evaluation team should have knowledge of/ expertise in a gender-sensitive and human rights-based evaluation approach and gender mainstreaming in evaluation.

Role of the Team Leader/International Evaluation Expert

While all evaluation functions will be done as a team, the Team Leader/International Evaluation Expert is expected to be mainly responsible for the following tasks: carry out the desk review; develop the inception report, including sample size and sampling technique; draft and finalize the inception report and evaluation methodology, incorporating relevant comments, in line with the guidelines and template on the IEU website <http://www.unodc.org/unodc/en/evaluation/evaluation-step-by-step.html>; lead and coordinate the evaluation process and oversee the tasks of the national evaluator; implement quantitative tools and analyze data; triangulate data and test rival explanations; ensure that all aspects of the terms of reference are fulfilled; draft an evaluation report in line with UNODC evaluation policy and

the guidelines and template on the IEU website <http://www.unodc.org/unodc/en/evaluation/evaluation-step-by-step.html>; finalize the inception report and evaluation report on the basis of corrections and comments received; and present key evaluation findings, and final evaluation report to stakeholders.

More details are provided in the respective job descriptions in Annex I.

Role of the National Evaluation Experts

The National Evaluation Experts are expected to: assist the Team Leader in all stages of the evaluation process, as per the respective TOR; participate in selected missions; provide substantive guidance on justice sector issues and justice sector reform initiatives in Nigeria throughout the evaluation process; and deliver technical inputs related to the justice sector in Nigeria on the inception report and evaluation reports.

More details will be provided in the respective job descriptions in Annex I.

Absence of Conflict of Interest

UNODC rules stipulate that any of the experts composing the Evaluation Team must not have been involved in the design and/or implementation, supervision and coordination of and/or have benefited from the Project under evaluation.

Furthermore, the evaluator shall respect and follow the UNEG Ethical Guidelines for conducting evaluations in a sensitive and ethical manner.

Reference to the Evaluators' ToR detailing Qualifications and Responsibilities

Please refer to Annex I for details of the Evaluators' ToR.

IX. MANAGEMENT OF EVALUATION PROCESS

Roles and Responsibilities of the Project Coordinator

The Project Coordinator will be the Evaluation Manager and will take an overall leading role in the management of the evaluation process, finalizing the ToR (upon clearance by the IEU), identifying the Core Learning Partners and informing them of their role, recruiting evaluators (upon clearance by IEU), providing desk review materials to the evaluation team, reviewing the inception report as well as the evaluation methodology, assuring the availability of the evaluation budget and all logistical requirements (e.g. payments, arranging of travel, scheduling of meetings, transportation, independent interpretation etc.), liaising with UNODC Headquarters, the Core Learning Partners and the Project Management Committee, reviewing the draft report for factual errors, as well as developing a management response to the evaluation recommendations, as well as a follow-up plans (to be updated once per year). Finally, project management is also responsible for the dissemination of the final evaluation report as well as the facilitation of the presentation of the evaluation findings.

Roles and Responsibilities of the M&E Officer

The M&E Officer shall have a supportive role in the final evaluation in terms of drafting the ToR and the evaluation work plan, coordinating with the IEU, liaising with the Programme Support Team and other relevant staff at the country office, advising the Project Coordinator on all matters related to the final evaluation, and presenting the final evaluation work plan and ToR in the Project governance structures (i.e. trilateral meetings with the EU and MBNP, and Focal Points Meetings).

Roles and Responsibilities of the Core Learning Partners

Under the guidance of the Project Coordinator who will act as the overall Evaluation Manager, the Core Learning Partners (CLPs), i.e. the main stakeholders, will serve as the mechanism for representation and participation in the final evaluation process. The CLPs are a limited number of those deemed as particularly relevant to be involved throughout the evaluation process, i.e. in reviewing and commenting on the TOR and the evaluation questions, reviewing and commenting on the draft evaluation report, as well as facilitating the dissemination and application of the results and other follow-up action. This group will be composed the donor agency (EU) and the principal counterpart agency from the Government of Nigeria (i.e. Ministry of Budget and National Planning). UNODC and UNICEF will also be represented in the Core Learning Partners (See Annex III).

Stakeholders include all those to be invited to participate in the interviews and surveys, including the CLPs.

Roles and Responsibilities of the Project Management Committee

The Project Management Committee (PMC) is the highest governance body for the “Support to the Justice Sector in Nigeria” Project (NGAV18). It is comprised by officials from the justice sector institutions, justice reform teams, EU, MBNP and UNODC. This committee deliberates on and approves the Project work plans and the progress reports. The PMC shall be convened for the presentation of the main findings of the final evaluation report.

Roles and Responsibilities of the Independent Evaluation Unit

The Independent Evaluation Unit (IEU) provides mandatory normative tools, guidelines and templates to be used in the evaluation process. Please find the respective tools on the IEU web site <http://www.unodc.org/unodc/en/evaluation/evaluation.html>. Furthermore, IEU provides guidance, evaluation expertise and quality assurance throughout the evaluation process.

IEU reviews and clears all deliverables of this evaluation – Terms of Reference; Selection of Evaluators; Inception Report; Draft Evaluation Report; Final Evaluation Report; Management Response/Evaluation Follow-up Plan.

Logistical Support Responsibilities

The Project Coordinator will be responsible for the provision of logistical support to the Evaluation Team, including arranging their field missions, their transportation requirements within Abuja and Nigeria, and coordination/scheduling of interviews, survey/s, and meetings with the Project stakeholders.

X. PAYMENT MODALITIES

The selected evaluators will hold the position of UNODC Consultants. As such, they will be issued consultancy contracts and paid in accordance with UNODC rules and regulations. The contract is a legally binding document in which the consultant agrees to complete the deliverables by the set deadlines. Payment of professional fees is correlated to deliverables and three instalments are typically foreseen:

- The first payment upon clearance of the Inception Report (in line with UNODC evaluation guidelines, templates, handbook, norms and standards) by IEU and acceptance by UNODC CONIG;
- The second payment upon clearance of the Draft Evaluation Report (in line with UNODC evaluation guidelines, templates, handbook, norms and standards) by IEU and acceptance by UNODC CONIG;
- The third and final payment (i.e. the remainder of the fee) only after completion of the respective tasks, receipt of the final report (in line with UNODC evaluation guidelines, templates, handbook, norms and standards) and clearance by IEU and acceptance by UNODC CONIG, as well as presentation of final evaluation findings and recommendations.

Consultants will be entitled to daily subsistence allowances to cover their stay while in Nigeria, as per UNODC rules and regulations. 75 percent of the daily subsistence allowance and terminals is paid in advance, before travelling. The balance is paid after the travel has taken place, upon presentation of boarding passes and the completed travel claim forms.

ANNEX II. EVALUATION TOOLS: QUESTIONNAIRES AND INTERVIEW GUIDES

Face-to-face interview questions for all stakeholders

Q1. On a scale of 1 to 7 with 1 being 'very poor' and 7 being 'excellent' how would you rate the overall impact of the Project?

Q2. What is the most significant change you have seen as a direct result of this UNODC Project?

Q3. If you could change one aspect of the Project what would that be, and why?

Q4. On a scale of 1 to 7 with 1 being not at all sustainable and 7 being totally sustainable how would you rate the sustainability of the Project's activities?

Interview questions for Project and UNODC staff

Q1. What was the greatest challenge you faced in attempting delivery upon the Project's objective?

Q2. What practical measures have been taken by the Project to encourage all stakeholders in the Project to address human rights issues?

Q3. What practical measures have been taken by the Project to encourage all stakeholders in the Project to address gender mainstreaming and women's empowerment issues?

Q4. How were external (non-UNODC managed) and internal (UNODC managed) risks to the sustainability of the Project activities identified, analysed and controlled?

Interview questions for Project partners

Q1. On a scale of 1 to 7 with 1 being 'very poor' and 7 being 'excellent' how would you rate your experience of partnership and cooperation with the Project?

Interview questions for Donor

Q1. On a scale of 1 to 7 with 1 being 'very unsatisfied' and 7 being 'fully satisfied' how satisfied are you with the manner in which the Project has managed your funds?

ANNEX III. DESK REVIEW LIST

Annual Narrative Report 1 st Jan 2015 to 31 st December 2015
Mid-Term Evaluation of EU Support to the Justice Sector in Nigeria July - August 2015
Project Initiation Document December 2012
No cost extension letter May 2016
No cost extension Project Document revised May 2016
Annual Narrative Report 1 st Jan 2016 to 31 st December 2016
Management Response to Mid-Term Evaluation Section 1 May 2016
Management Response to Mid-Term Evaluation Section 2 May 2016
Annual Narrative Report 1 st Jan 2014 to 31 st December 2014
Annual Narrative Report 1 st Jan 2013 to 31 st December 2013
Independent Project Evaluation NGAS08 November 2010
Presentation Focal Point Meeting 12 th to 13 th June 2107
Minutes of Focal Point Meeting 2 nd to 4 th November 2016
M and E Draft Workplan
Final Draft UNODC Workplan Jan 2016
Project Progress Report NGAX60 Nov 2015
M and E Assessment Tool Working Draft
Proposed M and E System
Consultant CVs (x10)
Budget Table for M and E
NGAV18 Log frame 2016 with evidence (April 2017)
Outcomes 1 – 3 Map and Status of activities (April 2017)
UNICEF Justice Project Narrative Report for 2014
EU Comments on the Justice Narrative and Financial Reports April 2014
Financial Report December 2016
General map updated 29.3.17
EU Report Outline June 2014
CONIG 2015 Summary of Achievements
Surveys and Assessments under Justice Project V18 2015
ACJA innovations for sate adoptions
Activities of ESJRT in the last six months for 2016
FJSRCC Presentation 2
Jigawa Presentation Kaduna 2017
Katsina State Justice Reform Teamn Paper April 2017
Niger State Justice Sector Reform Committee Presentation April 2017
Action Plan for Justice Sector Reform Benue State (2014 – 2017) April 2017
Guidelines for the Adoption Implementation of ACJA in the States Presentation April 2017
Ore-Workshop on capacity gaps assessment questionnaire August 2015
Skills gaps assessment, Analysis and Capacity Development August 2015
Police Training Manual (Police Duties) October 2016
Teaching Philosophy Proposed Approach October 2016
Human Rights Training of Trainers Workshop Report July 2015
Human Rights Sensitization Workshop Report October 2016
Assessment Report of Judicial Research Centres in the FCT and 9 Nigerian States August

2014
Concept Note for V18 activities in Collaboration with Nigerian National HR Commission July 2014
Prison Assessment – Final Report August 2014
Concept note OSJI, S and J training and Coordination Project October 2015
Mapping Exercise and Coordination of Legal Aid Support in Nigeria December 2015
NJC New Guidelines on Judicial Appointments February 2015
UNICEF Child Justice Activities June – August 2017
Human Rights Trainers Guide – Nigerian Prisons Service June 2015
Human Rights Training Manual – Nigerian Prisons Service June 2015

Number of documents review: 53

ANNEX IV. LIST OF PERSONS CONTACTED DURING THE EVALUATION

<i>Number of interviewees</i>	<i>Organization</i>	<i>Sex disaggregated data</i>	<i>Country</i>
7	UNODC HQ	Male: 2 Female: 5	Austria
8	UNODC CONIG	Male: 4 Female: 4	Nigeria
3	Donors	Male: 2 Female: 1	International
32	Partners, State Counterparts and Beneficiaries	Male: 23 Female: 9	Nigeria
4	Partners, Civil Society	Male: 2 Female: 2	Nigeria
3	Partners, International Counterparts	Male: 1 Female: 2	International
Total: 57		Male: 34 Female: 23	

ANNEX V. LIST OF RESOURCE MATERIALS AND PUBLICATIONS PRODUCED THROUGH
THE SUPPORT OF THE PROJECT

1. National Policy on prosecution
2. Code of Conduct for Prosecutors
3. National Guideline for Prosecutors
4. Sentencing guidelines
5. Model ACJA Laws (Southern States)
6. Model ACJA Laws (Northern States)
7. Overview of the ACJA
8. Implementation Strategy for VAPPA
9. Mapping of Administration of Criminal Justice act and laws of Lagos, Ekiti and Anambra States Provisions on non Custodial Measures
10. Guidelines for Effective Implementation of Non Custodial Measures
11. Guidelines & Protocols for Implementation of Restorative Justice
12. Templates for remand proceedings and the administration of prisoner's data
13. Training manual for Court officials on remand proceedings and the use of templates for remand proceedings and the administration of prisoner's data
14. Anambra State Justice Sector Reform Action Plans
15. Bayelsa State Justice Sector Reform Action Plans
16. Benue State Justice Sector Reform Action Plans
17. Cross River State Justice Sector Reform Action Plans
18. Osun State Justice Sector Reform Action Plans
19. Lagos State Justice Sector Reform Action Plans
20. Katsina State Justice Sector Reform Action Plans
21. Yobe State Justice Sector Reform Action Plans
22. Training Manuals for Prosecutors
23. Basic Computer Skills Training Manual for Justice Sector Officials
24. Six months study of records on flow and release of prisoners on a monthly basis
25. Institutional Capacity Assessment of Justice Sector Institutions federal level and 10 States
26. Revised Training Manual for the Nigeria Police Force on Police Duties
27. Revised Training Manual for the Nigeria Police Force on Liberal Studies
28. Revised Training Manual for the Nigeria Police Force on Legal Studies
29. Nigeria Police Human Rights Training Manual
30. Nigeria Police Human Rights Trainers' Guide
31. Nigeria Police Human Rights Pocket handbook
32. Training Manual on Human Rights and Prison Management
33. Human Rights and Prison Management Trainers' Guide
34. Prison Training Manual on Principles of Individual development and the Change Process
35. Prison Training Manual on Principles of Programmatic Application (Developing and Maintaining Effective Change Programmes)
36. Manual on Modernization of Courts
37. National Legal Aid Strategy (2017-2022).

38. Developed Guidance Manual for Pro Bono Legal Aid Providers
39. Paralegal Training Curriculum
40. Developed a Guidance Manual for the Nigeria Prison Service on the Mandela and Bangkok Rules
41. Court Users Guide – Arrest (Translated in 4 local Nigerian Languages)
42. Court Users Guide – Detention (Translated in 4 local Nigerian Languages)
43. Court Users Guide – Bail (Translated in 4 local Nigerian Languages)
44. Court Users Guide – Victims and Witness (Translated in 4 local Nigerian Languages)
45. Court Users Guide – Contacts for Court Users (Translated in 4 local Nigerian Languages)
46. Court Users Guide – Alternative Disputes Resolution (Translated in 4 local Nigerian Languages)
47. Court Users Guide – Criminal Procedure (Translated in 4 local Nigerian Languages)
48. Court Users Guide – Civil Procedure (Translated in 4 local Nigerian Languages)
49. Child Justice Bottleneck Analysis, July 2015
50. Family Courts Capacity Assessment, May 2015
51. Assessment of the situation of children in conflict with the law in Nigeria, October 2015
52. Mapping report on specialized police desks, June 2016
53. Pre-service training: Nigeria Police Force Human Rights Training: Children’s Rights (facilitator’s guide, participants’ handbook)
54. In-service training: Nigeria Police Force Training Package on Handling Cases Involving Children (facilitator’s guide, participants’ handbook)
55. Training Pack for Family Court Judges and Magistrates (facilitator’s guide, participants’ handbook)
56. Training Pack for Family Court Assessors and Social Welfare Officers (facilitator’s guide, participants’ handbook)
57. Training pack on Child Justice for the Nigerian Prisons Service (facilitator’s guide, participants’ handbook)
58. Legal aid: Training pack on Representing Children in Conflict with the Law in Family Courts
59. Nigeria Police Force: Harmonized Guidelines on Establishing Specialized Police Units; Standard Operating Procedures for Handling Children who are Victims, Survivors or Witnesses of Violence; and Standard Operating Procedures for Handling Cases Involving Children in Conflict with the Law
60. Programme Guide on the Pilot Community Rehabilitation Programme for Children in Conflict with the Law, Lagos State
61. Complaints Policy for Institutions of the Nigerian Prisons Service
62. Draft Complaints Policy for Children in Formal Care, Lagos State