

**Cambodia Community Justice  
Assistance Partnership (CCJAP)**

**Independent Evaluation**

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## Executive summary

Since 1997 and over four different phases, Australia has provided continuous law and justice support to the RGC. Cambodia Criminal/Community Justice Assistance Partnership (CCJAP)<sup>1</sup>, a three and a half year initiative, is the fourth phase of programming and is ending in June 2016.

According to the Cambodian National Police (CNP), the assistance CCJAP has provided – from the capital investment in building and renovating police posts to the various training courses to the introduction of the Community Policing (CP) pilot – enabled senior CNP officials to begin to think differently about police and policing. The construction and renovation of police posts that occurred in Phase IV has had a positive effect on the residents in surrounding neighborhoods, as Cambodians perceive that they have greater access to the police. The physical condition of the posts has also generated a perception in the public that the police in the posts are providing more responsive service and conduct more active patrolling.

The transition in CCJAP's programming that occurred during Phase IV from Crime Prevention and Community Safety (CPCS) to the CP pilot has also had a positive and inspirational effect on the CNP. The four tools of crime prevention/reduction introduced by the CP pilot are sound, intelligent, and reasonable and, in response to CCJAP's support, the CNP has launched its crime prevention/reduction initiative.

DFAT and CCJAP followed good development practice in ending Phase IV components – reduction in prison overcrowding through the use of pre-trial judicial mechanisms and effective management of the law and justice sector through the collection and use of data – that did not generate the outcomes they were originally intended to deliver. CCJAP's ability to produce those intended results had been compromised by Phase IV's design and a persistent mismatch between objectives and activities. Even though the program has undertaken extensive awareness raising activities on domestic violence, CCJAP is also unable to produce credible and reliable evidence that the third Outcome, enhanced safety and security for women and children, has been achieved.

Even in a country context as difficult as Cambodia's, the Independent Evaluation found that it is possible to conduct effective law and justice programming that produces tangible and potentially sustainable results. Such programming has to be aligned with and correspond closely to the *political openings and windows of opportunity* that arise, which has happened with the CP pilot. In addition, such law and justice programming needs to have a refined understanding of the problem-solving approach and how that approach can be implemented, approaches and activities upon which CCJAP could have improved. Lastly, while it is crucial for law and justice practitioners to be conversant with international best practice, what is applicable and appropriate in one context is necessarily transferrable to another and

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<sup>1</sup> CCJAP was renamed from the Cambodia Criminal Justice Assistance Program to Cambodia Community Justice Assistance Partnership for the fourth and final phase.

may not, depending upon the context, correspond to good law and justice development.

Finally, Phase IV was initiated and implemented during a time of change within Cambodia and Australia. As a result, the program underwent a significant change of direction and selected Outcomes of the program were closed. In such circumstances, DFAT could have assumed a more active engagement in communicating the changing circumstances to its Cambodian stakeholders.

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## 1. Introduction

The Independent Evaluation Team (the Team), composed of Sopheak Ok Serei and Eric Scheye, was commissioned to assess Phase IV of the Cambodia Community Justice Assistance Partnership (CCJAP), which is ending in June 2016. As well as assessing the achievement of the program, the evaluation seeks to identify key lessons learned, aiming to contribute to DFAT thinking across its law and justice portfolio, as well as on future law and justice programming in Cambodia.

### 1.1 CCJAP Phase IV

CCJAP Phase IV is a three-and-a-half year program running from 2013 to end of June 2016. Its objective is to support the Royal Government of Cambodia (RGC) in its efforts to development its law and justice sector. Australia has provided continuous law and justice support to the RGC since 1997, over four different phases of programming. This fourth and last phase was expected to generate three key outcomes:

- Reduced prison overcrowding through the use of pre-trial judicial mechanisms;
- Crime prevention programming for women, children and youth that create safer communities; and
- Effective management of the law and justice sector through the collection and use of data.<sup>2</sup>

A mutually accountable partnership with the RGC was intended to underpin the program.

During the course of Phase IV, Outcomes I<sup>3</sup> and III were terminated early because

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<sup>2</sup> “Outcome 1 – The justice system is managed for more effective pre-trial arrangements, use of non-custodial sentencing and improved prisons

Intermediate Outcome 1a: Community understands and begins to accept non-custodial sentencing

Intermediate Outcome 1b: Courts pilot alternative pre-trial approaches and non-custodial sentencing in at least 2 provinces

Intermediate Outcome 1c: Improved custody for prison detainees

Outcome 2 – Women, youth and children are safer and communities have less crime

Intermediate Outcome 2a: Community works better together to demand and deliver safety

Intermediate Outcome 2b: Police engage with community and respond to their safety needs

Intermediate Outcome 2c: Cambodians have greater awareness of the law, their legal rights and responsibilities

Outcome 3 – Communities, police, courts and prisons use data to support management

Intermediate Outcome 3: Communities, police, courts and prisons use strengthened systems for

evidence-based performance management” p. v., *CAMBODIA COMMUNITY JUSTICE ASSISTANCE PARTNERSHIP 2012-2016: Program Design Document*, AusAID, 24 May 2013.

<sup>3</sup> Selected capital infrastructure was built for the Department of Prisons as part of Outcome I, 15 projects in 8 provinces.

DFAT, CCJAP and the National Management Board (NMB) agreed that “little identifiable progress” had been made in either component.<sup>4</sup> Furthermore, in December 2014, the NMB approved the progressive closure of the Crime Prevention and Community Safety (CPCS) support activities at the commune level under Outcome II,<sup>5</sup> with Phase IV activities ending in the final three provinces in September 2015. The principal focus of the last period of CCJAP has been on a Community Policing (CP) pilot.

Conducted in partnership with the Department of Administrative Police Post Affairs (DAPPA), CP pilot targeted 24 communes in three provinces – Kandal, Kratie and Prey Veng – and 2 Sangkats (Kakab and Chaom Chao) in Phnom Penh. Four tools were introduced in the CP pilot to encourage more effective local policing, using a crime prevention/reduction approach focused on hot spot and problem-solving policing. In Australian criminology parlance, this is characterized as ‘intelligence-led policing.’

## **1.2 Research methodology**

While concentrating primarily on lessons learned, this evaluation assesses CCJAP Phase IV against four dimensions:

- the relevance of program objectives to Australian Government policies and RGC and counterpart priorities;
- the efficiency of the management in the delivery of those activities;
- the effectiveness of the activities achieving their intended outcomes;
- the impact and sustainability of the results.

Assessment issues pertaining to gender equality and M&E are mainstreamed across the four dimensions.

These dimensions are adapted from standard OECD-DAC evaluation criteria.<sup>6</sup> Collectively, they have enabled the team to address a number of more specific review questions outlined in the terms of reference and the Inception Report.

## **1.3 Limitations**

There are limitations to the methodology and the evaluation. Given time constraints, the Team was not able to discuss Phase IV with as many CNP/DAPPA officials as it would have wished. The Team was also unable to visit either of the two Phnom Penh Sangkats, which were part of the CP pilot. While time constraints limited the number of key stakeholder interviews that were possible, the Team, nevertheless, believes that its interviews produced a fair representation of beneficiary and RGC opinions and judgments about Phase IV activities and achievements.

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<sup>4</sup> CCJAP, Six-Monthly Progress Report, April – September 2015.

<sup>5</sup> CPCS, begun in Phase III, worked in 9 target provinces – Banteay MeanChey, Battambang, Kompong Cham, Kompong Chhnang, Kompong Thom, Kandal, Kratie, Prey Veng, and Siem Reap – and conducted activities in 385 communes.

<sup>6</sup> OECD DAC criteria: relevance, effectiveness, efficiency, impact and sustainability.

## 1.4 Report structure

The report consists of six sections, including this introduction. The second considers the extent to which CCJAP Phase IV activities were relevant to partner government and donor objectives. The third analyses whether DFAT and the management of CCJAP Phase IV delivered a program that was fit for purpose. The fourth section assesses the effectiveness of the program's activities and the fifth discusses the challenges of sustainability. Lessons learned are presented in the final section.

## 2. Relevance

This section of the evaluation assesses the relevance of CCJAP's Phase IV activities to the stated partner government and Australian Government objectives.

### 2.1 Political openings and windows of opportunity

In a political context such as Cambodia's, the potential for donor-supported law and justice development is circumscribed by the political context. The challenge is for donors to recognize moments of political opportunity and, when they arise, forge alliances, support constituencies for change, and assist in propelling feasible and pragmatic development before the opportunity passes. To do this effectively, donors need to understand the particular political dynamics and relative power balances that characterize these transitory 'moments' and acknowledge the inevitable political trade-offs that will have to be made to facilitate development during these moments.

International and historical experience suggests that the law and justice assistance is relevant and can be effectively conducted during four different 'moment(s) of political opportunity,' each of which has different characteristics. These moment(s) can be categorized as when:

- a *champion of change* appears who advocates and can deliver development, although, typically, the champion's ability to deliver development is less than it initially appeared, lasts for a shorter period of time than anticipated, and may not be sustainable; these moments, however, are valuable in establishing new standards and enabling environments from which subsequent periods of development can proceed;
- *spaces and fissures* open up within the networks of the recipient country's political elite(s) and the donor can leverage its political influence with elements of those networks to underwrite development; during these moment(s) of opportunity, law and justice development can have far-reaching and, often, unexpected effects and reforms have some prospect of producing sustainable results; this may be particularly true for access to justice for and ending violence against women programs;
- *tension and conflict* arises with the networks of the recipient country's political elites(s) and, within that conflict, elements of those networks seek

out donor assistance to further their own agendas; donor involvement during this moment is a high-risk activity of political arbitrage, for which the donor assumes a significant degree of reputational risk;

- when development can occur *at the societal margins*, without appreciably affecting balances of power and the self-interests of elite networks within the recipient country; this moment, however, should not be underestimated because ‘working at the margins’ may generate law and justice development that substantially improve the lives and livelihoods of particular demographic groups, including vulnerable and marginalized populations; access to justice for and ending violence against women may be development initiatives that can readily be programmed under this rubric.

During previous phases of CCJAP, the program took advantage of brief moments when champions of change emerged (Court of Appeals, Model Courts, Court Registry), as well as supporting law and justice development at the margins (corrections and CPCS). During Phase IV, the program has been shrewd when spaces and fissures appeared to enable the program to advocate for, forge alliances and transition from CPCS to the CP pilot, which initially targeted 24 communes in three provinces (Kandal, Kratie, and Prey Veng) and two Sangkats (Kakab and Chaom Chao) in Phnom Penh.

In Phase III, as a number of stakeholders indicated, the program support provided through the CPCS persuaded the RGC to develop its Village Commune Safety Policy (VCSP). The government’s establishment of this policy was an initial indication that the Cambodian National Police (CNP) was willing to edge toward a more collaborative form of policing vis-à-vis local civic leadership and communities. While it would be mistaken to conflate a more collaborative attitude on the part of the CNP to ‘community policing’, as it is understood in other policing contexts, the CCJAP’s contribution to this initial opening within the police was a notable achievement.

In late 2014, with the agreement to close the CPCS and the launching of the CP pilot, the political opportunity for a further evolution of the CNP increased. A high-ranking CNP official told the Team that the assistance CCJAP provided – from the capital investment in building and renovating police posts to the various training courses to the four tools of the CP pilot – enabled senior CNP officials to think differently about police and policing. CCJAP seized upon this opportunity, as within some circles of the CNP, the idea began to take hold that policing could begin to shift from a control function to a crime prevention/reduction approach.

Inspired by a July 2015 CCJAP-sponsored seminar conducted by the CNP, at which the crime prevention/reduction approach of the CP pilot was further elaborated, the Department of Administrative Police Post Affairs (DAPPA) submitted a request to the General Police Commissioner to scale up the CP pilot exercise from three to twenty-two provinces. The General Police Commissioner, after consulting with Deputy Prime Minister and Minister of Interior, approved the scale-up. Since then, DAPPA has organized six specialized working groups to work with relevant stakeholders to implement the CP pilot. DAPPA has also conducted a four-day train-the-trainers



(ToT) course on CP for 96 officers from the twenty-two provinces that are not part of the CCJAP pilot.<sup>7</sup> Unquestionably, CCJAP deserves credit for seizing upon the political opportunity that prompted a reformist change in the CNP.

Credit also accrues to CCJAP in that the program, by piloting CP in the two Phnom Penh Sangkats, has begun to turn its police and policing attention from rural areas to the rapid urbanization of the country, where the risk of rising crime rates is high. As the Team has been told, all four phases of CCJAP have been concentrated almost exclusively in rural Cambodia. While this focus may have been a concession to political imperatives, it may have been a less than optimal strategic choice given changing demographics. Consequently, the Team finds this change in emphasis – however limited and slow in coming – a welcome and relevant adjustment.

The Team also notes that the CP pilot should be properly assessed with regard to the differing environments in which it has been piloted so that its activities remain relevant. The policing tools, processes and procedures may be comparable across environments, but the needs of differing neighbors and communities may be decidedly different, requiring the uses of the tools and approaches to vary as well. For example, it is axiomatic that community policing initiatives are most effective in areas with higher levels of social capital, efficacy, and cohesion. They are less suitable for urban areas with transitory populations. It would be misguided, therefore, to presume that policing needs and responses will be similar in urban and rural Cambodia.

Similarly, while the Team recognizes that the CP pilot was primarily about testing a set of crime prevention/reduction tools, the Team questions the efficacy and suitability of the program's having chosen domestic violence as one of the principal crimes on which to introduce those tools and concentrate operationally. Politically and ethically, the choice lays down an important normative benchmark and, given the prevalence of the crime, is to be lauded. Nevertheless, the Team is not convinced that a criminal justice approach to domestic violence is culturally relevant to rural Cambodia's social values.<sup>8</sup> Given the known weakness of the Cambodian criminal justice system, there may be more efficacious approaches to the challenge than one that relies primarily on a criminal justice orientation when "almost all women who are victimized do not want to report incidences of violence fearing it will trigger additional violence from their husbands"<sup>9</sup> and most survivors of domestic violence "fear... losing their husband through incarceration."<sup>10</sup>

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<sup>7</sup> CCJAP has conducted a series of additional training, on-the-job mentoring, and ToT sessions.

<sup>8</sup> The 2014 study that CCJAP commissioned is replete with evidence to indicate that a criminal justice approach to domestic violence may not be culturally relevant to rural Cambodia, *Gender and Vulnerable Advisor Report from Field Trip to KPC, BB, and BMC*. August 2014.

<sup>9</sup> *Ibid*, p. 1.

<sup>10</sup> CCJAP, *Gender Based Violence Research Project – February 2015*, p. 4.

Based upon its interviews, the Team is also not persuaded that the CNP is the appropriate ‘agent of change’ to tackle the challenge.<sup>11</sup> That less than 8% of the CNP officers, commune council members, and Village Chiefs trained under the CP pilot were women reinforces the Team’s judgment. The Team, however, recognizes the importance of Australian values to DFAT’s choice of which programs and program components to support.

## **2.2 The design of Phase IV**

CCJAP’s struggle to produce its intended results can be largely attributed to weaknesses in the original program design. Phase IV was expected to generate three key Outcomes:

- Reduced prison overcrowding through the use of pre-trial judicial mechanisms;
- Crime prevention programming women, children and youths that create safer communities; and
- Effective management of the law and justice sector through the collection and use of data.<sup>12</sup>

All three of these objectives proved difficult or impossible to implement effectively, due to technical/substantive law and justice problems in the design. These flaws cut across all three Outcomes. In addition, the design did not indicate how, through a problem-solving approach, the results of each Outcome could be leveraged to the benefit of the others. The resulting program was a poor fit with the institutional context.

### **2.2.1 Pre-Trial Detention, Data and Problem-Solving**

From 2005 to early 2011, the Cambodian prison population steadily increased from 8,160 to 15,000, with estimates that the total number of detained persons reached 150% of built capacity.<sup>13</sup> The design of Phase IV states that the percentage of individuals incarcerated for pre-trial detention was approximately one-third of the prison population. The objective of Outcome I was to address prison overcrowding and reduce the absolute number of individuals in the prisons. The design chose to prioritize the use of pre-trial judicial procedures, including non-custodial and alternative sentencing. Programming was to focus on the ‘demand’ and the causes of prison overcrowding rather than its symptoms. In addition, the communities who were to receive those released or diverted from prison were to be sensitized to accept these individuals within their neighborhoods.

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<sup>11</sup> “In 2013, the CNP had recorded a total of 89 GBV cases, whereas the commune data base recorded 20,077 cases” *Gender Based Violence Research Project*, pp. 3-4. The research project did not conduct a political economy analysis of the CNP to determine its commitment or readiness to be an ‘agent of change’ in ending violence against women.

<sup>12</sup> *CAMBODIA COMMUNITY JUSTICE ASSISTANCE PARTNERSHIP 2012-2016: Program Design Document*, AusAID, 24 May 2013, p. v.

<sup>13</sup> *Program Design*, p. 4. The current estimates are upwards of 200%.

There were a number of technical weaknesses in this approach. Focusing on the number of pre-trial detainees as the starting point was unhelpful, as that indicator says little about the causes of prison overcrowding and how they might be addressed. A more relevant statistic around which to design the program would have been the average length of time an individual remains in pre-trial detention. Using the data that Outcome III was expected to generate, Outcome I could have begun by assembling a more accurate picture of systemic weaknesses that were generating the problem of prison overcrowding, such as:

- what types of alleged crimes are individuals being arrested for and is that dedication of police resources efficient;
- are cases proficiently being transferred from the police to prosecutors;
- are prosecutors overburdened and is their workload managed appropriately;
- are pre-trial detention hearings being effectively held; and
- are appropriate pre-trial diversion mechanisms being used.

Once identified as intermediate outcomes, these challenges could have provided entry points for interventions under Outcome I to tackle overcrowding. Such a problem-solving approach to institutional reform is a recognized form of capacity development that can be effective in the law and justice area. It would also have enabled the two components to reinforce each other.

Instead, the design document asserts, without obvious justification, that the causes of prison overcrowding in Cambodia are well known.<sup>14</sup> The fact that the objective of Outcome III was to develop accurate data upon which to manage the law and justice sector tends to undermine this assertion.

There was no clear justification in the design for the choice of alternative and non-custodial sentencing as the solution to excessive pre-trial detention or prison overcrowding. First, it was at best only one of a range of possible solutions to the problem. It should have been accompanied by a consideration of the alternatives, together with political economy analysis as to which options were viable in the Cambodian context. Second, previous analysis had already identified widespread community resistance to non-custodial sentencing. The design should have explored whether the normative, cultural, and systemic underpinnings existed within Cambodian society for this solution.

### *2.2.2 Crime prevention, community policing and prison overcrowding*

The design document also introduces and discusses another programmatic

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<sup>14</sup> *Ibid*, p. 21. The design mentions a number of law and justice challenges, a number of which could be pertinent to a reduction of prison overcrowding, such as increasing number of youths in conflict with the law, growing drug use and high rates of recidivism (p. 10), but does not analyze their contribution to prison overcrowding. Elsewhere, the design mentions “community expectation of custodial sentencing for even misdemeanours; limitations to some prison infrastructure; poor coordination between police, courts and prisons; and weak management in some prisons” (p. 27), but again does not cite any evidence base as to their relative significance, nor analyze whether these factors point to relevant programmatic options.

alternative by which prison overcrowding can be reduced, namely how “to make a difference to prison overcrowding by supporting initiatives that address demand-side change to reduce crime.”<sup>15</sup> Over time, a crime reduction program, coupled with alternative sentencing and methods of alleviating the pre-existing prison overcrowding situation, could prove to be productive. There is no question that crime prevention activities could, in principle, help with prison overcrowding. However, the program design again chose activities that were poorly linked to its objectives.

Under Outcome II, the program design in the Program Logic, as well as other program documents, concentrates on extending and deepening the existing Crime Prevention and Community Safety (CPCS) initiative.<sup>16</sup> These initiatives, however, had little directly to do with crime prevention/reduction.

The CPCS initiative during Phases III and IV had two primary activities:

- to strengthen the capacities of commune councils, village leaders, and
- to deliver law and justice awareness raising to the citizens of rural communes through RGC agencies and institutions.

Both of these endeavors are important in order to build the capacity of the citizenry and their local civic leadership to address a range of social, economic, and developmental issues. They are intended to aid citizens and community leaders to work more effectively and productively with the Cambodian National Police (CNP), in support of the RGC’s Village and Commune Safety Policy (VCSP). Ultimately, they could create a supportive environment for the introduction of community policing.

However, there is no reason to believe that interventions of that type would reduce crime. As Box 1 explains, there is nothing in international experience or criminological theory to suggest that community policing of itself results in a reduction in crime and, therefore, reductions in prison overcrowding.

#### **Box 1: Community Policing and Crime Prevention/Reduction**

Community policing is both a *philosophy* of how police are to interact with the communities for whom they are entrusted to provide safety and security and a *tactic* to be deployed in selected neighborhoods under certain conditions. Philosophically and tactically, community policing is designed to build rapport between the police and the public, increasing the trust and confidence of the public in the police and, thereby, enhance police legitimacy.

Tactically, an effective community policing program is defined by the location or

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<sup>15</sup> *Program Design*, p. 20.

<sup>16</sup> Among the proposed activities in the Program Logic are: community fora, initiatives to increase ‘awareness,’ alternative dispute resolutions processes, facilitated dialogue, ‘scaled up community policing,’ information sharing, legal education, etc.

neighborhood in which it is conducted. Community policing seeks to bring together the police, citizenry, political leaders, the business community and community groups who work in that neighborhood. The active participation of all five groups, as equal stakeholders, is essential for the establishment of an effective community policing project. Leadership of a community policing initiative typically rests with the political authorities of the neighborhood or municipality, and their leadership is pivotal to a successful program. The police are not the 'agents of change' in a community policing project.

While community policing improves police-community relations, there is no reliable or credible empirical evidence to suggest that it appreciably reduces crime. According to current criminology thinking, crime prevention/reduction depends, principally, upon the combination of two policing approaches or techniques: (1) hot-spot policing and (2) the application of problem-solving in the previously identified hot-spots. In Australian parlance, this is characterized as 'intelligence-led policing.' While the CP pilot provides the police with tools to support intelligence-led policing, this was not part of the original CPCS package.

### **3. Delivery**

This section looks from a macro perspective at the delivery of the program, focusing on the level of Australian commitment to the program and the lack of clarity around its objectives. Detailed management issues were not within the scope of this evaluation.

#### **3.1 Inception Period**

##### *3.1.1 Australian Government<sup>17</sup> appetite for Phase IV*

At the conclusion of Phase III, CCJAP management recommended that AusAID support to the Cambodian courts and Ministry of Justice be reduced or not included in the continuation of the program, due to a lack of national ownership. AusAID nonetheless decided to continue these activities. The rationale for this decision is not clear from the program documentation, but may have reflected a desire to preserve the Australian government's important existing relationships with the Cambodian Ministries of Interior and Justice, which had been cultivated over many years.

In practice, this meant that Phase IV was launched despite considerable uncertainty as to its prospects of achieving the intended outcomes. This was relevant to later decisions to terminate a number of the activities.

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<sup>17</sup> The program began under the auspices of the Australian Agency for International Development (AusAID). This organisation merged with the Department of Foreign Affairs and Trade (DFAT) in November 2013.

### *3.1.2 Transition from Phase III to IV*

CCJAP Phase III activities began in February 2007 and were originally expected to close in February 2012. Phase III, however, was extended twice and did not officially close until January 2013, while Phase IV began in March 2013. Over this thirteen-month period, a limited number of CCJAP activities were continued, but, unquestionably, programmatic momentum was lost. The uncertainty caused by the two extensions also caused a period of restlessness and apprehension among CCJAP staff.

To complicate matters further, in the interim, there was turnover both in the program management and on the AusAID side. CCJAP Phase IV had been let out to tender and a new managing contractor won the contract. This change inevitably caused some loss of momentum, given that the previous managing contractor had been in place through Phases I – III, a period of 15 years. All CCJAP staff had to reapply for their positions. Moreover, during the closure of Phase III and the commencement of Phase IV, the Australian Embassy managed CCJAP directly for a period of time. The situation was only stabilized toward the end of 2013.

### *3.1.3 National elections and their aftermath*

2013 was a period of political uncertainty in Cambodia and Australia, as each country's politics was dominated by impending elections, respectively in July and September 2013. For Cambodia, the elections resulted in an extended political stalemate, the transfer of a key CCJAP champion out of the Ministry of Justice (MoJ), and restructuring of the Ministry by the RGC. This resulted in a setback in the relationships between the MoJ, CCJAP, and DFAT, to the point at which it was rare for the partners to meet.

For Australia, the elections were followed by the merger of AusAID into DFAT and an attendant new perspective on law and justice development in Cambodia. The doubts about Phase IV that had been harbored within AusAID increased with the merger. A consensus formed that Phase IV was too broad and needed to be downsized. As a result, the program was substantially curtailed. However, the program's goals and outcomes were not revised downwards to reflect this reduced level of ambition. This had negative repercussions for the program's M&E regime and its ability to be results-focused, given that the existing misalignment of activities and objectives was further compounded.

DFAT also decided that Phase IV was to be the last iteration of CCJAP. Being mindful of the approaching exit, DFAT focused on what could be reasonably and practically achieved during the remaining period of Phase IV. Outcomes I and III were identified as lacking a clear vision of how their intended objectives could be achieved, and discussions with the NMB were begun to address the situation.

The Phase IV design espoused the concept of active partnership – an idea of sufficient importance that it was enshrined in CCJAP's fourth Outcome, although the mechanisms by which to measures that partnership were not specified. The

Cambodian-Australian partnership was to be one in which each stakeholder held the other accountable, intending to take the existing relationships, built up since 1997, to a new level.<sup>18</sup> The partnership was meant to go beyond the established National Management Board structure. DFAT and the new managing contractor now expected their Cambodian counterparts to set the strategy and provide a clear rationale for each proposed activity. After 12 years of assistance, DFAT and CCJAP's judgment was that, if Cambodian partners could not give a clear, precise reason why an activity required support, then that activity could not be seen as a Cambodian priority and, therefore, would not be funded.

Making partnership and mutual accountability a core operational principle was arguably good practice in terms of aid effectiveness. However, it amounted to a radical change to CCJAP's ethos. It appears that, even though the RGC was made aware of the change of approach, the National Management Board did not fully understand the magnitude of the change and, therefore, perceived that the program was no longer under its oversight and control. This suggests that AusAID/DFAT did not effectively communicate the changes. A number of stakeholders informed us that this resulted in a loss of counterpart ownership of the program, rather than in greater mutual accountability.

Simultaneously, DFAT and the new managing contractor placed greater scrutiny on budgetary controls and vigorously emphasized issues of value for money. This helped to lower the overhead and administrative costs for implementing CPCS activities from 42% to 15% of total costs,<sup>19</sup> for which all due credit should be accorded to the managing contractor. At the same time, the Team was made aware that the stringency with which the managing contractor applied a value for money lens compounded the sense of some Cambodian stakeholders that they were being relegated to secondary status, thereby undermining the desired partnership.

Change requires more active and wider engagement, patient listening, conversation, and diplomacy than maintenance of the status quo – especially when it involves changing practices established over a 12-year period. CCJAP's partners needed to feel that they were being heard and their concerns assuaged. For example, it may have been politically advisable for DFAT to engage directly with Deputy PM Samdech Sar Kheng to bring him on board and ensure that he was fully aware of CCJAP's changed circumstances and activities. Instead, it appears that both DFAT and CCJAP reduced the level of their engagement with parts of the RGC law and justice sector, as all stakeholders have acknowledged.

The example of how DFAT and CCJAP negotiated the inclusion of building and renovating police posts into Phase IV, when the original design did not include that provision, suggests good program choices at the technical level, but poor management of stakeholder relations. After Phase IV was initiated, Cambodia stakeholders strongly advocated for CCJAP to resume its support for building police

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<sup>18</sup> *Program Design*, p. iv.

<sup>19</sup> CCJAP, Six-Monthly Progress Report, April – September 2015, p. 3.

posts, even though there was no provision in the program to do so. To accommodate the request, CCJAP initiated an empirical study of the efficacy of police posts to the safety and security of the citizenry in the area around the post. Such a study was entirely appropriate, to explore the feasibility of the proposed investment.

However, it appears that key Cambodian stakeholders did not fully understand the need for and utility of the study, and, therefore, some stakeholders believed they were informed only after the fact. The decision to take on an unplanned activity, while other activities were being cut, was also a cause of confusion.

In short, DFAT could have been more active and adroit in leading and managing stakeholder relationships and expectations, rather than leaving the explication of the new CCJAP approach largely to the managing contractor. The poor communications created tension and distracted attention from programmatic effectiveness.

### **3.2 Mismatch of objectives and activities: CPCS and CP Pilot**

By 2015, Outcomes I and III had been discontinued. At the same time, a pilot initiative, the CP pilot was launched. The core activity of the pilot is the development and introduction of four tools:

- identification of local neighborhood/community safety and security challenges;
- mapping of safety and security incidents;
- planning technique to address clusters of incidents; and
- logging of ways in which incident clusters were addressed.

These tools were tested in workshops with the CNP in 2015 and then introduced during a four-month period, November 2015 – February 2015.

Taken together, these four tools are a sound, practical, and intelligent means by which to conduct a thorough crime prevention/reduction project. In fact, these tools define a hot spot & problem-solving approach, which is the accepted and empirically valid method of conducting a crime prevention/reduction project.

However, CP pilot is mis-described as a ‘community policing’ initiative. The issue is not simply one of nomenclature or competing criminology jargon. It goes to whether CCJAP’s activities correlate with its objectives, so that progress can be monitored, feasible outcomes measured and tangible results achieved. When objectives and activities are misaligned, M&E ceases to be useful for informing learning or management decisions, for indicators are not measuring what the program is actually doing, and neither success nor failure can be accurately recognized.

This is exactly what happened during Phase IV, as M&E devolved into a data collection exercise largely unrelated to programmatic objectives and thus incapable of being managerial tool to be used toward the achievement of outcomes. Phase IV was not engaged in crime prevention/reduction activities, but its M&E framework still recorded whether the program decreased the incidence of petty and violent



crime. None of the Phase IV programming was relevant to the problem of prison overcrowding, but its results framework, for example, continued to evaluate the program according to the average space per prison detainee.

This mismatch between objectives and activities has been a persistent challenge for CCJAP since Phase II. CPCS was claimed to be, and was misguidedly meant to be evaluated, as a crime prevention/reduction initiative. In reality, it had many of the markings of a community policing project. Conversely, the CP pilot is said to be a community policing endeavor, but its activities – the four tools – define the essence of crime prevention/reduction.

One CCJAP staff member accurately told the Team, “in CPCS, we worked more with communes to get them to work with the police; in the CP pilot, we are working with the police because we want them to work more with the communes.” While this has been CCJAP’s logic over much of the last decade with respect to CPCS and the CP pilot, not all CCJAP personnel grasp this.<sup>20</sup> It then raises a question of whether the objectives of the activities are being accurately conveyed to the Cambodian counterparts, given the complexities and intricacies of the work.

This confusion surrounding objectives and activities plays out in various ways, beyond the breakdown of the program’s M&E regime. One CCJAP staff member, when trying to explain community policing, stated that, while the objective is to “get the police close to the communities,” in matters of safety and security the “police lead.” When asked what is the purpose of the policing “getting close to the communities,” the response was “so that they can get information.” It is not surprising, therefore, that the vast majority of police with whom the Team spoke and who have undergone CP training – and have also conducted CPCS awareness raising within communities – still strongly believe that safety and security information flows in one and only one direction: from the community to the police. Even though commune councils are aware that legally they are responsible for addressing safety and security concerns, in reality they see themselves as subservient to the police, with obligations running predominantly in only one direction.

#### **4. Effectiveness**

This section assesses the three Outcomes of CCJAP’s Phase IV and whether the activities delivered the intended results. The record of Phase IV’s being able to produce the intended results is poor, as CCJAP and DFAT acknowledge. As already discussed, it must however be recognized that the ability of CCJAP to deliver its objectives was partially compromised, first, by the original design and, second, by the mismatch between objectives and activities.

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<sup>20</sup> Even though the CP pilot is said to be a community police project, more than one CCJAP staff indicated that its objective was crime reduction. Another staff person, for instance, had little idea as to the purpose to which CP pilot maps were to be put.

Despite these challenges, the transition from CPCS to the CP pilot inspired the CNP to expand the CCJAP pilot and launch its own nationwide community policing initiative. This has been the most concrete result of the program and may prove to have considerable significance. The almost twenty years of CCJAP assistance to the Cambodian corrections system, which ended in Phase IV with the final round of infrastructure and construction projects undertaken in eight provinces, is another example of effective programming. However, the most important results under the prisons component occurred in previous phases of CCJAP, when the General Department of Prisons (GDoP) and the Ministry of Health (MoH) collaborated in the establishment, staffing, training, and certification of health workers in prison health posts.

#### **4.1 Closure of Outcomes I and III**

As already broached, the process with which CCJAP and DFAT closed Outcomes I and III was relatively efficient. For example, in late 2014, recognizing the challenge of meeting the objectives of Outcomes I and III, CCJAP and the Ministry of Justice (MoJ) agreed to establish an ‘on call’ relationship, in which the MoJ could request for development support, if objectives and reasons for assistance were clearly enunciated. In the ten months leading up to August 2015, however, the MoJ did not request any assistance and, therefore, CCJAP concluded that there was no demand for external support to develop capacity.<sup>21</sup>

On the other hand, while recognizing the difficulties of the post-election period, the Team believes that the inability of Outcome I to generate results could have been recognized earlier during the design of Phase IV. The lack of results in achieving results implementing alternative sentencing had been raised in Phase II and this should have raised a red flag and placed the issue on the political agenda, testing whether the context has sufficiently changed to warrant further effort. There were additional markers that suggested that MoJ and Court support would not be forthcoming, not the least of which was that this terrain was widely known to be politically sensitive and closely held by the RCG. These markers included:

- the transfer of the MoJ’s internal reform champion shortly after the 2013 elections;
- the failure of the Alternative Sentencing Technical Working Group (ASTWG) to meet more than once since 2013;
- the inability of CCJAP and MoJ to agree on how to extend the Model Courts project to Cambodia’s other courts; and
- the state of flux within the Ministry.

The collection and analysis of data for the management of the criminal justice system, Outcome III, also appears to have not been a high priority for the RGC and had been true since CCJAP Phase II. Through June 2014, only \$51,580 was spent on Outcome III activities, which was less than 7% of the program’s expenditure during that time period. Basic prison data – prisoner-on-prisoner attacks, prisoner-on-guard

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<sup>21</sup> 20 August 2015 Briefing: CCJAP’s Support in Judicial Reforms Efforts in Cambodia.

violence, and guard-on-prisoner attacks – does not appear to be routinely collected by the Department of Prisons. It is also widely acknowledged that the Courts have been consistently unable to produce basic court data necessary to make analysis for improvement of court proceedings.<sup>22</sup>

## **4.2 Gender Equality**

Phase IV's record on gender equality programming is mixed. Gender-related activities feature strongly in the programming. The CPCS, which ended during Phase IV, conducted extensive awareness-raising on the law against domestic violence and on the suppression of trafficking in women and children. Those two categories accounted for 35.9% of all CPCS awareness raising programming. Awareness-raising activities on the law against domestic violence were almost double that dedicated to any other rights education initiative. CCJAP also strongly advocated for focusing the CP pilot on domestic violence, as one of its priority areas.

On the other hand, while numbers of women attending training, workshop, and awareness raising activities were recorded, CCJAP does not appear to have disaggregated some of its results data according to gender. For example, the program measured changes in CPCS beneficiary awareness, but its reports do not break those statistics down by gender. The intended result for Outcome II is enhanced safety for women and children, but two of that component's indicators – incidence of petty crime and violent crime – do not appear to have been disaggregated by gender.

The surveys CCJAP commissioned have a comparable mixed record. *The Crime Prevention and Community Safety Project Results Survey* oversampled for women in its household survey (56.39% of all respondents) when women constituted only 47% of CPCS' participants. However, there was no disaggregation of respondents by gender to questions concerning the effectiveness of community dispute resolution mechanisms, which is of crucial concern with regard to addressing the challenge of domestic violence. The same applies to the 2015 *CCJAP IV: CPCS Survey*. Women appear to be oversampled as part of the control group, but experience of crime is not gender disaggregated. The lack of disaggregation holds true for virtually every other statistic, leading to the conclusion that CCJAP is unable to determine if its activities resulted in better safety and security for women.

## **4.3 Police posts, CPCS and Community Safety and Security**

Given that the CP pilot was an activity that had not been previously planned, the programmatic centerpieces of Outcome II are the building of the police posts, the performance of the CPCS, and an overall community safety and security. CCJAP has funded surveys that shed light onto the effectiveness of all three (Police Posts – 2013; CPCS – 2014; Community Safety and Security - 2015).

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<sup>22</sup> 20 August 2015 Briefing, p. 2.

#### 4.3.1 Police posts

In order to be able to accede to the RGC's request to build police posts in Phase IV, which the program eventually did, CCJAP commissioned a 2013 survey of the efficacy of existing police posts, *The Impact of Police Posts on Crime and Safety in Cambodian Communes*.<sup>23</sup> Prior to Phase IV, the program had built police posts in 25 communes and 11 provinces, in the belief that new infrastructure would improve police effectiveness and community engagement, which, in turn would reduce crime and improve community safety and security. Although there was anecdotal evidence of positive effects, the survey found no reliable, valid, or statistically viable evidence to assert that new police posts had an appreciable effect on any of the intended indicators.<sup>24</sup> Similarly, the construction of new police posts "had little or no impact on the way respondents perceive crime in their communities. Differences between treatment and control communes from 2011 to 2013 were minimal for all of the parameters measured. In general, people feel safe in their communities, and they felt safer in 2013 than in 2011."<sup>25</sup> In part, this lack of effect was due to the "rarity of [reported] crime" in rural areas, which, as already discussed, calls into question the operational relevance of the program's rural focus.<sup>26</sup> The causal link between police infrastructure and community safety was not made explicit, and has not been borne out by experience.

The presence of new police posts had a positive effect. The police deployed to the newly built posts conducted more patrols than their colleagues in post that had not been renovated.<sup>27</sup> New posts offered citizens greater ease of access to the CNP and the cleanliness of the posts generated a perception in the public that the police in the posts were friendlier.<sup>28</sup> It would appear that the most significant positive effect the new police posts had was in the first year after their construction. To take advantage of that potential window of opportunity, however, CCJAP would have had to dramatically increase its programming precisely in the areas where the new posts were located and that was not done, as the program was not able to multi-layer its activities across components.

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<sup>23</sup> Angkor Research and Consulting Ltd.

<sup>24</sup> "We cannot say with statistical confidence that police post construction was responsible for... changes" in any of the indicators – crime, community safety, community engagement (*The Impact of Police Posts*, p. 4). Whatever change may have occurred in a variable was deemed not to be statistically relevant – crime rate (p. 24); crime reporting (p. 27); violent crime victimization rates (p. 29); thefts (p. 31); threats (p. 35); property damage (p. 39); fear of crime (p. 41); perceptions of the change in the crime rate (p. 42), alcoholism (p. 43); sense of personal safety (p. 45), etc.

<sup>25</sup> *Ibid*, p. 48.

<sup>26</sup> *Ibid*. The choice of where CCJAP conducted its support activities is not only an operational issue; it is a political one as well and there may have been important political considerations that shaped where the program undertook its activities.

<sup>27</sup> Unfortunately, because of rent-seeking by the police, these effects were, essentially, squandered, *Ibid*, p. 6.

<sup>28</sup> *Ibid*.

#### 4.3.2 CPCS and Community Safety and Security

In December 2014, the NMB authorized the gradual closing of CPCS. Prior to that date, CCJAP had authorized a survey of CPCS participants, focus groups, and 'key' informants to "assess the immediate and intermediate outcomes resulting from the CPCS projects implemented in the CPCS targeted areas."<sup>29</sup> The purpose of the survey was not to evaluate the effectiveness of Outcome II as a whole – the increase of safety and security for women and children. The survey only assessed the perceptions of the efficacy of the CPCS itself:

- the increase in the capacities of civil authorities, particularly with regard to being able to engage in community policing and conflict/dispute resolution and
- the enhanced awareness of the general citizenry with regard to the selected set of issues on which aware raising had been conducted,<sup>30</sup> the four top issues being: domestic violence, drug abuse and prevention, crime prevention, and the existence and functionality of the VCSP.

It should be noted that the reach of the CPCS, however, was limited within its targeted groups and overall as well. This is a typical reach versus depth challenge in awareness-raising programming. Approximately 30% of the households of the communes in which awareness raising was conducted attended CPCS sessions of any kind.<sup>31</sup> This is a relatively low level of coverage and, as a consequence, hampers the drawing of definitive conclusions as to the efficacy of awareness raising and legal education in communes in which CPCS sessions were conducted. Nevertheless, it is without doubt that the CPCS increased learning about individual rights and raised awareness, but there is little empirical evidence to suggest that learning and knowledge are readily convertible into changes of behaviour, let alone within a given demographic group when the coverage is less than 70-80%.

It is also important to note that perception surveys are unreliable, particularly with regard to issues of crime, safety and security. For questions about crime and crime rates, victimization studies produce more accurate and reliable results. If garnering perceptions about police performance is a survey's objective, it is prudent to limit the respondents to those with direct experience with the police. If a larger group of respondents is required, the next best group is households in which a family member has had a direct experience with the police.

Capacity building of civil authorities focused on four themes: human rights and law; citizen's education on conflict resolution, land law dissemination, and facilitation skills training for gender focal points.<sup>32</sup> All of these are worthwhile subjects, but one

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<sup>29</sup> *Report: Crime Prevention and Community Safety Project Results Survey*, Cambodian Research and Consultancy Center, Co. Ltd., p. 6.

<sup>30</sup> There were 281 CPCS awareness raising projects in 90 communes, attended by 18,830 Cambodians, *Ibid*, p. 4.

<sup>31</sup> *Ibid*, p. 7.

<sup>32</sup> *Ibid*, p. 15.

of the practical purposes of the CPCS, as described by CCJAP staff generally, was to bring the civil authorities – commune councils and village leaders – closer to the police as a means by which to make the communities more receptive to community policing. However, the survey found that CPCS was not actively engaged in this type of capacity development, for “there [are] still limited activities by the police on coaching youth and including them in crime prevention through various community activities.”<sup>33</sup> Similarly, if one of the purposes of CPCS was to enhance conflict resolution, the survey’s findings are not encouraging. Those at the greatest risk for instigating and perpetuating conflict are the demographic groups for which CPCS capacity building generated the lowest levels of activity, as the survey concluded that “the high points of activities not being done is CCWC meeting with offenders, counselling to those at risk of doing crime or juvenile offenders and school and community-based conflict resolution.”<sup>34</sup>

The final formal survey conducted by Phase IV was the CCJAP IV - CPCS 2015 Survey, a thorough control group analysis conducted by Angkor Research. As with the 2013 survey, the 2015 found that Phase IV activities had few statistically reliable, valid, or viable effects on the intended results of Outcome II<sup>35</sup> and, once again, one of the partial explanations is the low reported crime rate. What is of particular interest, however, is that CPCS activities had no appreciable effect on a change in the rate at which citizens reported crimes to the police or on the victimization rate, both of suggested increasing trust in the police, although below the level of statistically relevance.<sup>36</sup>

However, there was one type of fear of crime whose reduction was determined to be statistically relevant: fear associated with ceremonies and parties. A plausible theory of change does exist to link the two variables. Fear of crime at public events was a topic of discussion at almost all the beneficiary meetings held by the Team and, therefore, seems to be a subject on which communal councils and police effectively collaborated.

These findings that Phase IV programming has, largely, been ineffective, however, does not change the Team’s finding that the transition from CPCS to the CP pilot has had a positive and inspirational effect on the CNP’s launching its crime prevention/reduction initiative.

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<sup>33</sup> *Ibid*, p. 29.

<sup>34</sup> *Ibid*, p. 34.

<sup>35</sup> *CCJAP IV - CPCS 2015*, Executive Summary; indicators that were found not to be statistically reliable, valid, or relevant are decrease in the general crime rate, fear of crime, safety at home, satisfaction with the local police, theft, threats, fraud, property damage, general feelings of safety within the community,

<sup>36</sup> *Ibid*. Unnumbered page.

## 5. Sustainability

There are few concrete results from Phase IV that can be assessed for sustainability. This section therefore concentrates exclusively on the transition from CPCS to the CP pilot and the initiation of CNP's crime prevention/reduction project.

### 5.1 CPCS and Community Policing

In 2015, CCJAP conducted a quick assessment of CPCS to determine whether commune councils had engaged in subsequent programming after an awareness raising or capacity building activity had been undertaken. The study found that 84% of the queried communes had funded 'social projects' largely unrelated to CPCS activities, while 73% had financed initiatives more directly related to Phase IV programming, which totalled only 1.2% of total commune expenditures.<sup>37</sup> This finding is illustrative in that, as the Team was repeatedly informed, the principal focus of commune councils has been on social and economic development and, more specifically, infrastructure projects. Beneficiary interviews conducted by the Team indicated that, while safety and security challenges are of concern to commune councils, they are of secondary importance. CPCS's capacity building and awareness raising efforts do not appear to have reached an inflection point after which commune councils are sufficiently receptive to and actively engage in being full partners in community policing.

That civil authorities may not be sufficiently receptive or capable to engage actively in a community policing initiative poses a significant challenge to a future extension of the CP pilot. The Team was told that the CP pilot is premised upon the belief that police are the principal "agents of change." The Team does not believe that empirical evidence exists to support a plausible theory of change that police are the principal agents of change in community policing.

### 5.2 CP Pilot Tools

With the training initiatives that CNP has already undertaken, the Team envisages that the four tools piloted during the CP pilot can be utilized by the DAPPA. There are, however, caveats. Cambodia is rapidly urbanizing and, as already mentioned, it is likely that increasing crime will accompany that urbanization. New streets and new neighborhoods are likely to be built and, as CNP's crime prevention/reduction efforts progressively focus on urban centers, the need to map Cambodia's new and changing urban neighborhoods will increase correspondingly. If the experience of Latin America were to be illustrative, maps of growing urban areas may need to be continuously revised and updated to match the realities on the ground. Obsolete maps can and will undermine the efficacy of any crime prevention/reduction initiative. The sustainability challenge, therefore, is a financial and technological one.

Even though DAPPA is preparing to conduct training of CNP personnel on the four tools, the Team believes these tools are sufficiently important to be taught across the CNP to all police personnel. That is a task the lies beyond DAPPA's capabilities.

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<sup>37</sup> CCJAP, April-September 2015 Six-Monthly Progress Report.

Consequently, the Team believes that CNP training academies need to absorb the instruction of these tools and incorporate them into their curricula, a development that may be obtainable given the new thinking of the need to transform the CNP that is beginning to permeate the organization.

### **5.3 Substantive focus of the CP Pilot**

As a means by which to introduce and test a set of tools, the CP pilot focussed its substantive policing support on a selected number of criminal activities. Domestic violence sat atop the list of priority crimes, its selection, at least partially, a political and normative statement on the part of Australia and the international community. The evidence suggests that domestic violence is one of the most, if not the most, prevalent crime perpetuated in Cambodia. However, based upon the Team's brief period in Cambodia, it appears as if the CNP is not normatively or politically committed to giving domestic violence a position of primacy. Without this level of commitment, the elevation of domestic violence to the top of the CP pilot's priority list is likely to be an unsustainable objective.

Domestic violence is a complex challenge, one in which many stakeholders need to participate actively and collaborate. Alongside other stakeholders, the police play a vital role, but it is improbable that the police are "agents of change" with regard to addressing, reducing, and ending domestic violence. This does not minimize the role of police in ending domestic violence. Rather situates it the police appropriately within a Cambodian web of societal norms, values, capabilities, and political commitment and enables them feasibly and practically to contribute positively to ending domestic violence.

## **6. Conclusions and lessons learned**

### **6.1 Conclusions**

Due to a technically weak design and a persistent mismatch between component objectives and activities, Phase IV was challenged to obtain the results intended by its three Outcomes. Outcome I and III were closed early because the activities were not progressing or were unlikely to achieve the intended results. The methodology by which CCJAP closed the two Outcomes is an example of good development practice. The cornerstone of Outcome II, the CPCS, was also closed before the end of Phase IV. The various surveys conducted by CCJAP indicated that the CPCS did not appreciably improve the safety and security of women and children, its intended objective.

However, the transition from CPCS to the CP pilot has had a positive and inspirational influence on the CNP's launching of its crime prevention/reduction initiative, in part because the four tools introduced by the CP pilot are sound, intelligent, and reasonable. Due to the legacy of Cambodia's wars, the concept of civilian leadership over the security services (police included), particularly at the sub-national/grassroots level, exists mainly on paper. Through the framework of the National Committee for Sub-National Democratic Development, the VCSP, and their



rules and regulations, the RGC had begun a process to revise that mindset, helping to enhance the legitimacy of the CNP.

The launching of the CNP's crime prevention/reduction initiative is a renewed effort to do so, although its focus is not primarily on the role of commune council and awareness-raising. Instead, it is a crime prevention/reduction project, one in which the police are the recognized lead. One of the responsibilities of the police in crime prevention/reduction is to secure the collaboration of local civil authorities. If commune councillors are to be more than passive spectators, police posts will have to be in the forefront of change. The four tools introduced by the CP pilot can help make this change happen. This approach is likely to be more sustainable as it corresponds more closely to Cambodian realities. It is also probable that this approach corresponds to the context of an urbanizing society with more transient communities and neighborhoods in flux – rapidly growing or, in the case of rural ones, with declining and increasingly older populations.

## **6.2 Lessons learned**

There are two sets of theories of change that are pivotal in law and justice programming: substantive/technical and macro. Both need to be coherent and understood for programming to be effective. Substantive and technical theories of change ought to be grounded in known empirical data. Effective programming requires that a cogent and coherent relationship is maintained between law and justice programmatic objectives and the activities designed to achieve those outcomes.

For effective law and justice development, DFAT, program designers, and the implementing managing contractor also need to be conversant with the *political openings and windows of opportunity* within which the program exists. These four *political openings and windows* will not only fluctuate over the lifespan of the program, but also vary for different program components. These openings and windows appear in almost any context and, therefore, it is possible to conduct effective law and justice development even in situations, such as Cambodia's, that initially seem daunting and unlikely to yield tangible results.

Risk mitigation strategies need to be continually updated and refreshed to correspond to the changes in *political openings and windows of opportunity*. In the case of CCJAP and its CP pilot, for instance, special risk mitigation attention needs to be paid to how the 'maps' are utilized.

Crime exists in Cambodia's rural provinces, but as rural populations decrease through international and intra-Cambodia migration, it is increasingly vital for community policing and crime prevention/reduction programming to turn toward working within urban centers. Given Cambodia's rapid urbanization, it is likely that crime rates in urban areas will increase faster than in other areas of the country and programming should respond accordingly. This phenomenon affects not only Cambodia, but is equally true in many other countries around the world. Law and

justice development may need to be implemented predominantly in urban environments, especially if value-for-money considerations are taken into account. It is also important to note that the law and justice approaches that apply to urban areas may be markedly different to what corresponds to the needs of rural populations. Programming needs to take this change of context into account.

Even though it is crucial for law and justice practitioners to be conversant with international best practice, there should be no presumption that what is applicable and appropriate in one context is necessarily transferrable to another. It is a standard law and justice development strategy to advocate and support community policing initiatives. The same applies to programming to end domestic violence. While politically important, in some instances, familiar programming activities are not necessarily effective in all contexts.

The weakness of Outcome 1's design indicates the need for more refinement and understanding of the problem-solving approach to law and justice development and how that approach can be implemented. Because the tools introduced in the CP pilot provide the CNP with the possibility of undertaking a systematic, nationwide problem-solving approach, it is crucial that DFAT and the managing contractor's law and justice program practitioners be skilled in the technique's nuances.

Finally, the decision to refocus CCJAP to achieve greater value for money is an example of good development. However, if a development program undergoes a radical change of direction or selected components of the program need to be closed due to poor performance, DFAT needs to assume the primary role and be actively engaged in communicating the changing circumstances to the recipient country's stakeholders. It is inappropriate for DFAT to outsource this political communication role to the managing contractor.

## Annex A: Acronyms

ASTWG	Alternative Sentencing Technical Working Group
AusAID	Australian Agency for International Development
CCJAP	Cambodia Criminal/Community Justice Assistance Partnership
CNP	Cambodian National Police
CCWC	Commune Committee for Women and Children
CPCS	Crime Prevention and Community Safety
CP	Community Policing
DAPPA	Department of Administrative Police Post Affairs
DFAT	Department of Foreign Affairs and Trade
GDoP	General Department of Prisons
LJS	Legal and Judicial Reform Strategy
MoH	Ministry of Health
Mol	Ministry of Interior
MoJ	Ministry of Justice
NDDRF	National Decentralisation and Deconcentration Reform Framework
NMB	National Management Board
PHOM	Prison Health Operating Manual
RGC	Royal Government of Cambodia
ToT	Train-the-Trainers
VCSP	Village and Commune Safety Policy

## Annex B: Evaluation Plan

### Introduction

This Evaluation Plan describes the Agulhas team approach to undertaking the Independent Evaluation of the Cambodia Community Justice Assistance Partnership (CCJAP). Within the scope of the Terms of Reference (ToR), it sets out how our objectives, our evaluative approach, our methodology and our work plan.

The Evaluation Plan consists of four parts. The first substantive section is a brief synopsis of the four-phase history of the Government of Australia's (GoA) Law and Justice Sector (LJS) support in Royal Government of Cambodia, which since 1997 has contributed over \$69 million to the development of the sector.

The next part sets out the methodology for evaluating CCJAP Phase IV, in order to validate and assess its effectiveness in achieving its three strategic objectives: to reduce prison overcrowding; improve community safety; and improve data management. In this section, the Independent Evaluation's analytic framework and methodology will be discussed and outlined with respect to DFAT's principal evaluation criteria, namely relevance, efficiency, effectiveness, gender, and sustainability.<sup>38</sup>

These criteria ensure that the Independent Evaluation addresses the main elements underlying the assistance, from the relevance of its objectives through to the ultimate impact on beneficiaries. However, because GoA assistance is only ever one of many influences on the development of law and justice in Cambodia or elsewhere, even with statistically reliable data, it is unlikely to be feasible to apply a strict approach to **attributing** impact to GoA's support. The Independent Evaluation will, therefore, look more broadly at the **contribution** made by GoA's assistance and at whether CCJAP's Phase IV underlying theories of change are plausible based on the available evidence.

The third substantive section discusses how the Independent Evaluation will gauge CCJAP's legacy over all four phases of its existence, from 1997-2016. According to the ToR, this analysis is primarily intended to be a desk review of the program's overall achievements and progress over its lifespan with a focus on policy and legal frameworks. However, while in Cambodia, the Evaluation Team may have the opportunity to weigh whether new policies and laws have been embedded within Cambodia's criminal justice systems, leading to tangible and sustainable achievements, and whether they have responded to Cambodia's evolving needs and national context.

The fourth and final section sets out a delivery plan, including roles within the evaluation team, timelines and outputs.

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<sup>38</sup> Solely for reporting and organizational purposes of this Independent Evaluation, impact falls under effectiveness and monitoring and evaluation is to be addressed under efficiency.

**Purpose**

The purpose of the Independent Evaluation is threefold. First, it is to evaluate the effectiveness of CCJAP Phase IV. The second purpose is to document CCJAP's almost two-decade legacy. The third is to elicit practical and programmatically cogent lessons to contribute to future GoA endeavours in Cambodia, especially with regard to Community Policing Initiative and Ending Violence Against Women initiatives.

**Audiences**

The main audiences for the Independent Evaluation are DFAT, other Australian law and justice programs, the Australian public, partner governments, implementing partners, and the beneficiaries for whom law and justice programming are designed and implemented.

The evaluation report will be published under DFAT transparency policy, with due consideration to the confidentiality of material collected and feedback from individual stakeholders.

**History of CCJAP**

The following is a brief recital of all four phases of the CCJAC, to set the context within which the Independent Evaluation is to take place, as well as to lay the foundation upon which the legacy assessment will rest.

Australia has supported the continuous and progressive development of the Cambodian criminal justice sector since 1997, for a total contribution of upwards of \$70 million (all figures in AUD). The initial phase of the CCJAP began in April 1997 and was initially scheduled to terminate in March 2000, but was extended an additional fifteen months through June 2001 (\$12.6 million). This extension facilitated the design of Phase II of the CCJAP, which ran for five years, from April 2002 to February 2007 (\$19.4 million). CCJAP programming then transitioned into Phase III, with full implementation commencing in July 2007 (\$25.7 million). Finally, Phase IV launched in April 2013 is scheduled to close in June 2016 (\$15 million).

All four phases have deployed a systemic and comprehensive methodology to criminal justice development, seeking to link together and, ultimately, integrate the three major agencies of the criminal justice chain into a cooperative and collaborative whole. However, each has sought to address different priorities and objectives and, therefore, adopted different approaches. Phase I was a technical assistance program of institutional strengthening through the development of managerial and operational procedures, along with formal and on-the-job training. Improving the human rights conditions within the sector was also a priority of this first phase. Two judicial police headquarters were constructed and five prisons renovated so that basic criminal justice service could begin to be provided.

Phase II provided support at the national level to the Ministries of Interior and

Justice and deployed a team of six full-time technical advisors, as a means by which to more deeply and vertically integrate the criminal justice chain. It also placed a greater emphasis on partnerships with civil society organizations as part of its effort to ensure transparency and equitable access to justice. While one of this phase's major objectives was to support the drafting and dissemination of a Legal and Judicial Reform Strategy, the CCJAP also initiated a capital infrastructure program. It developed a prisons model. Furthermore, its Prisoner Health and Rehabilitation and Crime Prevention and Community Safety (CPCS) initiatives gained traction. Program documents from the time recognize the challenge of sustainable criminal justice development in a country such as Cambodia with its endemic and chronic deficits.

Expanding its geographic support, Phase III shifted towards greater community-level assistance, in order to try to integrate the delivery of justice services to citizens and meet community demands for more efficient law and justice service provision. Community safety initiatives funded the project's six partner provinces of Kandal, Prey Veng, Battambang, Kampong Thom, Banteay Meanchey and Kampong Cham. This changed geographical focus recognized the importance of delivering tangible benefits to juveniles, women, and other vulnerable groups, as well as the difficulties of addressing community safety purely through national policy initiatives. At the same time, this phase concentrated more than on the role and functions of the General Secretariat for Legal and Judicial Reform as a coordinating body, as well as promoting planning across the sector through the development and use of the Planning Guide for Justice Sector Institutions. The Planning Guide accompanied renewed efforts to support the development of a National Police Strategy and the implementation of a Cambodia National Police Crime Prevention and Community Policing Strategy. Comparable initiatives were undertaken under the auspices of the Ministry of Justice to develop a strategic plan, enhance its managerial and operational systems, and to improve internal management of resources.

Phase IV of the CCJAP, which began in April 2013, has continued the move toward greater community participation and involvement in the development of Cambodia's criminal justice systems. Three new partner provinces were added to the previous six and the program no longer supported in-line advisors, but instead sought greater participation of Royal Government of Cambodia's subnational agencies and commune authorities in the provision of community safety and with regard to gender-based violence and the human rights of detainees. The five pillars of Phase IV are:

- crime prevention and community safety;
- reducing prison populations through the increased use of alternative sentencing and improved prison management;
- strengthening data and decision systems for evidence-based management;
- small-scale infrastructure predominantly within prisons; and
- improving the legal and judicial responses to violence against women.



## **CCJAP Phase IV Evaluation Methodology**

According to the ToR, the first purpose of the Independent Evaluation is to assess and document the effectiveness of CCJAP Phase IV (2013-2016). Employing DFAT's principal evaluation criteria – relevance, efficiency, effectiveness, gender, and sustainability – programmatic effectiveness is to be weighed in light of challenges arising from its design, DFAT management and direction, decisions reached by the National Management Board, and Cambodia's dynamic political economic context.

### ***CCJAP Phase IV Outcomes***

Phase IV of the CCJAP had three major objectives and outcomes:

1. to reduce prison overcrowding;
2. improve community safety; and
3. improve data management.

More specifically, the challenge of prison overcrowding was to be tackled through the establishment and implementation of the Cambodian government policies on non-custodial and alternative sentencing. Improved community safety was to be addressed through a community policing methodology, in which support for CPCS activities and Village and Commune Safety Policy (VCSP) were to be the keystones. Finally, the agencies of the criminal justice sector – court, police, and prisons administrations – were to be provided assistance in how to use data more efficiently and effectively in the pursuit of government policies. This design drew on learning from previous phases as to the difficulty of achieving comprehensive criminal justice system reform in the Cambodian context, focusing instead on tackling specific problems and issues.

### ***CCJAP theory of change***

Every development initiative has, implicitly or explicitly, a theory of change. Within any single program, it is likely that different programmatic components may have their own theories of change. For this reason, the Independent Evaluation will inquire as to the theory of change that underlies each of Phase IV's three components. That inquiry is vital in any determination of programmatic relevance and, consequently, the Independent Evaluation will place a strong focus on assessing the validity of Phase IV's underlying theory of change, taking into account, political, economic and social perspectives.

This theory-based approach enables us to explore what progress has been achieved against the program's objectives and outcomes, whether the causal assumptions behind the design have proved to be valid through the implementation phase. One of the principal issues in that assessment will be identifying the intended beneficiary(s) of each activity, the problem that the activity seeks to address, and how the theory of change pertains to that beneficiary(s).

In CCJAP's Phase IV theory of change, it is important to note the role played by the program's support for capital infrastructure, which was not part of the original



design, but was added subsequently through a decision of the National Management Board.

### ***Suggested evaluative questions***

The evaluative questions outlined in the ToR can be broadly mapped to standard DFAT evaluation dimensions of relevance, effectiveness, efficiency, monitoring and evaluation, impact/sustainability and gender equality.

<b>Criteria</b>	<b>Description</b>
<b><i>Relevance</i></b>	<ul style="list-style-type: none"> <li>▪ Are the objectives and activity outcomes of Phase IV relevant to Cambodian criminal justice priorities?</li> <li>▪ To what extent has CCJAP IV contributed to Australia's aid program objectives?</li> <li>▪ Are Phase IV's theories of change plausible and fit-for-purpose?</li> </ul>
<b><i>Effectiveness</i></b>	<ul style="list-style-type: none"> <li>▪ Do the three components constitute a coherent and cogent strategy?</li> <li>▪ Are the activities conducted under each of the three components of Phase IV effective?</li> <li>▪ Have there been concrete benefits accruing to beneficiaries because of Phase IV activities?</li> <li>▪ Has CCJAP IV progress been as expected? What has been learnt from the shift in focus in Phase IV (both in its design and program implementation)?</li> <li>▪ Have more tangible results been possible and are they more likely because of the shift?</li> <li>▪ Are there any discernible circumstances outside the control of the program that may have influenced the results achieved?</li> </ul>
<b><i>Efficiency</i></b>	<ul style="list-style-type: none"> <li>▪ To what extent are inputs and activities clearly focused on concrete outcomes (not just outputs)?</li> <li>▪ Has management of the activity been responsive to changing needs?</li> <li>▪ Has CCJAP IV made appropriate use of Australia's and other partners' time and resources to achieve objectives?</li> </ul>
<b><i>Gender Equality</i></b>	<ul style="list-style-type: none"> <li>▪ Has CCJAP IV addressed gender equality in planning and implementation and has practical Ending Violence Against Women support been a central programmatic cornerstone?</li> </ul>
<b><i>Monitoring and Evaluation</i></b>	<ul style="list-style-type: none"> <li>▪ Is an M&amp;E system being used by CCJAP IV effectively to measure implementation progress, in particular progress towards meeting expected outcomes?</li> <li>▪ Extent that M&amp;E systems enable timely and accurate reporting?</li> <li>▪ Extent to which M&amp;E systems enable learning?</li> </ul>
<b><i>Impact and Sustainability</i></b>	<ul style="list-style-type: none"> <li>▪ Do government counterparts demonstrate ownership of activities?</li> <li>▪ Does Cambodia have the financial, cultural/normative, institutional, and other capacities to continue Phase IV activities?</li> <li>▪ To what extent will benefits endure after CCJAP IV?</li> <li>▪ What are the enduring legacies produced by CCJAP IV (direct/indirect, intended/unintended)?</li> <li>▪ Is Australian assistance producing sustainable results – especially with regard to community policing and Ending Violence Against Women?</li> </ul>

The assessment of relevance, effectiveness and efficiency will enable the Independent Evaluation to judge the extent to which CCJAP is likely to generate sustainable changes beyond the life of the program and taking into account the changing priorities of the Royal Government of Cambodia and its criminal justice agencies.

### ***Methodology***

The evaluation methodology draws upon a naturalistic and constructivist inquiry approach, taking place in the real world setting of the CCJAP IV program and its main implementing counterparts. The findings of the Independent Evaluation will rely, foremost, on the questions posed by and asked of the data and from those findings the conceptual analysis will emerge. This is a relational approach that seeks to build up knowledge from practice rather than imported concepts.

It has three elements:

1. document review;
2. fieldwork and stakeholder engagement; and
3. analysis.

These processes are intended to be mutually reinforcing and collectively are expected to generate more than the sum of their parts.

#### *Document Review*

The Independent Evaluation will review an extensive list of key documents related to the planning and implementation of CCJAP Phase IV, including design documents, CCJAP background briefings, progress reports, National Management Board minutes and decisions, monitoring data, financial reports, and exit strategies. Within this documentation, of critical importance for the validity of the findings of the Independent Evaluation is an assessment of existing empirical data produced by CCJAP, as well as any data that can be culled from other sources. Part of that assessment includes a determination of the data's reliability and validity.

An illustrative inventory of documents is attached (see Annex A).

#### *Fieldwork and Stakeholder Engagement*

Using its review of documents as a steppingstone, the Independent Evaluation will conduct fieldwork. This stakeholder engagement will draw on opinions from different parts of the 'CCJAP aid chain' – from DFAT to RGC government counterparts within the criminal justice systems, from CCJAP staff and contracted implementers to beneficiaries. Where possible, the Independent Evaluation will meet with secondary stakeholders from international organisations, other development partners and Cambodian society with an interest in CCJAP. This working across the aid chain will ensure that the Independent Evaluation's emergent findings are constantly triangulated and as valid as possible, even if not always fully generalizable.

Boring down, the fieldwork will consist of semi-structured group interviews, individual interviews, participant observation, and site visits, to the extent possible, each of which is intended to assess the key evaluative questions. The Independent Evaluation will use these interviews to encourage participant reflection, enabling an exploration of some of the factors that may drive or constrain implementation and progress, with a view to assessing whether the program is delivering its planned activities, outputs or outcomes within the specified timeframes and budgets.

It can be expected, for instance, that stakeholder discussions may identify additional causal pathways, theories of change not explicated in program documentation, which may inform the Independent Evaluation's initial findings on relevance and plausible sustainability. Through this method of triangulation, the qualitative findings of the Independent Evaluation can be validated, particularly when coupled to the document review.

A selection of proposed fieldwork is attached, as Annex B.

### *Analysis*

The analysis occurs after the stakeholder engagement is completed, when the Independent Evaluation will critically reflect on the document review and its fieldwork for the purpose of identifying significant findings, making observations and developing recommendations for stakeholders.

### **CCJAP Legacy Review**

According to the ToR, the second purpose of the Independent Evaluation is to conduct a desk review, supplemented by a limited number of key informant interviews, of CCJAP achievements and progress over the course of the program's lifetime from 1997-2016. The goal is to assess 'what has been left behind' by programmatic support for legal frameworks, policy documents and operational practices and what lasting effect these have had on the Cambodian criminal justice institutions and, most importantly, for the intended beneficiaries, Cambodian citizens. If legal and policy frameworks have not been embedded in real changes for beneficiaries, it is difficult to conclude that those documents and processes have had or can have a lasting impact. Given the capital infrastructure construction that CCJAP has supported, it is of special import to determine the discernible impact that initiative has had and the tangible benefits it has left behind for beneficiaries.

### **Methodology**

From a close reading of Completion Reports and evaluations of CCJAP Phases I - III, the Independent Evaluation will be able to establish a set of 'most significant' outcomes and results. The Independent Evaluation will also take the conclusions of its Phase IV evaluation as an additional set of 'most significant' outcomes and results. Taken together, these claims will then be assessed against additional documentary evidence, materials generated by the program (such as surveys) and third party reports. This analysis will help validate the extent to which the outcome and result claims have led to sustainable change, and to judge their significance in

the Cambodian context. To complement and further deepen this analysis, a limited number of interviews will be conducted with key stakeholders from each of the main branches of the justice system *and* discussions with well-informed independent observers, with an eye to their judgment of what the most significant legacies of CCJAP are. From this process, and with special attention paid to community policing, gender equality and promoting the End to Violence Against Women, the Independent Team will draw out its understanding of CCJAP's legacy and the major lessons learned from almost two decade support to Cambodia's criminal justice systems.

These processes are intended to be mutually reinforcing and collectively are expected to generate more than the sum of their parts.

The analytic framework for the Legacy Review has three elements:

- i. document review;
- ii. selected stakeholder engagement; and
- iii. analysis.

#### *Document Review*

As the Legacy Review is primarily a desk review, the Independent Evaluation will concentrate on documentary evidence, such as Project Completion Reports and previous independent evaluations, to compile a set of 'most significant' outcomes and results. The Independent Evaluation of Phase IV will also be utilized and added to that compilation.

Our focus will not be on assessing the validity of the original results claim from the Project Completion Report or evaluation, although we may comment on the strength of evidence. Rather, the question is whether the outcomes and results asserted in a Completion Report and/or evaluation have been sustained and what is the concrete, enduring legacy of those outcomes and results.

Once a set of outcomes and results has been compiled, the Independent Evaluation will subject that list to validation through an analysis of two additional sets of documentation. First, the Independent Evaluation will analyze other program documentation, such as program progress reports, surveys, National Management Board minutes, to assess the claimed outcomes and results. It is expected that the program will itself have generated important evidence as to whether the results from previous phases have been sustained.

Thereafter, the Independent Evaluation will utilize analyses and reports written by independent observers of Cambodia further to supplement and complement the foregoing analysis and validation of 'most significant' outcomes and results.

An illustrative inventory of documents the Legacy Review will examine is attached, see Annex A.

### *Stakeholder Engagement*

The stakeholder engagement of the Legacy Review is initially based upon fieldwork to be conducted during the Phase IV assessment and those findings will be used to inform the Legacy Review, given the limited time available for the review team to conduct fieldwork.

Nevertheless, the Independent Evaluation will also use its review of documents as a means by which to identify specific questions that may be readily addressed through targeted interviewing. Unlike the ‘aid chain’ that is to be used for the Phase IV evaluation, the method for selecting stakeholder engagement on the identified questions is threefold. First, in consultation with DFAT, the Independent Evaluation will try to pinpoint selected individuals who have long experience with and/or in the Cambodian criminal justice systems. Second, the Independent Evaluation will rely upon the deep experience and knowledge of its National Consultant to identify such individuals. Third, it is expected that the documentary review will highlight certain individuals who played a pivotal role in the CCJAP and are knowledgeable about criminal justice provision in Cambodia, each of whom, therefore, may be crucial to explicate the program’s legacy.

It is expected that from these interviews, that the Independent Evaluation will probe interviewees for their feedback on CCJAP legacy results, validation of the outcome and result claims, and, lastly, their perceptions of any cumulative and catalytic impacts the program may have engendered.

A selection of proposed fieldwork is attached, see Annex B.

### *Analysis*

The Legacy Review ends with an analytical phase analysis, which follows the completion of the stakeholder engagement. The Independent Evaluation will critically reflect on the document review and its fieldwork for the purpose of identifying the significant legacies of CCJAP.

Part of that reflection will include recommendations and lessons learned. These recommendations and lessons learned will be drawn not only from the document review, but also the stakeholder engagement, for one of the questions expected to be posed to selected interviewees will be their assessment of CCJAP’s lessons learned.

### **Delivery plan**

#### ***Evaluation team roles***

The team is composed of two persons: Eric Scheye and Sopheak Ok Serei. Eric and Sopheak will work together in a collaborative manner and it is expected that they will conduct interviews together and separately, thereby taking advantage of Sopheak’s privileged access to stakeholders.

Eric is the Independent Evaluation's Team Leader and is responsible for overall management of the evaluation; the development and implementation of the evaluation plan; in-country mission, Aide Memoire presentation and report writing.

Sopheak is the National Consultant and will assist the Team Leader in document review and tracking development of the legal and judicial reform in Cambodia. He will assist in interview/appointment arrangement and will be invaluable for his expert knowledge of the history of criminal justice in Cambodia, offering another means by which the Independent Evaluation can triangulate and validate its findings.

It is expected that an interpreter will be made available to the Independent Evaluation so that Sopheak's knowledge can be utilized to its utmost and not spent on interpretation.

### **Timeline**

The agreed upon timeline is below. As stated in the ToR, it is subject to revision based upon the agreement of the parties.

<b>Timeframe</b>	<b>Activity</b>
March 2016	Team mobilisation
14 March – 8 April (5 working days)	Desk review of background documents and preparation of review plan. <i>Submit the Evaluation Plan to DFAT</i>
8-11 April	DFAT review of Review Plan (including seeking stakeholder feedback) <i>Feedback submitted to review team</i>
11-15 April (1 day)	Finalise the review plan and in-country schedule (with assistance from DFAT - Note: Khmer New Year on 13-15 April)
23/24 April	Team arrive in Cambodia
25 April-6 May (12 working days – includes weekend)	In-country mission for data collection, interviews. <i>Draft Aid memoire and present (on the last day of the mission) to DFAT and selected stakeholders</i>
6 May	Present Aid Memoire to DFAT in the morning, revise as appropriate and present to selected stakeholders in the afternoon
7/8 May	Team depart Cambodia
9-20 May (9 working days)	Draft Evaluation Report and Report on Legacy of CCJAP (1997-2016). <i>Submit the Draft Reports to DFAT</i>
20-27 May	DFAT review Draft Reports and provide feedback <i>Feedback submitted to review team</i>
6 June (3 working days)	Finalise and submit Final Evaluation Report and Report of Legacy of CCJAP to DFAT

### **Ethical considerations**

The team will following standard ethical principles when completing the research, particularly with a view to mitigating the risk of harm to participants, respecting privacy, confidentiality and anonymity where necessary and ensuring that all participation is voluntary, premised on consent and free of external pressure.

### **Performance rating**

The Independent Evaluation will use the DFAT quality assurance rating scale to make an overall judgment regarding CCJAP Phase IV's relevance, effectiveness, efficiency, gender equality, and sustainability.

**Research limitations**

Our inductive, reflective multi-stakeholder approach is intended to triangulate competing evidence sources and arrive at conclusions based on the balance of probabilities and plausibility.

The time given to conduct fieldwork for both the Phase IV evaluation and the Legacy Review is limited. The Evaluation Team will attempt to increase its fieldwork by, occasionally, separating the team and conducting parallel stakeholder interviews. To do so, however, requires that an interpreter accompany the Team Leader for his interviews.

**Outputs**

The ToR calls for an Aide Memoire presentation at the conclusion of the fieldwork.

As set out in the TORs, the Evaluation Team will deliver two separate reports: a CCJAP Phase IV Assessment and a CCJAP Legacy Report. The ToR asks for recommendations and lessons learned. As a number of the recommendations and lessons learned may be similar across the two Reports, it remains to be determined in which Report they would be best placed or whether they belong, respectively, in each. Discussions with DFAT will be determinative of where recommendations and lessons learned are situated.

The Phase IV Assessment is expected to build on the following structure to address the key themes of the Independent Evaluation:

- an executive summary (should be able to be read as a stand alone document);
- background on the aid activity;
- an outline of the evaluation objectives and methods;
- findings against the evaluation questions divided into five main categories for the Phase IV assessment: relevance, efficiency, effectiveness, gender, and sustainability;
- evaluation criteria ratings presented at the beginning of each section of the Phase IV assessment;
- conclusions for the Phase IV assessment.

The structure of the Legacy Review remains to be discussed with DFAT, conversations that are expected to take place during the field visit.