

Scottish Government Malawi Development Programme

End of Year 1 Report

1. General Project Information			
1.1	Project Reference Number:	MAL 18/10	
1.2	Name of Organisation:	Chance For Change Malawi	
1.3	Lead Partner(s):	Chance For Change	
1.4	Project Title:	Access to Justice	
1.5	Reporting Period:	From: 1/10/2018 To: 31/03/2019	
1.6	Reporting Year:	1	
1.7	Project Start ate	1/10/2018	
1.8	Project End date	31/03/2023	
1.9	Total Project Budget*	£1,304,863	
1.10	Total Funding from IDF*	£1,265,759	
1.11	Have you made any changes to your logframe? If so please outline proposed changes in the table below. Please note all changes require Scottish Government approval. If changes have already been approved please indicate this in the table.		
	Outcome/Output	Proposed /Agreed Change	Reason for Change
			Date Approved and by whom
1.12	Supporting Documentation Check box to confirm key documents have been submitted with this report	Up to date Logical Framework, which reflects any changes detailed above.	
		Up to Date Budget Spreadsheet	x
		Case Study	x
Report Author: [redacted]		Signature: [redacted]	

2. Progress and Results

2.1 Please give an update on the progress your project has made during the reporting period. Please use this space to update us on what has gone well and any challenges you have experienced, detailing how you have overcome these. (Max 500 words)

Despite experiencing challenges over the past three months, we have nevertheless made significant progress. We have completed much needed renovation works at the centre and are in the process of increasing our capacity to accommodate a number of younger referrals. The centre is operating well, we have a significant number of young people active in the Diversion programme, we are on track for reintegrations, and we are expanding our outreach activities in the juvenile prisons.

As described in the supplementary report, we have been experiencing challenges from the Chair of the CCRB; despite this, we have an encouraging level of support from the wider Board. After we had opened again for referrals after the Christmas period, the Chair of the CCRB was blocking referrals through that route. As a result, we asked the President Judge to facilitate a full CCRB Board Meeting in order to free up the referral process. Despite reluctance from the Chair, this meeting took place and we have referrals through that meeting. Our issues with the Chair are unlikely to be resolved; we have however, taken additional measures to ensure a good flow of referrals.

We have approached a number of Senior Judges in District courts (2 courts remaining to be covered) to act as ambassadors in the referral process. This will ensure access to prisons for files, and we can then obtain direct court orders through them. We have also secured an arrangement for direct referral through the Child Court, so that judges and magistrates can use Diversion powers to produce a court order for the centre or our Diversion programme. Although amendments to the legal process will need to be established, this has not impeded these referrals. All of this enables us to be less dependent on the CCRB, until a new Chair takes office. Although it will take a few months for the process to gather momentum, it shouldn't slow us down too much as there is a case conference in April, which will produce referrals to take us to capacity and beyond (hence moves to increase the potential capacity of the centre).

Despite the challenges from the CCRB Chair, progress in all areas has been encouraging. In some areas, the progress is easy to quantify; e.g. numbers in our Diversion programme, improved relationships with police referrers etc. in some areas success is harder to evidence; such as our legal team have been given some very difficult cases to handle by the High Court. These are time-consuming and produce less quantitative results, but they do increase the confidence of the judiciary, and improve our relationships with them. The majority of our recent problems were created over a year ago, and we are happy that we had most of them resolved by the turn of the year. Although occupancy at the centre was slightly lower

	<p>than we forecast, due to operational issues between the courts, and us, we don't feel that our effectiveness has been impacted; we are comfortable that we are back on-track.</p>
<p>2.2</p>	<p>Have you completed all baselines for the project? If not please explain why and describe what plans are in place to ensure these are completed. If you have please ensure these have been added into your logframe. (Max 200 words)</p> <p>It is difficult to calculate a baseline as our project has been evolving over a period of three years. In terms of our original baseline, if anything, the baseline situation has been deteriorating. As poverty has increased, due to environmental and social issues, so has crime increased. There is a worrying trend within the general situation that alongside the property crime, there has anecdotally been an increased level of aggravation with regards to violence. This undoubtedly has an effect on the prison population, but is also having the effect of mixing petty (mostly young) survival offenders with hardened and habitual criminals. This is an even greater motivation for us to be the means to separate these groups out before young offenders are totally and irreversibly inducted into the professional ranks.</p> <p>A major challenge is the lack of data. Records are not routinely kept up to date and corruption within the system is an issue. This means that most data is anecdotal. It is useful, but cannot be considered to be hard evidence. It is also possible that changes within the Prison Act, particularly with regard to parole will result in significant changes to the criminal justice environment.</p>
<p>2.3</p>	<p>Have you experienced any delays to planned activities? Please provide full details including what action is being taken to bring activities back on track. (Max 250 words)</p> <p>Yes we have. As described in our supplementary report, the difficulties we have had with the Chair of the CCRB has definitely had an impact. She is a lone voice of dissent against the idea of a Private Reformatory Centre, but nevertheless, she is in an influential position. There is little or nothing we can do to change her opinions, but we have been maintaining good relationships with those around her and in the wider judicial environment. We have a vocal and committed support from many others.</p> <p>Another cause of delay was a group of inmates who came as a group from a maximum-security prison. They were far more serious offenders than we were accustomed to, and we felt that in order to manage risk, we would reintegrate them as a group before bringing younger children into the centre.</p> <p>As a result we have offered places to referrals and are taking them in on a once-weekly basis (unless they come direct from court). The centre is back working operationally and we can forecast no immediate issues with referrals.</p>

2.4 Project Outcomes

In the table below, please list each of your project Outcomes, and provide further detail on your progress and results over this reporting period. Describe any delays or other challenges that you have experienced and how these have been addressed, and provide information about any unexpected results (for example where targets have been vastly exceeded). Progress should also be updated within the relevant fields of your logframe.

Project outcomes have been adversely affected by a number of factors in this reporting period. Our estimates for targets were based on the figures for the previous years; figures that of course are dependent on inputs. These inputs have slowed or stopped in many areas, we think temporarily. I think it is worth detailing the inputs that have been affected.

1. In the previous year, the CCRB were very active and made many referrals, but also processed all of the files that were submitted by C4C. In this reporting period they have made only 14 referrals and the Chair who is responsible for the processing of case files has processed none from C4C.
2. In the previous period, there were more than 100 referrals through presidential pardons. They have not happened in this reporting period. This may be due to elections, but it is not known when they will happen next.
3. The judges caucus case conferences were the route of over 100 referrals in the previous year. So far judges conferences have not happened in this six-month period, although one is scheduled for the first week of April. There has also been a lengthy court recess, which normally has an effect on referrals from the court. We expect normal referrals to start in April.
4. Throughput has slowed through the centre due to us needing to empty the centre of the last cohort before bringing new boys in, we also needed to do maintenance work on the centre this resulted in us having low occupancy for four weeks. Our latest cohort of boys is currently faring really well.

There is also the issue of timing. Timing has a greater effect over a shorter period when we consider sentence length and what has become a lengthier processing time for referrals. Of course, we expect things to normalise in the coming year, and to see the impact that widening the referral process has had, but we are still likely to be adversely affected by the ineffectiveness of the CCRB. In other words, we will recover, but it will take time. A change in the leadership of the CCRB would undoubtedly have the most immediate impact within the ability of child justice services, including ourselves, to function properly.

Outcome:

Children in conflict with the law in Malawi will be treated in a humane and child welfare centred manner, with rehabilitation and well thought out

reintegration considered integral to the welfare of young offenders. This will benefit the children in conflict with the law, their families, as they will know that their children are being cared for, rehabilitated and prepared for reintegration, and their communities will benefit as they return rehabilitated and trained to contribute to their society. O

Outcome Indicator	Milestone / Achievement	Progress
<p>1.1 Less children in prison, and more children serving orders and community-based sentences.</p>	<p>Year 1 target; 272 Actual; 161</p>	<p>This number is primarily affected by inputs. Referrals through CCRB, Judges case conferences, and pardons, have all dried up for different reasons during the past six months. For instance we have had one recent inmate who was referred over a year ago to C4C, who has been in Kachere Prison awaiting his order to be processed by the CCRB. This problem will improve imminently</p>
<p>1.2 More children in conflict with the law will have been rehabilitated and reintegrated to a minimum standard.</p>	<p>Year 1 target; 192 Actual; 183</p> <p>Full process completed; 124 Rehabilitated but undergoing reintegration currently; 59</p>	<p>Reintegration is at the end of the process in most cases, either from the centre, or from the outreach programme, and is largely a case of timing. Our last cohort all had long sentences and there have been fewer in the outreach programmes that qualify for release. This will improve over the coming year as most of our current inmates have shorter sentences.</p>
<p>2.1</p>	<p>Year 1 target; 682 Actual; 543</p>	<p>This target is down due to throughput.</p>

	<p>Children in conflict with the law will have had greater access to justice, representation, and treatment in accordance with the law and constitution of Malawi.</p>		<p>This is not only through the centre, but also lack of files progressing through the CCRB. The work on files is still happening, but there is a bottleneck with them being signed off by the Chair. Also, we would have had over 100 referrals through the case conferences and pardons in any of the previous three years, but these have not yet happened.</p>
	<p>2.2 The backlog of child cases awaiting confirmation by the High Court will have been reduced.</p>	<p>Year 1 target; 320 Actual; 33</p>	<p>This is an indicator of the lack of movement from the CCRB. This indicator is directly dependent on the cases being cleared exceeding the cases coming in. there are a large number of files awaiting signing off currently with the CCRB. The 33 cases are all direct from Judges at the High Court making direct referrals. There are currently no files processed by the CCRB.</p>
	<p>3.1 Children will have avoided time in prison and will have benefitted from less exposure to the health risks that prison presents</p>	<p>Year 1 target; 300 Actual; 161</p>	<p>This is mainly down to the lack of movement of files again through the CCRB. Although it is also affected by other referrals being low, by far the biggest effect on this indicator is the blockage of files through CCRB. Camp Courts and confirmations shift more children through the system far quicker</p>

			than other measures except Presidential Pardons (although they can be problematic too for other reasons).
	3.2 Communities will have avoided the public health issues created by children returning home with unchecked infectious diseases	Year 1 target; 1,500 Actual; 1,012	This target of course is slightly low, but it corresponds pretty closely with the lack of cases dealt with through Presidential Pardons and Judges Caucus case conferences. All things considered there is nothing unexpected in this figure.
2.5	Project Outputs In the table below, please list each of your project Outputs, and provide further detail on your progress and results over this reporting period. Describe any delays or other challenges that you have experienced and how these have been addressed, and provide information about any unexpected results. Progress should also be updated within the logframe Output: <i>Name of Output</i>		
	Output Indicator	Milestone / Target	Progress
	1.1 PRC will be operated at average occupancy of 75%.	Year 1; target 75% Actual; 51 %	The target average occupancy of the centre is down by 24% This has been down to lower than normal throughput. The problem cohort of inmates is well documented, but considering that the centre was deliberately emptied during reintegration and refurbishment for approximately 15% of the reporting period; it can be explained. In real terms it is approximately 10% down.

1.2 90% of Inmates offered cognitive behavioural programmes, vocational training in at least two vocations, be offered enterprise and small business training	Year 1; target 90% Actual; 94.6%	This figure is on target; this is as a result of less people than forecast absconding during this reporting period. We forecast for a 10% abscond rate. This varies with the type of inmates we get from prisons
1.3 100% of the inmates at the centre will be given medical screening and access to counselling	Year 1; target 100% Actual; 100%	This is as expected, although we have had fewer serious medical issues per person to contend with during this period. We have had the usual number of HIV cases, but less STDs and fewer cases of serious illnesses; but slightly more physical injuries per person.
2.1 Children at the PRC reintegrated back into their communities with new skills, the means to generate income, and after mediation with the family and home community.	Year 1 target; 32 Actual; 22	This can be considered to be simply a matter of timing. It will be some months before the current cohort are reintegrated. The last cohorts have all been reintegrated successfully.
2.2 Children on the outreach programme will be reintegrated back into their communities with new skills, entrepreneurship training, and after contact with the family and home community.	Year 1 target; 80 Actual; 46 44 pending	Again this is a matter of timing. There are 44 due for reintegration, but this will not fall within this project year. But for timing, we would be slightly ahead of target. It is also worth noting that it is usual for an average of 6 offenders per month to be discharged. For some reason this

			number has reduced during the past few months. This could be due to sentencing trends. As perception of crime increases, sentences tend to lengthen.
3.1	Children diverted from prosecution or diverted from prison sentence, after referral by police or diversion programmes.	Year 1 target; 40 Actual; 63	This target is simply as a result of police activity. They have been working with us to identify cases for diversion and are motivated to divert. The current community police teams are working particularly hard to address youth offending and child abuse.
3.2	Children diverted from prosecution or diverted from prison sentence, after referral by the Legal Team/Courts/CCRB	Year 1 target; 80 Actual; 92	There is nothing notable in this number. The target has been nominally exceeded by 15%, this is largely due to confidence in the project by officials of the Child Justice Court
4.1	Children who take part in the outreach programme in prisons	Year 1 target; 60 Actual; 90	Although this seems to exceed target by some margin, this figure is high mainly due to timing. Two cohorts recruited during the previous project year have completed early in this reporting period and the next cohorts are well underway.
4.2		Year 1 target; 100 Actual; 46	Again this is due to timing. There are a further 44 who are

	<p>Children in prison reintegrated back into their communities with new skills.</p>		<p>about to graduate at this time of preparing the report, which would bring us much closer to target.</p>
	<p>5.1 Provide secretariat services to the CCRB and support the Central High Court in cases involving children</p>	<p>Year 1 target; 600hrs Actual; 651</p>	<p>Despite the ineffectiveness of the CCRB, the team is still working hard to provide services. In this reporting period, proportionately more time has been spent providing services to the High Court, and slightly less to the CCRB, although the team are working with individual court officers at the Child Justice Court where they are based. A disproportionate number of hours have been spent trying to persuade the CCRB to meet during this reporting period. To our knowledge their meeting in March, was their first for well over a year.</p>
	<p>5.2 Processing of case files awaiting confirmation and preparing legal opinions. Identifying miscarriages and sentences not in accordance with CCPJA.</p>	<p>Year 1 target; 320 files Actual; 227</p> <p>Legal opinions; 53 File Assessments; 54 Confirmations to the High Court; 33 Bail files; 22 Referral case files; 66</p>	<p>As stated many times before, this has simply been slowed down by the CCRB. Whereas case files were processed efficiently before, they now spend time untouched at the CCRB. This is further exacerbated by the lack of access to files. Previously we were granted orders to access files by the CCRB; although we are still granted access by the High</p>

			<p>Court, access is now restricted by the lack of action from the CCRB. This will improve as we are now being assisted by individual judges in District Courts to gain access to files through their jurisdiction. We are nonetheless pleased that despite the difficult climate that we are working in, we have still managed to get through so many files.</p>
	<p>5.3 Screening and processing of referrals to the C4C PRC and other community disposals such as Diversion programmes</p>	<p>Year 1 target; 60 Actual; 119 From CJC; 34 CCRB; 32 High Court; 53</p>	<p>The legal team are very active in visiting children in prison and screening files. After screening a large number of the files can then be put forward for assessment. Much of their work over the past six months has been about pro-actively identifying cases for assessment rather than waiting for the court. It is likely that this strategy will have a significant effect in the coming project year in addressing some of the issues we have been experiencing with project inputs.</p>
<p>3. Operational plans and partnerships</p>			
<p>3.1</p>	<p>Are all staff required to deliver the project now in place? If not, please explain what action you are taking to ensure all essential roles as outlined in your application, are in place as you move into year two of the project. If plans for staffing has changed, please tell us about this. (Max 200 words)</p>		

	All staff required to deliver the project are in place. As it stands, we are comfortable that the staff establishment is fit for purpose and adequate to meet targets.		
3.2	Are all partnerships on the project now in place? Please update on how these partnerships are progressing, letting us know about any highlights, challenges or changes to roles and responsibilities. (Max 300 words)		
	All Partnerships were already in place, but there have been some changes in status since the application.		
	<p>CCRB; as detailed in supplementary reports, our relationship with the CCRB is going through some challenges. Although support is still strong from the wider Board, the Chair of the Board is causing us some difficulties. She is blocking referrals except through Board meetings, which is a new development; at the same time other members of the Board are attempting to get us to take referrals more informally (which is the way it has always been done). This is exacerbated by the lack of activity; there have been no Board meetings at all apart from one that we had to leverage considerable pressure to promote. The CCRB is barely functioning at present and is achieving very little, if anything at all. In order to make progress against our targets, we have opened up a route for referral through individual Judges, the High Court, and the Child Court. This seems to be a workable solution to the problem</p> <p>Malawi Police; our relationship with Malawi Police is good and if anything is strengthening within our catchment. Levels of referrals are very good and improving</p> <p>Malawi Prisons; again relationships are good at local level and our legal team are being given access to new prisons (latest Domasi and Zomba main). Outreach projects are going well.</p> <p>OCG; still active at the centre</p> <p>WOJAM; are still supporting us strongly, but are also awaiting resolution of the CCRB leadership situation. The Chair of WOJAM is due to retire soon; this will undoubtedly have an effect.</p> <p>Family of Hope; no longer active</p> <p>CHREEA; active through CCRB. Our contact there has moved on and there are new but inexperienced staff; this will improve</p> <p>Byounique; No longer active</p> <p>Irish Rule of Law; are currently not so active due to changes in staff and leadership. We are hopeful this will resolve at the next staff rotation.</p>		
3.3	Have any visits to the project taken place in this period? Please give details including key activities and outputs of these visits.		
	Date of Visit	Key achievements / outputs of visit	Follow up actions
	September 2018	Ministerial visit to the reformatory; the purpose being to	N/A

4. Financial Information

This section will be reviewed alongside your end of year financial report, which must be included with this report. Please ensure an explanation for any variance to planned expenditure is provided against each budget line in the space provided in the budget spreadsheet.

4.1 If your spending is not on track as expected, please outline the reasons why, and detail what plans are in place to bring spending back on track. If you are requesting changes to your budget at this stage, please outline them below. (Max 350 words)

Our spending is on track. In this financial year we have matched the SG grant with £11,700 from other sources. As the majority of our funds is allocated to salaries, our spending is pretty stable. Currency rates have also been relatively stable this year, so forecasts have worked well.

Many budget lines show exact budget spend, these areas are usually areas that we have supported with match funding. There have been tight budget lines in staffing and travel. Both of these areas have been affected by the redundancy process we underwent at the start of the project. This reflects management travel and severance payments to those made redundant.

In-country travel is also slightly overspent primarily because of additional travelling by the legal team, who have had to do additional travelling to produce referrals from District courts and tracking of case files that were "misplaced". The lack of vehicles is still expensive as we incur costs of vehicle hire.

Our Malawi budget currently includes match funding for each year, but we are also actively fundraising to increase our budget.

5. Any other Information

Please use this section to tell us any other relevant information regarding your project. (Max 350 words)

It is well documented in supplementary reports and conversations that the ineffectiveness and lack of activity from the CCRB has affected our project in the past 6 months. Having said that though, we firmly believe that the net effect will be a positive one. It has prompted us to widen our referral network and increase our reach into other regional jurisdictions; we have definitely increased our support base, we have instigated review of referral criteria under the Child Care Protection and Justice Act 2010, which will very likely result in an easier, unilateral process for referrals into reformatory centres, and we are reducing the burden on state child justice services.

We have used a two week shut down at the centre to perform much needed maintenance and upgrade our facilities, and in year 2, we are fully expecting to increase bed spaces, opening a transition dormitory for boys who are about to leave.

We have undoubtedly been tested over the past 6 months, but we are confident that we are on a much sounder footing as a result.

Although dealing with the challenges we have faced over the past few months (and indeed are still facing to some extent) have been tiring and time-consuming, it is reasonable to expect some problems as a newcomer, and indeed a new initiative, to experience difficulties in settling into a mature, yet chaotic system. There is always corruption to consider as well. We have been very clear about our policies on payments and allowances, and the fact that we don't pay, does not always make us popular.

The difficulties though are in some ways a good sign that we are becoming part of the established child justice system, and not set apart from it. For the people who care about children suffering in prison, we are a solution to their problems; for those in the child justice system that don't care, we are of little relevance, as we don't pay. The evidence shows that there are thankfully more that do care than those that don't.

We are optimistic about the coming year.