# Cambodia Criminal Justice Assistance Project – Phase 3

In Country Review of CCJAP Phase III
Monitoring and Evaluation Framework

**Criminal Justice Advisory Group Report** 

5 February 2009

### TABLE OF CONTENTS

AE	BBREVIA	TIONS	l
M	AP OF C	AMBODIA	
BA	ASIC PRO	DJECT DATA, ACKNOWLEDGEMENT AND DISCLAIMER	IV
Ε>	KECUTIV	E SUMMARY	V
1.	INTROE 1.1 1.2	Background Purpose and method of review	1
2.	2.1 2.2 2.3 2.4 2.5	/ AND APPRAISAL OF CCJAP PHASE III M&E FRAMEWORK Linkages between the MEF, the PAF and the LRJS Provincial Roll-out M&E M&E Framework Strategic Objective Indicators Cross-cutting themes Integration with RGOC M&E	1 2 3
3.	3.1 3.2 3.3 3.4	REGARDING CCJAG3 PROJECT MANAGEMENT RECOMMENDATIONS  Promotion of stronger executive and operational engagement and relationship with the MOJ and PMU in CCJAPIII  Promotion of team integration and relationship among component and head quarters and provincial offices.  Staffing and recruitment  Alignment of CCJAP's planning and budget cycle with that of the RGOC	5
4	CONCL	USION	7
A۱	NNEX 1:	TERMS OF REFERENCE	9
A۱	NNEX 2:	AIDE MEMOIRE	10
A۱	NNEX 3:	AUSAID CAMBODIA COUNTRY STRATEGY PERFORMANCE FRAMEWORK	13
A۱	NNEX 4:	SUGGESTED CCJAP III M&E FRAMEWORK	17
A۱	NNEX 5:	SUGGESTED REVISIONS TO JOB DESCRIPTION FOR PROVINCIAL PROJECT OFFICERS	35
A۱	NNEX 6:	SUGGESTED REVISIONS TO JOB DESCRIPTION FOR CRIME PREVENTION AND COMMUNITY SAFETY COORDINATOR	38
Δ١	JNFX 7.	SUGGESTED REVISIONS TO JOB DESCRIPTION FOR JUSTICE ADVISOR	<b>⊿</b> 1

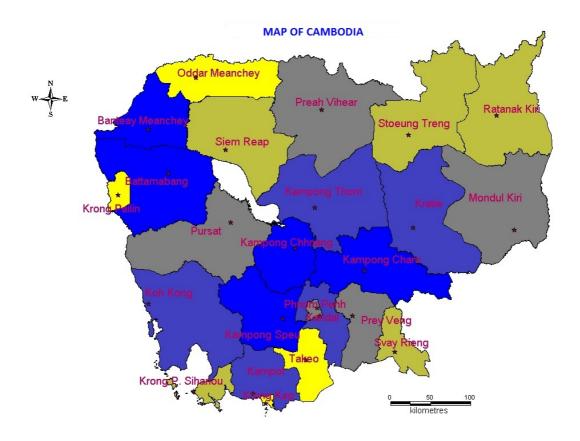
### **Abbreviations**

AGD	Attorney General's Department (Australia)
AFP	Australian Federal Police
ATD	Australian Technical Director
ATL	Australian Team Leader
AusAID	Australian Agency for International Development
CCJAG	Cambodia Criminal Justice Advisory Group
CCJAP	Cambodia Criminal Justice Assistance Project Phase 3
CDRI	Cambodia Development Resource Institute
CLJR	Council for Legal and Judicial Reform
CNP	Cambodia National Police
CPCS	Crime Prevention and Community Safety
D&D	Deconcentration and Decentralisation
DANIDA	Danish International Development Agency
DIHR	Danish Institute for Human Rights
DTL	Deputy Australian Team Leader
FSF	Flexible Support Fund
GDoP	General Directorate of Prisons, Ministry of Interior
GOA	Government of Australia
IWDA	International Women's Development Agency
JICA	Japan International Cooperation Agency
LJRS	Legal & Judicial Reform Strategy
M&E	Monitoring and Evaluation
MEF	Monitoring and Evaluation Framework for CCJAP
MoEF	Ministry of Economics and Finance
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOSAVY	Ministry of Social Affairs, Veterans and Youth
MWA	Ministry of Women's Affairs
NMB	National Management Board
O&M	Operations and Maintenance
OECD	Organisation for Economic Cooperation and Development

PAR	Public Administration Reform
PCP	Police-Courts-Prisons
PFM	Public Finance Management
PKKO	Ponleu Koma Kampuchea Organisation (Cambodian NGO)
PMU	Project Management Unit (supporting the CLJR)
RGOC	Royal Government of Cambodia
SCA	Save the Children Australia
TA	Technical Assistance
TWGLJR	Technical Working Group on Legal and Judicial Reform
UNODC	United Nations Office of Drug Control
WAB	Work Activity Briefing (Capital Works)
WofG	Whole of Government
WV	World Vision

### Map of Cambodia

CJAP partner provinces: Kandal, Prey Veng, Battambang, Banteay Meanchey, and Kampong Thom.<sup>1</sup>



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 $<sup>^{1}\,\</sup>mathrm{At}$  the time of writing, Kampong Cham was scheduled to be added as a partner province.

#### Basic Project Data, Acknowledgement and Disclaimer

Country: Cambodia

Activity Name: Cambodia Criminal Justice Assistance Project Phase 3

Program: Bilateral

**Location of Activity**: National level, Kandal, Battambang and Prey Veng provinces, with

other provinces to be decided as implementation progresses

Counterpart Agencies: Ministry of Interior; Ministry of Justice; Council for Judicial and

Legal Reform

Managing Contractor: Global Justice Solutions

3<sup>rd</sup> CCJAG Team Members: James Mc Govern (Team Leader); Ms. Mak Solieng (Community

Development Specialist); Ms. Kirsten Bishop, Law and Justice Advisor, AusAID, Canberra; Mr. Rath Sophak (Capital Works

Specialist), Mr. Russell Burke (Capital Works Advisor).

#### **Key Dates:**

Mobilisation 5 February 2007 1 July 2007 **Implementation** Revised Strategic Framework May 2007 1st Annual Plan June 2007 1st CCJAG review Oct-Nov 2007 2<sup>nd</sup> CCJAG review March 2008 3<sup>rd</sup> CCJAG review October 2008 CCJAG Team Leader input January, 2009

#### Approved Cost of Activity as per Subsidiary Arrangement

Government of Australia AUD \$ 30 million Royal Government of Cambodia AUD \$ 4.2 million Danida AUD \$ 1 million

(the latter two amounts are approximate conversions from the respective national currencies)

#### Acknowledgement and Disclaimer

The CCJAG Team Leader would like to thank all those consulted for giving their time to provide valuable advice and analysis. Special thanks are also extended to AusAID staff in Phnom Penh and Canberra whose support allowed the mission to proceed smoothly.

This report only reflects the views of the CCJAG. It does not necessarily reflect the views of the Government of Australia, the Royal Government of Cambodia or any of the agencies or people consulted during the mission.

#### **Executive Summary**

- 1. Seen as part of the Government of Australia's (GoA's) assistance to Royal Government of Cambodia (RGOC) legal judicial reform efforts, the Cambodia Criminal Justice Assistance Project Phase 3 (CCJAP, or the Project) continues to make progress in supporting important reform initiatives. This CCJAG input into M&E and the operationalisation of recommendations from CCJAG's Third Report saw positive aspects of new management being delivered by the Acting TL, including increased openness and strategic level engagement across components and with the RGOC. Some internal administration restructuring and establishment of regular schedule of meetings would further assist the Project to engage more effectively with key counterparts in the Ministry of Justice (MoJ), the Council for Legal and Judicial Reform's Project Management Unit (PMU) and the Supreme Council of the Judiciary (SCJ).
- 2. The need to ensure that the Project's Monitoring and Evaluation Framework (MEF) reflected a clearer picture of the Project's successes (and failures) has driven a review of the indicators, which integrates indicators for provincial roll-out and focussing themes, such as gender. While a smaller number of indicators is preferable, the suggested revisions to the set of indicators aims to capture a broader range of data about the Project's achievements, thereby evidencing a clear picture of Project achievements. Building capacity for data collection within the RGOC remains problematic and the upcoming suggested mini-planning session may provide opportunities for the Project and counterparts to explore M&E data collection arrangements further. Thinking through these aspects will also support the ongoing work to align the Project's planning cycle with that of the RGOC.
- 3. A clearer communication about and demonstration of Project staffing and recruitment processes would help generate increased levels of ownership. Amendments to particular position descriptions have been suggested. The suggested changes to management structure in combination with regular internal meetings would also assist in assuring component integration and coordination of Project activities in provincial locations.
- 4. A key challenge for the Project going forward remains the harmonisation of its M&E processes with those of the Sector. Increased integration of planning and budgeting cycles provides the best opportunity to achieve that harmonisation, but carries with it the increased risk that data will not be available due to the M&E capacity levels of the RGOC. Supporting increased quality of data and reporting through working closely both with the PMU and with individual agencies represents the best approach to achieving this outcome. The Project will need to maintain a watching brief on RGOC M&E systems capacity and the Project's data generation will need to remain hybrid in nature in order to show an accurate picture of its achievements. Building the capacity for the RGOC to equally show an accurate picture of sectoral achievements will require increased focus.

#### Recommendations

- 1. A revised set of Strategic Objective indicators for the Project should be integrated into both the PAF and the CCJAP3 M&E Framework. This set of indicators provides closer linkages between the Project's M&E Framework, the PAF and the IMS.
- 2. A revised and expanded set of indicators which allows reporting to the output level should be adopted. This set of indicators integrates provincial roll-out, and focussing themes such as gender, and juveniles.
- 3. While reliance on and integration with RGOC M&E processes may remain an aspiration, a suggested mini planning process for the six months from 1 July to 31 December 2009 provides opportunities for the Project to consider building capacity for data generation and

- analysis in justice agencies for outputs. Discussions about M&E need to take place up front with counterparts at this planning stage.
- 4. Broader and more frequent engagement with MOJ, PMU and SCJ representatives is recommended to shore up relationships and to provide entry points for the Project to a broader range of views on the justice sector. Engagement also needs to include AusAID representatives and establishment of a schedule of meetings at both operational and strategic levels on a regular basis would provide a useful framework.
- 5. In the context of expansion of Project activities to an increased number of partner provinces, adjustments to administration and management structure are needed, including a more structured reporting system that would vest core Project activity coordination in the Deputy TL position. This would free up the TL position for strategic engagement, including increased engagement activities. Some rethinking of the Deputy TL's job description, together with adoption of regular (2-3 times a week) morning meetings for a 'tour de table' is recommended.
- 6. Evidence of the transparency of Project recruitment processes and the frequency and outcomes of staff members' appraisal processes needs to be provided on a regular basis to AusAID. These are key foundation issues for Project management and their regular demonstration will contribute to showing how the Project is achieving progress. Amendments to Advisor position descriptions are suggested.
- 7. A six month planning session which contemplates the period from 1 July to 31 December 2009 is recommended, which will allow the Project's annual plan to be extended, subject to the joint identification of milestones and any new activities for that period. This mini planning session should be conducted in close cooperation with the PMU, and one of its key foci should be an examination of M&E capacities. A sufficient level of resource inputs on the part of the Project for this planning and M&E work needs to be assured so that this mini process does not distract from preparations for the 2010 planning cycle, which should also commence in April 2009.

#### 1. INTRODUCTION

#### 1.1 Background

- 1. The Cambodia Criminal Justice Assistance Project Phase 3 (CCJAP 3) began transitional activities from 5 February 2007 and full implementation from 1 July 2007. Phase 1 ran from April 1997 to March 2002, and Phase 2 from May 2002 to May 2007. All three phases have adopted a systemic approach that links three key agencies in the criminal justice system: police, courts and prisons. In Phase 2 there was a stronger focus on vertical integration with activities at community level, and this has been continued in Phase 3. Phase 3 adopts a strong focus on addressing the needs of juveniles and other vulnerable groups in the criminal justice system in order to reinforce the integration of efforts across the system.
- 2. CCJAP 3 works with both the Ministry of Interior (MOI) and Ministry of Justice (MOJ), and with the Project Management Unit (PMU), which is the secretariat to the Council for Legal and Judicial Reform. Cooperation and funding support from the Royal Danish Government, which commenced in Phase 2, has been strengthened in Phase 3, setting up a mechanism that has the potential to incorporate funds from additional donors.

#### 1.2 Purpose and method of review

- 3. The Cambodia Criminal Justice Advisory Group (CCJAG) conducted its first mission in October-November 2007 (CCJAG1). A review mission followed in March 2008, which assessed progress in Phase 3 and made a number of recommendations (CCJAG2). The purpose of this mission was to assess progress across all CCJAP Components, with a particular focus on support being delivered in provinces and capital works. Strategic and cross cutting issues were also considered and opportunities for improvement identified. A third CCJAG mission provided advice and suggestions for strengthening the overall effectiveness of GoA assistance to RGOC legal judicial reform efforts (CCJAG3). The CCJAG Team Leader was contracted to advise and appraise the proposed CCJAP M&E Framework, and to provide strategic advice and support regarding implementation of CCJAG3 recommendations on Project Management. (Terms of Reference are set out in Annex 1.)
- 4. It is important to note that on this occasion the CCJAG Team Leader did not meet with key justice sector stakeholders; as the nature of the work was provision of advice on M&E, work was conducted closely with the Project's M&E Advisor and with the Acting TL and key Project Advisors. The CCJAG Team Leader was also reluctant to enter into project domain by meeting with and discussing Project M&E with Project counterparts. There is a need for the CCJAG to remain somewhat independent on this front, and while provision of advice regarding M&E can be given, there was a conscious effort not to confuse counterparts by entering into discussions about the M&E Framework and indicators, which is more properly the ambit of the Project.

#### 2. REVIEW AND APPRAISAL OF CCJAP PHASE III M&E FRAMEWORK

#### 2.1 Linkages between the MEF, the PAF and the LRJS

5. Some misalignment between the CCJAP3 M&E Framework and the PAF exists, which results in some of the progress made by the Project not being captured. Equally, this misalignment does not capture key issues which need to be monitored including in two key areas of the project and the sector – the MoJ and the LJRS, which are missing from the PAF. Suggested amendments to the

PAF were worked through with the CCJAP3 Acting TL, the M&E Advisor and with some key Component Advisors (PMU, CPCS); further comments were received by email. The suggested amendments were provided to AusAID and are reflected in Annex 3.

6. Ideally, the CCJAP3 M&E Framework would align with select portions of the Indicator Monitoring System (IMS). This is currently not the case, and in future iterations of the M&E Framework and annual plans, efforts should focus on ensuring that the M&E Framework reflects and feeds into relevant sections of the IMS, so that measurement of the Project's progress harmonises with sector progress measurement. This would be more easily achieved through a firmer grip by the Project of the LJRS strategic objectives as its central focussing driver for supporting RGOC planning.

#### 2.2 Provincial Roll-out M&E

7. M&E for expansion of CCJAP3 activities to provincial locations was insufficiently integrated into in the M&E Framework. Indicators 9 and 18 of the suggested M&E Framework contemplate measurement of provincial roll-out, with indicator 9 measuring the contribution of communication and coordination mechanisms to provincial expansion and indicator 18 measuring the degree to which Police-Courts-Prisons meetings contribute to provincial expansion. Other indicators complement this analysis.

#### 2.3 M&E Framework Strategic Objective Indicators

- 8. Discussions were held with key project staff and the M&E Advisor regarding the current set of Strategic Objective Indicators. The general observation was that adjustment to the indicators was required to enable the project to align with the PAF and to capture key information about its progress and the state of the sector, which will be meaningful to both GOA and to RGOC. A small number of strategic objective indicators were identified with key Project staff, including the Acting TL and the M&E Advisor. Strategic objective indicators are not intended to cover the field and are also represented in lower levels of the M&E Framework in each component.
- 9. It is important to note that the Project is yet to put itself in a position where it can ably demonstrate to the GOA and to the RGOC progress under each component at the output level. Initial discussions about the M&E Framework indicators centred around selecting key indicators which would generate representative information to do this. Ultimately, this list is the list of Strategic Objective indicators set out in Annex 3 (and replicated at the beginning of the suggested M&E Framework in Annex 4). A more comprehensive list of suggested indicators is set out in Annex 4 for each component. In total 36 indicators are suggested, including 11 for Component 6 *Management Support Team and Flexible Support Fund.* Where possible indicators have been suggested which allow reporting for more than one Output; in some cases reporting against more than one indicator contributes to reporting for one Output. While the number of indicators may at first glance appear onerous, this list is designed to capture the broadest array of information which will allow a more comprehensive picture of CCJAP3 progress to emerge (and reflect on sector progress). Indicators which identify sector needs are very informative, and it would be useful for AusAID and the RGOC to take these factors into account.
- 10. The key driver for the positing of an increased number of indicators is the need for the Project to increase the quality and quantity of evidence it produces on progress (or lack thereof) made by it and by the sector, in a manner which increasingly aligns with and feeds into RGOC M&E and planning processes. Baseline data generation is integral to this approach, although baselines vary according to activity. A variety of surveys, analytical work and research will be required to facilitate

reporting against the suggested M&E Framework indicators, which may require additional inputs from the Project. Where possible, additional M&E inputs should continue the good capacity development work already commenced on M&E system development and data collection within justice agencies.

#### 2.4 Cross-cutting themes

11. In drafting suggested indicators for the M&E Framework, stand-alone indicators for cross cutting themes have been avoided. This approach is suggested as it best reflects the project's desired approach to integrating cross cutting themes within activities. A number of indicators aim to integrate factors of age and sex. While it may be the case that disaggregated data may not be available from RGOC sources, it is felt nonetheless important as a capacity building approach for this inquiry to be made. The Project needs to stand ready to facilitate capacity building for M&E, particularly the design and conduct of M&E activities aimed at generating disaggregated data.

#### 2.5 Integration with RGOC M&E

- 12. Increased integration with RGOC M&E systems is desirable but may remain an aspiration. Interviews at Provincial level (Kandal Province) indicate that M&E data collection, particularly through the D&D process, is largely left to project staff, and that the RGOC tools for data collection remain weak, as does the quality and content of reporting. Nonetheless, the project should aim to work with stakeholders and partners to help build M&E systems, and all project reporting should have reference to, and be actively seeking information from, RGOC M&E systems at community, subnational and national levels. Maintaining a close working relationship with UNDP's PSDD program, and the MOI's Local Administration Unit, to help build M&E systems for D&D is recommended, as is working with each of the line agencies at national and provincial levels. opportunities for engagement on a strategic level with RGOC key counterparts regarding building M&E systems which may refine the type and quality of data collected. Attention needs to be paid to ensuring that the data against the IMS, particularly for the Model Court implementing provinces are collected; CCJAP could play a key role in ensuring that data is accurately reflected, thereby helping to build an important RGOC M&E system due to the project's presence. Equally, weaknesses in RGOC M&E systems, particularly data collection, should be reflected so that they can be raised as issues to be addressed by the RGOC.
- 13. Future planning processes for CCJAP3, which are suggested to be more closely integrated with those of the RGOC, need to increasingly take into account at the outset M&E systems and data collection requirements. Mainstreaming M&E across Advisors' core competencies would also serve future planning processes well by ensuring that all proposed Project activities concurrently address M&E requirements. Where RGOC M&E systems are non-existent or not functioning well, the Project needs to work toward strengthening those systems so that sectoral progress can be measured and the Project's role in that progress attributed in a meaningful way. Some thought might need to be given to reconfiguring the Project's output descriptions to capture this need in a more deliberate manner.
- 14. A final observation on the CCJAP3 M&E Framework narrative is that it is too wordy. A simpler narrative which describes what data will be collected (this is largely attributable to the indicators), who will collect the data, when it will be collected, where it will be collected, and why it is useful to collect such data would serve the Project well, and would make the document a more user friendly document for Cambodian counterparts.

#### 3. ADVICE REGARDING CCJAG3 PROJECT MANAGEMENT RECOMMENDATIONS

## 3.1 Promotion of stronger executive and operational engagement and relationship with the MOJ and PMU in CCJAPIII

- 15. Strategies to increase engagement between the project, GOA the MoJ and the PMU were discussed with Acting TL, Advisor to the PMU and project staff working in the MoJ, and with GoA representatives in Phnom Penh. Given some recent dissatisfaction displayed by the Minister of Justice regarding a lack of information about the method of engagement with the MoJ, it seems timely to increase engagement. It is noted here that CCJAP3 strategic engagement has favoured the MoI and the need for broader engagement, particularly with the MoJ and the Cambodian judiciary, has been a recurrent theme of CCJAG reports. Attention focussed on this area appears unfortunate given the good progress being made elsewhere in the Project, and it is hoped this can be easily and quickly addressed. Options for improving the quality of the relationship are set out below.
- 16. First is to broaden the scope of engagement, particularly at the MoJ, by exploring enhanced engagement with a broader range of stakeholders in the MoJ, including H.E. Hy Sophea, Secretary of State in charge of legislation, the Minister himself, H.E. Ang Vongvattana and continuing engagement with H.E. Ith Rady. Increased levels of engagement with operational level stakeholders in the MoJ on process issues are needed. Such stakeholders include Mr. Chan Mono, Director General of the General Department of Administration and Finance, (which also includes personnel) and his Deputy, Mr. Tong Peav, Mr. Sou Chanty, Inspector General, General Inspectorate of MoJ and Ms. Chan Sotheavy, Secretary of State with responsibilities including gender. Project staff members currently have good working relationships and do engage with these stakeholders, and this good work needs to be further built on. (See Prakas on Assignment of Management Duties in the Ministry of Justice, No.68 ky.br.k 08). At the PMU, engagement should remain focused on the Director, H.E. Suy Mong Leang and the Deputy Director in charge of the IMS, H.E. Suong Leang Lay, as well as increased engagement with H.E. Pen Bunchea, who has responsibility for Model Courts.
- 17. An important addition to the stakeholders with whom the Project engages would be the Supreme Council of the Judiciary (SCJ) which has responsibility for judicial promotions, discipline and assuring the quality of judicial services. Developing stakeholder relationships with the members of the SCJ would help to foreground this institution by giving it a stronger voice in legal and justice sector development, and would also broaden the range of Cambodian views and input into Project activities and priorities. This may provide new insight and Cambodian perspectives that could prove useful to the Project. It would be important for the new CCJAP3 Advisor to the MoJ, who will shortly be recruited, to engage actively with the SCJ.
- 18. Second, the intensity of engagement with the MoJ, the PMU and the SCJ needs to be increased. Establishing a regular schedule of meetings between GOA/CCJAP and MoJ, PMU and SCJ would help to build relationships. Those meetings could take place on both operational (CCJAP3) and strategic (GOA/AusAID) levels, or a combination of both, and would serve as both courtesy calls and as good information exchange opportunities. There is often great benefit in holding to this schedule of meetings, even in circumstances where priority discussion topics are not apparent, as key issues can often emerge as a result of close working relationships established through regular discourse. CCJAP3's access to this broader range of views on Cambodian law and justice sector development would provide it with a good opportunity to play an increased facilitation role. It is suggested that strategic meetings should take place at least every 3 months; with operational level meetings more regularly. These meetings need to become part of the routine for

the GOA, CCJAP, the MoJ, the SCJ, and the PMU. In the context of increased roll-out of CCJAP to support LJRS and a change-over of the MoJ Advisor and an incoming CCJAP 3 Team Leader, establishing this schedule would provide a good forum for ensuring Project continuity. Advice was also provided on the ToR for the Justice Systems Advisor to ensure that this position works in with the PMU and assists the MoJ to implement the LJRS' POA.

## 3.2 Promotion of team integration and relationship among component and head quarters and provincial offices.

- 19. Discussions were held with the Acting TL about team and component integration. CCJAP3 Advisors report that information exchange between components and staff members has improved since the last CCJAG visit, with team members reporting positively on the Acting TL's approach to management and engagement across all Components. One Advisor commented that a recent meeting chaired by the Acting TL provided the first real perspective on what the Project was trying to achieve and how it should go about doing this in the future. This new management approach is a welcome improvement to the Project's effectiveness and it is hoped that this momentum can be built upon by the incoming TL.
- 20. It was suggested that the Acting TL adopt a 'morning muster' approach for regular team meetings, at least with the international advisors, and at least two times per week. The intention of these 'morning musters' is that they take no longer than half an hour, are short and sharp, and provide an opportunity for a "tour de table", with each attendee providing a brief summary of the key issues they were dealing with at national and sub-national (and community) levels. This would help to bring coherence to project management through increased Project-wide communication, cross fertilisation between components, while at the same time not being overly burdensome for project staff, and would also stimulate discussion and information exchange, and provide opportunities for clear advice from project management and messages from GOA. Increased engagement with CCJAP Advisors and Project Officers both across components at national level and in provincial locations is receiving favourable feedback from advisors.
- 21. The project's current flat management structure, where all Advisors report directly to the TL position, requires the TL to spend significant time on the details of project management and administration; conversely, vesting the Deputy TL with more administration and management responsibilities, would further free up the TL to engage strategically. This may have resource implications given that the current Deputy TL position is also the CPCS Advisor. In the context of the identification of new partner provinces for expansion of project activities, a more structured internal 'management team' approach is likely to shore up team and component integration, and release the TL from administrative burdens, thereby increasing the TL's capacity to engage strategically with law and justice sector stakeholders. This suggested change in administrative arrangements would be complemented by collocating Deputy TL and TL together, which would increase information exchange and ease of Project Management. The CCJAG Team Leader understands that office space is available on the same floor as the current CCJAP3 Project Office, and at a small cost, a door could be built between the current CCJAP3 Project Office and an adjacent office, increasing office space to accommodate the Deputy TL.
- 22. Discussions were also held with the Acting TL regarding methods to improve coordination of CCJAP3 activities in provincial locations, particularly in the context of an increase in the number of partner provinces. The management structure changes suggested above will help to address this by allowing information from project officers to be fed into team meetings and flow across all components at the same time. Component Advisors will maintain direct working relationships at

national, sub-national and local levels and Provincial Project Officers will continue to support the implementation of CCJAP3 activities in their partner provinces. The CPCS Coordinator plays a role in supporting CPCS coordination across all partner provinces at the national level, and in facilitating logistics support to Provincial Project Officers. The CCJAG Team Leader has also suggested amendments to the CPCS Coordinator's job description, which are designed to complement the suggested management structure changes. There may also be some benefit in further rationalising the Deputy TL's job description and recruiting a suitably qualified Cambodian, with expertise in D&D processes, to facilitate and coordinate the CPCS elements within D&D in partner provinces. It would be important to ensure that recruitment to this position and to any other positions which require recruitment as a result of this change in HR is open and transparent. The job advertisement for the CPCS Coordinator position needs to be pitched with sufficient level of experience to attract a relatively senior Cambodian to the position. Experience and seniority are considered important elements to maximise sub-national and local government engagement on CPCS through D&D processes. (Please see further amendments including a requirement of a minimum of five years' project management experience set out in Annex 6.)

#### 3.3 Staffing and recruitment

- 23. Discussions were held with the Acting TL concerning staffing issues, including recruitment. The CCJAG TL provided suggested amendments to the position descriptions for the Justice Systems Advisor, the Crime Prevention and Community Safety Coordinator and for Provincial Project Officer. Suggestions regarding management of the CPCS Coordinator's role to increase effectiveness were also made.
- 24. There appears to be divergent views between the MC and AusAID regarding staffing and recruitment. The MC appears to favour a view that recruitment and staffing fall within its ambit under the Head Contract and expressed some degree of dissatisfaction with a line of enquiry regarding recruitment and staff performance assessment processes. The MC clearly wants to promote its long-serving project staff, seeing them as its employees. This view is contested by AusAID, who wishes to assure transparency in recruitment to Project positions and which has expressed a desire to ensure that Project staff members are suitably skilled and experienced for specific positions. This appears to be in part motivated by recent staffing and recruitment decisions, which have raised concerns about recruitment processes, and have effectively led to increased scrutiny of recruitment on the part of AusAID. More generally some dissatisfaction was expressed by the Acting TL about the enquiry into staff and recruitment issues, with the MC adopting a view that such enquiries were in appropriate given that AusAID had contracted the MC to deliver under the contract and that staffing and recruitment issues are the MC's affair. Conversely AusAID's view is that given recent staffing and recruitment history within the Project, enquiry into these processes is warranted as staffing and recruitment issues go to Program performance.
- 25. There also appears to be some divergence of views concerning Project staff performance reviews. Anecdotal evidence from one staff member suggests that position descriptions are not clearly understood by all staff members, and that the staff member had yet to go through a performance appraisal process. The MC stated that many Project staff would find performance appraisals culturally inappropriate, given that they had worked for a number of years on the Project and that the current process is that Component Advisors appraise staff performance in the context of Component outputs and effectiveness on an informal basis. Discussion about how/whether this process should be further formalised and reports provided to AusAID did not sit well with the MC for the reasons mentioned above that the MC considers staffing as falling within the MC's ambit, not AusAID's.

26. The CCJAG Team Leader provided oral advice to the MC to the effect that it should take necessary steps to evidence to AusAID that all recruitment is transparent (incumbents, or Project staff members with extensive experience and relevant qualifications are likely to have a natural advantage in open recruitment contests, in any case) and that staff appraisal processes are conducted regularly and feed into staff development and Project outcomes. In general terms, irrespective of whether the MC is contractually required to provide such information to the donor, it would be good practice to so do, and the issue may be one more of evidence of process rather than substance, particularly in respect of appraisal outcomes. It is fair to say that increased attention needs to be paid to recruitment contests to ensure that the best, brightest and most experienced are recruited. Continuity and institutional knowledge and relationships are also key to CCJAP3's potential for success and it is hoped that existing staff members would be successful in open recruitment contests.

#### 3.4 Alignment of CCJAP's planning and budget cycle with that of the RGOC

- 27. Alignment of CCJAP's planning and budget cycle with that of the RGOC so that the Project's capacity building efforts can focus more on strengthening and, over time increasing integration with, RGOC's annual planning, budgeting, monitoring and reporting processes is warranted. As the RGOC's budget cycle is calendar year (January to December), the last CCJAG report recommended alignment of CCJAP budget and planning cycles (Jul-June) with that of the RGOC.
- 28. The RGOC budget and planning cycle for 2010 will commence in April and to afford CCJAP maximum opportunity to engage with that cycle, it is recommended that the current workplan for CCJAP, subject to a six-month planning session, be extended to 31 December, 2009. A six-month planning session would provide an opportunity for discussion about continuation of current activities, and priorities for the period 1 July to 31 December, 2009. In particular, a strong focus on building capacity within agencies (and the PMU) for M&E should be a guiding theme for both ongoing and new activities contemplated for this period. One method to achieve this would be for Component Advisors to work through the suggested M&E Framework closely with counterparts to identify milestones which can be achieved during the period and how data will be collected and by whom. A clear link between the nature of the data collected and the potential to increase budgetary allocations (through use of the Sector Planning Manual, for example) should also guide this work.
- 29. This exercise should not be a distraction for counterparts from planning for 2010 (in which the Project should also at the same time be intimately involved), and it will be a useful rehearsal for CCJAP for that process. Further, in conducting this six-month planning session, care should be taken to ensure that the PMU is intimately involved to maximise its strategic input and harmonisation of the Project's activities with RGOC sector priorities. Planning for 2010 activities should be guided by RGOC's planning processes, and it will be important to ensure that the project has sufficient planning and M&E inputs available for that.

#### 4 CONCLUSION

30. As reported in the last CCJAG report, the GoA will conduct a review of its Cambodia Country Program in 2010 and opportunities exist for the Project to reposition itself to take advantage of future support available from the GoA on broader governance and public sector reform issues, which also apply to the Cambodian law and justice sector. The need for a sharper picture of what the Project's successes and failures are remains, as does the need to widely share this amongst stakeholders and the GoA. Generating data against an increased number of indicators at output level will help to

establish that picture, provided sustained effort can be afforded over the next two years. This Project-centred data generation would need to complement and support, and in some cases drive the data generation activities within justice agencies and at the PMU. The hybrid nature of the data which the Project generates should be seen as a positive for the sector in that it should represent a step along the continuum of integration of Project and RGOC M&E processes, which should ultimately be completely generated by RGOC itself.

#### **ANNEX 1: Terms of Reference**

The Consultant shall provide the services in accordance with the following Services:

- (a) Revise and appraise the feasibility and appropriateness of the design and approach of the M&E Framework of Cambodia Criminal Justice Assistance Project Phase III (CCJAPIII) focusing on:
  - (i) the linkages of the CCJAPIII M&E Framework to AusAID Country Strategy's Performance Assessment Framework and the Strategic Objectives of the Legal and Judicial Reform Strategy of the RGoC;
  - (ii) the linkages of the Provincial Roll-Out M&E with the whole CCJAPIII M&E Framework;
  - (iii) the realistic (achievable) Strategic Objective Indicators of the CCJAPIII M&E Framework:
  - (iv) an advise on and identify strategy to integrate cross cutting themes including gender, juveniles, ethics and standards/anti-corruption, HIV/AIDS and Capital Works into M&E Framework;
  - (v) the appropriateness of the M&E implementation process within CCJAPIII with the consideration using government existing but reliable M&E system to monitor and report on progress and impact and contribute lessons learned to improve implementation on an ongoing basis; and
  - (vi) an assistance to CCJAPIII/GJS by working closely with M&E adviser and Team Leader/Project Director to finalise CCJAPIII M&E Framework by 31 January 2009 and make a recommendation to AusAID as to whether the M&E Framework is acceptable and/or manageable.
- (b) Provide strategic advices and supports to CCJAPIII regarding CCJAG3 recommendations in Project Management, focusing on:
  - (i) the promotion of stronger executive and operational engagement and relationship from Ministry of Justice and Project Management Unit (PMU) in CCJAPIII;
  - (ii) the promotion of team integration and relationship among component and component and head quarter and provincial offices.
  - (iii) an advice on appropriateness of staff recruitment process for CCJAPIII; and
  - (iv) the alignment of CCJAP's planning and budget cycle with that of the RGOC so that the Project's capacity building efforts can focus more on strengthening and, over time increasing integration with, RGOC's annual planning, budgeting, monitoring and reporting processes.

#### **ANNEX 2: Aide Memoire**

## In Country Review of CCJAP Phase III Monitoring and Evaluation Framework Summary Report

#### M&E Framework (MEF)

- 1. Linkages between the MEF, the PAF and the LRJS: Some misalignment between the MEF and the PAF exists, which results in some of the progress made by the project not being fully reflected. Equally, this misalignment does not capture key issues which need to be monitored; including indicators for achievement in two key areas of the project and the sector the MoJ and the LJRS, which are missing from the PAF. Work has commenced on revisiting and refining the MEF strategic objectives; equally the PAF needs to be revisited.
- 2. *Provincial Roll-out M&E*: These were insufficiently integrated into in the MEF and amendments will be suggested to achieve this.
- 3. *MEF Strategic Objective Indicators*: Discussions were held with key project staff and the M&E Advisor regarding the current set of Strategic Objective Indicators. The general observation was that adjustment to the indicators is required to enable the project to capture key information about its progress and the state of the sector, which will be meaningful to both GOA and to RGOC. A smaller number of indicators per component is recommended, which will enable the project to track progress in a meaningful way. Work is underway to revise the Indicators.
- 4. *Cross-cutting themes*: Revision of the MEF is underway to better integrate cross-cutting themes into indicators for all components. Where possible, stand-alone indicators for cross cutting themes have been avoided. This approach is suggested as it best reflects the project's desired approach to integrating cross cutting themes within activities.
- 5. Integration with RGOC M&E: Increased integration with RGOC M&E systems is desirable but may remain an aspiration. Interviews at Provincial level indicate that M&E data collection, particularly through the D&D process, is largely left to project staff, and that the RGOC tools for data collection remain weak, as does the quality and content of reporting. Nonetheless, the project should aim to work with stakeholders and partners to help build M&E systems, and all project reporting should have reference to, and be actively seeking information from, RGOC M&E systems at community, sub-national and national levels. Maintaining a close working relationship with UNDP's PSDD program, and the MOI's Local Administration Unit, to help build M&E systems for D&D is recommended, as is working with each of the line agencies at national and provincial levels. The project has opportunities for engagement on a strategic level with RGOC key counterparts regarding building M&E systems which may refine the type and quality of data collected. Attention needs to be paid to ensuring that the data against the IMS, particularly for the Model Court implementing provinces are collected; CCJAP could play a key role in ensuring that data is accurately reflected, thereby helping to build an important RGOC M&E system due to the project's presence.
- 6. The M&E Framework continues to be reviewed and the CCJAG TL will provide input into the document's finalisation.

#### Strategic Issues

7. Engagement with MoJ & PMU: Strategies to increase engagement between the project, GOA the MoJ and the PMU were discussed with Acting TL, Advisor to the PMU and project staff working in the MoJ. Given some recent dissatisfaction displayed by the Minister of Justice about

lack of information, and an overreliance on engagement with one stakeholder, it seems timely to increase engagement in two ways. First is to broaden the scope of engagement, particularly at the MoJ, by exploring enhanced engagement with a broader range of stakeholders in the MoJ, including H.E. Hy Sophea, Secretary of State in charge of legislation, the Minister himself, H.E. Ang Vongvattana and continuing engagement with H.E. Ith Rady. Increased levels of engagement with operational level stakeholders in the MoJ on process issues are needed. Such stakeholders include Mr. Chan Mono, Director General of the General Department of Administration and Finance, (which also includes personnel) and his Deputy, Mr. Tong Peav, Mr. Sou Chanty, Inspector General, General Inspectorate of MoJ and Ms. Chan Sotheavy, Secretary of State with responsibilities including gender. Project staff members currently have good working relationships and do engage with these stakeholders, and this good work needs to be further built on. (See Prakas on Assignment of Management Duties in the Ministry of Justice, No.68 ky.br.k 08). At the PMU engagement should remain focused on the Director, H.E. Suy Mong Leang and the Deputy Director in charge of the IMS, H.E. Suong Leang Lay, as well as increased engagement with HE. Pen Bunchea, who has responsibility for Model Courts. Second, the intensity of engagement with both the MoJ and the PMU needs to be increased. This can be done through establishing a regular schedule of meetings between GOA/CCJAP and MoJ and PMU. Those meetings could take place on both operational (CCJAP) and strategic (GOA/AusAID) levels. In part they would serve as courtesy calls and as good information exchange opportunities. It is suggested that strategic meetings should take place at least every 3 months; with operational level meetings more regularly. These meetings need to become part of the routine of the GOA, CCJAP, the MoJ and PMU. In the context of increased rollout of CCJAP to support LJRS and a change-over of MoJ advisors, the meetings will help to ensure continuity. Advice was also provided on the ToR for the Justice Systems Advisor to ensure that this position works in with the PMU and assists the MoJ to implement the LJRS' POA.

- Team and Component Integration: Discussions were held with the Acting TL about team and component integration. It was noted that information exchange between components appears to have improved since the last CCJAG visit, with team members reporting positively on the Acting TL's approach to management and engagement across all components. It was suggested that the Acting TL adopt a 'morning muster' approach to regular team meetings, at least with the international advisors, and at least two times per week. Such meetings would take no longer than half an hour and would provide an opportunity for a "tour de table" so that each advisor could provide a brief summary of the key issues they were dealing with at national and sub-national (and community) levels. This would help to bring coherence to project management, cross fertilisation between components, while at the same time not be overly burdensome for project staff, and would also stimulate discussion and information exchange, and provide opportunities for clear advice from project management and messages from GOA. Increased engagement with CCJAP Advisors and Project Officers both across components at national level and in provincial locations is receiving favourable feedback from advisors. The project's current flat management structure, where all Advisors reported directly to the TL position, requires the TL to engage significantly on project management and administration; some benefit could be felt in vesting a Deputy TL with more administration and management responsibilities, which would ensure the TL position has maximum capacity to engage strategically. This may have resource implications given that the current Deputy TL position is also the CPCS Advisor and the incoming TL may have divergent views, but in the context of increasing expansion of project activities, a more structured internal 'management team' approach is likely to shore up team and component integration.
- 9. Staff recruitment: Discussions were held with the Acting TL concerning staff recruitment. There appears to be a tension between the MC in wanting to promote staff employed on the project

internally, versus a desire on the part of AusAID to ensure that transparency in recruitment within the project is maintained. The discussions were frank and the project will ensure that all project positions are filled through competitive externally advertised recruitment processes. It is noted that internal applications would be well placed due to experience and knowledge to meet criteria of such positions. Job descriptions for the Justice Systems Advisor, Provincial Project Officer, and CPCS Coordinator were reviewed and suggested amendments provided. Suggestions regarding management of the CPCS Coordinator's role to increase effectiveness were also made.

10. Alignment of CCJAP planning and budget cycle with RGOC's: As RGOC's budget cycle is January to December, the last CCJAG report recommended alignment of CCJAP budget and planning cycles (Jul-June) with that of RGOC. As the RGOC budget and planning cycle for 2010 will commence in April, to afford CCJAP maximum opportunity to engage with that cycle, it is recommended that the current workplan for CCJAP be extended to 31 December, 2009. This will provide opportunity for continuation of current activities, as well as time and scope for the project to hold discussions regarding a work program for 2009<sup>2</sup>, which will be timely and accord with the RGOC's planning processes. Planning for 2009<sup>3</sup> activities should guide RGOC's planning processes, and it will be important to ensure that the project has sufficient inputs available for that.

James Mc Govern, 27 January, 2009, Phnom Penh

<sup>&</sup>lt;sup>2</sup> This should read: 2010, not 2009.

<sup>&</sup>lt;sup>3</sup> Again, this should read, 2010, not 2009.

## ANNEX 3: AusAID Cambodia Country Strategy Performance Framework

Australia-Cambodia Development Cooperation Strategy Performance Assessment Framework								
Goal: To assist Cambodia reduce pover	ty and achieve sustainable development							
Cambodia development outcomes 2015	Government of Australia country strategy objectives 2010	Strategy objective indicators (2010)	Government of Australia assistance					
<ul> <li>what Strategy objectives are expected to influence</li> </ul>	- where Australian aid adds value	- how we know if we have achieved our objectives	- how we work towards the strategy objectives					
Accelerated growth in the value of national agricultural production	Increase in agribusiness activities and outputs (in selected provinces).		Through a major agribusiness initiative operating in selected provinces that will-  • Support pro-poor agricultural enterprises and improvement of the business environment;  • Investment in water management systems (particularly irrigation) for the purpose of increased production;  • Provide support to MAFF and WOWRAM to strengthen policies and systems of public institutions that support agricultural enterprise.					
	2. Improve rural infrastructure, particularly roads and electrification	Higher traffic volume on improved rural roads     Lower passenger and freight vehicle operating costs, travel times on improved rural roads     Increase in no. of rural households benefiting from electricity provision (proportion from renewable energy)     Improved arrangements for infrastructure operations and maintenance	Southern Coastal Corridor Project (ADB/GMS) Road Asset Management Project (ADB) Rural Electrification and Transmission project (World Bank)  [See Mekong Subregional PAF for more details]					

#### **Health Systems Strengthening** increased access to quality health • National Health Strategic Plan • Policy, program and technical input to TWG Health, MOH 3. Improved health system financing, service services for the poor, women and effectively implemented through and relevant RGC and Development Partner fora. delivery and monitoring. children, and progressing towards Annual Operating Plans. • Provision of Program Development and Donor Liaison the health MDGs. • New multidonor health program Adviser position within the WB to assist in collaborative (HSSP2) aligned to National Health design for HSSP2 ensure a continued focus in rural areas. Strategic Plan and supporting AusAID participation on the JAPR RGC's AOPs. • AusAID-UNFPA program to expand access to Minimum Strengthened health systems Package of Activities (MPA) to improved contributing AusAID-GTZ collaboration linking Health Equity funds and maternal and child health service Community-Based Health Insurance through pagodas and delivery indicators for Cambodia. mosques Improved performance of MoH Provision of AusAID funding to MBPI multi-donor trust staff under targeted performance Fund and engagement in policy dialogue. based pay scheme. • Support for collaboration between Cambodian and Australian health institutions **Law and Justice** A credible legal and judicial sector 4. Improved capacity and commitment of Increased pace of progress on • Cambodia Criminal Justice Assistance Project to upholding the rights of individuals courts, prisons and police to function effectively implementation of the Priority implement support to courts, police and prisons on and the rule of law. in dealing with juveniles, children, men and Activities of the Plan of Action to agreed priorities, focusing on the needs of juveniles and women. implement the Legal and Judicial women. Reform Stratety, as reflected in Collaborate with DANIDA, through CCJAP, to develop annual RGC reporting. monitoring and evaluation systems for legal sector Increased number of cases reform, model courts project to implement reforms in reported by victims in partner four provinces. provinces in each of the following • Policy, program and technical support for the Program categories: offences; Management Unit of the RGC Council for Legal and violence offences: and sexual Judicial Reform to coordinate donor and government violence offences. inputs towards agreed objectives. Improvement in court processes • Co facilitate the Technical working group on Legal and including: Use of court registers; Judicial Reform. Reduction in the number of cases awaiting appeal with appellant in custody in excess of 12 months; Reduction in the number of days of excessive pre-trial detention in partner courts: and Reduction in the average number of days between date of judgement and

Sustainable Economic and Resource M Greater alignment of financial resources to priority goals (to enable improved delivery of basic services)	5. Crime prevention and community safety capacity improved in partner provinces.      anagement     6. Enhanced public financial management through the predictable and timely flow of funds while ensuring adequate controls	Increased community demand for, and sub-national support to, funding security and gender initiatives through the D&D process in partner provinces.  Higher standards of management and accountability in the mobilization and effective use of public resources in implementing the National Strategic Development Plan Improved budget credibility including enhanced budget formulation and	<ul> <li>Consolidate and expand the Crime Prevention and Community Safety initiative, strengthening police engagement, data collection, and integration with subnational and local government systems.</li> <li>Promote linkages between NGO Co-operation Agreement projects on child protection and domestic violence and CCJAP.</li> <li>Support the RCG's Public Financial Management Reform Program through participation in a donor SWAp and associated financial contributions to a multi-donor trust fund managed by the World Bank.</li> <li>Ongoing monitoring (and possible future support) of joint donor initiatives that further advance governance reform and dialogue with the RCG such as the multi-donor Poverty Reduction and Growth Operation.</li> </ul>
		including strategic planning and core business management.  Increased number of RGoC agencies with gender mainstreaming action plans implemented.  Increased number of rehabilitation and re-integration programs in partner prisons addressing the needs of juveniles, women and mothers in prisons.  Increased community demand for, and sub-national support to, funding security and gender	Community Safety initiative, strengthening police engagement, data collection, and integration with sub-
		production of order for final judgement for juveniles and adults in partner provinces.  • Improved executive capacity in MOJ, Courts, CNP and GDoP,	

7. Improve management of natural resources	<ul> <li>RGC policies, legislation, and</li> </ul>	Mekong River Commission Integrated Capacity Building
(water)	regulations in Mekong Basin	Program
	reflect Integrated Water Resource	CSIRO/MRC Climate Change Program
	Management	MRC Navigation Program
	<ul><li>participatory planning decision</li></ul>	Basin Development Plan II
	making processes utilised by RGC	
	Mekong National Committee	[See Mekong Subregional PAF for more details]
	<ul><li>evidence of scenario Mekong</li></ul>	
	Basin models (and other tools)	
	informing RCG decisions on water	
	resource management	

Please Note: the Performance Assessment Framework will be updated annually. Strategy objective indicator milestones will be prepared for the end of each calendar year to track progress against strategy objectives.

## ANNEX 4: SUGGESTED CCJAP III M&E FRAMEWORK

### **Strategic Level Indicators**

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment				
	RGOC Development Outcome 2015 for law and justice: A credible legal and judicial sector upholding the rights of individuals and the rule of law.								
	Strategic Objective India								
					dealing with juveniles, children, men and women.				
1	Increased pace of	CL&JR Reports,	PMU	CCJAP III	This indicator allows strategic reporting against CCJAP III Component 1 – To support				
	progress on	Indicator		Management	the capacity of the RGOC to effectively develop, coordinate and monitor the				
	implementation of the	Monitoring		Team	implementation of a sector-wide legal and judicial reform strategy				
	Priority Activities of	System (IMS)							
	the Plan of Action to								
	implement the Legal								
	and Judicial Reform								
	Strategy, as reflected								
	in annual RGOC								
_	reporting.	1 11 11	B	COLABIII	This is a second with the seco				
2	Increased number of	Initially, provincial crime	Provincial Judicial	CCJAP III	This indicator allows strategic reporting against CCJAP III Component 3 – To				
	cases reported by victims in partner	case file records	Police with CNP and CCJAP III assistance	Management Team	strengthen the strategic, executive and technical capacity of the Cambodia National Police to enable it identify and respond to community, national and regional priorities				
	provinces in each of the	held by	CCJAP III assistance	Team	in a considered manner.				
	following three	Provincial			iii u considerea manner.				
	categories: offences;	Judicial Police.							
	violence offences; and	Later, national							
	sexual violence	crime statistics							
	offences.	report. See							
		above.							
_	Incompany and in Count		CCIAD III ataff:	CCIADIII	This indicator allows strategic level recording against CCIAD III Common et al. and a				
3	Improvement in Court	First option:	CCJAP III staff will	CCJAP III	This indicator allows strategic level reporting against CCJAP III Components 1 and 4.				
	processes including:	Court records	collect data until administrative staff	Management Team					
	Use of court registers; Reduction in the	Second, fallback	structure is	TEGIII					
	number of cases	option: Prisons	developed and						
	awaiting appeal with	Department	administrators						
	awaiting appear with	records	aumminstrators						

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	appellant in custody in excess of 12 months; Reduction in the number of days of excessive pre-trial detention in partner courts; and Reduction in the average number of days between date of judgement and production of order for final judgement for juveniles and adults in partner provinces.	Court of Appeal records	employed in the lower Courts. After this occurs, Court administrators will collect data. Court of Appeal administrative personnel with initial assistance by CCJAP III staff to develop a database to store data.		
4	Improved executive capacity in MOJ, Courts, CNP and GDoP, including strategic planning and core business management.	CCJAP III staff	CCJAP III staff	CCJAP III Management Team	This indicator allows strategic level reporting against CCJAP III Components 3,4 and 5:
5	Increased number of RGOC agencies with gender mainstreaming action plans implemented.	GMAP of CNP and General Department of prison (MOI) and GMAP of MOJ	Gender Mainstreaming Action Groups (GMAGs) for each justice agency.	CCJAP III Management Team	This indicator allows strategic level reporting on gender mainstreaming across CCJAP III Components 1-5
6	Increased number of rehabilitation and reintegration programs in partner prisons addressing the needs of juveniles, women and mothers in prisons.	CCJAP III Component 5 staff	CCJAP III Component 5 staff	CCJAP III Management Team	This indicator allows strategic level reporting against CCJAP III Component 5 To strengthen the capacity of the Prisons Department to identify and respond to prison management priorities, the physical and mental health needs or prisoners, and to identify options for community based corrections.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
7	Increased community demand for, and subnational support to, funding security and gender initiatives through the D&D process in partner provinces.	Data from Gender and Security sections of RGoC District Priority Activity Matrix and District temporary agreements and provincial contracts.	Provincial Rural Development Committee Executive Committee and its supporting units; District Offices; CCJAPIII Provincial Project Officers will extract data specific to this indicator.	CCJAP III Management Team	This indicator allows strategic reporting against CCJAP III <u>Component 2</u> To establish sustainable collaborative crime prevention, community safety and community justice initiatives.

## **Component Level Indicators**

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
1	Pace of progress on implementation of the Priority Activities (PA) of the Legal and Judicial Reform Action Plan increases.	capacity of the RG CL&JR Reports, Indicator Monitoring System (IMS)	PMU	P, coordinate and mo PMU with CCJAP Assistance	This indicator enables reporting against:  Output 1.1 PMU Strengthened and coordination activities effective supported at National Level; and  Output 1.2 PMU Strengthened and coordination activities effectively supported at the Provincial level.  The indicator permits examination of the effect that improved coordination and facilitation has upon the progress of the reform in terms of activities. Assistance to the PMU should improve the effectiveness of the PMU in encouraging donors to engage in the reform and to assist in the identification and removal of obstacles to reform implementation. An analysis of the progress of the PAs will help identify as to whether this role is being implemented effectively and as to whether CCJAP support has contributed to the ability of the PMU to undertake its functions.  Each PA in the L&JR Action Plan is divided into a number of steps. The IMS measures the number of steps completed for each of the 97 activities in the Action Plan. The indicator would measure the annual change in the number of steps completed as a % of the total number of steps needed to complete all 97 activities in the reform.
2	Number of justice agencies successfully using Sector Planning Manual increases.	TWG reports	TWG Secretariat staff	TWG Secretariat staff with assistance from CCJAP III	This indicator enables reporting against <u>Output 1.3</u> Support Implementation of Draft Sector Planning Manual. The indicator will capture the level of usage of the Sector Planning Manual, which may depend upon degree of support the Sector Planning Manual receives from the RGOC Ministry of Economics and Finance and on the degree to which its use is facilitated by the PMU.
3	Quality of annual justice sector reports against IMS produced by the TWG Secretariat improves. <sup>4</sup>	TWG reports	TWG Secretariat staff	TWG Secretariat staff with assistance from CCJAP III	<ul> <li>This indicator enables reporting against:</li> <li>Output 1.4 Key Sector Performance Indicators developed and implemented;</li> <li>Output 1.6 Support the development of the Model Court Concept;</li> <li>Output 4.1 Support improved data management and methods for dealing with juveniles within the Courts; and</li> </ul>

<sup>&</sup>lt;sup>4</sup> Unless otherwise stipulated, the endline is June 2011.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
					<ul> <li>Output 4.7 Support Capacity Development of the General Inspectorate of MOJ.</li> <li>The indicator will allow monitoring and assessment of the achievement of RGOC in developing and implementing a "transparent and monitorable performance assessment framework" to assess progress against its Law and Justice Reform Strategy and justice-sector performance. The indicator is consistent with, and supports, the RGoC's:         <ul> <li>Strategic Framework for Development Cooperation Management 2006 (IV 23 vii: "To the greatest extent possible development cooperation activities shall be predictable and aligned with national budget cycles, financial systems and national monitoring systems") and</li> <li>Legal &amp; Judicial Reform Action Plan, Priority Action 7.4.1: "Establishment of a monitoring system for the sector to measure overall performance including the administration of justice".</li> </ul> </li> <li>The indicator will allow monitoring for each of the seven strategic objectives of the L&amp;JR so that the effect of policy implementation can be determined. This would form part of the IMS and would signal the linkage of output and effect in policy formulation.<sup>5</sup></li> </ul>
4	Number and type of capacity development activities which comply with aid effectiveness principles increases.	TWG reports CCJAP III Reports	TWG Secretariat staff	TWG Secretariat staff with assistance from CCJAP III	This indicator will enable reporting against <u>Output 1.5</u> Aid effectiveness and executive capacity support provided to relevant agencies. The indicator will capture the type of capacity development activities supported not only by CCJAP III, but by others. The point of entry for CCJAP III will be to facilitate the PMU's collation and analysis of such data. Building this capacity inherently accords with principles of aid effectiveness.
5	Each Partner Court increases its level of compliance with the Model Court requirements relating to CCJAPIII inputs.	Model Court Survey <sup>6</sup>	Initially PMU, with MoJ staff taking over data collection responsibilities by 2009	Model Court Technical Working Group	This indicator enables reporting against:  Output 1.6 Support the development of the Model Court Concept; Output 4.2 Practices and procedures within the Cambodia Court System including Kandal Court developed and implemented; and Output 4.7 Support Capacity Development of the General Inspectorate of MOJ. Using a pre-existing national model-court questionnaire as its data collection tool, the indicator promotes monitoring and assessment of progress towards developing

<sup>&</sup>lt;sup>5</sup> Time constraints would make measuring CCJAP contribution to outcomes impractical within the time frame of the project though it may be of use to AusAID for post-project reporting.

<sup>&</sup>lt;sup>6</sup> The survey uses a tool called the "Questionnaire for Cambodia Model Court related to Case Management, Court Administration and Court Management" (July 21 2008), developed by the TWG Secretariat.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
					Model Courts occurring under the Legal & Judicial Reform Action Plan Priority Action 5.3.2 ("Model Court Approach"). The indicator also promotes monitoring of progress of the Legal & Judicial Reform Action Plan's Priority Action 7.5.2 ("Business plans for sector institutions established"), as one of the Model Court requirements is that model courts will develop an action plan (business plan) describing what to do, how, and by whom in the court in order to ensure the standards and criteria and meet the specified Model Court objectives. Some data may be available from implementation partners, such as DANIDA.
6	Number of RGOC ethics, standards and governance initiatives facilitated through LRJS increases.	TWG reports	TWG Secretariat staff	TWG Secretariat staff with assistance from CCJAP III	This indicator enables reporting against CCJAP III Output 1.7 Sector Agencies supported to implement LIRS Anti-Corruption reform through: Improved Ethics, Standards and Governance. The indicator also complements the indicator which enables reporting against Output 2.8 Support improved Ethics, Standards and Governance.
7	CCJAP III's support to PMU's facilitation of LJRS increases the number and quality of partnerships between civil society and government in the law and justice sector, at national, sub-national and local levels.	TWG reports	TWG Secretariat staff	TWG Secretariat staff with assistance from CCJAP III	This indicator enables reporting against CCJAP III <u>Output 1.8</u> Enhanced Government and Civil Society Partnership. This indicator complements the indictor which enables reporting against <u>Output 6.10</u> Strengthened relationships between the RGOC, civil society, Donors and CJAP to implement mainstream project activities. Key CCJAP III partners for juveniles and corrections are expected to include UNICEF and Save the Children Australia. This indicator aims to capture the potential to encourage further engagement between the RGOC and civil society.
Comp	onent Two: Objective: To	establish sustainabl	e collaborative crime pr	evention, community	safety and community justice initiatives.
8	Community demand for, and sub-national support to, funding security and gender initiatives through the D&D process increases in partner provinces.	Data from Gender and Security sections of RGoC District Priority Activity Matrix and District	Provincial Rural Development Committee Executive Committee and its supporting units; District Offices	Provincial project officers	<ul> <li>This indicator enables reporting against:</li> <li>Outputs 2.1-2.5 Integrate CPCS planning and activities into select         Districts/Communes in [partner]<sup>8</sup> Province in accordance with NCDD Guidelines.</li> <li>Output 3.8 Police participation in CPCS effectively promoted in accordance with         the NCDD Guidelines and the Civilian Protection Movement Directive.</li> <li>An increase in the number of Commune Council proposals that addresses gender-</li> </ul>

<sup>&</sup>lt;sup>7</sup> Baseline and endline vary according to start-up date in particular partner province.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
		temporary agreements and provincial contracts.	prepare temporary agreements for each commune. These form the basis for contracts prepared by the Contracts Unit at provincial level; CCJAPIII Provincial Project Officers will extract data specific to this indicator.		related security issues evidences improved local and sub-national government knowledge and attitudes to gender equality and security issues. Outputs 2.1-2.5 each have one explicitly gender-focussed activity: "Assist participating Districts and Communes to integrate CPCS planning into the CIP security and gender sectors, including through the Commune Women and Children's Committees". Increase in initiatives that address gender-related security issues is evidence of improved local government awareness and attitudes to gender equality and improved performance in translating this into an increase in the number of local government programs that address <i>gender-related</i> aspects of CPCS. These initiatives will contribute also to the implementation of RGoC National Action Plan to prevent violence against women, 2008. These initiatives also contribute to RGoC National Strategic Development Plan (2006-2010) and the draft National Domestic Violence Prevention Plan. This indicator will also assist the authorities to monitor compliance with the Mol directive on the Civilian Protection Movement.  CCJAP III Component Two indicators also contribute to an assessment of the CNP's progress in improving its capacity to identify and respond to community priorities under Component Three.
	Number and type of sub-national communication and coordination mechanisms facilitates effective provincial expansion.	Provincial reports.	CCJAP III Provincial Officer Deputy TL	PMU CCJAP III staff CCJAP III management team	This indicator enables reporting against CCJAP III <u>Output 2.6 Provincial Coordination and Communication Mechanisms Established in Provinces</u> . The indicator will capture the establishment of Provincial RGOC coordination and communication mechanisms and how those mechanisms facilitate support provided by CCJAP III to implementing the LJRS at sub-national (Provincial and District) and local levels. This indicator complements the indicator which enables reporting against <u>Output 4.6 PCP meetings established within selected Provinces</u> , but is intended to capture a broader range of coordination and communication mechanisms, including some supported through CCJAP III parters, such as Save the Children Australia's Child Protection Program.
10	Number and range of civil society strengthening activities providing victim support to juveniles and to	RGOC (local, sub- national, national) MOSVY	CCJAP III Component Advisors	CCJAP III Management Team	This indicator enables reporting against <u>Output 2.7</u> Civil society strengthened to provide victim support to juveniles and vulnerable groups. This indicator complements indicators which enable reporting against <u>Output 6.8 Juvenile Justice</u> Strategy developed and implemented and <u>Output 6.10 Strengthened relationships</u> between the RGOC, civil society, Donors and CCJAP to implement and mainstream project activities. In addition to RGOC data sources, some data may be available

<sup>&</sup>lt;sup>8</sup> Provinces listed in Outputs 2.1-2.5 are: Kandal, Prey Veng, Battambang, Kompong Thom, and Banteay Meanchay. Kompong Cham is likely to be added as a partner province. The indicator is therefore generic and applicable to any partner province.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	vulnerable groups increases.				from CCJAP III partners, such as SCA, which intends to implement a Child Protection Program in some partner provinces.
11	Number of RGOC ethics, standards and governance initiatives increases.	RGOC Justice Agencies	CCJAP III Component Advisors	CCJAP III Management Team	This indicator enables reporting against CCJAP III <u>Output 2.8</u> Support improved Ethics, Standards and Governance.
	_		kecutive and technical o	capacity of the Camb	odia National Police to enable it identify and respond to community, national and
12	Number of women in executive, supervisory and field positions in CNP increases. 9	CNP personnel records CNP Gender Main-streaming Action Plan (GMAP)	Personnel Dept staff with assistance of CCJAP III	CCJAP III with involvement of Personnel Dept staff	This indicator enables reporting against CCJAP III Output 6.7 Gender Mainstreaming Strategy developed and implemented. All gender equality indicators will expedite monitoring of the level of success of CNP in promoting the representation and participation of women in broader roles and positions. They are intended to facilitate improved monitoring of progress towards relevant objectives and/or indicators in the MOWA 2004-2008 Five Year Strategic Plan, AusAID's gender equality policy, 10 Cambodia's Millennium Development Goals (MDG) and NSPD 2006-2010, all of which support the promotion of female leadership and empowerment.  All gender-equality indicators relate to the fourth thematic area of the Neary Rattanak II (MOWA 2004-2008 Five Year Strategic Plan), the 'Promotion of judicial gender reform'. Neary Rattanak II does not present a detailed plan for 'judicial gender reform', but places a 'high priority on the enhancement of the role and social status of Cambodian women by focusing attention on gender mainstreaming and capacity building.' All gender-equality indicators are intended to contribute to RGoC monitoring of the degree to which 'enhanced role and social status of Cambodian women' in justice agencies has been realised over CCJAP III's lifetime.  CCJAP III will report on these indicators annually as part of its support of advocacy for improved gender balance in justice-agency staff and functions. CCJAP III Component Three Gender Mainstreaming Strategy (GMS) activities will contribute to, but be insufficient to cause, the realisation of the targets of its gender-equality

<sup>&</sup>lt;sup>9</sup> Baseline is situation as of 30 September 2008. Endline is situation as of 30 September 2011.

CCJAP III's gender-equality indicators relate to Theme Two 'Fostering functioning and effective states' under 'Public sector reform' in AusAID's Gender-Equality policy. The most relevant gender-related 'suggested outcome' is 'reduced discrimination against women in public institutions', similar to the seventh objective of Cambodia's Millennium Development Goals (see below).

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
					indicators.
13	CNP capacity improves, including:  Increase in the quality of executive management processes, including: strategic planning, budgeting, M&E, and HRM systems review and reform, taking into account the differing needs of women and men in the CNP;  Increase in the number and range of courses that the CNP training institution provides to CNP managers, including on: strategic planning, budgeting and M&E  Increase in the collection, analysis and responsiveness of CNP to crime and its impacts; and  Increase in proactivity of the	CCJAP III Component 3 staff see strategic plan and see GDOP training institution conduct relevant training.	CCJAP III Component 3 staff	Police Adviser	This indicator enables reporting against:  Output 3.1 CNP executive capacity developed;  Output 3.2 Human Resources Management systems review and reform supported;  Output 3.6 Support Capacity Development: collection, Analysis and Responsiveness to Crime and its Impacts; and  Output 3.9 Support Capacity Development of the General Inspectorate of Political, Administrative and Police Affairs (MOI).  This set of indicators is linked to the LJRS' seventh strategic objective: "Strengthening of Legal and Judicial sector institutions to fulfil their mandates by strengthening management, planning and monitoring mechanisms and capacity in general in order to enable the full provision of public services and to ensure decision-making in accordance with principles of good governance and their efficient enforcement" (emphasis in original).  12

<sup>&</sup>lt;sup>11</sup> Endline is beginning of 2011. <sup>12</sup> The Council for Legal and Judicial Reform (2005) *Plan of Action for Implementing the Legal and Judicial Reform Strategy*, Royal Government of Cambodia, Phnom Penh, p.4.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment	
	MOI's General Inspectorate of Political, Administrative and Police Affairs.					
14	Percentage of criminal	CNP case-file	Provincial Judicial	Provincial Judicial	This indicator enables reporting against:	
	case files that includes checklist Police, initially with Police, initially	Police, initially with assistance	Output 3.1 CNP executive capacity developed;			
	forensic evidence increases due to: <sup>13</sup>	CCJAP III and CCJAP III from CNP and evidence:		and CCJAP III from CNP and	from CNP and	Output 3.3 Enhanced capacity and skills in the collection and use of forensic evidence;
	Increase in	assistance		CCJAP III	Output 3.4 Capacity of Forensic Laboratory and Forensic Services Enhanced;	
	collection and use of forensic evidence;					
	<ul> <li>Increase in use of forensic laboratory and forensic services in investigations;</li> </ul>				These indicators are designed to monitor the quality of case files and particularly the extent of forensic evidence use, and are expected to generate information useful to the CNP. At present, CNP does not collect this information and CCJAPIII facilitates	
	<ul> <li>Increase in use of specialist investigation</li> </ul>				the development of a new CNP data collection and reporting system, including forensic evidence in case files. The indicator will therefore help the CNP to build its own systems.	
	techniques for gender-based and					

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 $<sup>^{13}</sup>$  Baseline is  $\mathbf{1}^{\text{st}}$  quarter of calendar 2007. Endline is  $\mathbf{1}^{\text{st}}$  quarter of calendar 2011.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	sexual crimes.				
15	Number of cases reported to police in partner provinces increases, in each of the following three categories:	Initially, provincial crime case file records held by Provincial Judicial Police. Later, national crime statistics report. See above.	Provincial Judicial Police with CNP and CCJAP III assistance	Provincial Judicial Police with CNP and CCJAP III assistance	<ul> <li>This indicator enables reporting against:         <ul> <li>Outpt 3.1 CNP executive capacity developed;</li> </ul> </li> <li>Output 3.6 Support Capacity Development: Collection, Analysis and Responsiveness to Crime and its Impacts;</li> <li>This indicator monitors whether the confidence of victims of violence to report crimes to police has increased in the five partner provinces. At present, CNP does not collect this information and CCJAPIII will facilitate the development of a new CNP database on crime-reports, data collection and reporting system on inclusion of forensic evidence in case files.</li> </ul>
16	Pace of progress on development of draft Police Act increases.	MOJ, PMU Reports AGD	CCJAP III Component 3 staff	Police Adviser	This indicator enables reporting against CCCJAP III <u>Output 3.7</u> ; Support the development of Police Act Legislation. As the major responsibility for the provision of external TA rests with the GOA's AGD, CCJAP III's role in this activity is facilitate and support ongoing work to develop the Police Act in between AGD inputs. Reports are intended to be narrative in nature, describing progress made to date, major challenges, and next steps.
					vering equitable and timely access to justice
17	Improvement in Court 15 processes including: Increase in use of Court registers; Reduction in the number of cases,	First option: Court records Second, fallback option: Prisons Department records	CCJAP III staff will collect data until administrative staff structure is developed and administrators employed in the lower Courts. After	ccjap III staff until administrative staff structure is developed and administrators employed in the courts. After this occurs, court	<ul> <li>This indicator enables reporting against:         <ul> <li>Output 1.6 Support the development of the Model Court Concept;</li> </ul> </li> <li>Output 4.1 Support improved data management and methods for dealing with juveniles within the Courts;</li> <li>Output 4.2 Practices and procedures within the Cambodia Court System (and Kandal Court) developed and implemented;</li> <li>Output 4.3 Court of Appeal case management systems reviewed and new</li> </ul>

<sup>&</sup>lt;sup>14</sup> Baseline is 1<sup>st</sup> quarter of calendar 2007. Endline is 1<sup>st</sup> quarter of calendar 2011.
<sup>15</sup> Target group is Partner Province Courts (Partner Courts) and the Court of Appeal.
<sup>16</sup> As defined in Criminal Procedure Code.
<sup>17</sup> Baseline is 1<sup>st</sup> quarter of calendar 2009. Endline is 1<sup>st</sup> quarter of calendar 2011.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	disaggregated by sex and age, awaiting appeal with appellant in custody in excess of 12 months;  Reduction in the number of days of excessive pre-trial detention 16 for juveniles, disaggregated by sex and age; and Reduction in the average number of days between date of judgement and production of order for final judgement, disaggregated by sex and age. 17	Court of Appeal records	this occurs, Court administrators will collect data.  Court of Appeal administrative personnel with initial assistance by CCJAP III staff to develop a database to store data.	administrators will analyse and report on data, with initial assistance of CCJAP III. Court of Appeal administrative personnel with initial assistance of CCJAP III staff.	• Output 4.7 Support Capacity Development of the General Inspectorate (MOJ).  The large majority of the court case backlog in Cambodia is attributable to the Appeal Court and this indicator monitors the success of CCJAP III's assistance to RGoC in beginning to reduce the backlog through reducing excessive pre-trial detention in the Court of Appeal.  Ongoing court documentation using register as database is the preferred option for collecting this information using the court register as the primary tool in the ongoing reduction in excessive pre-trial detention (PTD). A second option – prison records – will also be used.
18	PCP meetings increase the level of coordination of law and justice services in partner provinces.	Provincial reports.	CCJAP III Provincial Officer Deputy TL	PMU CCJAP III staff CCJAP III management team	This indicator enables reporting against <u>Output 4.6 PCP meetings established within</u> selected Provinces  The indicator also enables CCJAP III reporting on progress of provincial expansion.
19	MOJ/Courts capacity improves including:  Increase in the quality of MOJ/Courts' executive management processes, including: strategic planning, budgeting, M&E, and	MOJ/Court and GDOP reports and records. CCJAP III staff	CCJAP III Component 4 Staff	Justice Systems Advisor Corrections Advisor	This indicator enables reporting against:  Output 4.4 MOJ/Courts executive capacity developed;  Output 4.5 Human Resource Management and Development Improved; and  Output 4.7 Support Capacity Development of the General Inspectorate (MOJ).  CCJAP expects to achieve this increase through enabling the MoJ training institution to provide training on strategic planning, budgeting and M&E.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	HRM and HR development, taking into account the differing needs of women and men in MoJ and the Courts; • Increase in the number and range of course that law and justice training institutions provide to MOJ/Courts managers, including on: strategic planning, business planning, budgeting and M&E • Increase in proactivity of the MOJ's General Inspectorate.				
20	Number of women in senior positions <sup>18</sup> in Courts and MoJ increases. <sup>19</sup>	MoJ personnel records	Personnel Dept staff with assistance of CCJAP III	CCJAP III with involvement of Personnel Dept staff	This indicator enables reporting against CCJAP III Output 6.7 Gender Mainstreaming Strategy developed and implemented, including monitoring of the level of success by MoJ in supporting improvements in both representation and participation of women in broader roles and positions. The indicator is specifically included here to draw attention to the gender mainstreaming in this Component. The indicator is designed to monitor justice agencies' commitment to progressing towards the objective of gender equality in accordance with the MOWA Five Year Strategic Plan 2004-2008 (Neary Rattanak II) and the National Strategic Development Plan (2006-2010). CCJAP III will provide training and technical advice to partner agencies to assist them to develop GMS strategies and action plans as described in CCJAP III's GMS.  CCJAP III Component Four Gender Mainstreaming Strategy (GMS) activities will contribute to, but be insufficient to cause, the realisation of this gender-equality

<sup>&</sup>lt;sup>18</sup> This includes, senior administrative and decision making positions, such as Secretaries of State, Judges and Court Clerks. <sup>19</sup> Baseline is 31 May 2008.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
					indicator.
	ponent Five: To strengther to identify options for com			dentify and respond	to prison management priorities, the physical and mental health needs or prisoners,
21	Pace of progress on development of draft law on corrections increases.	MOJ, PMU Reports	CCJAP III Component 4 and 5 staff	Corrections Adviser	This indicator enables reporting against CCCJAP III <u>Output 5.1</u> ; Support the development of a draft law on corrections. Reports are intended to be narrative in nature, describing progress made to date, major challenges, and next steps.
22	The GDoP's capacity improves including:  Increase in the quality of GDoP's executive management processes, including: strategic planning, budgeting, M&E, and HRM and HR development, taking into account the differing needs of women and men in GDoP and in prisons;  Increase in the number and range of courses that the GDoP training institution provides to GDoP (and prison) managers, including on: strategic planning, business planning,	CCJAP III Component 5 staff See ED and HRM STA recommendations GDoP training institution conducts relevant training.	CCJAP III Component 4 staff	Corrections Adviser	<ul> <li>This indicator enables reporting against:         <ul> <li>Output 5.2 General Department of Prisons executive capacity developed, 5.6 Support Capacity Development of the Office of Inspection Department of Operations;</li> <li>Output 5.6 Support Capacity Development of the Office of Inspection Department of Operations; and</li> <li>Output 4.4 MOJ/Courts executive capacity developed.</li> </ul> </li> <li>The indicator is also linked to the L&amp;JRS's seventh strategic objective:         <ul> <li>"Strengthening of Legal and Judicial sector institutions to fulfil their mandates by strengthening management, planning and monitoring mechanisms and capacity in general in order to enable the full provision of public services and to ensure decision-making in accordance with principles of good governance and their efficient enforcement" (emphasis in original).<sup>20</sup>.</li> <li>Data on the existence of a strategic plan and a GDoP institution enabled to provide relevant training will be complemented by CCJAPIII survey data on improved executive capacity. This indicator reflects the importance of executive development in partner agencies to CCJAP III's change strategy.</li> </ul> </li> </ul>

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<sup>&</sup>lt;sup>20</sup> The Council for Legal and Judicial Reform (2005) *Plan of Action for Implementing the Legal and Judicial Reform Strategy*, Royal Government of Cambodia, Phnom Penh, p.4.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	<ul> <li>Increase in proactivity of the GDoP's Office of Inspection.</li> </ul>				
23	Number of prisons that fully implement 'Corrections Management System' (CMS) increases. <sup>21</sup>	Monthly Reports (as per Prison Procedure 38 outlined in Prison Procedure Manual) and Health Reports (as required by MoH guidelines described in Prison Health Operating Manual and required by GDoP for its annual report) General Department of Prisons' records	Prison Chiefs and other senior prison staff	Staff from the Office of Health, Department of Archives and Department of Means and Prison Chiefs (all part of GDoP) with assistance from CCJAP III staff.	<ul> <li>This indicator enables reporting against:</li> <li>Output 5.2 General Department of Prisons executive capacity developed, specifically, activities 5.2.1, 5.2.2 and 5.2.4; and</li> <li>Output 5.3, Support implementation of the corrections management system in identified prisons, specifically, activities 5.3.1-5.3.2.</li> <li>The Corrections Management System is a system for management of prisoners from the time of admission to the time of release designed to provide safe secure humane conditions for prisoners and addresses rehabilitation and re-integration.</li> <li>There are 5 main elements, induction, health and behaviour, vocation and education, work and industry and reintegration and release.</li> <li>Staff members from the Office of Health, Department of Archives and Department of Means and Prison Chiefs (all part of GDoP) have limited capacity for analysis so CCJAP III staff will work with them to improve the quality of their data collection, analysis and reporting.</li> </ul>

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<sup>&</sup>lt;sup>21</sup> Baseline is 1 (Kandal prison) in Dec 2006; target is 5 by June 2011, including three prisons identified through provincial roll out.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
24	Number of prisons with an accredited health post, which provides HIV education, information and prevention services, meeting the differing needs of male and female adults and juveniles in prison, increases. <sup>22</sup>	As above.	Prison Chiefs and other senior prison health staff	Staff from the Office of Health and Prison Chiefs (all part of GDoP) with assistance from CCJAP III staff.	This indicator enables reporting against CCJAP III Output 5.4 Services to support prisoner mental and physical health improved.  CCJAP II assisted in the upgrading of health posts in four prisons (CC1, CC2, Kandal, and Banteay Meanchay) to meet MoH accreditation standards. The GDoP has prioritised three provincial prisons in conjunction with CCJAP III for health-post upgrading in the Provincial Rollout Strategy (Battambang, Prey Veng Kampong Thom). In addition, a national prison, CC3, has also been prioritised for upgrading. Staff members from the Office of Health and Prison Chiefs (all part of GDoP) have limited capacity for analysis so CCJAP III staff will work with them to improve the quality of their data collection, analysis and reporting.
25	Number of rehabilitation and reintegration programs in partner prisons that address the needs of juveniles, women (including mothers), and men in prisons, and those affected by HIV, increases.	CCJAP III Component 5 staff	CCJAP III Component 5 staff	Prisons Adviser	This indicator enables reporting against CCJAP III Output 5.5 Prisoner rehabilitation and reintegration programs are established.  The Policy Framework for Prison Reform outlines the approach in transforming the focus from incarceration based on security to providing a greater focus on prisoner rehabilitation. The reform objective aims to provide opportunities for rehabilitation in order that prisoners are equipped with the skills and supports necessary to return to their community and to reduce the likelihood of committing more crime when the prisoner is released.  Goal 3 of the GDoP Strategic Plan 2008-2013 states 'Implementation of Policy Framework for Prison Reform to promote rehabilitation and reintegration.'  Some data may be available from community corrections activities of CCJAP III partners, including other GOA-funded programs, such as Save the Children Australia's Child Protection Program.
Com	ponent Six: Management S	Support Team and Fle	exible Support Fund		
26	Synchronisation and harmonisation of planning and risk mitigation as between	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.1</u> Effective and relevant forward planning conducted and risks managed to ensure threats to project success are mitigated.

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 $<sup>^{22}</sup>$  Baseline is 4 in December 2006; target is 8  $\,$  by June, 2011 - 100% of CCJAP III targeted health posts.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	CCJAP III and RGOC increases.				
27	Quality of CCJAP III HR, and appropriateness of resources to need, increases.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.2</u> Project staff and resources effectively managed.
28	Administration and financial reporting available as and when required.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.3</u> Efficient administration and financial systems that support sound project management and operations established.
29	NMB's operation increases harmonisation of CCJAP activities and outputs with strategic objectives of LJRS.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.4</u> Effective Coordination mechanisms established and operational, including the National Management Board.
30	RGOC and community access to funds through the FSF increases pace of LJRS implementation.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.5</u> Flexible Support Facility established and operating effectively.
31	Information provided through PMF and activity reporting increases CCJAP III's responsiveness o to RGOC, community, and GOA demands.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.6 Project Monitoring</u> Framework effectively implemented.
32	Number of RGOC justice agencies with Gender Mainstreaming Action Plans (GMAP)	GMAP of CNP and General Department of prison (MOI) and	Gender Mainstreaming Action Groups (GMAGs) for each	Gender Mainstreaming Action Groups (GMAGs) for each	This indicator enables reporting against CCJAP III <u>Output 6.7</u> Gender Mainstreaming Strategy developed and implemented.  This indicator is designed to monitor justice agencies' commitment to progressing towards the objective of gender equality in accordance with the MOWA Five Year

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	implemented increases. 23	GMAP of MoJ	justice agency.	justice agency.	Strategic Plan 2004-2008 (Neary Rattanak II) and the National Strategic Development Plan (2006-2010). CCJAP III will provide training and technical advice to partner agencies to assist them to develop GMS strategies and action plans as described in CCJAP III's GMS.
33	CCJAP III Juvenile Justice Strategy increases the number and type of juvenile justice initiatives developed and implemented in partner provinces.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.8 Juvenile Justice Strategy</u> developed and implemented.
34	Number of HIV-related initiatives supported or assisted by CCJAP III relating to police, Courts and prisons increases.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.9 HIV/AIDS strategy</u> collaboratively developed and implemented (which embraces 'harm minimization' and 'universal precautions').  The Annual Plan for 2008/2009 reflects a commitment to and focus on this cross-cutting theme through the development of a CCJAP III HIV/AIDS strategy that, at the time of writing (January 20009), is still in the process of development. CCJAP III's annual stakeholder survey will also collect data on HIV-related outcomes facilitated by CCJAPIII activities.
35	CCJAP III activities increase the number of civil society organisations and other donors engaged in law and justice sector, including activities funded through the FSF.	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E Specialist	This indicator enables reporting against CCJAP III <u>Output 6.10</u> Strengthened relationships between the RGOC, civil society, Donors and CCJAP to implement and mainstream project activities.
36	Number of capital works projects facilitated by CCJAP III	CCJAP III records and reports	CCJAPIII Advisers and Management	CCJAP III ATL and Director with assistance of M&E	This indicator enables reporting against CCJAP III <u>Output 6.11</u> Capital Works Program/Projects Implemented.

<sup>&</sup>lt;sup>23</sup> Bbaseline in January 2008 is zero.

No.	Indicator	Source of data	Responsibility for Data Collection	Responsibility for Data Analysis and Reporting	Comment
	for Courts, MoJ, CNP and GDOP, increases, including projects implementation of which is outsourced to independent subcontractors and/or prison labour is used.			Specialist	

# ANNEX 5: Suggested Revisions to Job Description for Provincial Project Officers



# Position Description

TITLE	Provincial Project Officer	Project	Cambodia Criminal Justice Assistance Program (Phase 3)
LOCATION	Kandal, Battambang, Prey Veng, Banteay Meanchay or Kampong Thom	REPORTS TO	CPCS Coordinator
OTHER CONDITION	ONS National travel and out of	f hours work may	be required.

# Purpose of Position

In the context of the Royal Government of Cambodia's (RGOC's) decentralisation and deconcentration (D&D) framework, Provincial Governments have identified the need for support to operationalise reforms required in the Royal Government of Cambodia's (RGOC's) Legal and Judicial Reform Strategy (LJRS) and its accompanying Plan of Action.

The main objective of the third phase of the AusAID-funded Cambodian Criminal Justice Assistance Program (CCJAP), which commenced in 2007, is *to support the RGoC and other stakeholders (at both national and sub-national levels) to provide equitable access to a high standard of justice, with a particular focus on the needs of juveniles and other vulnerable groups.* CCJAP's activities are grouped into six components:

- Component 1 Legal & Judicial Reform Strategy capacity building;
- Component 2 Crime Prevention, Community Safety and Community Justice;
- Component 3 Cambodia National Police;
- Component 4 Ministry of Justice and the Courts;
- Component 5 Corrections; and
- Component 6 Management Support Team & Flexible Support Fund.

Working in a collegiate, high-volume environment and adopting a capacity building approach, the Provincial Project Officer is expected to establish and maintain close working relationships with subnational RGOC representatives, local NGO partners, and other programs, to facilitate delivery of Program activities to reach the Program's main objective.

#### **KEY COUNTERPARTS:**

PCC, ExCom Members, Provincial Cabinet, 4 ExCom Units, Provincial Police Commission,
 Prison, Corrections Center, Court, and District and Commune Councils, where necessary.

# **KEY RESPONSIBILITIES:**

Working with Provincial Government and project advisors and staff, and supported by the CPCS Coordinator, the Provincial Project Officer's key responsibilities include:

# Legal & Judicial Reform Strategy capacity building

- Support the Provincial government's implementation and progress reporting on the LJRS.
- Crime Prevention, Community Safety and Community Justice
- Support national and provincial counterparts for the integration of CPCS approaches into the RGOC D&D framework;
- Strengthen capacity of counterpart staff to implement CPCS initiatives by cooperating with four ExCom Units and UNDP/PSDD advisers in contract/workplan formulation, financial management, activity implementation and monitoring and evaluation of the CPCS related activities;
- Support CPCS activities including the design, delivery, monitoring and review of community based crime prevention initiatives that support, women, children and gender equity in particular;
- Retain a watching brief on the development of the RGoC's D&D at sub-national and commune levels.
- Cambodia National Police
- Support the development of a national crime prevention policy framework;
- Support counterparts in roll-out provinces to establish and maintain NGO/Civil Society Crime Prevention Networks.
- Ministry of Justice and the Courts
- Support Provincial Courts to comply with Model Court requirements.
- Corrections
- Support improved prisoner management, implementation of holistic rehabilitation programs, strategic planning and budgeting, and community corrections.
- Management Support Team & Flexible Support Fund
- Support all CCJAP Advisers, Project Officers and relevant Counterparts to facilitate CCJAP project and component implementation activities, including facilitation of NGO/CBO Application Grants under the FSF, regular monitoring and reporting.

# PERSON SPECIFICATION

### **EXPERIENCE:**

- 1. Experience in capacity building provincial government agencies in the design, implementation and monitoring of activities that support Cambodia's national reform objectives, including reforms of the administration of justice.
- 2. Proven experience negotiating and communicating with government officials, community leaders and civil society agencies;
- 3. Experience in community-based initiatives and projects that support vulnerable groups, such as women and youth;
- 4. Experience in the conduct of community consultations that demonstrate application of a range of methodologies.
- 5. Understanding of English and Khmer languages, with experience translating in a relevant professional environment.

- 6. Demonstrated capacity to translate formal documents (e.g. briefing papers, reports, training notes, laws) between English and Khmer;
- 7. Demonstrated ability to implement and monitor gender equity reforms is highly desirable;
- 8. Experience in using word processing, spread sheets is essential and use of data bases desirable.

#### Knowledge:

- 9. Understanding of public education and social marketing principles and approaches highly desirable but not essential.
- 10. Familiarity with participatory action-research approaches and systems highly desirable.
- 11. Understanding of the integration of gender, HIV, anti-corruption and other cross cutting themes.
- 12. An understanding of the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action.
- 13. An understanding of the RGoC NSDP, LJRS, D&D.

#### **SKILLS AND ABILITIES:**

- 14. Demonstrated capacity to undertake group planning and problem solving.
- 15. Excellent analytical skills and effective communicator.

#### QUALIFICATIONS:

16. Related degree will be highly regarded.

#### OTHER REQUIREMENTS:

17. Holds a valid driver's licence.

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Effective Date: 13 January, 2009

# Annex 6: Suggested Revisions to Job Description for Crime Prevention and Community Safety Coordinator

GLOBAL JUSTICE SOLUTIONS
Innovative Solutions – Sustainable Outcomes

POSITION DESCRIPTION

TITLE	Crime Prevention Community Safety Coording	and	Ркојест	Cambodia Criminal Justice Assistance Program (Phase 3)
LOCATION	LOCATION Phnom Penh, Cambodia		REPORTS TO	CPCS Adviser
OTHER CONDITION	National travel and	d out of	hours work may be	e required.

#### Purpose of Position

In the context of the Royal Government of Cambodia's (RGOC's) decentralisation and deconcentration (D&D) framework, Provincial Governments have identified the need for support to operationalise reforms required in the Royal Government of Cambodia's (RGOC's) Legal and Judicial Reform Strategy (LJRS) and its accompanying Plan of Action.

The main objective of the third phase of the AusAID-funded Cambodian Criminal Justice Assistance Program (CCJAP), which commenced in 2007, is *to support the RGoC and other stakeholders (at both national and sub-national levels) to provide equitable access to a high standard of justice, with a particular focus on the needs of juveniles and other vulnerable groups.* CCJAP's activities are grouped into six components:

- Component 1 Legal & Judicial Reform Strategy capacity building;
- Component 2 Crime Prevention, Community Safety and Community Justice;
- Component 3 Cambodia National Police;
- Component 4 Ministry of Justice and the Courts;
- Component 5 Corrections; and
- Component 6 Management Support Team & Flexible Support Fund.

Working in a collegiate, high-volume environment and adopting a capacity building approach, the CPCS Coordinator, under the direction and guidance from the CPCS Adviser, supports Provincial Project Officers (PPOs) to establish and maintain close working relationships with sub-national RGOC representatives, local NGO partners, and other programs, to facilitate delivery of Program activities to reach the Program's main objective.

### **KEY COUNTERPARTS:**

 National level: Department of Judicial Police, Development of Local Administration, NMB Advisory Members from CNP, MoJ and Program partners, including NGO/CBO representatives;  Provincial level: PCC, ExCom Members, Provincial Cabinet, 4 ExCom Units, Provincial Police Commission, Prison, Corrections Center, Court, and District and Commune Councils, where necessary.

#### **KEY RESPONSIBILITIES:**

Working to support the work of PPOs, the CPCS Coordinator's key responsibilities include: *Crime Prevention, Community Safety and Community Justice* 

- Coordinate the work of PPOs to facilitate national and provincial counterparts' integration of CPCS approaches into the RGOC D&D framework;
- Coordinate PPOs' work to strengthen capacity of the counterparts to implement CPCS initiatives through their cooperation with four ExCom Units and UNDP/PSDD advisers in contract/workplan formulation, financial management, activity implementation and monitoring and evaluation of the CPCS related activities;
- Coordinate PPOs' CPCS activities, including the design, delivery, monitoring and review of community based crime prevention initiatives that support, women, children and gender equity in particular;
- Retain a national-level watching brief on the development of the RGoC's D&D and communicate changes to Provincial Project Officers.
- Provide necessary support to PPOs to successfully realise CPCS related activities;
- Facilitate capacity building of PPOs and of their counterparts regarding CPCS initiatives.

Cambodian National Police

- Supporting national coordination efforts to develop a national crime prevention policy framework for implementation within Project Provinces;
- Coordinate Provincial Project Officers' work in facilitating RGOC counterparts to establish and maintain NGO/Civil Society Crime Prevention Networks.

Management Support Team & Flexible Support Fund

- Coordinate all CCJAP Advisers, Provincial Project Officers and relevant Counterparts to facilitate CCJAP project and component implementation activities, including facilitation of NGO/CBO Application Grants under the FSF, regular monitoring and reporting;
- Support CCJAP Provincial Project Officers' project financial management, including through coordination of monitoring and reporting.

#### Person Specification

#### **EXPERIENCE:**

- 18. At least five years' experience in project management support, including supporting and coordinating province-based officers working with provincial government agencies in the design, implementation and monitoring of activities that support Cambodia's national reform objectives.
- 19. Sound understanding and experience of the work of the CPCS initiatives of the Cambodia Criminal Justice Assistance Project, including those conducted in Kandal Province.
- 20. Proven experience negotiating and communicating with senior government officials, community leaders and civil society agencies.

- 21. Experience in community-based initiatives and projects that support vulnerable groups, such as women and youth.
- 22. Excellent understanding of English and Khmer languages and demonstrated achievement in working as a translator in a relevant professional environment.
- 23. Demonstrated capacity to translate formal documents (e.g. briefing papers, reports, training notes, laws) between English and Khmer.
- 24. Demonstrated ability to implement and monitor gender equity reforms is highly desirable;
- 25. Experience in using word processing, spread sheets is essential and use of data bases desirable.

#### KNOWLEDGE:

- 26. Understanding of public education and social marketing principles and approaches highly desirable but not essential.
- 27. Familiarity with participatory action-research approaches and systems highly desirable.
- 28. Understanding of the integration of gender, HIV, anti-corruption and other cross-cutting themes.
- 29. An understanding of the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action.
- 30. An understanding of the RGoC NSDP, LJRS, D&D.

### **SKILLS AND ABILITIES:**

- 31. Ability to support the coordination of thematic Program activities in disparate locations across Cambodia.
- 32. Ability to facilitate the design and monitoring of community-based projects or activities.
- 33. Ability to use gender analysis and apply findings in the development of plans and strategies highly desirable.
- 34. Demonstrated ability to implement and monitor gender equity reforms is highly desirable.
- 35. Demonstrated capacity to facilitate group planning and problem solving.
- 36. Excellent analytical skills and effective communicator.

#### **QUALIFICATIONS:**

37. Related degree will be highly regarded.

#### OTHER REQUIREMENTS:

38. Holds a valid driver's licence.

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# Annex 7: Suggested Revisions to Job Description for Justice Advisor



POSITION DESCRIPTION

TITLE	Justice Systems Adviser	PROJECT	Cambodia Criminal Justice Assistance Program (Phase 3)
LOCATION	Phnom Penh, Cambodia	REPORTS TO	Team Leader
OTHER CONDITION	Provincial travel and o	out of hours work will	be required.

#### Purpose of Position

The MOJ and Courts face significant challenges in operationalising reforms described in the RGOC's LJRS and its accompanying Plan of Action. Assistance is required to strengthen systems within the MOJ and within Court Administrations, at national and sub-national level, and to support targeted case management issues.

Working under Component 4 of the CCJAP's Strategic Framework, the CCJAP Justice Systems Adviser supports the MOJ to plan, implement and monitor activities which operationalise the LJRS at both national and sub-national levels, to strengthen the capacity of the Ministry of Justice and to effectively support the Courts in delivering equitable and timely access to justice.

The Justice Systems Adviser is required to establish and maintain close working relationships with key RGOC stakeholders, civil society, national and international NGOs, and the donor community, working in a collegiate high volume environment.

## **KEY RESPONSIBILITIES:**

The Justice Systems Adviser provides support to the MOJ and to selected Courts to:

- Improve data management and methods for dealing with juveniles in Courts;
- Support MOJ, provincial courts and the Model Court High Level Working Group to develop and implement the Model Court concept in partner provinces;
- In conjunction with other donors, develop and/or improve practices and procedures within the Cambodia Court System;
- In conjunction with other donors, review case management systems and facilitate the implementation of new systems;
- Develop MOJ/Courts executive capacity;
- Improve human resource management and development for Courts and MOJ; and
- Facilitate communication between MOJ, MOI, Courts, the CL&JR and other key agencies, including the Supreme Council of the Judiciary, regarding operationalisation of the RGOC's LJRS.

The Justice Systems Adviser also has the following responsibilities which support effective project implementation:

- Works with AusAID and the Team Leader to facilitate leadership by senior MOJ officials and members of the judiciary to manage change in the Ministry and in Courts administrations;
- Ensures project assistance supports the implementation of RGOC policies, including the Legal and Judicial Reform Strategy, Public Financial Management Reform Program, Public Administrative Reform and Decentralisation and Deconcentration Reform;
- Promotes project alignment with and is timed to feed into RGOC central and sector agency planning and budget processes;
- Ensures that the activities are conducted and outputs and milestones achieved within planned time schedules and cost estimates;
- Monitors and coordinates project activities within CCJAP Component 4, with all participating Cambodian counterparts, departments and agencies where appropriate;
- Contributes to project reporting and writing of CCJAP reports, as required;
- Assists the project to ensure that AusAID's gender specific concerns, environmental concerns and poverty alleviation concerns are integrated into project management;
- Ensures that all project activities performed accord with and promote international human rights conventions, with particular emphasis on women and children;
- Provides on-the-job management training for key counterpart staff, and, where possible, uses the
  activities and financial reporting requirements of the project to enhance the management skills of
  counterparts;
- Adheres to AusAID financial integrity and management requirements, by ensuring that the expenditure of the Project budget for Component 4 occurs in a timely and accountable manner;
- Supports monitoring and evaluation: monitors component and thematic activities and inputs, making adjustments as necessary to ensure objectives are met, and works towards strengthening RGOC monitoring systems;
- Provides advice to officers of the Australian Embassy and AusAID as required on project implementation.
- Ensures activities are harmonised with existing RGOC and donor programmes and initiatives.

#### Person Specification

#### **EXPERIENCE:**

- 1. At least ten years' experience in capacity development of individuals and organisations in an ODA context.
- 2. Demonstrated experience in managing change and in implementing reforms of administration justice.
- 3. Experience in strengthening organisational level strategic planning, budget and performance management processes.
- 4. Significant experience in courts process and administration, judicial management, or senior management in a legal environment.
- 5. Experience in juvenile justice case management.
- 6. Proven ability to work as part of a multi-disciplinary team.

#### KNOWLEDGE:

- 7. An understanding of and/or experience in a civil/roman law environment, particularly the administration of justice.
- 8. An understanding of the Paris Declaration on Aid Effectiveness, and experience in the practical application of aid effectiveness principles in the delivery of development assistance.

### **SKILLS AND ABILITIES:**

- 9. Commitment to and proven understanding of the integration of gender, HIV, anti-corruption and other cross cutting considerations.
- 10. Excellent M&E and reporting skills.
- 11. Excellent interpersonal skills, oral and written communication skills.

#### QUALIFICATIONS:

12. Degree in law, court administration business, international relations or related fields, or a relevant combination of professional training and certification and extensive experience in courts or legal environment management.

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