

KARA APLAND AND PROFESSOR CAROLYN HAMILTON

Final Evaluation of the Justice for Every Child Project: December 2013 – November 2017



**Coram International
at Coram Children's Legal Centre (CCLC)**

May 2017

Commissioned by: UNICEF Bosnia and Herzegovina

Acknowledgements

We would like to thank Mirnesa Bajramovic who assisted us so well with national data collection. We were also highly appreciative of the assistance that we received from UNICEF and the stakeholders who participated in the evaluation, and particularly Danijela Alijagic, Mario Tokic, Meagan Smith Hrle, Antonia Luedeke and Mirza Puzic at UNICEF BiH.

Kara Apland
Carolyn Hamilton

Table of Contents

Table of Contents	iii
List of tables and figures	v
Acronyms	vi
Executive summary	vii
Evaluation methodology	vii
Main findings and conclusions	vii
Main recommendations	x
1 Purpose and scope of the evaluation	1
1.1 Introduction	1
1.2 Context to the evaluation	1
1.2.1 Children in contact with the law in Bosnia and Herzegovina	2
1.3 Object of the evaluation	6
1.3.1 Expected results chain.....	6
1.3.2 Project components	8
1.3.3 Key stakeholders	9
1.4 Purpose, objectives and scope of the evaluation	10
1.4.1 Evaluation scope	10
1.4.2 Evaluation questions.....	11
2 Evaluation methodology	13
2.1 Overall approach	13
2.2 Evaluation process	13
2.2.1 Phase I: Inception phase	13
2.2.2 Phase II: Data Collection phase.....	13
2.2.3 Phase III: Data analysis, write-up and revisions.....	13
2.2.4 Phase IV: Finalisation and presentation phase	14
2.3 Evaluation methods and data sources	14
2.3.1 Document review.....	14
2.3.2 Key informant interviews.....	14
2.3.3 Case study interviews.....	15
2.3.4 Comparison study.....	15
2.3.5 Direct observation.....	15
2.3.6 Collation of existing statistical data	15
2.3.7 Quantitative survey	15
2.4 Sampling	16
2.4.1 Selection of research sites.....	16
2.4.2 Selection of participants.....	17
2.5 Limitations	17
2.6 Ethical considerations	18
3 Findings	19
3.1 Relevance and design	19
3.1.1 A necessary role.....	19
3.1.2 Validity of objectives and approach.....	19
3.1.3 Project design.....	20
3.1.4 Stakeholder involvement and ownership.....	21
3.1.5 Needs of target groups; a need for participation	22
3.2 Programme efficiency	22
3.2.1 Drawing on existing resources.....	22
3.2.2 Efficiency of NGO support in implementation.....	23

3.2.3	Activities implemented as scheduled and with planned financial resources	24
3.3	Programme effectiveness (project results).....	24
3.3.1	Outcome A: Improved secondary and tertiary prevention measures for children at risk and juveniles in conflict with the law.....	24
3.3.2	Outcome B: Increased access to efficient support and protection services to child victims/witnesses and children in civil proceedings	37
3.4	Programme impact	42
3.4.1	Implementation of child justice reform.....	43
3.4.2	The influence of external factors.....	51
3.5	Programme sustainability	53
3.5.1	Institutionalisation of the Justice for Every Child Project	53
3.5.2	Development of replicable models	54
3.5.3	Project duration and moving forward	54
3.6	Partnerships and cooperation	55
3.6.1	Challenging partnerships	56
3.6.2	Establishing new partnerships	56
4	Conclusions and Lessons Learned.....	57
4.1	Lessons learned	58
5	Recommendations	59
5.1	Pursuing improved leadership in J4C.....	59
5.2	Outcome 1: Secondary and Tertiary Prevention	59
5.2.1	Secondary prevention.....	60
5.2.2	Tertiary prevention.....	60
5.3	Outcome 2: Support to victims and witnesses of crimes, and children in civil proceedings.....	60
5.4	Strengthen the capacity of social welfare sector	61
5.5	Encourage government ownership of justice for children reform	61
6	Annexes	63
	Annex A: List of data sources (interviews, site visits, documentary evidence)	63
	Annex B: Ethical protocol.....	65
	Annex C: Consent forms	68
	Annex D: Data collection instruments	73
	Annex E: Terms of Reference	82

List of tables and figures

Tables

Table 1: Data for a select number of criminal offences with at least one child victim; p.3

Table 2: Cases of juvenile offending: 2011 – 2015; p.5

Table 3: Reoffending by juveniles: 2012 – 2016; p.6

Table 4: Local research locations; p.16

Table 5: Application of diversion; p.45

Table 6: Percentage of juveniles who receive an alternative measure out of number accused; p.48

Figures

Figure 1: Reported juvenile offences by category of crime; p.3

Figure 2: Proportion of reported offences in each category of crime: Gender breakdown; p.4

Figure 3: Cases of juvenile offending: 2011-2015; p.5

Figure 4: Respondents ratings of training on a scale of 1-5; p.28

Figure 5: Number of children receiving witness support: 2013 – 2016; p.41

Figure 6: Specialised professionals at municipal level; p.44

Figure 7: Changes in use of diversion; p.46

Figure 8: Case outcome by 'type of offence'; p.46

Figure 9: Reported use of diversion measures; p.47

Figure 10: Changes of use in alternative (correctional) measures; p.48

Figure 11: Reported use of correctional measures; p.48

Figure 12: Reported availability of support for victims and witnesses; p.49

Acronyms

BD	Brcko District
BiH	Bosnia and Herzegovina
CPRC	Criminal Policy and Research Centre
CRC	Convention on the Rights of the Child
CSW	Centre for Social Welfare
EU	European Union
FBiH	Federation of Bosnia and Herzegovina
HJPC	High Judicial and Prosecutorial Council
JPTC	Judicial and Prosecutorial Training Centre
MHSW	Ministry of Health and Social Welfare
MLSP	Ministry of Labour and Social Policy
MoE	Ministry of Education
Mol	Ministry of the Interior
MoJ	Ministry of Justice
PO	Prosecutor's Office
RS	Republika Srpska
Sida	Swedish International Development Cooperation Agency
UNICEF	United Nations Children's Fund

Executive summary

UNICEF Bosnia and Herzegovina (BiH) has been working to promote children's rights within the justice system since 2010, supported by the Swiss Government and Swedish International Development Agency (Sida). The development of the Justice for Every Child Project came at an opportune time, as the child justice system in BiH underwent important reforms in both law and practice: the adoption of the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings (2010 in Republika Srpska (RS), 1011 in Brcko District (BD) and 2014 in the Federation (FBiH)) created opportunities for UNICEF to strengthen the protection of children's rights within the justice system, both for children accused of offending and children who were victims and witnesses of crime. The first phase of the Justice for Every Child Project (2010 – 2013) focussed on supporting the implementation of the RS Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings, and encouraging the adoption of the FBiH law. Phase two of the Project, implemented from 2013 - 2017, turned increased attention toward children who are victims/witnesses in criminal proceedings and children in civil proceedings, and strengthening secondary and tertiary prevention.

This independent evaluation, commissioned by UNICEF BiH and conducted by Coram International, was undertaken to assess the second phase of UNICEF's Justice for Every Child Project as the Project will come to a close in November 2017. This evaluation was designed to review and assess the relevance, efficiency, effectiveness, impact and sustainability of Phase II of the Project, to identify lessons learned, and make strategic recommendations for future decision-making in the area of justice for children for both UNICEF and local stakeholders. The evaluation is intended for use by UNICEF and the Project staff, the Project Coordination Board, and donors. Results of the evaluation will also be shared with key stakeholders, including relevant entity, Cantonal, municipal and State governments, and other partners.

Evaluation methodology

The evaluation design applied a mixed-methods approach in order to ensure that data was rich, with strong explanatory potential, whilst also being comprehensive, measurable and accurate. Evaluators engaged with a range of data sources in order to reflect on diverse Project Outputs and develop a strong understanding of the function of the child justice system as a whole. The evaluation reflected on relevant Project documents, including evaluations and reviews, and the Project logframe. Additionally, primary data was collected at national, entity and municipal levels: evaluators conducted 23 individual key informant interviews; 10 group interviews with key informants; 5 focus group discussions with working group members (including a control location, which was not Project location); and 2 interviews with children who had experiences within the justice system. An online survey was distributed to 221 working group members and 18 professionals in control locations. Finally, the evaluation drew upon national level data on the juvenile justice system. Strict ethical guidelines were followed at all stages of the data collection and analysis.

Main findings and conclusions

Evaluation findings indicate that the Justice for Every Child Project was not only relevant to the process of child justice reform; **UNICEF played an essential role in instigating change**. Whilst interviews with stakeholders revealed a consensus that reforms to the child justice system were needed, key stakeholders participating in the evaluation consistently attributed progress toward the implementation of the Laws on Protection and Treatment of Children and Juveniles to the Project, emphasising that without UNICEF's leadership and interventions, implementation of the new legal framework would have progressed even more slowly, if at all.

UNICEF's decision to focus on strengthening prevention services and providing victim support in the Project's second phase was well made, addressing important gaps in the child justice system and creating conditions (including human, financial and institutional capacity and infrastructure) necessary to implement the Laws on

Protection. Phase II objectives were particularly welcomed by stakeholders because they prioritise supporting the system to meet children's direct needs.

UNICEF's support for **capacity building has contributed significantly to the child justice reform process**, including through enabling the establishment of certified professionals within the justice sector. Evaluation findings indicate that professionals have been certified and, to a lesser extent, specialised departments have been created, in prosecutors' offices, the police, the judiciary, and in some cases, centres for social work, across BiH, and particularly in Project locations. In addition to supporting the establishment of specialised departments, respondents reported that capacity building enabled them to engage with the practicalities of handling cases involving children and iron out any ambiguities in the black letter text, thereby facilitating practical implementation of the law.

Evaluation findings in relation to Outcome A: Improved secondary and tertiary prevention measures for children at risk and juveniles in conflict with the law

UNICEF supported the establishment of Municipal Working Groups with the aim of encouraging multi-sector cooperation at the local level, encouraging the use of alternative measures and creating and implementing secondary and tertiary prevention programmes. Working Groups were found to be an effective and efficient mechanism: they were supported by NGOs on an ongoing basis, but developed their own action plans to promote these goals, drawing largely on local resource and in accordance with the specific needs and opportunities within their particular municipality.

The Project has also supported the pilot of a secondary prevention programme for identifying at-risk children and addressing their needs. The model, which is implemented primarily in schools, was valued by practitioners: stakeholders consistently emphasised that it has made an important contributions to preventing offending, and that it meets a particular unmet need. The pilot appears to have been rolled out effectively, carefully mitigating potential risks; a number of children at-risk have been identified and care plans have been developed in pilot schools. Practitioners explained that the tool has enabled them to fulfil their existing responsibilities better by giving them a concrete and standardised mechanisms for doing so, and has improved collaboration between relevant authorities in responding to children's needs.

Both existing government data and survey data collected for the study demonstrate an increase in the use of diversion over the course of the Project, with the total number of juveniles diverted from formal proceedings increasing from 40 (2012) to 116 (2016). Survey data collected for the evaluation suggests that police warning is by far the most prevalent form of diversion used (87% of respondents reported that it is used in their municipality), with other types of diversion were found to be much less prevalent. The low usage rates of correctional recommendations such as counselling (34.8%), regular school and work attendance (26.10%), and volunteering (8.7%) are particularly problematic, given that these measures are often particularly effective at addressing underlying causes of offending.

Similarly, multiple sources suggest that the use of alternative (sentencing) measures has increased over the course of the Project, with official statistics indicating a rise from 12% (2012) to 16.6% (2015). When asked about the types of correctional measures which are used, respondents reported that whilst increased supervision is frequently applied, other types of correctional measures are rarely used in practice. The particularly low reported use of special obligations - which have significant overlap with 'correctional recommendations' and include regular school and work attendance, vocational training, volunteering, counselling, medical treatment (e.g. drug rehabilitation), etc. – is of particular concern given that these are the correctional measures most likely to effectively address underlying causes of offending.

Findings suggest that alternative measures have been easier to establish in locations where social welfare centres (CSWs) have the capacity to support their implementation. Similarly, correctional recommendations and correctional measures are less likely to be established or used where they require the commitment of human resources (e.g. a social worker or mental health professional), or require collaboration with external institutions. This finding suggests a need for UNICEF to support the establishment of specialised services to deliver alternative

measures (including correctional recommendations) in the short term, whilst building the capacity of relevant government departments to take responsibility for this in the longer term.

Evaluation findings in relation to Outcome B: Increased access to efficient support and protection services to child victims/witnesses of crimes and children in civil proceedings

UNICEF's work towards identifying systemic gaps in available services and support for child victims/witnesses was necessary and relevant. Given the lack of evidence on the issue, UNICEF's comprehensive study, 'Access to Justice for Children', made an important contribution to establishing a basic understanding of children's access to justice, and the ability of the system and existing services to meet their needs. The study was described as a useful resource by stakeholders; it effectively identified gaps in services, contains a comprehensive set of recommendations, and has informed the direction of Project interventions in relation to Outcome B.

The Project achieved a considerable improvement in the availability of support for child victims and witnesses at interview stage through the establishment of child friendly interview rooms. In addition to developing capacity building support on the provision of support to child victims, UNICEF has collaborated with UNDP to support the staffing of in house psychologists within POs to provide support to child victims, particularly during questioning. The measure was an efficient use of existing resource (UNDP was previously staffing psychologists within Courts and Prosecutor's Offices to support victims of war crimes), and has resulted in a significant increase in the numbers of children receiving witness support from specialised support persons, which rose dramatically over the course of the Project: from 13 girls and 15 boys in 2013 to 333 girls and 206 boys in 2016. The evaluation findings suggest however, that support services for victims and witnesses are still lacking post-interview: this was emphasised by key stakeholders interviewed by the study, and also reported by survey respondents.

The **increased involvement of the social welfare sector** in child justice emerged as another impact of the Project, and an important contribution to child justice reform. Respondents consistently identified the expansion of CSWs' role in justice for children as one of the most significant changes to result from the new law. Representatives of the Ministry of Labour and Social Welfare and CSWs reported that since the implementation of the new law, they have played a more substantial role in the cases involving children, and attributed this directly to UNICEF support. Increased engagement of social workers has not always gone smoothly, however: the evaluation findings also demonstrate that the social welfare sector is severely under capacity and lacks the resources needed to fulfil its expanded responsibilities. Many relevant stakeholders attributed gaps in the implementation of the law to the limited capacity of CSWs, particularly where the CSWs lack sufficient human resources and social work skills.

The impact of Project interventions was also heavily influenced by the **complexity of the political context in BiH**, which required UNICEF to work across multiple levels of administration, and often posed a coordination challenge. Indeed, stakeholders explained that multi-agency working can be a challenge, and that in some cases the efficient provision of services is hampered as it has to be delivered through numerous separate authorities.

UNICEF's role **providing a coordination mechanism** for justice reform was clearly essential to the progress achieved, yet it raises questions about the sustainability of institutional cooperation if UNICEF were to scale down the Project in the future. It is important to note that the Municipal Level Working Groups had an important impact in this regard, successfully establishing a channel for coordination and communication between departments, which has the potential to exist without UNICEF support.

Results of the evaluation suggest that whilst **the design of the Justice for Every Child Project is conducive to producing sustainable effects** in the long term, in the short term this will require continued support from UNICEF. Many of the components of the Justice for Every Child Project are embedded in and integrated into institutional structures at multiple levels, including: specific services to children and families, such as victim and witness support and legal aid; prevention programmes for at-risk children; the Municipal Working Groups; capacity building support, etc. All of these interventions have the potential to be sustainable if the relevant government authorities pledge leadership in these areas and commit to finance them. Furthermore, the

Project included several replicable models, such as the Municipal working Groups, and 'Optidur' Model, that could be expanded and developed throughout the country.

It is unsurprising that the process of child justice reform in BiH remains 'in progress', given the ambitious nature of the task and certain difficult characteristics of the environment. The evaluation clearly demonstrates that the Justice for Every Child Project has established an important foundation for achieving reform in its second phase.

A number of **lessons learned** which emerge from evaluation findings may provide insights to inform future programming. Firstly, justice reform requires **sustained political and financial commitment** across relevant government departments for the medium term. Secondly, approaches to systems reform should **not only focus on establishing relevant services but on creating links between them** (e.g. through case planning). This approach to addressing individual cases allows for the accurate assessment of the child to ensure that all relevant issues are identified, and the crafting of an individualised response drawing on a range of existing resources. Third, it is **essential to have strong and specialised social welfare services** in place at local level to implement child justice system reforms. Fourth, in order to be effective, it is essential that **secondary and tertiary prevention programmes address underlying causes of offending** and involve **family focussed work to address dysfunction**. Fifth, training and capacity building is most effective where it is **participatory, based in practice and involves multi-agency cooperation**.

Main recommendations

Pursuing improved leadership in Justice for Children: Advocate for development of a strategy or action plan for the implementation of justice reform at entity level, which designates responsibility and sets out budget commitments [over the next two to three years].

Strengthening secondary and tertiary prevention: Provide continued support to Municipal Working Groups, including in new municipalities, drawing on good practice examples from current Project locations; Develop community based services to promote social inclusion, e.g. through creating volunteering, employment and social activities for youth; Develop and support a diversion pilot programme based at municipal level preferably in a community centre with activities to be implemented in areas with high offending rates; Support designation of specialised professionals in SWCs to work with children in conflict with the law and at-risk of offending and increase staffing; Establish a reintegration fund for children (and young adults) leaving institutions to support reintegration; Commission assessments of alternative measures.

Support to victims and witnesses of crimes, as well as children in civil proceedings: Advocate for the development of victim support services, including specialised psychosocial support services, and a victim and witness support scheme that provides continuous support throughout all stages of the case; Advocate to strengthen children's right to (government provided) legal aid where they are involved in proceedings as a victim or witness.

Strengthen the capacity of the social welfare sector: Advocate for improved resourcing of CSWs; Develop their capacity to work with families through case-management and specialised services.

Develop a strategy promoting sustainability of justice for children reform: Conduct a sustainability (risk) assessment of the Project and develop a strategy for sustainability of all components.

A more detailed set of recommendations can be found at the end of this report.

1 Purpose and scope of the evaluation

1.1 Introduction

This independent evaluation, commissioned by UNICEF BiH and conducted by Coram International, was undertaken to assess the second phase of UNICEF's Justice for Every Child Project as the Project will come to a close in November 2017.

UNICEF BiH has been working to promote children's rights within the justice system since 2010, supported by the Swiss Government and Sida. The development of the Justice for Every Child Project came at an opportune time, as the child justice system in BiH underwent important reforms in both law and practice. In particular, the adoption of the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings (2010 in Republika Srpska (RS), 2011 in Brcko District (BD) and 2014 in the Federation (FBiH)) created opportunities for UNICEF to strengthen the protection of children's rights within the justice system, both for children accused of offending and children who were victims and witnesses of crime.

The first phase of the Justice for Every Child Project (2010 – 2013) focussed on supporting the implementation of the RS Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings (hereafter: Law on Protection) and encouraging the adoption of the FBiH law. The project made considerable progress towards the establishment of a child friendly justice system, however considerable gaps remained, and thus UNICEF and donors agreed to extend the project for a second phase. Phase two of the Project, implemented from 2013 – 2017, turned increased attention toward children who are victims/witnesses in criminal proceedings and children in civil proceedings, as well as focussing on secondary and tertiary prevention¹.

This evaluation was designed to review and assess the relevance, efficiency, effectiveness, impact and sustainability of Phase II of the Justice for Every Child Project, to identify lessons learned, and make strategic recommendations for future decision-making in the area of justice for children for both UNICEF and local stakeholders. The evaluation is intended for use by UNICEF and the Project staff, the Project Coordination Board, and donors. Results of the evaluation will also be shared with key stakeholders in the area of justice for children, including relevant entity, Cantonal, municipal and State governments, and other UNICEF partners.

1.2 Context to the evaluation

Over the past decade, and with input from UNICEF, BiH has taken major steps towards the establishment of a specialised child justice system, most notably through the adoption of the Laws on Protection and Treatment of Children and Juveniles in Criminal Proceedings in both entities and Brcko District.

BiH has a complex administrative structure, comprised of 2 entities, the Republika Srpska and Federation of Bosnia and Herzegovina, and Brcko District, a self-governing administrative unit in the north west of the country. The FBiH has its own federal structure and consists of 10 autonomous cantons. Both entities and Brcko District have considerable autonomy with their own legislative bodies and devolved legislation. This political and administrative structure was an outcome of the Dayton Peace Accord at the end of the Bosnian War, which ravaged the country and its institutions from 1992 to 1995. BiH experienced a significant influx of humanitarian assistance in the wake of the war. Humanitarian assistance has now transitioned into on-going development assistance.

¹ According to UNICEF's definitions, secondary prevention refers to measures which address children who are at-risk of entering the juvenile justice system. Tertiary prevention refers to measure to prevent reoffending and promote reintegration of juveniles who are in contact with the law.

The new legal framework on justice for children is largely consistent with the Convention on the Rights of the Child (CRC), which the Government of BiH ratified in 1993,² and the UN Minimum Standards and Norms of Juvenile Justice. The new laws were welcomed by the CRC Committee in its most recent set of Concluding Observations (2012) on the BiH's government's second to fourth periodic report. However, the Committee has expressed concern at the failure to ensure that legislation applies across the different territories within BiH. Whilst the content of the three Laws on Protection is largely consistent, several crucial discrepancies remain. The CRC Committee observed that this 'results in inconsistencies in the implementation of child rights across the territory, with children in similar situations being subject to variations in the fulfilment of their rights depending on the territory in which they reside'.³ Furthermore, the administration of three separate frameworks has thwarted the efficiency of the reform process, resulting in uneven reform across the country. The implications of these challenges will be discussed further throughout this report.

UNICEF is now heavily engaged in supporting the practical implementation of new legislation. The reforms themselves are ambitious and comprehensive, and include the establishment of the conditions, services and institutions necessary to implement the law, as well as extensive awareness raising and capacity building of professionals in the justice and social welfare sectors. Whilst considerable progress has been made, significant work remains to be done. In particular, justice reforms have been uneven, with disparities in progress throughout the country, due in part to the more recent adoption of the Law on Protection in FBiH.

BiH is on a pathway to EU accession and achieving EU membership is a political priority of the Government. This political decision is of importance to the Justice for Every Child Project, as reform of the justice system, including justice for children, is a necessary pre-condition to the country's EU membership. In addition, BiH receives considerable financial and technical support from the EU.

1.2.1 Children in contact with the law in Bosnia and Herzegovina

In 2013 BiH had an estimated population of 692,701 children, comprising 19.6% of the population.⁴ Data on child victims of crimes is not comprehensively maintained or readily available, however data provided by the High Judicial and Prosecutorial Council (HJPC) on cases involving at least one child victim suggests that hundreds of child victims are involved in the criminal justice process each year, and that the number of reported crimes involving child victims in BiH is increasing.⁵

Table 2: Data for a select number of criminal offences with at least one child victim

	2011	2012	2013	2014
Reports received by prosecutors	384	417	400	435
Indictments confirmed	181	199	166	184
First instance verdicts issued	292	174	228	216

² Bosnia and Herzegovina ratified the CRC in 1993, having become an independent State on 6th April 1992, CRC/C/11/Add.28 para. 2. The ratification was confirmed by the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Agreement), i.e. by Annex 4, Article II, Item 7 ("International Agreements – Bosnia and Herzegovina will remain or become a signatory of international agreements listed in the Annex to this Constitution").

³ BiH CRC Committee Concluding Observations, CRC/C/BIH/CO/2-4, 29 November 2012.

⁴ BiH Census, 2013

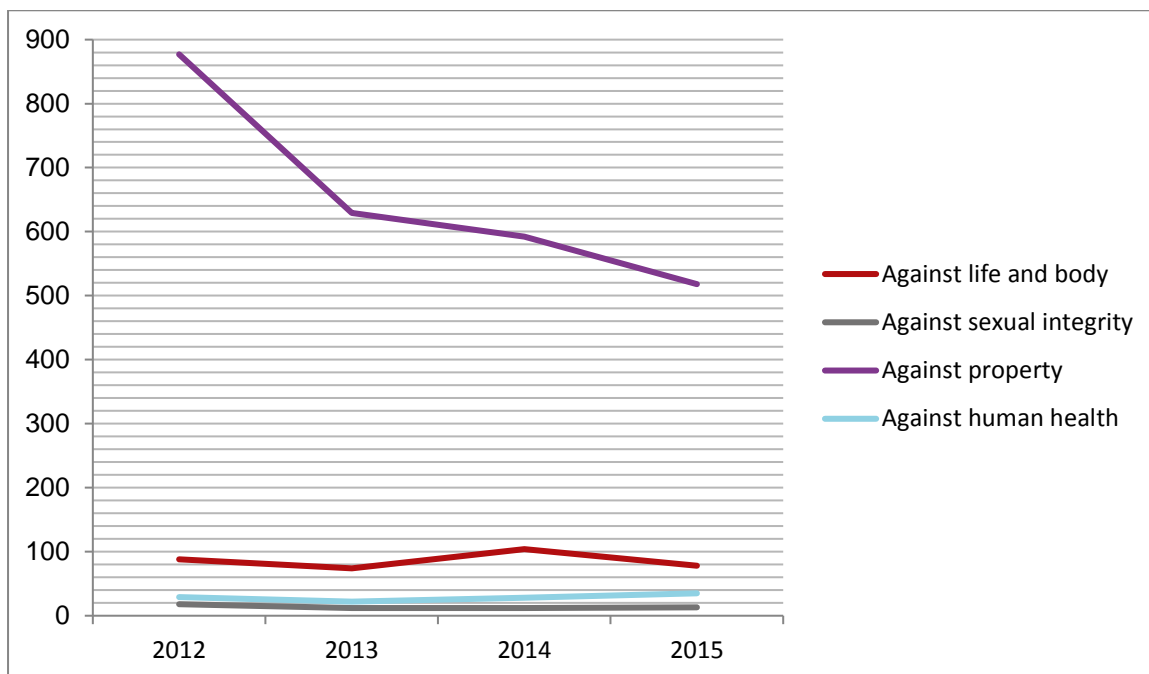
⁵ The data was obtained from a UNICEF funded study, 'Children's Equitable Access to Justice in Bosnia and Herzegovina', written by Meagan Smith Hrle and Sanja Tosic, and published in November 2015. The child abuse and neglect, abduction of a child or juvenile, common law marriage with a younger juvenile, rape and other criminal offences committed against a child.

It is difficult to draw conclusions about criminal offending against children without more comprehensive data disaggregated by type of offence, and gender and age of the victim. Data collection systems should be coordinated between the child protection system and criminal justice system where possible.

The minimum age of criminal responsibility in BiH is 14. The vast majority of reported offences committed by children in BiH are property related offences, primarily theft. After theft, the second most prevalent category of offence is crimes against life and body (which would include physical assault, grievous bodily harm, manslaughter, murder, etc.). This breakdown is consistent with juvenile offending trends in other contexts; property crimes are by far the most prevalent type of offence committed by children in nearly all countries.

As is demonstrated by the chart below, which depicts the number of each type of crime reported to by police to Prosecutor's Offices since 2012, the number of thefts reported across BiH has declined significantly in recent years. As will be explored further in the impact section of this report, this may be due to practitioners' increasing tendency to deal with children's offending behaviour outside of the criminal justice system, as well as a reduction in overall offending behaviour.

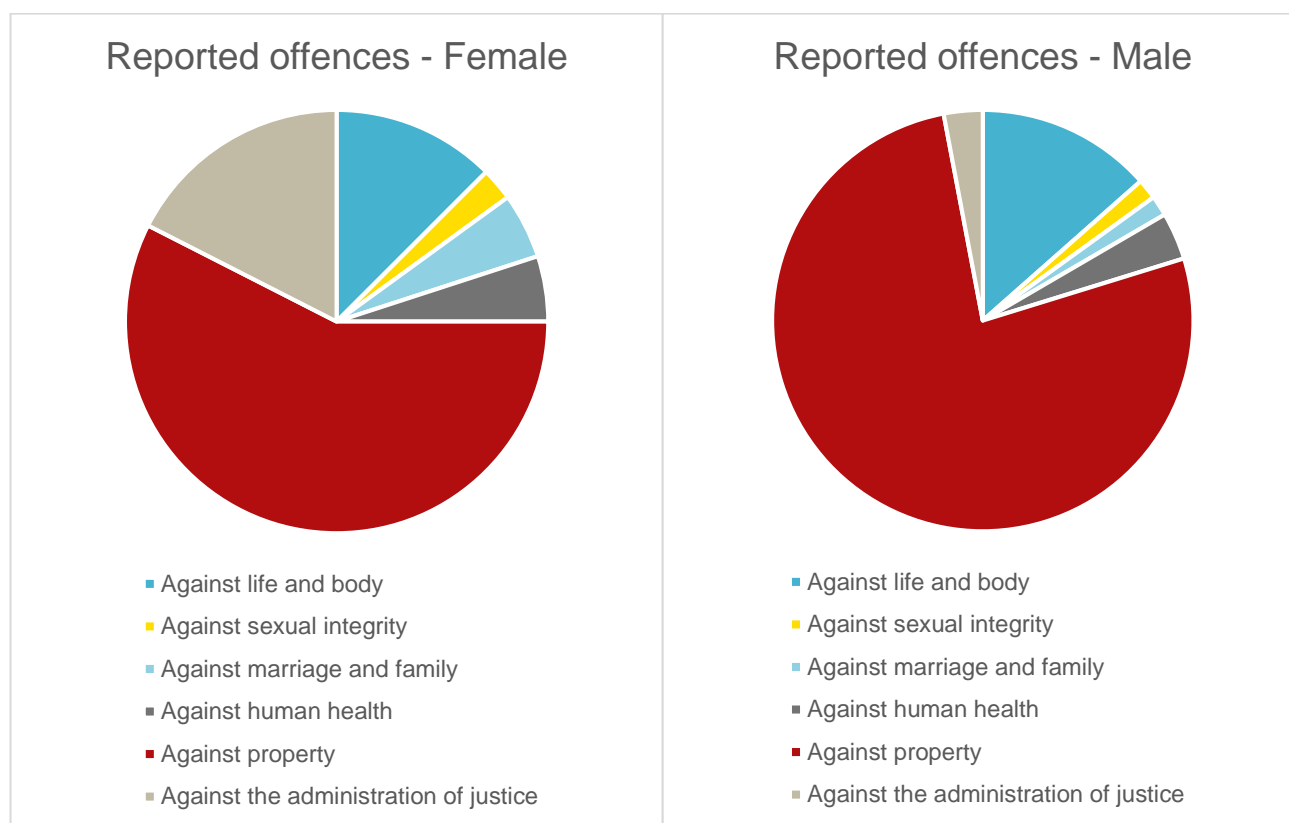
Figure 1: Reported juvenile offences by category of crime: '2012 – 2015'⁶



The chart below sets out categories of reported offences in 2015 broken down by gender. A greater proportion of reported offences committed by girls are 'offences against the administration of justice' when compared to boys, whilst the proportion of 'offences against property' committed by girls is slightly lower. Offences against property constitute the majority of offences committed by both boys and girls, however.

⁶ Agency for Statistics of Bosnia and Herzegovina, *Juvenile Perpetrators of Criminal Offences in Bosnia and Herzegovina, 2011 – 2015*, accessed May 2017.

Figure 2: Proportion of reported offences in each category of crime: Gender breakdown⁷



As is the case in most countries, and as demonstrated by the breakdown below, the vast majority of juveniles accused of an offence in BiH are boys, with between 3 – 7% of reported offences committed by girls. The following table sets out the numbers of cases involving a juvenile offender which progress through each stage of the justice system, including: cases reported to the prosecutor from the police; the number of cases in which the prosecutor initiates preparatory proceedings (the equivalent of a charge); the number of cases in which the prosecutor proposed the imposition of sanctions; the number of cases in which the juvenile was convicted; the number of institutional measures imposed and the number of children who serve a custodial sentence. It is interesting to note that the proportion of cases in which preparatory proceedings are initiated where the child is convicted is much higher for girls than it is for boys.

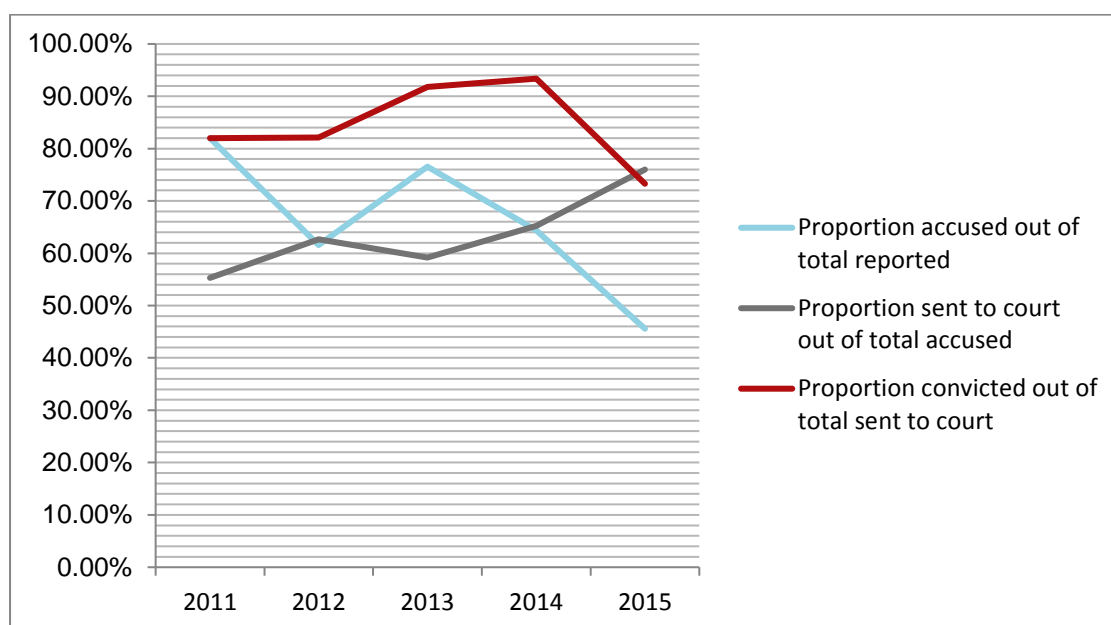
⁷ Agency for Statistics of Bosnia and Herzegovina, *Juvenile Perpetrators of Criminal Offences in Bosnia and Herzegovina*, 2015, accessed May 2017.

Table 2: Cases of juvenile offending: 2011 – 2015⁸

	2011	Fem	2012	Fem	2013	Fem	2014	Fem	2015	Fem
Reported	783	55	1101	46	806	23	791	40	713	35
Preparatory proceedings initiated	642	26	678	36	617	21	509	30	325	24
Proposal to impose sanctions submitted	355	n/a	425	n/a	365	n/a	332	n/a	247	n/a
Convicted	291	25	349	34	335	21	310	28	181	28
Institutional measures	17	n/a	8	n/a	11	n/a	13	n/a	11	n/a
Juvenile imprisonment	2	n/a	4	n/a	3	n/a	2	n/a	2	n/a

As is illustrated in the graph below, not only has the number of cases in which preparatory proceedings are initiated decreased in recent years: the *proportion* of reported cases in which a charge is issued by the prosecutor appears to have reduced.⁹ This may be due in part to an increase in the use of ‘police warning’ and ‘correctional recommendations’ by police and prosecutors. Additionally, the proportion of cases sent to court in which child was convicted dropped significantly in 2015 (from 93.37% to 73.28%), which may partially reflect the issuance of correctional recommendations by judges. It is interesting to note, that the proportion of accused juveniles who are convicted is much higher for female juveniles than for males. Again, a more in depth discussion of children in the justice system is contained in the ‘impact’ section of this report.

Figure 3: Cases of juvenile offending: 2011 – 2015



Data on reoffending in BiH is somewhat limited: available figures suggest that rates of reoffending tend to remain between 10 – 20% (see below), however without additional information it is difficult to confidently interpret trends in these figures. Reoffending rates are likely to be underestimates, particularly because they

⁸ Agency for Statistics of Bosnia and Herzegovina, Juvenile Perpetrators of Criminal Offences in Bosnia and Herzegovina, 2011 – 2015, accessed May 2017.

⁹ It is important to note that attrition rates might be slightly inaccurate as these numbers were calculated on an annual basis and at several stages of the process numbers may include cases reported in the previous year.

do not include offences committed by convicted juveniles once they become adults. For instance, it is not clear whether the drop of in re-offending in RS (2015 and 2016) is due to an effective recidivism programme, or simply to delays in the trial system, so that juveniles are either nearly, or are already, adults by the time they are tried. The availability of accurate qualitative and quantitative data on reoffending is critical to assessing the effectiveness of the juvenile justice system, and particularly tertiary prevention programmes. In addition, the lack of such data makes planning appropriate programmes and measures more difficult.

Table 3: Reoffending by juveniles: 2012 – 2016¹⁰

	2012	2013	2014	2015	2016
FBiH	9.16%	28.3%	10.4%	15.1%	11%
RS	19%	16.7%	16.5%	5.5%	8.4%
State Average	14%	22.5%	13.45%	9.6%	9.6%

1.3 Object of the evaluation

Justice for Children is a critical priority for UNICEF, and a core pillar of its child protection work in BiH.

1.3.1 Expected results chain

The Justice for Every Child Project was developed to achieve the following **overall objective**: *that juveniles in conflict with the law, children at-risk, child victims/witnesses and children in civil proceedings are better served and protected by the BiH justice system, including the security and social welfare sectors.*

As previously mentioned, phase II of the project was focussed on two separate outcomes, which were chosen in order to build on achievements of the first phase, with one outcome concentrated on juvenile offenders and at-risk children, and the other outcome concentrated on child victims and witnesses. In particular, it was determined that the use of secondary and tertiary prevention measures had not gained sufficient foothold, and that there was a need for establishing and improving services available to child victims/witnesses and children in civil proceedings.

Outcome A: To strengthen the legal, policy and social environment for secondary and tertiary prevention measures for children at-risk and juveniles in conflict with the law, and;

Outcome B: To increase access to efficient support and protection services to child victims/witnesses and children in civil proceedings.

The purpose of the Project, in order to achieve these goals, was to provide support to BiH authorities to enhance access to legal protection and social services for children at-risk, juveniles, child victims/witnesses and children in civil proceedings, which protect their rights, promote prevention and reduce offending. The Project design was complex but holistic, involving a number of separate but mutually reinforcing interventions which would be implemented simultaneously in order to achieve incremental change.

UNICEF developed 12 Project outputs to promote the delivery of outcomes A and B: seven relate to secondary and tertiary prevention (output A), one was added to accommodate activities in relation to the emergency flood response¹¹, and the final four support increased access to efficient support and protection services for child victims/witnesses and children in civil proceedings. Whilst separate outputs have been developed for each outcome, both outcomes engage the same groups of professionals and rely on the development of

¹⁰ UNICEF, Justice for Every Child Indicator Monitoring Table, Updated April 2017

¹¹ Output A8: Children and families in flood affected areas are provided with support services.

similar capacities and skills. The logic and assumptions underlying each output, and its relationship to UNICEF's two Project outcomes are described below.

Outcome A: *To strengthen the legal, policy and social environment for secondary and tertiary prevention measures for children at-risk and juveniles in conflict with the law.*

Output A1: Gaps in laws, by-laws and policies identified and reforms to make the necessary adjustments supported. The adoption of laws and by-laws which allow for the implementation of secondary and tertiary prevention measures is a basic component of their effective establishment. The Project aimed to support the identification of gaps and present these to policy and legislative stakeholders at entity and cantonal levels in order to support their calls for policy change. This output relies on the assumption that key policymakers, particularly Juvenile Justice Councils and the Joint Committees on Human Rights, Children's Rights, Youth, Immigration, Refugees, Asylum and Ethics, are functional, welcome support, and demonstrate a long term commitment to engaging on juvenile justice.

Output A2: Capacity development programmes designed and implemented. The establishment of a long term specialised capacity building of relevant stakeholders is necessary in order to facilitate the implementation of the new legal framework. The Project aimed at supporting this through focussing on the development of curricula, training of trainers and collaborating with institutional training centres. This output relies on the cooperation of and resource commitments by institutional training centres.

Output A3: Monitoring, data collection, research, and analysis on secondary and tertiary prevention measures enhanced. Data collection, ongoing monitoring and research are necessary in order to provide an evidence base which can inform the development of effective prevention programmes and provide evidence on the implementation of the Laws on Prevention more broadly. This output can only be achieved with full cooperation and transparency across law enforcement and the judiciary, effective coordination between institutions, and necessary budget commitments.

Output A4: Improved attitude on justice for children among key stakeholders. In order for Outcome A to be achieved, professionals must not only know the law, but also understand and demonstrate a personal commitment to the effectiveness and appropriateness of diversion and alternative measures.

Output A5: Prevention programmes for children at-risk developed in selected locations. The establishment of secondary and tertiary prevention pilots, which are closely monitored, can help to establish an effective evidence base about effective approaches, whilst also serving as an advocacy tool to demonstrate that this model is cost efficient in and promote better budgeting for juvenile justice.

Output A6: Reintegration of children supported through improved treatment plans. Treatment plans must primarily support the aim of supporting rehabilitation of children who have served custodial sentences, and reintegrating them into their environment. Particularly given the lack of probation service in BiH, this output assumes that sufficient numbers of skilled professionals are available to support after care.

Output A7: Institutions for children at-risk or in conflict with the law are equipped and better able to provide services. In order for secondary and tertiary prevention programmes and services to be effective, it is necessary that they are properly equipped and staffed with relevant skilled professionals.

Outcome B: *To increase access to efficient support and protection services to child victims/witnesses and children in civil proceedings.*

Output B1: Systematic gaps in services for child victims/witnesses and children in civil proceedings identified. Little is known about children's access to justice and particular gaps in the legislative framework and the services that are available for these children. It is essential to identify gaps and needs in order to guide interventions to improve support and protection services.

Output B2: Use of child friendly procedures supported and monitored. In order for child victims and witnesses and children involved in civil proceedings to be adequately supported in line with the law, it is necessary for law enforcement and judicial professionals to have the necessary expertise and skills to provide this support. In line with output A2, the Project aimed at improving stakeholders' skills and techniques for working with children through developing a curriculum and integrating that curriculum into institutionalised training programmes.

Output B3: Legal aid centres and helping professionals able to identify children's legal needs and provide aid, advice or referral to appropriate service. In order for child victims, witnesses and children in civil proceedings to be supported, legal professionals must be able to identify children's legal needs and provide assistance and make referrals where necessary. The Project supported Output B3 through establishing a network in which professionals can share experience and supporting capacity building programmes. This output relies on the assumption that sufficient legal aid centres and services are available.

Output B4: Child friendly materials on access to justice developed and disseminated. The goal of the Project's child friendly materials on access to justice, which were developed in consultation with children and their families, was to familiarise them with their rights and available services to promote those rights. Whilst Project documents don't clearly articulate the logic of this intervention in relation to outcome B, the dissemination of child friendly materials is clearly relevant to promoting access through raising potential beneficiaries' understanding of their rights and entitlements.

Findings in relation to outputs are discussed in the 'effectiveness' section of this report.

1.3.2 Project components

The Justice for Every Child Project was implemented through a 'multi-layered' intervention strategy, which included a number of interventions at state, entity and local levels.

1.3.2.1 Technical assistance and advocacy activities

On-going technical assistance and advocacy activities, aimed at achieving legislative and policy change; were implemented through engagement with the Project Coordination Board. The Project Coordination Board played an ongoing planning role in the implementation of the project, as well as through reviewing, discussing, planning and coordinating the project and other J4C activities.

1.3.2.2 Capacity building for justice sector professionals

Capacity building on topics relating to justice for children (and particularly the implementation of the Laws on Protection) was supported by UNICEF in collaboration with government partners at state, entity and local levels throughout the country. Over the course of the project, capacity building was provided to prosecutors, judges, police, lawyers, social workers, psychologists and pedagogues at all levels. According to UNICEF's most recent logframe, 594 professionals were trained in 2014, 1,400 in 2015 and 1,058 in 2016.

1.3.2.3 Juvenile Justice Working Groups

As one of its major implementing mechanisms, the Project supported the establishment of 16 Juvenile Justice Working Groups, which cover 26 municipalities across both FBiH and RS.¹² The working groups included representatives from all relevant agencies, and each working group was supported by an NGO that played a coordinating role. The primary goals of the working groups included: establishing multi-sector cooperation at the local level; creating conditions to use alternative measures; and creating and implementing programmes that prevent minor delinquency.

1.3.2.4 Secondary prevention pilot

UNICEF collaborated with a number of partners in the development of two pilot secondary prevention programmes; the 'Optidur' model, and a similar model piloted in Tuzla. These programmes were designed to identify at-risk children in schools according to indicators that relate to risk factors, to assess their needs, and to develop an appropriate individualised care plan for addressing those needs, drawing on resources both within schools and in communities. The Optidur model was developed through a consultative process involving psychologist, pedagogues and other experts in 2015 and by April 2017 had been piloted in 29 schools (16 in RS, 13 in FBiH).

1.3.2.5 Flood response

Eight institutions to serve children, including CSWs were reconstructed, refurbished and provided with equipment in flood-affected areas. UNICEF provided professionals with capacity building to provide psycho-social support to children and their families, and established 6 Child Friendly Spaces in flood affected communities.

1.3.3 Key stakeholders

The Project was implemented through ongoing cooperation with a number of partners and stakeholders: the most prominent of these and their key involvement in the Project are set out below.

FBiH, RS and BiH Ministries of Justice were members of the Project Coordination Board. Their particular contributions to the project included the provision of technical assistance in the development of the legal and policy framework, and oversight of training on the Laws on Protection to non-judicial professionals. The FBiH and RS Ministries of Justice are responsible for oversight of all children in detention in their entities. At the time of writing, the RS Ministry of Justice was in the process of finalising an assessment of the implementation of the Law on Protection.

RS and FBiH Ministries of Interior and Police Officials were members of the Project Coordination Boards. They played an active role in training as trainers and experts, and were also responsible for designing and implementing projects to support internal capacity building on justice for children, and to inform children about their rights.

FBiH Ministry of Labour and Social Policy and RS Ministry of Health and Social Welfare and Centres of Social Welfare were also members of the Project Coordination Boards. They collaborated with UNICEF to develop standards and capacity building materials to train social workers on justice for children and mediation. Staff at CSWs act as trainers and experts and play an active role in Juvenile Justice Working Groups, including the implementation of Working Group initiatives.

FBiH and RS Judicial and Prosecutorial Training Centres were responsible for organising and implementing trainings on justice for children for judges and prosecutors and certifying participants.

¹² According to respondents, when municipalities were selected, those municipalities with higher rates of offending and relatively large populations were prioritised.

BiH Ministry of Human Rights and Refugees developed guidelines on juvenile justice data collection and reporting for relevant governmental authorities. It is also a member of the Project Coordination Board.

Municipal/City/Cantonal Working Groups were established to promote the implementation of the Laws on Protection through the development of action plans, with a focus on improving treatment of children in conflict with the law and reducing reoffending. 16 Working Groups were established encompassing 26 municipalities.

High Judicial and Prosecutorial Council (HJPC), judges and prosecutors were active members of both the Project Coordination Board and local working groups. They also supported the harmonisation of an electronic Case Management System with the Laws on Protection.

Ministries of Education, educational institutions (primary, secondary and universities) collaborated in the development of alternative measures and prevention programmes, particularly the identification of at risk children, and participated in local Working Groups. A network of universities developed a multi-disciplinary graduate level course on justice for children, and several universities established legal aid clinics for law students.

State and international NGOs have provided ongoing support in the establishment and activities of local Working Groups, in addition to other activities.

State level justice experts / UNICEF consultants were responsible for the development of training programmes, as well as conducting studies, assessments and legislative analyses.

BiH Ombudsman conducted an assessment of institutions where juveniles are held.

UNICEF has also collaborated with other organisations involved in justice sector reform and children's rights, including the European Union, the Council of Europe, the United Nations Development Programme, and Emmaus.

1.4 Purpose, objectives and scope of the evaluation

The purpose of this evaluation, as agreed by UNICEF, Sida and the Swiss Government, was to examine the performance and impact of the Justice for Every Child Project, and identify the factors that facilitated or impeded its success with a view to informing future programming. In particular, and in line with the Organisation for Economic Co-operation and Development/Development Assistance Committee (OECD/DAC) criteria, the evaluation assessed the relevance, efficiency, effectiveness, impact and sustainability of the Project. With this purpose in mind, and in consultation with evaluation users, the evaluation was designed to fulfil the following specific objectives:

1. To assess the Project results against the planned activities and intended outcomes;
2. To reflect on the relevance, effectiveness, efficiency, sustainability and impact of the Project and identify any unintended Project results;
3. To identify lessons learned;
4. To make strategic and forward-looking recommendations for exit strategies or areas where interventions may still be warranted.

The evaluation process was also informed by the United Nations' Norms and Standards for Evaluation.¹³

1.4.1 Evaluation scope

The evaluation covered the period January 2014 to May 2017, when the evaluation report was drafted. It considered all aspects of the Justice for Every Child Project, including additional activities undertaken as a

¹³ United Nations Evaluation Group (2016), *Norms and Standards for Evaluation*, New York: UNEG.

response to the flood emergency of 2014. The evaluation addressed Project interventions and their outcomes at state and sub-state levels, including local level interventions that took place in 26 municipalities. The geographical scope of the evaluation was comprehensive, covering FBiH, RS and BD.

1.4.2 Evaluation questions

The following research questions were developed by UNICEF and partners to guide the implementation of the evaluation and inform its methodology and approach. Research questions were reviewed by the evaluation team to ensure methodological coherence and the clear presentation of evaluation findings.

1. **Relevance and design:** The extent to which the objectives address the real problems and needs of its target groups, country priorities, associated national policies and donor priorities. Questions to be explored include:
 - 1.1 To what extent are the Project's objectives still valid?
 - 1.2 To what extent have the BiH/entity/cantonal/municipal stakeholders been taken into consideration / participated, or been involved in the development and implementation?
 - 1.3 Does the Project respond to the needs of the identified target groups and beneficiaries?
 - 1.4 Were the unique needs of girls and boys taken into consideration / to what extent was gender equality respected and mainstreamed within the Project implementation?
 - 1.5 Are the Project's objectives and outcomes consistent and supportive of governmental policies, sectoral policies, and EU accession agenda?
 - 1.6 Was the design of the Project appropriate for reaching its results and outcomes?
 - 1.7 Have any changes been made to the Project's design during the implementation? If yes, did they lead to significant design improvements?
 - 1.8 Were coordination, management and financing arrangements clearly defined and did they support institutional strengthening and local ownership?

2. **Programme efficiency (processes):** Were inputs utilised or transformed into outputs in the most optimal or cost efficient way? Could the same results be produced by utilising fewer resources? Questions to explore include:
 - 2.1 To what extent has support to governments and NGOs as implementing partners been an efficient implementation modality?
 - 2.2 To what extent have the target population and participants taken an active role in implementing the Project? What modes of participation have taken place?
 - 2.3 How efficient are NGOs in supporting the implementation?
 - 2.4 To what extent were activities implemented as scheduled and with the planned financial resources?
 - 2.5 Is there any duplication of efforts?

3. **Programme effectiveness (results):** Extent to which the objectives of the development intervention have been achieved or are expected to be achieved, bearing in mind their relative importance. How well have the programme's results contributed to the achievement of programme's objectives?
 - 3.1 To what extent have the Programme outputs and outcomes been achieved? Are they on track to be achieved as planned during the project?
 - 3.2 What factors contributed to progress or delay in the achievement of products and results?
 - 3.3 What good practices or successful experiences or transferable examples have been identified?
 - 3.4 How have cross-cutting issues, such as gender, disability, and reaching the most vulnerable children been effectively taken up?
 - 3.5 What is the quality of interventions and results achieved on local/ municipality/ Cantonal/ Entity/ BiH level?
 - 3.6 Have any changes in the overall context in BiH (political situation, emergency/floods) affected Project implementation and overall results?

4. **Programme Impact:** The effect of the programme on its environment – the positive and negative changes produced by the Programme (directly or indirectly, intended or unintended).
 - 4.1 In which areas did the Project have a significant impact (if identifiable at this stage)?
 - 4.2 How is the Project contributing to the overall reform process within the justice for children system in BiH?
 - 4.3 Which target groups and institutions benefit from the project?
 - 4.4 How have justice for children standards been advanced through the Project activities?
 - 4.5 What factors favourably or adversely affected the Project delivery and approach? Was the Project successful in overcoming any external negative factors?
 - 4.6 Were there positive spill-over effects?

5. **Programme sustainability:** Probability of the benefits of the programme continuing in the long term.
 - 5.1 Has the Project created conditions to ensure that benefits continue beyond the Project?
 - 5.2 How well is the Project embedded in the institutional structures (state, entity and local) that will survive beyond the life of the Project?
 - 5.3 How as the Project institutionalised training and overall capacity development efforts so far?
 - 5.4 Has an approach/model been developed that can be further disseminated throughout BiH?
 - 5.5 Is the duration of the current Project sufficient to ensure sustainability of the interventions?
 - 5.6 How has the Project strengthened the capacity of municipal, cantonal, entity and BiH governmental stakeholders to recognise and respond to children's needs within the justice sector?

6. **Partnerships and cooperation:** Measure of the level and quality of UNICEF cooperation with partners and implementing partners (e.g. donors, NGOs, Governments, other UN agencies etc.)
 - 6.1 To what extent have partnerships been sought and established and synergies created in the delivery of assistance?
 - 6.2 Were efficient and mutually satisfactory cooperation arrangements established between UNICEF and NGO partners? Other UN agencies? Governmental institutions? Other partners?
 - 6.3 Were partners' inputs of quality and provided in a timely manner? Have partners fully and effectively discharged their responsibilities?
 - 6.4 Does the Project contribute to the overall UN Country Strategy?
 - 6.5 Have any new partners emerged that were not initially identified?

2 Evaluation methodology

2.1 Overall approach

The evaluation design applied a mixed-methods approach in order to ensure that data was rich, with strong explanatory potential, while also being comprehensive, measurable and accurate. A mixed methods approach allowed evaluators to improve the validity of results through triangulation. The evaluation drew on the perceptions, views, feedback and data provided by beneficiaries, partners and stakeholders. Diverse data sources were included to ensure that results were objective, reliable, and based on the most comprehensive and relevant information available.

Where it was available, quantitative data was used to provide an overall description and numerical measure of evaluation results; it was particularly useful for identifying Project impact, outcomes and outputs. The evaluation considered existing quantitative data held by relevant justice sector agencies and by UNICEF. In addition, the evaluation collected quantitative data through the administration of an online survey.

Qualitative data provided a more in depth understanding of the evaluation results. It was particularly useful for exploring subjective and contextual issues, identifying and understanding relationships, and, importantly for explaining why the Project has or hasn't succeeded in achieving intended goals. Qualitative data provided the most valuable evidence for answering research questions about the relevance, effectiveness, efficiency and sustainability of the J4C Project. Qualitative approaches were also most useful for identifying lessons learned as they can shed light on how particularly strategies or approaches have, or have not, worked in a given context, and (most importantly) why that was the case.

2.2 Evaluation process

The evaluation methodology was implemented in four discrete phases: inception; data collection; data analysis, write up and revision; and finalisation and presentation.

2.2.1 Phase I: Inception phase

The inception phase of the evaluation entailed: a review of project documents provided by UNICEF; a remote inception meeting held between the evaluation team and UNICEF Project team to facilitate introductions and discuss the sources and methods for data collection; and the development of the work plan and methodology for the evaluation.

2.2.2 Phase II: Data Collection phase

The evaluation drew heavily on primary data collected in BiH through key informant interviews, focus groups discussions, case studies, observational techniques and an online survey (data collection methods applied during the data collection phase are detailed below). Primary data collection was conducted by the evaluation leader (7 days) and the national child justice expert (5 days). Data collected by the national child justice expert was translated into English for the evaluation leader to review.

2.2.3 Phase III: Data analysis, write-up and revisions

After completion of the data collection phase, the Evaluation Team began the process of data analysis and drafting. The data analysis process was driven by the research questions and the project's specific outcome, output and impact indicators. Data analysis was sensitive to gender, disability, minority status and other equity concerns.

Evaluators conducted an initial review and provisional analysis of all data collected, including relevant programme documents provided by UNICEF, and existing quantitative data on children in the justice system. The research findings were presented according to the evaluation question groupings: relevance and design; effectiveness; efficiency; impact; sustainability; and partnerships and cooperation. The evaluation also developed a preliminary set of conclusions and recommendations in relation to the research questions and backed up by findings/data. The evaluation report has been structured in accordance with the UNEG Evaluation Reports Standards and the Global Evaluation Reports Oversight System. The evaluation report was submitted to UNICEF, the Swiss Government, Sida, and other relevant stakeholders for cross-checking validation in order to ensure the accuracy of findings and to fill any gaps in the data collection.

2.2.4 Phase IV: Finalisation and presentation phase

Following a response to the draft report, the evaluation team developed an evaluation summary report and power point presentation, to serve as tools for disseminating evaluation outcomes. The summary report and presentation set out the key findings from the evaluation, overarching conclusions and recommendations. These materials were translated into Bosnian for circulation to key stakeholders and relevant partners.

The evaluation team led a presentation on findings and recommendations, followed by a discussion on the take up of recommendations. The presentation was attended by UNICEF staff and key partners.

2.3 Evaluation methods and data sources

The evaluation drew upon a range of data sources and data collection methods to ensure the reliability of results, promote impartiality, reduce bias, and ensure that the evaluation was based on the most comprehensive and relevant information possible. A full set of data collection tools is included as an annex to this report.

2.3.1 Document review

Throughout the inception stage of the evaluation, the evaluation team reviewed numerous documents relevant to UNICEF's Justice for Every Child Project in order to ensure that the evaluation team has an accurate understanding of interventions planned and undertaken as part of the project itself; its overall objectives and intended outcomes and impacts; information on project costs; and any existing data on outcomes and impacts. In addition to informing the development of the methodology and work plan for the evaluation, this literature was relevant for answering the evaluation research questions.

2.3.2 Key informant interviews

Much of the data collection for the evaluation was conducted through semi-standardised key informant interviews. These interviews were aimed at obtaining specific and detailed information from key informants with in-depth knowledge of the Project and involvement in its implementation, in relation to the research questions. Individual interviews allowed respondents to engage with researchers in a private and confidential setting where they were likely to feel more comfortable sharing their experiences and views than they would in a group setting. A semi-standardised approach was adopted: guided by a structured tool, but allowing for a participant and response-directed interaction.

23 key informant interviews, and 10 group interviews were conducted with UNICEF staff, donors, government stakeholders at national, entity and local levels, and project beneficiaries, in accordance with the sampling strategy detailed below.

2.3.3 Case study interviews

Case-study interviews were carried out with two children who had come into contact with the justice system and (where possible) their families, in order to capture their experiences within the system and develop an understanding of the outcome of each case and how it was the processes and decisions reached.¹⁴ The purpose of these interviews was to achieve a concrete and multi-perspective understanding of how the child justice system functions in practice, as well as its effectiveness and impact, in order to understand how the Justice for Every Child project influenced children's experiences in the justice system, and identify remaining gaps and needs. Whilst it would have been desirable to conduct a greater number of case study interviews, for several reasons relating to ethics and access, these were a challenge for UNICEF to arrange.

2.3.4 Comparison study

As discussed in the sample strategy, data was also collected from a locality where a Municipal/City/Cantonal Working Group *had not* been established, in addition to both well-established and newly established Working Groups. The purpose of the comparison study was to illustrate how the Project influenced the functionality of justice for children in practice, and ultimately shaped children's access to support and protection within the justice system.

2.3.5 Direct observation

The National Child Justice specialist attended and observed a court hearing in a case involving a child accused of offending. Direct observation of the courtroom provided researchers with a concrete and applied understanding of procedures and practices in cases involving children.

2.3.6 Collation of existing statistical data

Where available, existing statistical information and quantitative data relevant to the evaluation questions were collected from secondary sources and collated for inclusion in the analysis and reporting phases of the evaluation. In particular, statistical data was collected in relation to the Project's outcome, output and impact indicators. Additionally, researchers gathered data sets held by justice and security authorities in relation to children in the justice system (as both victims and accused), as well as those receiving prevention services. Analysis of the numbers of children in contact with the justice system at each particular stage, as well as information about demographic characteristics, types of offences committed, outcomes of cases, and trends over time provided an important context for the evaluation.

2.3.7 Quantitative survey

Finally, in-country qualitative data collection was complemented by an online survey for project beneficiaries, and justice professionals in control locations. The survey allowed evaluators to obtain standardised and quantifiable data across beneficiary populations and enabled evaluators to include a much larger sample of beneficiaries in the study, and conduct comparative analysis.

2.4 Sampling

The sampling strategy for the evaluation was designed to ensure that findings are as representative of the entire Justice for Every Child Project as possible, whilst maintaining comparative value.

2.4.1 Selection of research sites

This evaluation was intended to assess progress against the Project results throughout BiH and in all Project locations. Therefore, data collection for the evaluation took place at national, entity and local levels. State and entity level data was collected with key Ministries and Judicial Authorities in Sarajevo and Banja Luka. Local level data collection was carried out in a selection of 6 localities where Project Working Groups were established. Localities were selected purposefully to represent a number of criteria: presence, 'age' and effectiveness of child justice Working Group; geographic location; population size; entity representation; and, where possible, socio-economic diversity.

Table 4: Local Research Locations

Locality	Geographic location	Date of WG establishment	Defining characteristics	Secondary, Tertiary, prevention
Banja Luka	Republika Srpska	December 2014	Urban, RS Capital	Both secondary and tertiary
Sarajevo	Federation BiH/Canton Sarajevo	March 2017 (renewed)	Urban, Canton Sarajevo Capital	Both secondary and tertiary
Zenica	Federation BiH	July 2010	Urban, Canton Zenica Doboje Capital	Tertiary
Bijeljina	Republika Srpska	July 2010	Urban, Affected by floods in 2014	Both secondary and tertiary
Jajce	Federation BiH	Control location	Urban	Control Location

Finally, as is set out in the above table, 3 locations where secondary and tertiary pilot programmes were in place were included in the study.

¹⁴ Of course, interviews were only conducted with individuals who gave informed consent, and in accordance with our ethical protocol (see section annex X).

2.4.2 Selection of participants

Typical case-study sampling: the evaluation also included children who have had interaction with the justice system, as accused, as victims/witnesses and as children involved in civil proceedings, for participation in key informant interviews. The purpose of these interactions was to gather information on children's experiences in the justice system, the typical way that cases are handled, and outcomes for children. Cases were identified through UNICEF's partners in the justice sector, prioritising gender diversity where possible. Of course, given the sensitive nature of the interviews, and vulnerability of respondents, interviews were purely voluntary and were only conducted with those respondents who were comfortable participating in the evaluation. See ethical considerations section below.

In particular, the following key stakeholders were selected for individual interview:

UNICEF/Project stakeholders: Deputy Representative, Child Protection Specialist, Child Protection Programme Officer, UNV Child Protection Associate (Justice for Children); UNICEF Justice for Children Consultant, Monitoring and Evaluation Specialist, Communication Officer, Communication for Development Officer; representatives of Sida and the Swiss Government.

NGO stakeholders: Association of Prosecutors Federation (FBiH); Association of Psychologists RS; Human Rights Bureau (Tuzla); Criminal Policy Research Centre (Sarajevo); Human Rights Centre (Mostar); Save the Children; the Legal Aid Network.

National level government stakeholders: Ministry of Justice BiH; Ministry for Human Rights and Refugees BiH; High Judicial and Prosecutorial Council BiH; Ombudsmen BiH.

Entity level government stakeholders (including members of the project coordination board): Judicial and Prosecutorial Training Centre RS; Judicial and Prosecutorial Training Centre FBiH; Ministry of Health and Social Welfare RS; Ministry of Labour and Social Policy FBiH; Department for Social Protection Brcko District; Ministry of Interior and police officials RS; Ministry of Interior and police officials FBiH; Ministry of Justice RS; Ministry of Justice FBiH; Ministry of Education RS; Ministry of Education FBiH.

At the **local level**, the evaluation included members of the Municipal/City/Cantonal Working Groups.

A complete list of interviews and focus group discussions conducted and a list of documents consulted is included as annex A to this report.

2.5 Limitations

Limitation 1 – Availability of data: The evaluation drew upon quantitative data sets maintained by justice sector and statistical agencies in BiH in order to understand basic elements of the justice system, including numbers and types of cases involving children in BiH, their progress through the system (attrition rate, etc.), outcomes, demographics characteristics of children, etc. In particular, evaluators were interested in how certain indicators changed over the course of the programme to contextualize interventions. Unfortunately, gaps in availability and reliability of data posed a limitation on the study. Furthermore, data was often not disaggregated sufficiently to facilitate explanatory analysis. Finally, due to the lack of child participation in project design and monitoring, there was a lack of available data on children's experiences of Project outputs. As a mitigating strategy, where quantitative data was not available, evaluators drew on anecdotal data from key informants.

Limitation 2 – Translation and interpretation: The majority of interviews and focus group discussions were led by an expatriate evaluator. Inevitably this meant that some information was lost in the translation process, particularly with regard to complex, detailed and highly context specific information. Nevertheless, measures were put in place to guard against this limitation: first, translators with strong English language speaking abilities, as well as expert technical knowledge in child justice were selected to accompany the expatriate evaluator and provide interpretation. Second, data collection tools were developed to orient discussions, and the evaluators and translators familiarised themselves with the tools in advance.

Limitation 3 – Reporting bias: Given the sensitive nature of the research (child justice), and the fact that it involved speaking with respondents about past experiences, it is possible that the evidence was affected by both re-call bias and reporting bias. For instance, respondents may have been reluctant or unwilling to share sensitive and personal information either about traumatic events in their lives (e.g. children and adults) or about aspects of their professional experience which they feared would reflect badly on themselves or UNICEF.

To mitigate against reporting bias, evaluators took care to carefully explain the purpose of the evaluation (for constructive learning) to all respondents. Team members also explained to interviewees that their anonymity was protected, and that no negative personal or professional consequences would result from sharing open and honest information. Questions were asked sensitively, and interactions were flexible and participatory, to allow for the most authentic, spontaneous and participant-led exchange. Wherever possible evaluators sought to triangulate objective information through the assistance of other sources of information and documentation (files, reports etc.)

Limitation 4 – Data collection and sampling: Given the short time period for the data collection it was not possible to cover all project sites or include all key informants. In particular, as previously mentioned, evaluators were only able to access very few children and families who had direct experience with the justice system, and weren't able to access any girls. In order to partially mitigate this challenge, evaluators drew upon inputs from UNICEF and other stakeholders to ensure that the purposive sampling frame allowed the development of a sample that was both representative and contained diversity. Finally, a brief online survey was circulated to beneficiaries throughout Bosnia to complement more in-depth information obtained through a small sample. Unfortunately, however, response rates for the survey were very low, particularly by professionals from control 'non Project' locations.

2.6 Ethical considerations

Strict ethical guidelines were in place and were followed at all times by the Evaluation Team. A tailored ethical protocol was developed to guide the evaluation and is attached at Annex B. The ethical protocol was applied in accordance with the UNEG Ethical Guidelines and UNICEF's Procedures for Ethical Research Involving Children, as well as with Coram International's own Ethical Guidelines. Finally, and particularly given that the evaluation included interviews with children, UNICEF's Institutional Review Board conducted an ethical review of the work-plan and methodology for the evaluation.

Methods for conducting the evaluation were developed with a particular focus on the 'do no harm' principle, i.e. ensuring that the safety and security of beneficiaries and partners was not compromised by any actions on the part of the evaluators. Researchers obtained informed consent from all research participants, and all interviews were conducted anonymously. Consent forms are contained in Annex C to this report.

All team members had expertise in carrying out research with a range of stakeholders, including children and other vulnerable groups. All the international researchers are employees of Coram International, and have excellent knowledge and experience in carrying out research with children, young people and professionals. All have been the subject of enhanced police checks to ensure that they have no convictions or criminal record.

3 Findings

3.1 Relevance and design

This section explores the extent to which the Project objectives address the real problems and needs of the target groups, country priorities, associated national policies and donor priorities. It will explore the following questions: To what extent are the Project's objectives still valid? To what extent have the BiH/entity/cantonal/municipal stakeholders been taken into consideration, participated, or been involved in the development and implementation? Does the Project respond to the needs of the identified target groups and beneficiaries (including the unique needs of boys and girls)? Are the Project's objectives and outcomes consistent and supportive of governmental policies, sectoral policies, and the EU accession agenda? Was the design of the Project appropriate for reaching its results and outcomes? Have any changes been made to the Project's design during the implementation? If yes, did they lead to significant design improvements? Were coordination, management and financing arrangements clearly defined and did the support institutional strengthening and local ownership?

3.1.1 A necessary role

Evaluation findings indicate that the Justice for Every Child Project was not only relevant to the process of child justice reform; UNICEF played an essential role in instigating change. Whilst interviews with stakeholders revealed a national consensus that reforms to the child justice system were needed, and in particular improved implementation of the new Law on Protection, respondents consistently explained that UNICEF's role in the process was necessary given the lack of leadership within government:

I do feel the need to say that in my opinion, UNICEF and CPRC were basically the only organisations fighting for this law to become fully functional.¹⁵

The existence of the project is important, because I don't see how with existing resources we could dedicate people to work on specific issues.¹⁶

The impacts and effects of UNICEF's leadership role will be explored in greater detail in the impact section of the report. It is clear, however, that the Project itself was necessary to achieving progress towards a reformed child justice system, and that stakeholders and (government) beneficiaries valued this contribution of the Project.

3.1.2 Validity of objectives and approach

The Project's overall objective, *that juveniles in conflict with the law, children at-risk, child victims/witnesses and children in civil proceedings are better served and protected by the BiH justice system, including the security and social welfare sectors*, was broad and comprehensive, touching on various aspects of child justice and working at national, entity and municipal levels. Despite being ambitious, the Project's comprehensive design was found to be necessary for achieving a holistic reform of the system and this was recognised as valuable by beneficiaries, who noted that lack of progress in one area had the potential to undermine progress in another. Furthermore, UNICEF effectively built upon opportunities created by new legislation in BiH to promote its objective. The project's approach to child justice reform, which focussed on creating the conditions (e.g. services, knowledge and skills, capacity and resources, institutional structures) necessary for the implementation of new legislation, proved particularly effective, and was valued by beneficiaries: *"Now the Law's enforcement goes well as all conditions for its implementation were created thanks to the Project.*

¹⁵ Individual interview, pedagogue, Centre for Social Welfare, Ilidza, 4 May 2017

¹⁶ Individual interview, High Judicial and Prosecutorial Council, UN Building, Sarajevo, 4 April 2017

At the very beginning we did not have all those conditions in place when the Law was adopted by our Brcko District Assembly in 2011.”¹⁷

UNICEF’s decision to focus on strengthening prevention services and providing victim support in the Project’s second phase was well made, addressing important gaps in the child justice system: as a Project partner explained; *“We noticed a need for more specific provision of support, so we defined two groups that require the most attention.”¹⁸* Phase II objectives were particularly welcomed by stakeholders because they prioritise supporting the system to meet children’s direct needs: *“The secondary prevention programme is one of the greatest achievements for children if it gets implemented. To call it revolutionary would not be overstating its importance... because this is the only solution that systemically addresses the child’s needs and responds to the child’s needs”.*¹⁹

Whilst recognising the value and validity of UNICEF’s approach and objectives, several participants suggested a need to develop an additional focus on working with families to address the underlying causes of offending: as a Ministry of Justice representative explained, *“I fully support this project, but I am sorry that we don’t have more focus on providing support for families because these children are coming from dysfunctional families and when the children leave the institution they will do the same”²⁰* As will be explored in the following sections, evaluation findings do suggest a need for creating greater synergy between UNICEF’s Justice for Every Child Project and broader child protection programming, in particular through supporting the capacity of social services to provide sustained support to children and families.

3.1.3 Project design

The project design was necessarily complex, containing a number of mutually reinforcing interventions designed to complement each other and support holistic systemic reform. This was an appropriate and effective approach to promoting the Project’s objective and outcomes. For example, the 7 Outputs under Outcome A are necessary for its achievement; the failure to address any one would have the potential to undermine the others. The outputs address: gaps in laws, policies and byelaws; capacity building; data collection and monitoring; supporting attitudinal change; developing pilot programmes and services; improving treatment plans; and equipping institutions, all necessary for achieving reform under Outcome A. Whilst the rationale for outputs developed under outcome B is slightly less developed in Project documents, the outputs remain highly relevant to the Outcome.

Furthermore, evaluation findings indicate that UNICEF’s Project design was appropriate for the BiH context, and in particular effectively recognised the need for consistent engagement of relevant authorities at all levels to maintain buy in and consensus: as one stakeholder explained; *“I believe UNICEF is aware of the importance of involving representatives from all levels of government...”²¹*

Changes to the Project design have been minor, and did not affect the overall approach of the Project. For instance, UNICEF took advantage of the mid-term review as an opportunity to improve project indicators in order to more meaningfully reflect impact and change. The process of adjusting indicators was consultative, engaging numerous stakeholders and beneficiaries in a workshop setting. Additionally, members of the Project team explained that minor activities where progress was too difficult were dropped.

Throughout the Project, UNICEF appears to have adopted a flexible approach, maintaining sensitivity to the environment and adjusting strategies and activities where necessary. For example, when explaining a change in approach to the establishment of psychologists in Prosecutor’s Offices, a UNICEF team member: *“Generally*

¹⁷ Individual interview, Prosecutors Office, Brcko District, 9 April 2017

¹⁸ Group interview, Swiss Embassy, Sarajevo, 3 April 2017

¹⁹ Individual interview, Cantonal Education Department, Sarajevo, 5 April 2017

²⁰ Individual interview, BiH MoJ, UN Building, Sarajevo, 4 April 2017

²¹ Individual interview, BiH MoJ, UN Building, Sarajevo, 4 April 2017

*UNICEF partners with NGOs for service delivery rather than capacity building. But we need to be innovative to develop results in context.*²²

Findings suggest that the Project design was gender sensitive, and where relevant, Project outputs, including capacity building, prevention programmes and victims support services considered the particular needs of both boys and girls.

3.1.4 Stakeholder involvement and ownership

The Project appears to have been successful at achieving high levels of stakeholder engagement at State, entity and, for the most part, municipal levels. Evaluation findings suggest that stakeholders actively participated in Project Coordination Board meetings as well as workshops and trainings. Stakeholder involvement will be explored in greater detail in the effectiveness section of the report.

Perhaps more importantly, rather than merely engaging in the Project, stakeholders expressed a sense of ownership over the activities in which they were involved: as demonstrated by representatives of several Municipal Working Groups:

*The action plan, which our working group with the cooperation of UNICEF and Bureau of Human Rights developed and proposed to the city council – it has the ownership of the city.*²³

*We all participate [in the Working Group] and it is a multidisciplinary approach. We are responsible for that. We all participated and the CPRC (NGO) only had a coordinating role.*²⁴

Additionally, respondents often described UNICEF's role as providing support for their own initiatives and tended to view UNICEF as a resource that they could draw upon:

*What I like very much is that they leave it to us to create our own path to improvement and development...*²⁵

*When we approach UNICEF with proposals for improving cooperation (with social services) in most cases we are met with understanding!*²⁶

3.1.4.1 A relevant agenda

Beneficiaries, partners and key stakeholders at all levels tended to describe the Project and UNICEF's agenda as compatible with their own institutional priorities. Respondents consistently regarded UNICEF as a legitimate authority in the child justice 'field', and expressed support for UNICEF's agenda:

*Do you feel UNICEF's agenda is compatible with your organisation? UNICEF is a respectable organisation, really. Everything that UNICEF promotes is acceptable to us. This is an organisation that operates globally and we are no exception to that. So far we have only received good intentions and support from UNICEF – there are no differences in our plans.*²⁷

Key stakeholders emphasised the relevance of the Project to national advocacy and policy agendas, particularly in relation to BiH's EU accession agenda: as one respondent explained, "[The project is also relevant to the upcoming and ongoing EU accession and requirements of the EU – and for certain areas like

²² Focus group discussion, UNICEF Project Team, UN Building, Sarajevo, 3 April 2017

²³ Focus group discussion, Municipal Working Group, Banja Luka, 10 April 2017

²⁴ Focus group discussion, Municipal Working Group, Sarajevo, 3 April 2017

²⁵ Individual interview, RS MHSW, Banja Luka, 6 April 2017

²⁶ Individual interview, RS MoJ, Banja Luka, 7 April 2017

²⁷ Individual interview, BiH MoJ, UN Building, Sarajevo, 4 April 2017

justice the position of the EU is clear, they want a unified reform process because you cannot separate justice issues. The minimum requirement is to have harmonised systems”²⁸ Indeed, in a recent set of questions submitted by the EU to the government of BiH, Justice for Children issues were the focus of 20-30 questions. The EU accession agenda was also raised as a priority by Project donors, one of whom expressed a desire for integration reform to be incorporated into the Project logframe.²⁹

3.1.5 Needs of target groups; a need for participation

The relevance of the Project to beneficiaries at all levels of government is clearly established, yet it is also critical to reflect on the relevance of the Project to its ultimate beneficiaries; children themselves. The Project is clearly in line with UNICEF’s child rights based approach to child justice reform, and throughout the evaluation respondents consistently described the Project as promoting children’s interests and responding to their needs. The Project also effectively prioritised equity and considered the needs of girls and boys alike, as well as children with disabilities, ethnic minorities and other disadvantaged and marginalised groups. Given the high level, systems reform approach, however, it appears that children were rarely directly consulted regarding the Project design, or engaged in efforts to monitor its achievements. Lack of child participation was a limitation of the evaluation itself, which, due to ethical limitations and access issues, was not able to include the perspectives of many children who had experiences within the justice system.

3.2 Programme efficiency

This section examines whether the Project’s inputs were utilised and transformed into outputs in an optimal or cost efficient way. It asks whether the same results could have been produced through the investment of fewer resources, and considers the following questions: To what extent has support to governments and NGOs as implementing partners been an efficient implementation modality? To what extent have the target population and participants taken an active role in implementing the Project? What modes of participation have taken place? How efficient are NGOs in supporting the implementation? To what extent were activities implemented as scheduled and with the planned financial resources? Has there been any duplication of efforts?

Note: A comprehensive cost analysis of the Project is beyond the scope of this evaluation. Given that the Project involved numerous, complex interventions, the evaluation could not meaningfully draw comparisons with a similar intervention. Instead, this section will reflect broadly on the efficiency of UNICEF’s approach to designing and implementing Project interventions.

3.2.1 Drawing on existing resources

UNICEF’s Justice for Every Child Project was found to have applied efficient and cost effective approaches to delivering outputs by harnessing and building upon existing resources. In particular, as is illustrated by the examples below, a number of the Project’s components involved strengthening and developing upon existing systems; others entailed creative collaboration with natural partners; and, finally, many involved the provision of technical assistance to relevant government partners.

3.2.1.1 Strengthening existing systems

UNICEF’s pilot secondary prevention programme – the ‘Optidur model’ – provides professionals with a set of tools, which have the potential to enable them to carry out their current responsibilities more efficiently and effectively. Firstly, the model includes a tool (the ‘matrix’) for more effectively identifying at risk children and thus improving the targeting of interventions. Additionally, in cases where an intervention is necessary, the individualised case plan approach has the potential to more effectively match children with appropriate

²⁸ Group interview, Swiss Embassy, Sarajevo, 3 April 2017

²⁹ Individual interview, Sida, Sarajevo, 3 April 2017

assistance, making more efficient use of existing services. Whilst the development of the model did require significant upfront investment, and its implementation will require training and ongoing support, the programme has strong potential to achieve results without requiring UNICEF to provide significant or ongoing resources.

3.2.1.2 Efficient and creative partnerships

UNDP has been implementing a project designed to support victims of war crimes involved in judicial proceedings through facilitating the employment of psychologists in Courts and Prosecutor's Offices (their salary was originally covered by UNDP and after a designated period would be taken over by Cantonal/District Courts and Prosecutors' Offices). Given that the psychologists' mandate was to work with all vulnerable victims, and about half of their case load was comprised of child victims, UNICEF saw an opportunity for an efficient partnership: the Project collaborated with UNDP to support the project and trained the psychologists to provide support to children involved in judicial proceedings. 18 psychologists were employed in Courts and Prosecutors' Offices in BiH at the time of writing; three in RS and 15 in FBiH. This initiative is discussed in further depth in the 'effectiveness' section of the report.

3.2.1.3 Efficiency of government partnerships

As previously discussed, the Project involves numerous partnerships with government actors at State, Entity, Cantonal and Municipal levels. Several stakeholders emphasised the efficiency of this approach, arguing that by bypassing NGOS, UNICEF avoided middlemen and delivered outputs more cost effectively. For instance, a representative of the Judicial and Prosecutorial Training Centre in RS asserted:

There were other projects supported by other International Organisations and delivered by NGOs for much more money over much more time but we did not receive any better results than the UNICEF project because the funds went to the administration of the Project. If an IO works through the NGO sector...the NGO needs to pay their people – we don't see the money and the effects are even lower than the UNICEF project even though more money was involved. 10,000.00 euros is a small amount but we produced a module and held a specialist training seminar. It was really big with so little money – everything was recorded and transparent.³⁰

Collaborating with government did not always facilitate quick and easy action, however. UNICEF and partners spent considerable time and resources navigating institutional structures and requirements. This posed a challenge during the establishment of the Municipal Working Groups given the number of agencies involved, particularly in FBiH given its more complex administrative structure: as one stakeholder explained, *"it is good working with [the Working Groups] but the challenge is working with government. We need so many approvals on one paper and we lose so much time because of that..."³¹*

Working Group members themselves bemoaned the difficulties in obtaining a budget for the implementation of their action plan, which required negotiating separate contributions and seeking approvals from the relevant 'implementing' department. For instance, a working group member from Sarajevo Canton explained: *"I believe a better idea would be if the government just gave us a certain amount of funds. But the arrangement is that each Ministry will seek a certain amount of money from the Cantonal level government."³²*

3.2.2 Efficiency of NGO support in implementation

UNICEF representatives emphasised their positive working relationships with NGO partners. NGOs appear to have effectively supported a number of Project components, however their support as coordinators of the Municipal Working Groups was found to be particularly effective. Working group members consistently

³⁰ Individual interview, RS Judicial and Prosecutorial Training Centre, Banja Luka, 7 April 2017

³¹ Group interview, Centre for Criminal Policy Research, Sarajevo, 5 April 2017

³² Individual interview, Cantonal Education Department, Sarajevo, 5 April 2017

expressed appreciation for the coordination support provided by NGOs, which appears to have enabled the successful engagement of Working Group members as well as their understanding of and commitment to a child rights approach (see effectiveness for more detail). Whilst providing on-going support to working groups did require additional resource, this is likely to be one area where investment was worthwhile: cutting costs would have had the potential to entirely undermine results. Indeed, in one municipality where NGO support was phased out the Working Group was reported to have dissolved.³³

Of course it was important to get the balance of NGO engagement in the working groups right. One UNICEF representative pointed out that the NGOs enthusiastic and proactive contributions might serve to undermine government ownership of the working groups: *“We have had to encourage them to pull back and give tiny tasks to the government: let them send the letter, and put in the time and energy. That will ensure sustainability. The NGOs had a balancing act to do to get the group going and going sustainably. It was an ongoing discussion to be as hands off as possible.”*³⁴

3.2.3 Activities implemented as scheduled and with planned financial resources

As mentioned in the previous section (relevance), Project activities were largely implemented according to schedule with one major exception; floods in the spring of 2014 interrupted the Project’s implementation significantly, as UNICEF halted its development of the Justice for Every Child Project to focus on providing emergency humanitarian support. As explained by a project representative; *“Over the next 12 months we focussed on psychosocial support and the establishment of child friendly services. We did refurbishment of eight or nine facilities – it is not within UNICEF’s core mandate, but in the context of emergency humanitarian action, schools, etc.”*³⁵

Not only did the floods prevent the implementation of planned activities; they slowed activities where relevant institutions (e.g. courts and prosecutors) were badly affected. Given the impossibility of progressing the project in flood-affected areas, UNICEF’s decision to repurpose funds appears to have been necessary and judicious. Interestingly, an unintended positive consequence appears to have resulted from flood related delays to the development of the secondary prevention service: *“it took stakeholders longer to come to an agreement; we think we got a lot more buy in than if we’d done it quickly.”*³⁶

3.3 Programme effectiveness (project results)

This section evaluates the extent to which the Project’s outcomes and corresponding outputs have been achieved (or are expected to be achieved) during the course of the Project. In addition to reviewing indicators set out in the Project’s logframe, it draws upon stakeholder interviews to examine the quality of Project results, identify the factors that contributed to progress or delay, and recognise good practices and transferable examples that emerge from the Project.

3.3.1 Outcome A: Improved secondary and tertiary prevention measures for children at risk and juveniles in conflict with the law

The first outcome of the Justice for Every Child Project relates to the improvement of secondary and tertiary prevention measures for children at risk and juveniles in conflict with the law. UNICEF supported the establishment of Municipal Working Groups as the primary mechanisms for implementing secondary and tertiary prevention at the local level. The Working Groups were created with the aims of encouraging multi-sector cooperation at the local level, encouraging the use of alternative measures and creating and implementing programmes to prevent juvenile offending. Working Groups were supported by NGOs on an

³³ Individual interview, Center for Human Rights Mostar, Sarajevo, 11 April 2017

³⁴ Individual interview, Project Representative, Sarajevo, 10 April 2017

³⁵ Individual interview, UN project staff, Sarajevo, 5 April 2017

³⁶ Individual interview, Project Representative, Sarajevo, 10 April 2017

ongoing basis, but developed their own action plans to promote these goals, according to the specific needs and opportunities within their particular municipality.

The Working Groups appear to have effectively consolidated support for prevention measures at the municipal level; members across municipalities demonstrated strong understanding of the importance of prevention measures: as the members of the Zenica working group explained, “[The aim of the group] is prevention of under-age offending. The point of the group is to encourage prevention and alternative measures – it means to return to normal life and not to get stuck in the criminal system, in the justice system. Each institution has its own role with the same aim.”³⁷

In particular, justice sector stakeholders valued the multi-agency coordination achieved by the working groups: “The working groups established much better cooperation among local stakeholders, as well as police, parents and children.”³⁸ Indeed, evidence from the evaluation suggests that where working groups were established and active, this has facilitated the process of child justice reform due to improved coordination, as well as the buy in and commitment of working group members:

In Zenica, how are police and prosecutors complying? Is implementation going smoothly? In relation to other areas, it seems Zenica complies with the law the best.

Why do you think that is? Before the law was passed there was a working group in place with different institutions – they were ready to work and went to RS and coordinated work before the law was brought. The persons from this group considered the law as very significant for society. The members of the group included a prosecutor and a judge. So somehow it was coordinated.³⁹

Interestingly, in Jajce, the ‘comparison municipality’ included in the study, which is not a Project location, professionals from different departments do appear to have established collaborative working relationships. Respondents from Jajce reported that representatives of the municipal court, CSW, Center for Mental Health and police do meet regularly to discuss prevention and individual cases and coordinate activities.⁴⁰ Representatives did report to struggle to acquire resources and political support necessary to fund their activities, an area in which the Project Working Groups appeared to be more effective.

The effectiveness and impact of the Municipal Working Groups will be discussed throughout the subsequent section, which addresses the effectiveness of the Project in improving secondary and tertiary prevention measures in relation to each particular output under ‘outcome A’. Particular focus will be paid to outputs A2 and A5, which relate to capacity building and prevention programmes.

3.3.1.1 Output A1: Gaps in byelaws and policies identified and reforms to make the necessary adjustments supported

As a priority in the second phase of the Project, UNICEF sought to support policy stakeholders to identify gaps where policies and byelaws were needed to facilitate the implementation of the law: UNICEF appears to have made sufficient progress in this area in relation to its target: the Project logframe details a number of assessments that have been undertaken on relevant topics, including a Minor Offence Analysis, the ‘Summary of Children’s Equitable Access to Justice’, an ‘Analysis of alternative measures’, and a policy paper on secondary prevention has been developed and shared with stakeholders. There is still a need to engage policy stakeholders in a discussion of the evidence in order for UNICEF to meet its 2017 target.

³⁷ Focus group discussion, Municipal Working Group, Zenica, 6 April, 2017

³⁸ Group interview, FBiH Ministry of Interior, Sarajevo, 5 April, 2017

³⁹ Individual interview, Psychologist, Office of the Prosecutor, Zenica, 6 April, 2017

⁴⁰ Group interview, municipal social welfare and law enforcement professionals, Jajce, 7 April, 2017

Evaluation findings suggest that the Municipality Working Groups themselves have served as an effective mechanism for identifying gaps and, through the Municipal-level Action Plans, developing policies and procedures for implementation.

Generally, respondents expressed satisfaction with the level of official guidance that had been developed, citing a bylaw on police warnings (supported by UNICEF in both entities), and guidance on mediation (also supported by UNICEF).⁴¹ As will be discussed further, however, where practitioners were provided with practical guidance on implementation this appears to have accelerated the implementation of the new legal framework. As a next step, it will be essential for UNICEF and partners to identify gaps that emerge from assessments and support the development of bylaws and policy guidance to support improved implementation of new laws.

3.3.1.2 Output A2: Capacity development programmes designed and implemented

The design and implementation of both pre-service and on-going training programmes for justice sector professionals, police and social workers comprised an essential component of the Project. UNICEF and implementing partners collaborated closely with government institutions, including Judicial and Prosecutorial Training Centres, the Police Academy and the Ministry of Labour and Social Welfare. The Project comfortably achieved the delivery of its objectives under output A2, surpassing the majority of its targets in relation to all four indicators.

<p><i>Indicator 1:</i> Development of specialised initial and in-service training curricula for police, prosecutors, judges, defence councils, social workers, mediators, and other service providers, and incorporation of curricula into existing training structures</p>	<p>UNICEF delivered training manuals on the implementation of the Law on Protection and Treatment in both entities (2014); a manual on working with child victims and witnesses; and a manual on juvenile proceedings in the RS Minor Offence Law. These trainings have been incorporated into existing training structures. Furthermore, in 2016 UNICEF supported the RS and FBiH Ministries of the Interior to develop Guidelines on Use of Police Warning and a Curriculum for Social Workers on Mediation. A training plan and programme on mediation and related training material is currently being developed in full collaboration with Ministries of Social Welfare. A training of trainers has been conducted in FBiH. Finally, in 2016, UNICEF supported the development of a Manual on the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings for non-judicial professionals; a training for trainers on the new Law.</p>
<p><i>Indicator 2:</i> Number of persons trained as trainers on juvenile justice: When UNICEF began training trainers on juvenile justice only the Judicial and Prosecutorial Training Centres had specialised educators</p>	<p>Between 2014 and 2015, UNICEF surpassed its target of training 5 trainers in each professional area, with 23 Judges, Prosecutors, Witness Support Providers and Psychologists participating in a specialised ToT; 17 police trainers trained in 2015, including 10 female trainers; and 16 social workers participating in a ToT on mediation in 2016. The only apparent gap in delivery was for social workers in RS (according to the most updated logframe at the time of writing).</p>
<p><i>Indicator 3:</i> Number of stakeholders trained on justice for children, and where relevant, obtain certification of specialisation</p>	<p>Capacity building was provided to over 3,052 professionals across sectors (police, prosecutors, judges, social workers, defence councils, staff of juvenile institutions, legal aid providers, mediators), surpassing</p>

⁴¹ Individual interview, RS Ministry of Justice, Banja Luka, 7 April, 2017

	UNICEF's target of delivering training to 1000 professionals by 2017.
<i>Indicator 4: % of participants identifying (self-assessed) increase in knowledge on justice for children following participation in project trainings</i>	In 2014, 96% of participants reported having increased their knowledge on justice for children, in 2015, 88% of participants reported increase in knowledge, and, in 2016, 96 % of participants (2016) reported increase in knowledge as a result of the training. Whilst all of these appear to be strong results, the 2015 outcome was below UNICEF's target of 95%.

It is clear that the Project has been successful at increasing the capacity of justice sector professionals to implement the 'Law on Protection'. UNICEF supported training programmes have effectively facilitated the establishment of 'specialist' professionals across departments (results are discussed further in the impact section of the evaluation). Indeed, specialised professionals certified to handle cases involving children have been designated and trained across the country, particularly within the police and judiciary: specialisation amongst social workers remain inconsistent.⁴² One prosecutor enthusiastically recalled, "*Recently one lawyer pointed out that a judge was on a panel and did not have a certificate and it was announced as a breach of procedure!*"⁴³

Furthermore, respondents emphasised that training programmes gave them practical knowledge and skills necessary to fulfil their responsibilities under the Laws on Protection. This was one of the most valued aspects of the Project by key stakeholders at municipality, Cantonal, Entity and National level: as one training participant emphasised;

*I cannot emphasise enough what [UNICEF and the CPRC staff] have done. The training covered mainly topics related to the implementation of the law. Because the provisions in the law are one thing – they are written, they are there, but when it comes to implementation there are many unclear areas. We received a manual on the implementation of the law with all the graphs and scheme and step by step procedures!*⁴⁴

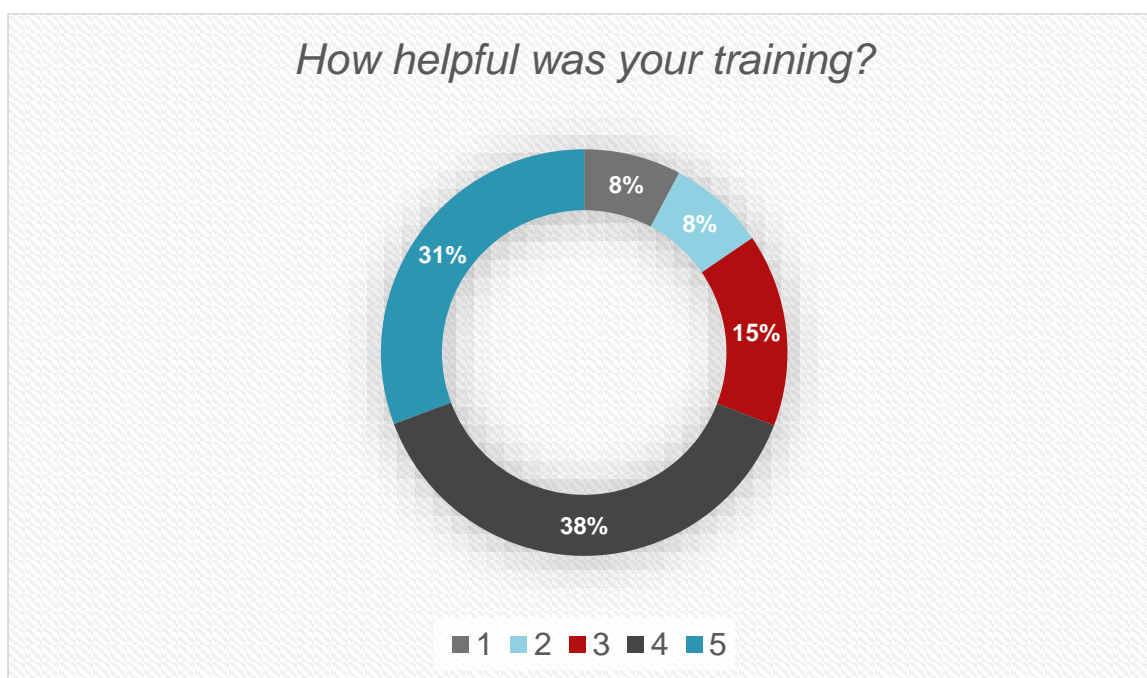
Of the survey respondents who had received training, when asked to rank the helpfulness of training on a scale of 1 – 5, the majority rated their training highly, with MoI and social welfare representatives tending to give their training lower ratings than other working groups members.

⁴² Individual interview, FBiH MoI, Sarajevo, 5 April 2017

⁴³ Group interview, FBiH Prosecutor, Sarajevo, 3 April 2017

⁴⁴ Individual interview, Pedagogue, Centre of Social Welfare, Ilidza, 10 April 2017

Figure 4: Respondents' ratings of training on a scale of 1 to 5



Training appears to have been particularly effective where it was participatory, multi-disciplinary and grounded in practice: either through sharing of practical examples by trainers and participants, or the use of demonstration and role-play. As a representatives of the Judicial and Prosecutorial Training Centre (JPTC) in both FBiH and RS explained, this was an area where training could be improved:

I know what I would propose...let's see what the new director has to say. I would propose more practical training workshops with examples from first instance court to last instance court to have practical examples. To engage the Centres for Social Work and the police.⁴⁵

...the law is new so we don't have practical examples – we are still relying on older case law. What should be improved is how to motivate judges to participate in working groups... we don't have simulations or participatory exercises. Judges are reluctant to participate in this kind of exercise. We had an excellent workshop together with UNICEF in Neum last year where we had a simulation of an interview the child. We had an actor that was the child and psychologist conducting the interview. We have had a few of these but we don't cover all examples...⁴⁶

Additionally, several respondents suggested a need for the development of specialised training on working with children with disabilities or special needs.

3.3.1.3 Output A3: Monitoring, data collection, research and analysis on secondary and tertiary prevention measures enhanced

The Project aimed to enhance systems of monitoring, data collection, research and analysis on secondary prevention measures, as well as the implementation of the Laws on Protection more broadly. Whilst progress has been made in relation to all targets under this output, findings from the evaluation suggest that it is an area where significant work remains to be done.

<i>Indicator 1:</i> Disaggregated data collection forms adjusted to JJ Act ('law on protection') and endorsed by High	When the Project launched at the beginning of 2014 data collection systems had yet to be adapted to the 'Law on
---	---

⁴⁵ Individual interview, RS Judicial and Prosecutorial Training Centre, Banja Luka, 7 April 2017

⁴⁶ Individual interview, FBiH Judicial and Prosecutorial Training Centre, Sarajevo, 5 April 2017

Judicial Prosecutorial Council (HJPC) and statistical institutes	Protection'. UNICEF successfully established a working group to develop changes to the existing data management system used by the judiciary, or 'CMS' and 'TCMS'. UNICEF's target - that CMS and TCMS data systems, as well as RS, FBiH and BiH Statistical Institutes, adequately document and report on the implementation of Laws on Protection and Treatment of Children and Juveniles in Criminal Proceedings – has been met.
<i>Indicator 2:</i> Policymakers present statistical data, trends and policy considerations at annual Juvenile Justice Conference, or in written policy document	A 'Justice for Children' conference was held in 2015, where stakeholders discussed planning and activities to promote the implementation of the law. No activity was undertaken in 2014 or 2016, however a conference is planned for 2017. Whilst progress on this indicator has been slow, this is consistent with UNICEF's target that 'starting in year 2 or 3 of the Project, evidence based policy making interventions will be presented annually (orally or in writing)'.
<i>Indicator 3:</i> Institutions where children are held are monitored by BiH Ombudsmen using international juvenile justice and child protection standards as baseline for monitoring and recommendations	At the inception of the Project, a National Preventive Mechanism was not in place, and visits by the Ombudsman to institutions holding children were ad hoc at best. Progress in relation to this indicator was initially slow, with little progress until 2016, when the Ombudsman paid visits to relevant institutions, and published findings in a publically disseminated report, "Analysis of the Situation in Institutions Accommodating Minors in Conflict with the Law" in cooperation with UNICEF.

As is demonstrated by the above table, data collection systems within the justice sector were still in the process of being reformed and piloted in courts and prosecutor's offices at the time of the evaluation. Respondents reported that the Project has been effective at influencing the development of the system. For instance, the majority of indicators requested by UNICEF were reportedly integrated into the CMS / TCMS data systems; as an HJPC representative explained: *"We expanded the data to ensure that necessary statistical data for [UNICEF's] research and monitoring is in place...I think about 80% of the requirements they made were provided... if they did not exist at the time in the system, and if possible, we would provide it."*⁴⁷

It is a positive development that all cases involving children are automatically classified as confidential within the system: *"In our assessment of sensitivity of data in the judiciary, the highest level of sensitivity belongs to cases where children are involved....every case that has [a criminal minor designation] in the case number is considered the highest level of sensitivity. In moving forward to strengthen data security we have set at the highest level – things at a similar level in all family law issues (civil proceedings)."*⁴⁸

A number of respondents emphasised that progress in updating and improving data collection systems has been slow, however, and that this is an area where significant work remains to be done. Within the judiciary, delays were reportedly caused by the HJPC's transition to a new data management system. Within the police, one respondent speculated that in FBiH, slow reform related to the lack of a coordinated or centralised data collection system:

⁴⁷ Individual interview, High Judicial and Prosecutorial Council, UN Building, Sarajevo, 4 April 2017

⁴⁸ Individual interview, High Judicial and Prosecutorial Council, UN Building, Sarajevo, 4 April 2017

The HJPC has single competence for the whole judiciary, which enabled us to develop this system that everyone is using...when it comes to police, their structure and management complies with the constitution of the Federation. In RS it is all managed by the Ministry of the Interior. They have it quite good, thanks to centralisation. In the Federation... I don't want to say chaos, but it is very difficult to [find information].⁴⁹

UNICEF should continue to provide support to strengthening data collection systems and prioritise ongoing analysis of data in order to identify trends, and provide an evidence base for reforms.

In addition to strengthening data collection systems, it is also essential to support ongoing monitoring and research into children's experiences both within the justice system and of prevention services, as well as the outcomes for these children. Establishing an evidence base is necessary in order to ensure the protection of children's rights and wellbeing, and to improve the effectiveness of prevention programmes. The Ombudsman's report, which contains a thorough analysis of institutions according to international juvenile justice and child protection standards, contributed to the establishment of such an evidence base. The report also contains a detailed set of recommendations, with required time frames for their implementation. It marks significant progress towards improving conditions in institutions where children are held, however regular monitoring visits should be held in the future.

3.3.1.4 Output A4: Improve attitudes on justice for children among key stakeholders

Respondents from a number of backgrounds and agencies emphasised the importance of achieving change in key stakeholders' and practitioners' attitudes and approaches to justice for children: this output is critical to the impact of the Project in its entirety, particularly in relation to promoting secondary and tertiary prevention. It was also identified by a number of stakeholders as a particular challenge in the BiH context, given 'baseline' attitudes held by practitioners: as one stakeholder explained; *"the largest problem is with the mindset of people. Police officers find it difficult to understand that they can't use force, or be violent or be rough, and if we scratch the surface we would find a lot of problems."*⁵⁰

UNICEF has yet to implement a knowledge and attitudes survey that can quantify this indicator in relation to their target (that at least 70% of respondents believe that diversion and alternative measures can be effectively implemented in BiH). However, in the course of this evaluation, qualitative data on the topic revealed that stakeholders demonstrated a commitment to promoting diversion and alternative measures, and an understanding of their fundamental importance. This was clearly demonstrated in the following interaction during a focus group discussion with members of a Municipal Working Group:

What are your views on the new law and on the police warning option in particular? The point is that the child could be returned to normal life, not in criminal procedure. The point is that after the first violation the child does not have stigma – he has a chance to return to normal life and has a chance not to do it again. This is the benefit of UNICEF's contribution.⁵¹

Evaluation findings suggest that the Municipal Working Groups were a particularly effective mechanism for promoting improved attitudes on justice for children among local level stakeholders. This sentiment was echoed by stakeholders from diverse agencies at national and entity level and was demonstrated by the following excerpts from a MoJ and MLSW representative:

What is your view of alternative measures? They have been shown to be very effective – police warning, no court or criminal proceedings – basically giving the child a chance without further

⁴⁹ Individual interview, High Judicial and Prosecutorial Council, UN Building, Sarajevo, 4 April 2017

⁵⁰ Individual interview, RS Ministry of Justice, Banja Luka, 7 April, 2017

⁵¹ Focus group discussion, Municipal Working Group, Zenica, 6 April, 2017

*repercussions... you have a child stealing a chocolate bar – previously this would have resulted in court proceedings!*⁵²

Are you supportive of mediation in cases involving children? *The best thing is that the child is kept away from criminal proceedings – a child who did not perpetrate a serious crime should be given the opportunity to compensate and apologise so that the issue does not escalate.*⁵³

The implementation of alternative measures will be discussed in section 4, 'Impact', of this report. It is worth noting however, that even those stakeholders who identified practical barriers to the implementation of diversion and alternative measures expressed a commitment to creating the conditions for their effective implementation.

3.3.1.5 Output A5: Prevention programmes for children at-risk developed in selected locations

This evaluation focussed in particular on considering the effectiveness of secondary and tertiary prevention programmes: whilst considerable progress has been made in this area, much work remained to be done. A more detailed discussion of findings in relation to the impact of the Project on secondary and tertiary prevention can be found in section 4 of this report; this section will focus on the effectiveness of the Project's efforts to develop prevention programmes, as well as the effectiveness of the programmes themselves.

<p><i>Indicator 1: # of secondary prevention programmes implemented</i></p>	<p>When the Project entered its second phase, secondary prevention programmes were virtually non-existent in Bosnia and Herzegovina with the exception of a few ad hoc efforts implemented by local NGOs. UNICEF set the target of establishing three prevention programmes by the end of 2017. Significant progress has been made in relation to this indicator, and UNICEF is on track to meet its target (though the target does not specify the scale of programmes, and it is unlikely that three programmes will be available nationwide by the end of 2017).</p>
<p><i>Indicator 2: Conditions for implementation of community based recommendations/ measures in place in project locations: a) attend school regularly; b) personal apology; c) damage compensation; d) volunteer in a humanitarian organisation</i></p>	<p>When the project began, conditions to enable the implementation of alternative measures were not in place. UNICEF set out the aim of ensuring implementation by the end of phase II of the Project.</p> <p>In 2014 little progress was made (whilst this was due in part to delays in the FBiH law coming into force, it was also the case in RS where the law was already in force). However, in 2015, UNICEF developed a mandatory school attendance manual, which was shared with relevant educational authorities. Finally, in 2015 and 2016 UNICEF supported the development of a guidebook on the implementation of the measure of mandatory school attendance, a guidebook on the implementation of the measure of volunteer work, and a second guidebook on implementation of group or individual counselling.</p>

⁵² Individual interview, FBiH Ministry of Justice, Sarajevo, 5 April, 2017

⁵³ Individual interview, FBiH Ministry of Labour and Social Policy, 5 April 2017

Effectiveness of secondary prevention

The development of secondary prevention programmes and interventions is one of the aims of the Municipal Working Groups. The evaluators found that a number of projects have been initiated at local levels. Additionally, UNICEF collaborated with a number of partners in the development of two programmes: the 'Optidur' model and Tuzla model. These prevention programmes were designed to identify at-risk children in schools according to indicators that relate to risk factors, to assess their needs, and to develop an appropriate individualised care plan for addressing those needs, drawing on resources both within schools and in communities. The Optidur model was developed through a consultative process involving psychologists, pedagogues and other experts in 2015 and by April 2017 had been piloted in 29 schools (16 in RS, 13 in FBiH). The Tuzla model was implemented on a smaller scale; it has been implemented in three schools in Tuzla canton by April 2017.

The 'matrix', as the Optidur model tool has come to be known among practitioners, has been met with enthusiasm. Stakeholders consistently emphasised that it has made a valuable contributions to preventing offending, and that it meets a particular an unmet need: as one stakeholder explained, the tool *"established a new concept to recognise children at risk in primary school...We managed to create very good conditions – I am very proud of that!"*⁵⁴ The pilot appears to have been rolled out effectively, with a number of children at-risk identified and care plans developed in pilot schools.

Practitioners explained that the tool has enabled them to fulfil their existing responsibilities better by giving them a concrete and standardised mechanisms for doing so: *"The tool is not just for protecting children, but for understanding and implementing the [existing] rules"*⁵⁵ They also reported that the tool has improved collaboration between relevant authorities in responding to children's needs: *"joint work with schools, parents, social workers, police, produces excellent results."*⁵⁶ As one school pedagogue explained, in reference to a particular case she had handled: *"based on the project, we have set up a regular consultation with the social welfare and mental health centres - we have had the opportunity to work on specific cases, such as the case of this boy, and they get really involved!"*⁵⁷

Similarly, the Tuzla model has proved an effective tool for identifying at-risk children, assessing their needs, and addressing underlying causes of offending, including family dysfunction through: group workshops on topics such as conflict resolution, anger management, empathy, etc.; individual counselling; and referrals to necessary mental health, social and behavioural services. Key informants observed that the programme was initially met with some scepticism however; of the 90 children identified as 'at risk', *"consent [for intervention] was given by 40 parents. Some teachers also opposed this testing due to lack of understanding"*.⁵⁸

The enthusiasm around the tools has translated into demand from non-pilot locations for the expansion of the 'matrix' project: *"Now we have a problem because the other directors have heard about the tool and emailed the pedagogical institute and asked why they are not included!"*⁵⁹ However key stakeholders emphasised the importance of progressing slowly with the implementation of the tool, to ensure that it is implemented properly and avoid unanticipated consequences: *"there is a need for proper training – let's go step by step."*⁶⁰

In particular, stakeholders expressed concern that the tool would result in the 'labelling' and 'stigmatising' of at-risk children. This was an important risk of the project that was identified in the planning phase, however

⁵⁴ Group interview, Criminal Policy and Research Centre, Sarajevo, 5 April, 2017

⁵⁵ Group interview, Criminal Policy and Research Centre, Sarajevo, 5 April, 2017

⁵⁶ Individual interview, RS Ministry of Health and Social Welfare, Banja Luka, 6 April 2017

⁵⁷ Group interview, Pedagogue and Head teacher, prevention pilot school, Sarajevo, 4 April 2017

⁵⁸ Group interview, Head teacher and staff members, prevention pilot school, Tuzla, 11 April 2017

⁵⁹ Group interview, Criminal Policy and Research Centre, Sarajevo, 5 April 2017

⁶⁰ Individual interview, key stakeholder, Sarajevo, 10 April 2017

it appears that proper steps have been taken to mitigate this risk. Evaluation findings suggest that professionals involved in piloting the tool see it as a way to address underlying vulnerabilities, rather than stigmatise the child: *“The matrix helps teachers to recognise and evaluate risk instead of stigmatising the child... the purpose is not to label the behaviour but see what is behind it. I have worked in a primary school, so I know that behind harmful behaviour there is an unmet need.”*⁶¹ Furthermore, practitioners understood the importance of maintaining confidentiality and appear to be taking steps to protect children’s identities: *“This part of the town is small. Everyone knows each other. It is important that the problems are not told to other parents. Teachers need to keep it confidential.”*⁶²

Stakeholders also raised the concern that whilst the tool can draw effectively on existing services and resources, its effectiveness will ultimately be limited by the availability of the services to address identified needs: gaps in capacity, particularly in social services, may undermine prevention, even where ‘at-risk’ children are effectively identified. Indeed, several practitioners in schools expressed frustration at the lack of cooperation and responsiveness from their local social welfare centres, whilst social welfare centres reported a lack of sufficient resource to respond to demand and need.

Effectiveness of interventions to promote tertiary prevention

Another critical goal of the Project was to establish conditions for the implementation of four key ‘alternative measures’ set out in the Law on Protection. According to the Law, these measures can and should be applied both to those who are diverted pre-trial and as sentencing options for children who are convicted of an offence within the formal justice system. Several respondents emphasised that practitioners still lack the skills, practical knowledge and capacity to implement alternative measures, or that the necessary services and structures for their implementation are lacking: as one stakeholder explained, *“I believe some areas of the law remain vague or unclear and also I don’t think that the system has established all conditions and pre-requisites conducive to the implementation of the law – we always pass the law first and then think about supporting structures later.”*⁶³ Whilst, as set out in the indicator table above, the Project has begun to address this need through the development of practical guides for implementing alternative measures, at the time of the evaluation these materials were not yet consistently used.

The establishment of alternative measures, particularly ‘community based’ alternative measures, was one of the primary tasks of the Municipal Working Groups. By 2016, conditions for implementation of alternative measures were reported to be established in project locations: according to UNICEF’s logframe; ‘From 2014 to 2016, in 16 project locations, the availability of four key alternative measures increased from 31% to 71%. In other words, in 12 out of 16 (75%) Programme locations, 5 alternative measures are available out of the 7 prescribed by the legislation.’ At the time of the evaluation, respondents tended to report that alternative measures are partially in place; and some appear to have been more difficult to effectively implement than others. A discussion of the practical use of alternative measures in cases involving children is contained in the Impact section of this report.

Findings also suggest that setting up programmes and services to permit the introduction of alternative measures vary significantly across project locations. In particular, alternative measures appear to have been easier to establish in locations where social welfare centres have the capacity to support their implementation: as a juvenile judge in one project location succinctly expressed, *“The problem is with the non-functioning of the social protection. A lot of the measures are under the Ministry of Social Protection and that is why we cannot implement them.”*⁶⁴ Several participants explained that CSWs are in the process of developing capacity to support implementation, such as through designating and building the capacity of trained mediators.

⁶¹ Group interview, Pedagogue and Head teacher, prevention pilot school, Sarajevo, 4 April 2017

⁶² Group interview, Pedagogue and Head teacher, prevention pilot school, Sarajevo, 4 April 2017

⁶³ Individual interview, Pedagogue, Centre of Social Welfare, Ilidza, 10 April 2017

⁶⁴ RS Juvenile Judge

By contrast, in areas where CSWs had an established team of professionals dedicated to working with children in contact with the justice system, conditions for alternative measures were much more likely to have been achieved: as a member of the Municipal Working Group in Banja Luka explained, *“Banja Luka, compared to other areas in the country, already had well developed resources and models, and a very good team of professionals who started applying diversion measures. I say that because we had a very good juvenile judge – he is an excellent judge for juveniles and he advocates innovation when dealing with juveniles and minors. Our team introduced the practical implementation of all correctional and educational measures.... We are working with the Centre of Social Welfare in the implementation of apology and compensation of damages... As part of our day centre, the minors can get involved in psychosocial work.”*⁶⁵

Evaluation findings suggest that many CSWs lack capacity to provide psychosocial support or counselling to children in conflict with the law. Whilst this is not one of the four alternative measures identified in Output A5, it is a potentially crucial resource in addressing underlying causes of offending and effectively implementing tertiary prevention: as one stakeholder pointed out; *“the obligation of psychosocial treatment or inclusion in group work (as set out in the law) - the CSW in small communities cannot implement these measures and they tell me, ‘we can’t implement that... recommend another measure because we do not have the relevant professionals. And it is difficult for you to refer them to the centre for Mental Health if they need to travel. They find it difficult... there are a lot of problems on the ground.”*⁶⁶

A number of stakeholders participating in the evaluation mentioned that community service or, ‘volunteering in a humanitarian organisation’ has been a particularly challenging alternative measure to establish. Respondents attributed this to the fact that making this measure a possibility would require collaboration and cooperation with external and unfamiliar actors, such as the Ministry of Health (who runs care homes for the elderly) or local civil society organisations. Generally speaking, respondents explained that where the implementation of a measure required a greater number of institutions, or ‘voluntary’ cooperation from agencies that weren’t clearly mandated to act, that they would be reluctant to do so.

Finally, several respondents suggested that delays in the establishment of alternative measures related to a lack of demand for these measures in the first place. In the following interaction, a representative of the CSW explains how this is rooted in a resistance to change within the prosecutors’ office, as well as a territorial resistance to sharing responsibility with CSWs:

Enforcement of the law has not been full to date: there are no educational recommendations or educational measures issued by the prosecutor’s office.

Why do you think that is? *First of all, I would say it is fear of new things. Of novelties. They usually explain that the law is in a transitional phase... [and] the Social Welfare Centres still have to get the initial information from the prosecutor or police that these structures are relevant to inform the Centre.*⁶⁷

3.3.1.6 Output A6: Reintegration of children supported through improved treatment plans

Reintegration of children who have been in contact with the justice system, and particularly those who served a custodial sentence, emerged from the evaluation as an area where progress was it was particularly difficult to achieve progress. Existing evidence suggests that individual plans developed for minors in custody fail to sufficiently address aftercare, and that CSWs lack resources to provide support to juveniles leaving institutions. This was confirmed by the evaluations findings:

⁶⁵ Focus group discussion, Municipal Working Group, Banja Luka

⁶⁶ Focus group discussion, Municipal Working Group, Banja Luka, 7 April 2017

⁶⁷ Individual interview, Pedagogue, Centre of Social Welfare, Ilidza, 10 April 2017

As one social worker explained, *As a rule, we should remain in contact with the child and the family but in practice we don't, simply because of lack of resources.*⁶⁸

*I don't think there is much being done in terms of reintegration and rehabilitation. There is no evaluation or monitoring of the progress of the child following the serving of the sentence, be it job seeking efforts, or other aspects... there is an overall lack of rehabilitation.*⁶⁹

UNICEF's interventions have focussed on the development of a plan for aftercare, in line with their Output A6 indicator:

<p><i>Indicator:</i> Guidelines on aftercare issued and staff trained</p>	<p>UNICEF set the target that two guidelines should be issued and 50 persons trained by the end of 2017. Activities in this area were reportedly delayed in 2014 due to the emergency flood response. In 2015 UNICEF commissioned a piece of research on alternative measures and post-penal support to identify gaps and problems, and inform the development of the guidelines. In 2016, the RS Ministry of Justice issued two guidelines for professionals in closed detention facilities, which addressed intake procedures and the development of individual treatment plans for children. At the time of writing, there is still a need for these guidelines to be implemented in FBiH.</p>
---	---

In addition to supporting the development of an aftercare plan, there is a crucial need to strengthen the human resource capacity of CSWs to support the implementation of these plans, including through designating specialised professionals who can dedicate time to this work. There is also a need to ensure that educational and employment opportunities are available and that children are supported to access these. As one stakeholder explained; *"The new law says reintegration of children is under CSWs ambit. They don't have funding to do anything so they can't do anything. There are no jobs for anyone here, much less a 22 year old who has come out of an institution. Unemployment for youth is really high.*⁷⁰

Addressing reintegration through the provision of on-going support, including for youth, who have reached the age of majority whilst in custody, is essential for preventing reoffending: as one stakeholder explained:

*We call it 'post-penal' treatment. The social work centre should assume a leading role in that regard. The problem, however, is that upon leaving the institution they all are of age once they leave. The social work centre provides a one-time financial assistance or assistance in kind depending on the canton, and cases where the social work centre assists in employment are very rare... It is a crucial period for them. Once they ended up in the institution due to unresolved family issues. Their basic existence is at issue – survival, accommodation – if they don't receive treatment they might repeat their offence, seeking better living conditions in prison rather than in their own community.*⁷¹

Evaluation findings suggest that local institutions aren't motivated to develop service because so few children leaving institutions in any particular locality, and often do so as adults.

⁶⁸ Individual interview, Pedagogue, Centre of Social Welfare, Ilidza, 10 April 2017

⁶⁹ Individual interview, FBiH Ministry of Labour and Social Policy, 5 April 2017

⁷⁰ Individual interview, key stakeholder, Sarajevo, 10 April 2017

⁷¹ Individual interview, FBiH Ministry of Justice, 5 April 2017

3.3.1.7 Output A7: Institution for children at-risk or in conflict with the law are equipped and better able to provide services

The final Project output under 'outcome A' relates to support to institutions to meet the needs of children at-risk or in conflict with the law, and particularly the support of day centres for at-risk children.

<p><i>Indicator 1: Day centres established for at-risk children</i></p>	<p>When the project was initiated, three day centres existed (in Banja Luka, Prijedor and Kozarska Dubica). UNICEF aimed to develop two new day centres by the end of the Project (2017). Whilst progress in this area was reportedly delayed due to flood related activities, UNICEF did support the establishment and opening of a day centre in Bijeljina, as well as supporting the establishment of a social worker in two existing day centres.</p>
<p><i>Indicator 2: Gender appropriate services identified and implemented</i></p>	<p>At the Project's inception there were limited services/treatment programmes for boys and girls in institutions, and no specialised services for girls. UNICEF set the target that all services put in place through the Project activities should reflect the treatment needs of both boys and girls. UNICEF's progress under this indicator included the development of a resocialisation Programme for Prijedor Center for Social Welfare, which considered the needs of both boys and girls, and was implemented in Bihac, Prijedor and Kozarska Dubica. Finally, in 2016, UNICEF supported protocols on cooperation in Travnik, Banja Luka and Doboj to support children in conflict with the law. Protocols were signed by all relevant stakeholders, including police, courts, centres for social welfare, and ministries of education, health centres, day centres, and NGOs.</p>

Effectiveness of interventions to promote tertiary prevention

The Bijeljina day centre was included in the evaluation as a case study. In 2016 the day centre served 68 beneficiaries: it provides a good practice example of the establishment of an effective preventative service at the local level, and was recognised as an effective model by a number of stakeholders:

Case study: [Bijeljina Day Centre]

The day centre was fit for purpose, meeting a specific local requirement. It applied the good practice of providing an individualised service to each child based on an assessment of his or her need:

At the beginning we did an analysis to see if we should open a disciplinary centre and we found that we don't need one due to the small number of criminal offences by minors. However, we learned that some other type of a centre, like a daily (alternative) centre would suit our needs much better for children at risk. Our beneficiaries are children that skip classes and are subjected to disciplinary school measures, children displaying various forms of antisocial behaviour, children coming from dysfunctional families. We have signed protocols with schools, however the attendance of activities in the centre are not mandatory, but voluntary. Also the child can be referred by the Centre for Social Welfare. We have developed our own instruction on referring the children to the Centre and prescribed the documents for the child to be enrolled in the Centre with parental consent. Once all these steps are completed we develop an individual care plan for the child. The child

*comes to the Centre in accordance with his or her daily schedule. We organise individual counselling, group workshops, assistance for doing homework, etc. Every day there are at least 10 children in the centre.*⁷²

The service was run efficiently drawing on existing and volunteer resources, and engaged with existing resources and structures:

*This centre has been an organisational unit within our Centre of Social Welfare structure and has obtained funding through the Working Group. Slavica is our only permanent staff. We rely on the work of volunteers, students of the educational faculty of Tuzla and Bijelina. In the future we intend to have two additional full time employees, once we were included in the municipal budget.*⁷³

The Bijelina day centre appears to be an effective service and should be used as a model to advocate for the establishment of similar services in other municipalities. In particular, good practices which emerge from the model include: coordinating with referral institutions (schools and CSWs); providing services to a number of categories of children to avoid stigmatising children at-risk; providing counselling services where necessary; and developing an individualised care plan for each child in order to address their particular needs.

Finally, Output A6 is one of the few Project indicators, which specifically address the particular needs of girls. The previously mentioned Children's Access to Justice study concluded that, 'gender should be better mainstreamed into procedures and support services' in the justice sector and that 'support and services should be gender-sensitive and empowering'.⁷⁴ Whilst respondents consistently emphasised the need for gender sensitive specialised support services, particularly for victims of crime, evaluation findings do suggest that a gender sensitive approach was applied through Project activities. Key stakeholders described in detail the support services developed for girls within institutions, and prevention programmes (such as the 'matrix' project) were designed to be sensitive to girls' needs.

3.3.2 Outcome B: Increased access to efficient support and protection services to child victims/witnesses and children in civil proceedings

The second Project outcome, Outcome B, relates to the provision of efficient support and protection services to child victims/witnesses and children in civil proceedings. As is demonstrated in the discussion of outputs below, significant work remains to be done in relation to Outcome B, however project outputs have been well targeted and effective, and set the foundation for further intervention.

3.3.1.8 Output B1: Systemic gaps in services for child victim/witnesses and children in civil proceedings identified

UNICEF's work towards identifying systemic gaps in available services and support for child victims/witnesses was necessary and relevant: when the Project began the evidence base on support to victims and witnesses was limited to a UNDP conducted study on the pre-investigation stage, which focussed on the experiences of adult victims. Given this, it was necessary to establish a basic understanding of children's access to justice, and the ability of the system and existing services to meet their needs. UNICEF conducted a comprehensive study, Access to Justice for Children, which was finalised in 2015, and presented at a National Conference and several other venues to a wide range of justice for children professionals, including legal aid providers. The 'Access to Justice for Children' study was described as a useful resource by stakeholders; it effectively identified gaps in services, contains a comprehensive set of recommendations, and has informed the direction of Project interventions in relation to Outcome B.

Whilst UNICEF's logframe set the target of completing 2 assessments by the end of 2015, and holding 5 meetings with policymakers and stakeholders, given the scope of the 'A2J' study, the Project seems to be on

⁷² Group interview, key stakeholder, Bijeljina Day Centre, 10 April, 2017

⁷³ Group interview, key stakeholder, Bijeljina Day Centre, 10 April, 2017

⁷⁴ Hrle, Meagan Smith and Sanja Tomic, 'Children's Equitable Access to Justice in Bosnia and Herzegovina', November 2015.

track. Furthermore, in 2016, the RS committed to conducting an assessment of the implementation of the RS Law on Protection, which is likely to provide important evidence on gaps in services for child victims and witnesses. A need for a similar assessment was acknowledged by stakeholders in the Federation.

Evaluation findings suggest that additional targeted research is necessary to inform the direction of UNICEF's work in relation to victim and witness support. As noted by a UNICEF staff member involved in the project, "we feel we would need more focussed research on that area to identify the key interventions that are needed".⁷⁵ A key stakeholder from the Ministry of Justice similarly expressed:

*Is there anything that needs to change in the legal framework on witness protection? If the project would expand its scope of activities there is a need to do analysis with all stakeholders and based on that to be able to see what the deficiencies are, I would say that would be the first step.*⁷⁶

The evaluation itself yielded evidence on gaps, and confirmed in particular the need for follow up services to promote victims' recovery and rehabilitation:

*We do not even have specialised shelters for victims – for example victims of trafficking or forced marriages – we do not have specialised shelters or institutions. We are keeping them in shelters with adults.*⁷⁷

*There isn't a specialised service – children in rural areas have a particularly difficult time...our overall recommendation in [the Access to Justice Report] was that we need more systematic cohesive system so families are receiving these services without it being 'find it on your own' or ad hoc. The NGOs take a case here or there... Some mental health services are resistant to working with children. Centres for Social Welfare only provide one off support.*⁷⁸

3.3.1.9 Output B2: Use of child friendly, gender-sensitive procedures supported and monitored

As suggested by progress reported on the indicator set out below, the Justice for Every Child Project has contributed effectively to the establishment of children friendly facilities for interviewing victims and witnesses.

<p><i>Indicator 1:</i> Number of child friendly rooms in Basic/Municipal Courts</p>	<p>When phase II of the Project began, only 2 Basic/Municipal courts had established facilities for the questioning of child victims/witnesses. UNICEF set the target that 6 Basic/Municipal Courts should have facilities (or easy access to facilities) for questioning child victims and witnesses. In 2015, UNICEF conducted an internal assessment of courts' needs, in order to ensure the effective targeting of interventions. Preparations for the installation of child friendly rooms with audio and video equipment were undertaken in seven courts and one Prosecutors' Office in 2016. An update on the current status of the rooms was not included in UNICEF's logframe at the time of writing, however, the evaluation did include a visit to the child friendly rooms in Zenica prosecutors' office, which had recently been completed, and used several times.</p>
<p><i>Indicator 2:</i> RS FBiH and BD Ministries of Interior prepare and submit annual data on usage of child friendly rooms</p>	<p>UNICEF requested that data be collected and reported by Ministries of Interior to demonstrate the regular</p>

⁷⁵ Focus Group Discussion, UNICEF Team, UN Building, Sarajevo, 3 April 2017

⁷⁶ Individual interview, BiH Ministry of Justice, UN Building, Sarajevo, 4 April 2017

⁷⁷ Group interview, FBiH Prosecutor's Office, Sarajevo, 3 April 2017

⁷⁸ Individual interview, key stakeholder, Sarajevo, 10 April 2017

	usage of child friendly rooms in both cases involving victims and juvenile offenders. In 2014, Mols reported 43 uses (28 in RS and 15 in FBiH); In 2015 they reported 266 total uses (52 in RS and 214 in FBiH), and whilst figures from 2016 are not yet available, UNICEF's logframe suggests that they reflect regular usage.
--	--

The establishment of child friendly interview rooms was recognised as valuable by stakeholders at multiple levels and across the country: it emerged as one of the most appreciated Project outputs:

Also the child friendly rooms for interviewing children... top marks for cooperation with UNICEF.⁷⁹

Just in brief, I want to say something in relation to the law on juveniles and UNICEF activities. It is important and I want to emphasise UNICEF support for equipping child friendly rooms... I thank UNICEF for equipping these rooms. It has facilitated – it has made it much easier to work with [children].⁸⁰

As in the latter quotation, several practitioners emphasised how the use of child friendly facilities has positively influenced their ability to work effectively with child victims and witnesses, and ensure that the experience is positive for the child. The psychologist on staff at one Prosecutors Office explained:

When the criminal act is reported, I am involved from the very beginning. My role is to provide psychological support and evaluation and estimation for the case. Then comes the hearing. According to the new law, the child and I are here in this office. There are cameras and microphones... the inspector or prosecutor and typist is in the next office, and they can see what is going on this office. The inspector or prosecutor asks questions through the equipment in my ears and I ask the question to the child. The child can't hear the prosecutor or inspectors' questions... There has been a great improvement in the experience of the child [since the interview rooms were developed]. The environment matters a lot.⁸¹

The evaluation included a visit to a Prosecutors Office recently equipped with child friendly technology. It contained a state of the art interview room with microphones and video conferencing technology. The room was a clean and comfortable space, with candy, colourful pictures and other features designed to put a child at ease.

Several respondents raised the challenge of transporting children from remote areas to 'child friendly' facilities for interview: *"We need to have these rooms in all local communities because you never know when something might happen. Regardless of the fact that the law does not allow for interview outside of such rooms, before such rooms were in place, if abuse happens eight hours from Banja Luka, what a stress for a child to travel to Banja Luka where a room is: even leaving one's town can be a stress for the child."⁸²* This may not prove the most effective investment of resources, however, given the low numbers of cases in remote areas and the need for further investment in human resource support to child victims and witnesses. It would be more efficient to provide transport to the existing centres.

⁷⁹ Individual interview, RS Ministry of Health and Social Welfare, Banja Luka, 6 April, 2017

⁸⁰ Focus group discussion, Municipal Working Group, Banja Luka, 7 April, 2017

⁸¹ Individual interview, Psychologist, Office of the Prosecutor, Location Withheld, 6 April, 2017

⁸² Group interview, RS Ministry of the Interior, Banja Luka, 7 April, 2017

3.3.1.10 *Output B3: Legal aid centres and helping professionals able to identify children's legal needs and provide aid, advice or referral to appropriate service*

UNICEF's support to children involved in legal proceedings as victims or witnesses also focussed on building the capacity of legal aid representatives and witness support providers to effectively support the child, assess their needs, and refer them to an appropriate service that can meet those needs.

<p><i>Indicator:</i> Number of trainers on child victims/child rights trained</p>	<p>When the Project began there were no trainers on child victims in the country. UNICEF provided training to: 23 judges, prosecutors, police officials and witness support providers in 2014; 17 judges, prosecutors, police officials and witness support providers in 2015; and 26 witness support providers in 2016. This more than surpassed targets established in the Project logframe.</p>
---	--

In addition to supporting training for professionals, evaluation findings demonstrate that UNICEF supported training for judges deciding civil cases:

Do you have any training materials for civil judges on cases involving children such as a custody dispute or guardianship dispute? *Yes, for the last three years, 2015, 2016 and we plan to have it in 2017 - 'Children as Victims or Aggrieved Parties in Civil Proceedings.' The UNICEF team proposed this. We included the ombudsman and the civil judge from the district court and psychologist and judge from the district court.*⁸³

Effectiveness of support to child victims, witnesses and children involved in civil proceedings

Evaluation findings suggest the capacity building was effectively delivered and highly appreciated by participants; as one stakeholder explained, UNICEF's support of collaborative working was particularly valued:

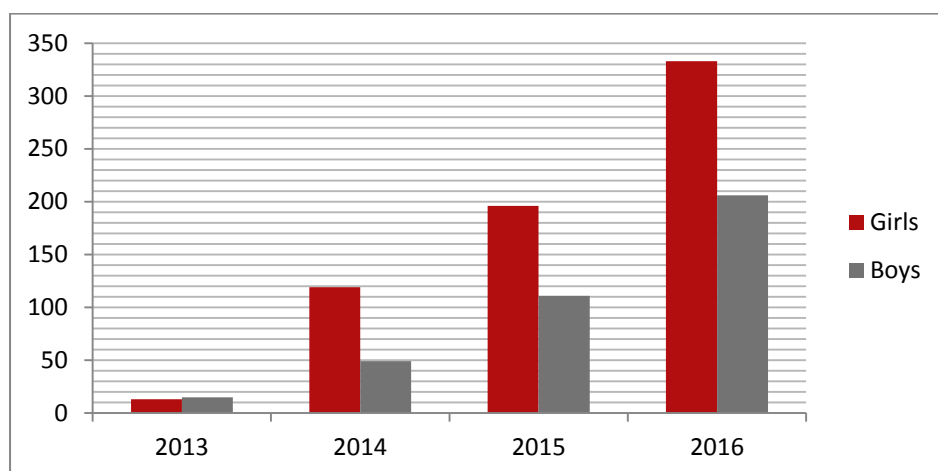
Tell me a bit about the capacity building you received from UNICEF? What was helpful and what wasn't so helpful? *UNICEF helped the role of the psychologist to be recognised in this process and they have been supporting this from the very beginning. They enable education that is so very important for persons who work in this sphere. They also promote the educator to work with inspector police to make the role in cases involving minors. Together with the Bureau for Human Rights Tuzla, we educate the inspectors.*⁸⁴

In addition to providing capacity building support on the provision of support to child victims, UNICEF has collaborated with UNDP to support the staffing of in house psychologists within Prosecutor's Offices to provide support to child victims, particularly during questioning. The measure is an efficient use of existing resource (UNDP was previously staffing psychologists within Courts and Prosecutor's Offices to support victims of war crimes). This has resulted in a significant increase in the numbers of children receiving witness support from specialised support persons, as demonstrated in the below graph:

⁸³ Individual interview, RS Judicial and Prosecutorial Training Centre, Banja Luka, 7 April, 2017

⁸⁴ Individual interview, Psychologist, Prosecutors Office, Zenica, 6 April, 2017

Figure 5: Number of children receiving witness support: 2013 - 2016



Several respondents emphasised the importance of the specialised psychologists for conducting interviews with child victims and witnesses:

At one of the seminars we have been discussing that the psychologist who starts working with the child should be involved through the case, but this is matter of the internal organisation of courts and the rule books on their operation, so how could the psychologist from the prosecutor's office go to the court...they are a great asset for prosecutors. You need this type of assistance when talking to a child. And also some are outsourcing their psychologist to the police because police offices don't have them – they should, but they don't!⁸⁵

Whilst key stakeholders, including prosecutors, were enthusiastic about the measure, several respondents suggested that they are unlikely to be sustainable without UNICEF support: as one key expert explained, *“the [importance of] the psychologists are not recognised [by all government officials], so when UNICEF leaves the State will not be providing support in these cases.”⁸⁶*

Effectiveness of support to the provision legal aid

At present, legal aid laws are in place in RS, BD and 9 of the 10 cantons in FBiH, establishing the provision of legal aid for children in a range of civil cases. Given that two cantons have yet to establish a legal aid centre, in practice legal aid is still not provided in 7 of the 10 cantons.

UNICEF has supported several initiatives to promote the provision of legal aid for children involved in civil proceedings. The Project's support for legal aid has focussed on the provision of capacity building for legal aid providers, in collaboration with UNDP, and supporting the improvement and standardisation of the databases of legal aid cases to help promote better data collection and case management 2013.

As part of the Project, UNICEF also supported the Human Rights Centre Mostar, which provides legal aid services in cases involving children: according to a legal aid provider; *“most often the cases are family law related cases – divorce, custody issues (child support), contact with the other parent in cases of divorce, domestic violence. Or they are about social rights for children, especially children from disadvantaged families, children with disabilities, or about educational rights and subsidies for transportation for example for children from rural areas to attend school.”⁸⁷* The Human Rights Centre has contributed to the development of a legal

⁸⁵ Group interview, FBiH Prosecutor's Office, Sarajevo, 3 April 2017

⁸⁶ Group interview, FBiH Prosecutor's Office, Sarajevo, 3 April 2017

⁸⁷ Individual interview, Center for Human Rights Mostar, Sarajevo, 11 April 2017

clinic in five law schools in order to support law students to “*acquire practical experience in working with children through their internship in institutions providing free legal aid or NGOs providing free legal aid.*”⁸⁸

These initiatives appear to have had considerable success: stakeholders reported that capacity building was effective at building the capacity of legal aid providers to deliver services. Furthermore, respondents reported that the caseload has more than doubled for free legal aid in cases involving children, improving children’s access to justice. This is confirmed by figures from UNICEF’s most recent logframe: in 2013, 591 children received legal advice and assistance⁸⁹; in 2014, this rose dramatically to 7476 children; in 2015, 6425 children received legal aid; and in 2016, 8816. Though the increase in figures is likely to reflect improvements in data collection, as well as an increase in case load, it certainly surpassed UNICEF’s target of a 10% increase in child friendly legal assistance or advice offered.

In spite of progress made, considerable gaps remain: in particular, as is noted in the Children’s Access to Justice Study, the absence of legal provisions establishing legal aid for victims in criminal proceedings remains an important gap in services and support for children who are victims and witnesses of crime. These should be areas of focus for UNICEF’s future work on children’s access to justice.

3.3.1.11 *Output B4: Child friendly materials on access to justice developed and disseminated*

The final output under outcome B relates to the development and dissemination of child friendly materials on access to justice. When this output was developed limited materials existed. UNICEF’s activities in relation to this output were delayed by the flood response in 2014, however in 2015 draft materials were prepared and in 2016 three brochures, explaining the process of reporting crimes and providing witness testimony, were finalised taking into account children’s views.

3.4 Programme impact

This section will reflect on the direct and indirect effects of the Project on its environment and the positive and negative changes produced by the Programme (including both intended and unintended impacts). While the effectiveness section sought to identify the extent to which particular Project outcomes and outputs have been achieved, this section will take a broader view, seeking to identify the most prominent impacts of the Project and particularly its contributions to the reform of child justice in Bosnia and Herzegovina. In particular, this section will seek to address the following questions: In which areas did the Project have a significant impact (if identifiable at this stage)? How is the Project contributing to the overall reform process with the justice for children system in BiH? How have justice for children standards been advanced through Project activities? Which target groups and institutions benefit from the Project? What factors favourably or adversely affected the Project delivery and approach? Was the Project successful in overcoming any external negative factors?

⁸⁸ Individual interview, Center for Human Rights Mostar, Sarajevo, 11 April 2017

⁸⁹ This figure includes awareness raising delivered on child rights.

3.4.1 Implementation of child justice reform

“UNICEF acted as a kind of trigger for all of us – social workers, education, police, prosecutors offices, to come together and start working on this issue. This leads to our own initiatives and activities that we started on our own, but without initial funds and information provided by UNICEF that would be more difficult.” – Ministry of Interior, FBiH

Evaluation findings demonstrated that the most important impact of the Justice for Every Child Project has been enabling child justice reform in BiH, through the provision of leadership that served to instigate the reform process. Key stakeholders participating in the evaluation consistently attributed progress toward the implementation of the Laws on Protection and Treatment of Children and Juveniles to the Project, emphasising that without UNICEF’s leadership and interventions, implementation of the new legal framework would have progressed even more slowly, if at all:

*Without UNICEF’s support we couldn’t implement many activities envisaged under the regulations. We can talk about this for days and not have enough time to discuss it in detail.*⁹⁰

Respondents emphasised that UNICEF had supported the creation of the conditions (including human, financial and institutional capacity and infrastructure) necessary to implement the Law on Protection, filling gaps left by government: *“without the material preconditions we would not be able to implement the law in practice. I think this is something that is crucial for us.”*⁹¹

3.4.1.1 Achieving support for justice for every child

As discussed in the effectiveness section (above), the Project has gradually succeeded in influencing professionals to adopt child rights based attitudes and approaches to child justice, in line with new laws. Particularly within the 16 Project locations, beneficiaries consistently emphasised the importance of rehabilitating at-risk children and juvenile offenders, and endorsed the value of a multi-disciplinary and non-punitive approach to addressing offending. As one juvenile judge expressed: *“The law has introduced innovation in terms of dealing with juveniles and minors where professionals are more involved, professionals from other institutions – psychologists, pedagogues – in my opinion that is a very good thing”*⁹². Additionally, though perhaps to a lesser extent, beneficiaries reported to have adopted a broader approach to child justice which encompasses children who are victims and witnesses, as well as children accused of offending, and acknowledges their need for support.

The Project struggled to translate improved attitudes into increased support for justice reform from within government, however, given the low levels of financial and political commitment described by stakeholders: as a representative from a social welfare centre explained; *“regretfully, we don’t have much hope in our own system, and we doubt that the implementation of the law will originate from within the system unless anyone from the outside triggers this.”*⁹³ Within this environment, UNICEF’s approach of working simultaneously at local, entity and State levels in order to build support throughout the system and mutually reinforce change is appears to be essential for building political will for the implementation of the law in the long run. As one stakeholder suggested, in the BiH context, *“justice for children requires a comprehensive approach. It is also about systemic change – not just producing action plans; the action plans need to be anchored in the system, to ensure that local measures are sustainable.”*⁹⁴

⁹⁰ Individual interview, Juvenile Judge, Banja Luka, 7 April 2017

⁹¹ Group interview, Ministry of the Interior, Banja Luka, 7 April 2017

⁹² Focus Group Discussion, Municipal Working Group, Banja Luka, 7 April 2017

⁹³ Individual interview, Pedagogue, Centre of Social Welfare, Location withheld, 10 April 2017

⁹⁴ Group interview, Swiss Embassy, Sarajevo, 3 April 2017

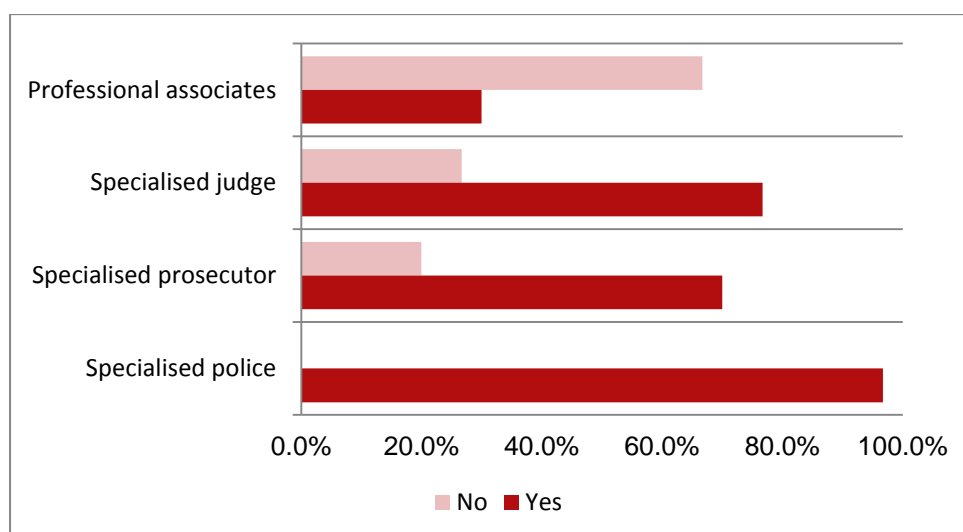
3.4.1.2 The impact of capacity building: establishing specialised departments

UNICEF's support for capacity building has contributed significantly to the child justice reform process, including through enabling the establishment of certified professionals within the justice sector. Respondents across Project locations reported that professionals have been certified and specialised departments have been created in prosecutors' offices, the police, the judiciary, and in some cases, centres for social work, in line with the new law:

Pursuant to the law, all judges and prosecutors working with children need specialist knowledge and need to be certified – the specialist training allows them to receive this.⁹⁵

Indeed, survey respondents for the study reported that specialised professionals are in place across municipalities, with all respondents who answered the question reporting the presence of specialised police, over three quarters reporting the presence of a specialised judge and well over two thirds reporting the presence of a specialised prosecutor.

Figure 6: Specialised professionals at Municipal level



As several respondents explained, UNICEF's support in providing capacity building was essential because of FBiH and RS governments' failure to allocate a budget to support the implementation of the law.

Furthermore, in addition to supporting the establishment of specialised departments, respondents reported that capacity building enabled them to engage with the practicalities of handling cases involving children and iron out any ambiguities in the black letter text, thereby facilitating practical implementation. According to a federal level Prosecutor in FBiH:

The training is really a bright point in all education or additional training received by judges and prosecutors – it gives us the opportunity to work on specific cases. There are many novelties in the law, things that aren't clear. We use every round table to discuss these issues. We believe that we should continue with the trainings – a number of prosecutors were trained but there is a need to train more, especially in cases where criminal offences are committed against children.⁹⁶

⁹⁵ Individual interview, FBiH Judicial and Prosecutorial Training Centre, Sarajevo, 5 April, 2017

⁹⁶ Group interview, FBiH Prosecutor's Office, Sarajevo, 3 April 2017

Additionally, several beneficiaries explained that capacity building serves an important networking function, allowing for cross departmental problem solving among professionals in different departments: *“The best thing is when we are all together doing training to pin point problems”*⁹⁷.

In sum, evaluation findings clearly demonstrate that the Project’s capacity building efforts have had an important impact on child justice reform across BiH, particularly through facilitating the establishment of specialised professionals, giving professionals the practical skills to handle cases involving children, and, perhaps unexpectedly, creating opportunities for networking and coordination.

3.4.1.3 Encouraging use of diversion

Evaluation findings suggest that the Project has had the impact of encouraging the use of diversion, both through supporting the establishment of different diversion measures and training relevant professionals in their application. Indeed, as is demonstrated in the table below, the total number of juveniles diverted from the formal justice system has steadily increased over the course of the Project.

Table 5: Application of diversion ⁹⁸

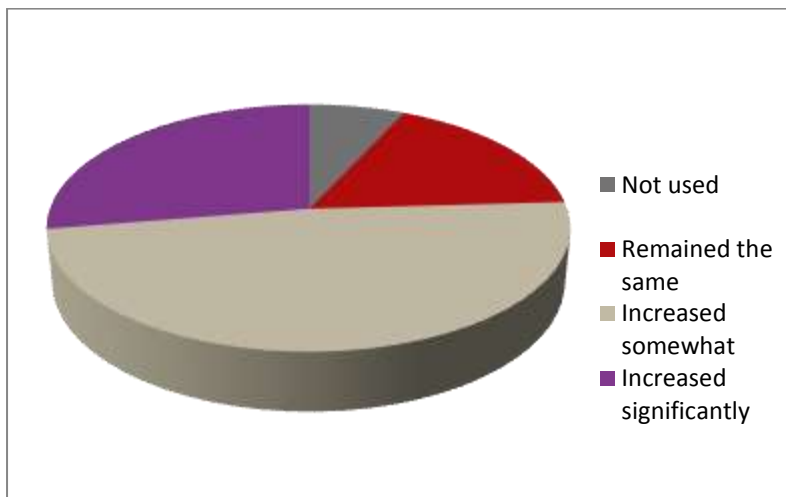
	Baseline (2012)	2014	2015	2016
RS	23 police warnings; 0 correctional recommendations	59 police warnings; 1 correctional recommendation	34 police warnings; 2 correctional recommendations	22 police warnings; 0 correctional recommendations
FBiH	0 police warnings; 17 correctional recommendations	0 police warnings; 3 correctional recommendations	20 police warnings; 16 correctional recommendations	33 police warnings; 58 correctional recommendations
BD	0 police warnings; 0 correctional recommendations	2 police warnings; 3 correctional recommendations	4 police warnings; 3 correctional recommendations	3 police warnings; 0 correctional recommendations
Total juveniles diverted from formal proceedings	40	68	84	116

Similarly, when asked whether diversion had increased in their localities since the establishment of the Project, the majority of respondents surveyed for the evaluation (48%) reported that it had increased somewhat. 28% reported that the use of diversion had increased significantly, 17% that it remained the same, and only 7% reported that it is not used at all.

⁹⁷ Group interview, FBiH Prosecutor’s Office, Sarajevo, 3 April 2017

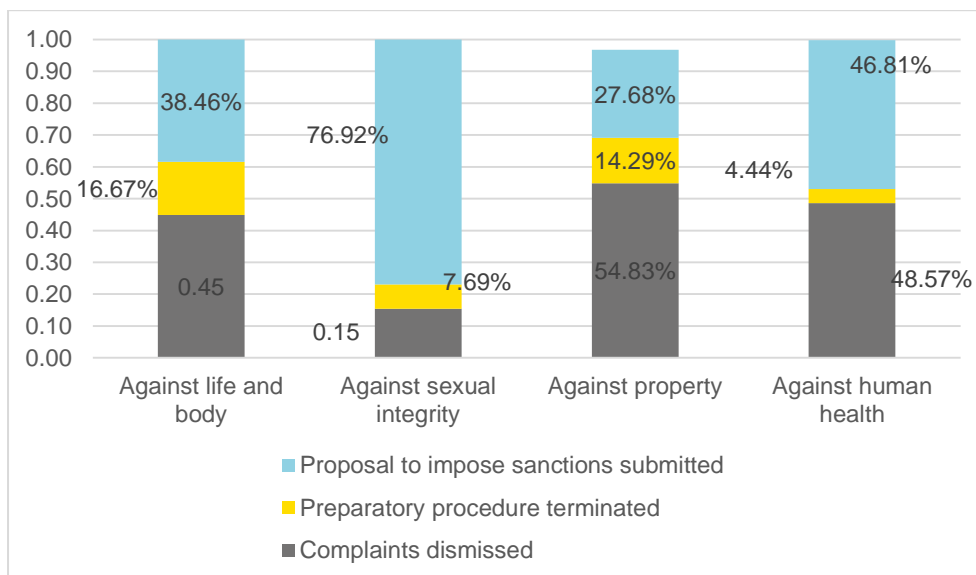
⁹⁸ Data obtained from UNICEF Justice for Children Logframe, April, 2017

Figure 7: Changes in use of diversion



National level data also provides insights into the application of diversion for different categories of offences. Whilst existing data does not provide a breakdown of the use of various diversion measures by type of offence, considering the proportion of cases in each type of offence where preparatory procedures were terminated may give an indication of the use of diversion in each case.⁹⁹ For example, the proportion of cases where proposals to submit sanctions were submitted is smallest for crimes against property, and largest in crimes against sexual integrity, which is to be expected given the severity of the offences and legal framework for diversion. This is demonstrated in the below graph, which is based on 2015 data for four of the most common types of offences:

Figure 8: Case outcome by 'type of offence'¹⁰⁰



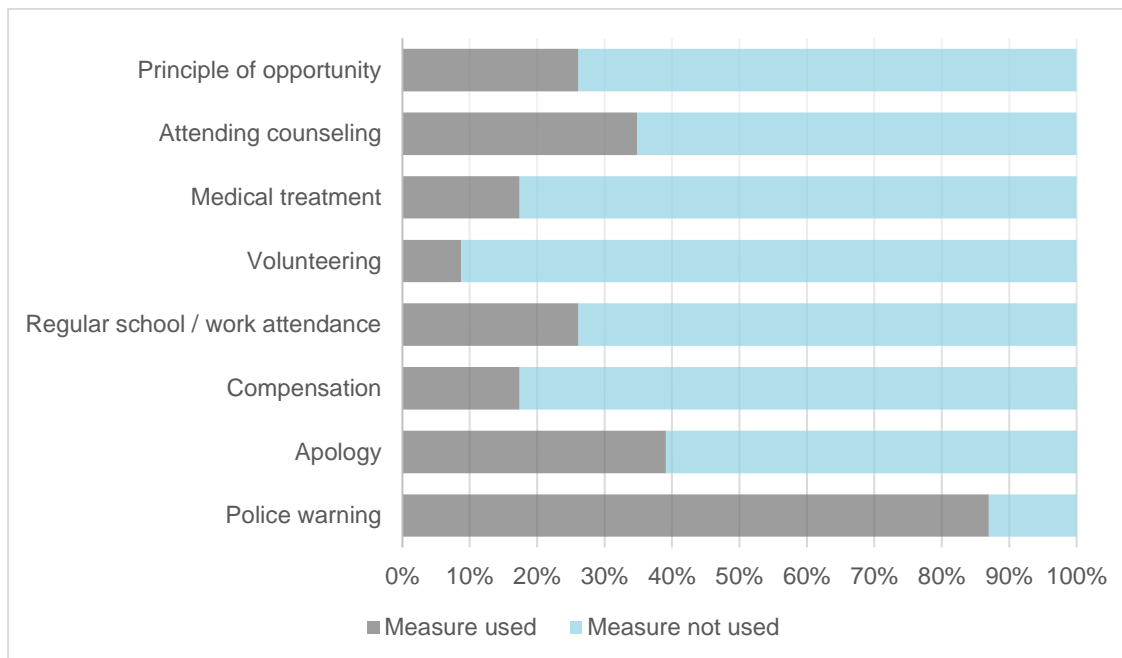
It is also important to consider the specific 'types' of diversion that are available at the municipal level. According to survey respondents, when asked about which diversion measures are used in their municipality, police warning is by far the most prevalent form of diversion used (87%). As is demonstrated in the chart

⁹⁹ It is of course important to note that not all cases where complaints were dismissed or preparatory procedures were terminated were 'diverted' from the system.

¹⁰⁰ Agency for Statistics of Bosnia and Herzegovina, Juvenile Perpetrators of Criminal Offences in Bosnia and Herzegovina, 2011 – 2015, accessed May 2017

below, alternative measures issued as part of a correctional recommendation (e.g. volunteering, attending counselling, regular school attendance), were reportedly used much less frequently in practice.

Figure 9: Reported use of diversion measures



The low reported usage rates of counselling (34.8%), regular school and work attendance (26.10%) and volunteering (8.7%) are particularly striking, given that these measures are often particularly effective at addressing underlying causes of offending. Qualitative data provides insights into the reasons for limited use of these measures; the legal framework in RS does not allow for the use of volunteer work as a measure, and apology and compensation are not used due to lack of trained mediators. Furthermore, as is discussed in the effectiveness section of the report, stakeholders explained that correctional recommendations are less likely to be established or used where they require the commitment of human resources (e.g. a social worker or mental health professional), or require collaboration with external institutions. This finding suggests a need for UNICEF to continue to support the establishment of specialised services to deliver alternative measures (including correctional recommendations) in the short term, whilst building the capacity of relevant government departments to take responsibility for this in the longer term.

3.4.1.4 Encouraging use of alternative measures

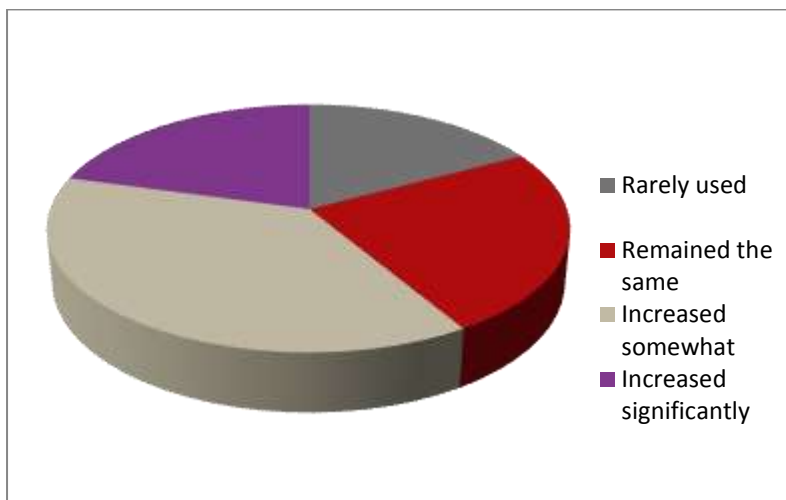
As with diversion, the percentage of juveniles who receive an alternative sentencing measure out of the number of children accused of an offence appears to have risen significantly over the course of the project, and is likely to reach UNICEF's target of 20% by 2017 (see table 6 below). It is also interesting to note that the number of children against whom preparatory proceedings have been initiated has reduced over the course of the Project, which likely reflects an increase in the use of diversion.

Table 6: Percentage of juveniles who receive an alternative measure out of number of accused

	Baseline (2012)	2014	2015	2016
Number of alternative measures/ number of preparatory proceedings	84 alternative measures out of 678 accused juveniles	94 alternative measures out of 509 accused juveniles	54 alternative measures out of 325 accused juveniles	Available in June 2017 (plug in?)
Percentage	12%	18.46%	16.6%	

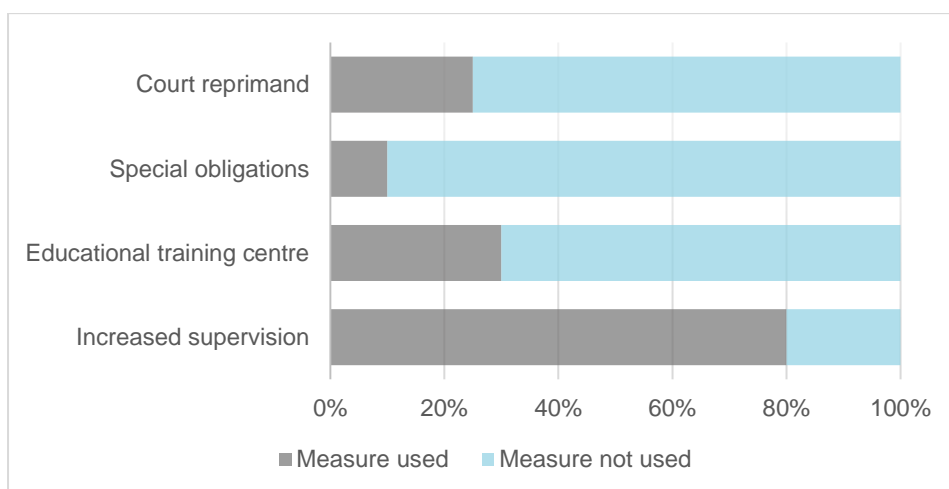
When asked whether the use of corrective measures had increased in their localities since the establishment of the Project, survey respondents reported that it had, though to a slightly lesser extent than diversion. The majority of respondents (38%) reported that the use of corrective measures had increased somewhat, whilst 24.1% reported that it remained the same and 17.2% reported that these measures are rarely used.

Figure 10: Changes in use of alternative (corrective) measures



When asked about the types of correctional measures which are used, respondents reported that whilst increased supervision is frequently applied, other types of correctional measures are rarely used in practice:

Figure 11: Reported use of types of correctional measures



The particularly low reported use of special obligations - which have significant overlap with ‘correctional recommendations’ and include regular school and work attendance, vocational training, volunteering, counselling, medical treatment (e.g. drug rehabilitation), etc. – is of particular concern given that these are the correctional measures most likely to effectively address underlying causes of offending.

Increased use of both diversion and alternative measures are particular achievements given previous and ongoing resistance to implementing them in the past: as a member of UNICEF’s team expressed, *“Implementation is still kind of... in general we can say weak. New novelties, diversionary measures, though prescribed by legislation were considered complicated and practitioners avoided them.”*¹⁰¹

Of course it is difficult to isolate the impact of the Project on the use of diversion and alternatives measures, particularly given that the Law on Protection and Treatment came into force in FBiH during the Project period (in January 2015). Given the extent of UNICEF’s interventions to support the implementation of diversion and alternative measures it is highly unlikely that these results would have been achieved without the Project; indeed, a number of respondents identified the increased use of diversion and reduction in custodial sentences as outcomes of the Project:

*Indeed, since the Project the number of juvenile cases in which custodial measures are ordered has decreased perceptibly – the number in which custodial measures are ordered.*¹⁰²

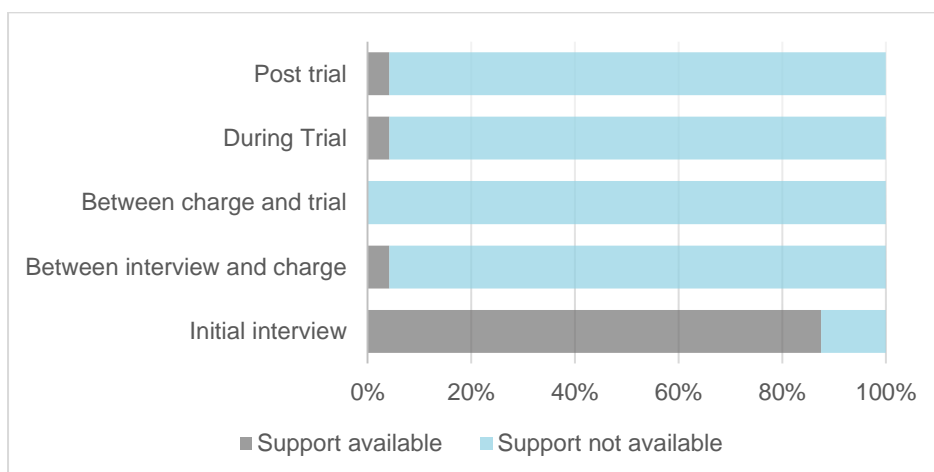
*We are implementing the new law and there are some alternative measures, and police warning*¹⁰³

As discussed in the effectiveness chapter of this report, challenges in the implementation of diversion and alternative measures remain, highlighting the significance of the Project’s impact, and importance of continued work in this area.

3.4.1.5 Strengthening support services for victims and witnesses

As noted in the effectiveness section of this report, UNICEF has contributed significantly to support services for victims and witnesses at the interview stage. The evaluation findings suggest that support services for victims and witnesses are still lacking post-interview: this was emphasised by key stakeholders interviewed by the study, and also reported by survey respondents, demonstrated by the graph below. On-going support for victims and witnesses throughout the legal process is essential as participation can be traumatic.

Figure 12: Reported availability of support for victims and witnesses



¹⁰¹ Focus Group Discussion, UNICEF Team, UN Building, Sarajevo, 3 April 2017

¹⁰² Focus Group Discussion, Municipal Working Group, Banja Luka, 7 April 2017

¹⁰³ Focus Group Discussion, Municipal Working Group, Zenica, 6 April, 2017

3.4.1.6 Engaging social welfare

The increased involvement of the social welfare sector in child justice emerged as another impact of the Project, and an important contribution to child justice reform. Respondents consistently identified the expansion of CSWs role in justice for children as one of the most significant changes to result from the new law: as put one project beneficiary, “the new law assigns 80% of work on the CSWs”.¹⁰⁴

Social services’ increased engagement occurs largely through their involvement in the multi-disciplinary Municipal Working Groups in Project locations, as well as the work of the Project Coordination Board, and the Project’s extensive capacity building efforts. Representatives of the FBiH Ministry of Labour and Social Policy and the RS Ministry of Health and Social Welfare, and CSW representatives, reported that since the implementation of the new law, they have played a more substantial role in the cases involving children, and attributed this directly to UNICEF support:

*During the court procedure, once the police get a report, the police stations are bound to immediately notify CSW. In the past this was not the case – the police process was poor. They would send the report to the prosecutor who would inform the CSW to seek an opinion and proposal of measures: the juvenile would be left without the support of a social worker for at least 20 days while the others were handling the case. And in the past the social worker could not act other than being present. Now the situation is different... the CSW is notified immediately and works jointly with the police. The effect is much better when it comes to social work in protection of juveniles. We can get much better results when working from the beginning.*¹⁰⁵

*The social history analysis was rarely implemented in the past because the CSW was loath to implement it because it entailed direct responsibility and quite a lot of work – the need to plan, define the actors, the timeframe, go do field visits, contact the school, contact the police, organise leisure time, keep track of school performance – it is quite a lot of work. This was rarely implemented well; it was mainly just used for the juveniles coming to the CSW and having short meetings with social workers. UNICEF accepted a proposal, and invited people without criticising and engaged in discussions and debates and offered model on how to implement and use the measure... people were really motivated in such training workshops – they attended all meetings were hard working, were interested. We expected somehow that they would know this – how to prepare the social history. But experience has shown that they needed more information to feel confident!*¹⁰⁶

Increased engagement of social workers has not always gone smoothly, however: the evaluation findings also demonstrate that the social welfare sector is severely under capacity and lacks the resources needed to fulfil its expanded responsibilities. Several stakeholders attributed gaps in the implementation of the law to failures on the part of CSWs, particularly where the CSWs lack sufficient human resources as well as social work and skills:

*Well, CSW are actually the weak point in the system. They were not ready to implement this legislation.*¹⁰⁷

*The measures provided under the law are not applied in smaller courts where CSW operate as part of the administrative authorities or municipal administration: the people do the tasks of the CSW are not professionals – psychologists, pedagogues. Sometimes they come from other related professions.*¹⁰⁸

¹⁰⁴ Individual interview, Pedagogue, Centre of Social Welfare, Ilidza, 10 April 2017

¹⁰⁵ Individual interview, RS MHSW, Banja Luka, 6 April 2017

¹⁰⁶ Individual interview, RS MHSW, Banja Luka, 6 April 2017

¹⁰⁷ Individual interview, Prosecutors Office, Brcko District, 9 April 2017

¹⁰⁸ Focus Group Discussion, Municipal Working Group, Banja Luka, 7 April 2017

*Social services always tell you they are working hard, understaffed, lack funds.*¹⁰⁹

Meanwhile, CSWs expressed frustration at being intensely overburdened: “[Our role] is not functioning smoothly, certainly, but it is very difficult for guardianship authorities to get involved as they would like to be because of their workload and other responsibilities. We have huge under capacity issues – one social worker covers family related matters, divorces, children in conflict with the law, justice ... it is a lot to take on. But employees of social welfare centres will tell you that. There are no designated employees to focus on children in conflict with the law.”¹¹⁰

The evaluation did identify exceptions to this rule, where CSWs were better resourced, and, as discussed in the effectiveness chapter (above), this appeared to improve outcomes for children both in relation to support for victims and witnesses and the delivery of secondary and tertiary prevention. In the majority of cases however, the reverse is occurring, with limited social work capacity, undermining prevention and increasing the risk that the child will offend. This is demonstrated by the following case study:

*You mentioned that there are some cases where you were unable to intervene early enough due to your limited capacity – can you give me an example? For example, we have a child who has never been involved in proceedings. The school informs us that the child is not attending class and the parents are uncooperative and they ask for our help. My duty there is to immediately issue an invitation for the child or parents to come to interview. If they fail to appear it is my obligation to go for a home visit. Due to other urgent matters I am unable to immediately issue the invitation for the child and parents and I send out an invitation in five or six days and [everything is delayed]. It doesn’t happen often but still it happens that the parents come with the child and tell me that within this month they have pulled the child out of school, [escalating the case and increasing the risk that the child becomes involved in offending].*¹¹¹

3.4.2 The influence of external factors

Several external factors that affected the delivery of the project have been addressed throughout the proceeding discussions of the Project’s impacts and contributions to child justice reform: namely the lack of political or financial commitment to implement justice reform amongst government authorities, and the inadequate resourcing, development and over all capacity of the social welfare sector in the country. In addition to these, the evaluation identified a number of external factors that have and will continue to shape the Justice for Every Child Project, as well as the process of child justice reform in BiH more broadly.

3.4.2.1 Stigma around access to services

Several respondents referred to the cultural stigma that exists in BiH around mental health services as adversely affecting the Project. As one stakeholder summarised, “culturally going to the psychologist will be seen as a punishment. There is a cultural approach that sees the use of psychological services as shameful”.¹¹² Evaluation findings suggest that societal norms that associate shame with accessing psychosocial support may create barriers to children’s access to prevention or victim support services, or lead to negative and harmful outcomes of those who do so. Political and administrative context

The impact of Project interventions was also heavily influenced by the complexity of the political context in BiH, which required UNICEF to work across multiple levels of administration, and often posed a coordination challenge. Indeed, stakeholders explained that multi-agency working is particularly challenging in the country, and that the efficient provision of services is hampered as it has to be delivered through numerous separate authorities. For instance, a number of respondents explained that activities such as the delivery of capacity

¹⁰⁹ Individual interview, Cantonal Education Department, Sarajevo, 5 April 2017

¹¹⁰ Individual interview, FBiH Ministry of Labour and Social Policy, 5 April 2017

¹¹¹ Individual interview, Pedagogue, Centre of Social Welfare, Ilidza, 10 April 2017

¹¹² Individual interview, key stakeholder, Sarajevo, 10 April, 2017

building, or the establishment and administration of institutions for juveniles and children would be much more resource efficient if they were centrally managed.

UNICEF appears to have navigated these barriers effectively. However, it has required certain compromises, such as forgoing pursuit of a State strategy on children in the justice system or a State coordination / oversight body. Furthermore, as noted by several stakeholders, the political and administrative complexity in BiH has made progress much more difficult, resource intensive and slow than it otherwise would be. As one respondent expressed: *“There is a problem of waste of funds and resources – we could invest the same amount and be more efficient. I think this is what we need to focus on – I think it is a pity that the politics are interfering with children’s interests.”*¹¹³

3.4.2.2 An essential Project impact: UNICEF’s coordinating role

“UNICEF deserves all the praise because they managed to gather everyone.”
– Ministry of Justice, FBiH

In light of the challenge of complex governance and poor coordination, one of the most important, if perhaps unintended, impacts of UNICEF’s Project in enabling child justice reform was to facilitate coordination and cooperation between relevant actors; without this platform, national reform would have been extremely fragmented if not impossible. The challenges of inter sectoral cooperation was consistently raised by diverse stakeholders, who acknowledged that given the absence of effective channels, UNICEF has led coordination.

UNICEF’s role in facilitating coordination was recognised and appreciated by key stakeholders and project beneficiaries, many of whom expressed that they had not been able to establish such effective working relationships with counterparts in the past:

*“This is why this project, and UNICEF’s support in the area of justice for children was of immense importance – we receive no budget for our coordinating role [amongst cantonal authorities].”*¹¹⁴

*“UNICEF is a kind of mediator between RS and FBiH. We have a project team that meets together... the aim of this activity is to exchange experiences between the staff of different institutions.”*¹¹⁵

*“Their role as a coordinator is essential. They are replacing a national policy structure and playing an active role coordinating institutions at different levels.”*¹¹⁶

UNICEF’s role providing a framework for justice reform was clearly essential to the progress achieved, yet, as will be addressed in the following section, it raises questions about the sustainability of institutional cooperation if UNICEF were to scale down the Project in the future. It is important to note that the Municipal Level Working Groups had an important impact in this regard, successfully establishing a channel for coordination and communication between departments, which has the potential to exist without UNICEF support.

Finally, a number of participants emphasised the need for improved harmonisation of entity level legislation in RS and FBiH in order to improve coordination, consistency and efficiency (by reducing the need for separate services) within the justice system:

¹¹³ Individual interview, BiH MoJ, UN Building, Sarajevo, 4 April 2017

¹¹⁴ Individual interview, FBiH MoI, Sarajevo, 5 April 2017

¹¹⁵ Individual interview, FBiH MoJ, Sarajevo, 5 April 2017

¹¹⁶ Group interview, Swiss Embassy, Sarajevo, 3 April 2017

Harmonisation of laws is necessary and this is one of the biggest problems facing in practice.¹¹⁷

Given the complexity of the system and distribution of powers perhaps UNICEF could again initiate harmonisation of all legal and programme frameworks regarding treatment of children in conflict with the law.¹¹⁸

3.5 Programme sustainability

This section examines the probability that the benefits of the Project will continue in the long term. It will reflect on the following questions: Has the Project created conditions to ensure that benefits continue beyond the Project? How well is the Project embedded in the institutional structures (national, entity and local) that will survive beyond the life of the Project? How has the Project institutionalised training and overall capacity development efforts so far? Has an approach/model been developed that can be further disseminated through BiH? Is the duration of the current Project sufficient to ensure sustainability of the intervention? How has the Project strengthened the capacity of municipal, cantonal, entity and BiH governmental stakeholders to recognise and respond to children's needs within the justice sector?

3.5.1 Institutionalisation of the Justice for Every Child Project

Results of the evaluation suggest that whilst the design of the Justice for Every Child Project is conducive to producing sustainable effects in the long term, in the short term this will require continued support from UNICEF. Furthermore, unless certain external limitations are addressed, particularly the lack of government leadership and (financial) commitment to implementing justice reform, the Project's overall impacts on justice for children risks being undermined in the future.

Many of the components of the Justice for Every Child Project are embedded in and integrated into institutional structures at multiple levels, including: specific services to children and families, such as victim and witness support and legal aid; prevention programmes for at-risk children; the Municipal Working Groups; capacity building support, etc. All of these interventions have the potential to be sustainable if the relevant government authorities pledge leadership in these areas and commit to finance them. Unfortunately, at present this appears unlikely, particularly given the lack of sufficient financial commitment to implementing the law in either FBiH or RS. Promoting greater government leadership and financial commitment should be an advocacy priority of the Project in the coming phase.

3.5.1.1 Institutionalised training and capacity building

One of the most important achievements of the Project has been the successful institutionalisation of training and capacity building programmes. Representatives from the Judicial and Prosecutorial Training Centres and Ministries of Justice in both RS and FBiH confirmed that specialised training packages developed under the Justice for Every Child Project have been institutionalised within their respective curricula, and specialised training programmes have been institutionalised by police academies as well. When asked if these programmes would be sustainable without UNICEF support, however, respondents from the JPTC became reluctant:

Could you continue to implement the training programme without UNICEF's support? It will probably be sustainable but to a lesser degree because we would lack the financial support – we have very modest, tight budgets.¹¹⁹

¹¹⁷ Group interview, FBiH Prosecutor's Office, Sarajevo, 3 April 2017

¹¹⁸ Individual interview, FBiH MoJ, Sarajevo, 5 April 2017

¹¹⁹ Individual interview, RS JPTC, Banja Luka, 7 April 2017

Would training programmes be sustainable without UNICEF support? It would be sustainable but the scope would be much more narrow. UNICEF's assistance was immense – we wouldn't have been able to do that alone. If we would now have to pursue to make self sustainable we could do it, but probably only in one year.¹²⁰

Interestingly, one UNICEF representative explained the value of UNICEF's continued support to the JPTCs in the short term: *"Not a lot of money goes to the Judicial and Prosecutorial Training Centres – it is almost symbolic. If we withdrew our support they would provide capacity building but by providing support we are still able to influence the content and quality."¹²¹*

3.5.2 Development of replicable models

The Project included several replicable models that could be expanded and developed throughout the country. The Municipal Working Groups proved an essential model for facilitating the implementation of the Law on Protection through enabling interdisciplinary cooperation, and creating an institutional space for promoting essential conditions, such as secondary and tertiary prevention. As discussed throughout the report, in most cases the Working Groups did achieve local ownership, in accordance with UNICEF's design: *"UNICEF provides technical support but the action plans are developed in a participatory manner and they are a domestic product. All of the action plans are context specific, relating to the problems existing in the different municipalities reflecting local context..."¹²²* Gradually expanding the number of working groups and phasing out support has proved an effective model, allowing NGO implementing partners to develop best practices and encourage sustainability: *"[A number of our project locations] have their exit strategy focussing on sustainability and continued project activities and involvement in the field. Since August 2016 we have been working on replicating best practices from current or previous project locations."¹²³*

The secondary prevention programme piloted in schools also has great potential for replication; respondents described how there has been a great interest in and demand for the 'Optidur' model in non-pilot locations, and one pedagogue involved in its implementation suggested that it should become mandatory. Whilst the programme shows great potential, a gradual expansion is likely to be more effective, giving UNICEF and partners the opportunity to evaluate the effectiveness of the Project, identify best practices, and address any problems or unintended consequences that arise.

3.5.3 Project duration and moving forward

It is clear that there is continued need for the Justice for Every Child Project, and that the Project will require additional time and resource in order to achieve its objectives and ensure the sustainability of its impacts. Several key stakeholders emphasised the need for ongoing support, suggesting that a longer Project duration would be needed to see lasting effects:

I don't want to think that UNICEF would revoke support: a lot of activities would be slowed down – this is the key sentence at this meeting.¹²⁴

Would our working group be sustainable without support from UNICEF or the Bureau for Human Rights? Not yet... in four years' time, maybe yes. There were many attempts and project initiatives that lasted for a year or two and most have ended. When I talked about the DFID social sector reform, this

¹²⁰ Individual interview, FBiH JPTC, Sarajevo, 5 April 2017

¹²¹ Individual interview, Project Representative, Sarajevo, 10 April 2017

¹²² Group interview, Swiss Embassy, Sarajevo, 3 April 2017

¹²³ Individual interview, Centre for Human Rights Mostar, Sarajevo, 11 April 2017

¹²⁴ Individual interview, RS MoJ, Banja Luka, 7 April 2017

*programme has taken hold and the results are still viable because it was implemented for a longer period of four years.*¹²⁵

Indeed, if reducing support for certain elements of the Project has the potential to undermine reforms UNICEF has managed to achieve in the system, it would be strategically sensible to extend support.

It is essential that UNICEF adopts a more strategic approach to addressing the sustainability of Project outputs. This is an area that a number of stakeholders felt had been neglected: *"I didn't think the midterm review contributed to strategic thinking on sustainability... we need to have a discussion that identifies the risks around sustainability."*¹²⁶

Evaluation findings did identify a number of good practice examples of promoting sustainability. For example, a Project partner providing support to the Working Groups described the measures taken by her organisation in order to promote the Group's continued activity after NGO exist, such a continuing to engage old Working Groups in sharing their experiences with newly established Working Groups:

*We knew we would need an exit strategy and worked intensively to create self-sustainability... We have adopted several measures for sustainability: members are appointed by the decision of municipal mayors for a term which exceeds the duration of the projects, the action plan covers a longer period than the project implementation, the decisions of the working groups do not refer to implementation of the project but to the specific field they cover, e.g. the working group for prevention of juveniles offending and implementation of alternative measures in X municipality.*¹²⁷

3.6 Partnerships and cooperation

This section attempts to measure the level and quality of UNICEF cooperation with partners and implementing partners, including donors, NGOs, Governments and other UN agencies. In particular, it will reflect on the following questions: To what extent have partnerships been sought and established, and synergies created in the delivery of assistance? Were efficient and mutually satisfactory cooperation arrangements established between UNICEF and partners? Were partners' inputs of quality and provided in a timely manner? Have partners fully and effectively discharged their responsibilities? Does the Project contribute to the overall UN country strategy? Have any new partnerships emerged that were not initially identified?

As discussed in previous sections, evaluation findings demonstrate the important role of the Project in facilitating cooperation and coordination between government partners. This issue has been dealt with in the particular in the 'impact' section of the report because it emerged as one of the Project's essential contributions to justice sector reform. This section will explore the level and quality of UNICEF's own partnerships, including with donors, NGOs, Government and other International Organisations.

Partnerships were critical to the delivery of all Project components and this was an area where UNICEF appears to have excelled. Evaluation findings suggest that throughout the Project, UNICEF prioritised establishing effective relationships with key partners. This appears to have been a fruitful approach; the positive regard for UNICEF as a partner was expressed by numerous stakeholders participating in the evaluation:

¹²⁵ Focus group discussion, Municipal Working Group, Banja Luka, 10 April 2017

¹²⁶ Individual interview, Sida, Sarajevo, 3 April 2017

¹²⁷ Individual interview, Center for Human Rights Mostar, Sarajevo, 11 April 2017

Both the MoJ and most institutions in government itself do projects exclusively with UNICEF due to their credibility and reputation.¹²⁸

Generally speaking we have had very positive experiences in our cooperation with UNICEF – not just on the Project but before that, and we speak very positively.¹²⁹

3.6.1 Challenging partnerships

The evaluation yielded few examples where partnerships were ineffective or seriously undermined the Project, however the Project team emphasised that this required constant oversight of implementing partners. Significant time and resources were devoted to following up with partners in order to ensure that activities and results were in line the Project's standards and goals. This challenge was also compounded by the fact that (as previously discussed in the efficiency section of the report) several implementing partners did identify difficultly working with government as the greatest challenge they faced in delivering Project Outputs.

Another issue mentioned by stakeholders was RS government bodies' preference against delivering Project components through NGO partnerships. Additionally, several partners emphasised the importance of being informed of UNICEF's activities, and expressed a desire to be kept up to date about activities in the future, particularly those taking place at local / Municipal levels.

3.6.2 Establishing new partnerships

UNICEF's openness to developing and establishing new partnerships were found to have facilitated successful delivery of several project components. As previously discussed, UNICEF's partnership with UNDP in the delivery of witness support proved effective and efficient at increasing specialised support for children involved in criminal proceedings. UNICEF's work with the education sector, including the Ministry of Education and Institute for Pedagogy was also unplanned, but appears to have been critical to the development and implementation of UNICEF's secondary prevention pilot: as a Project representative explained: Individual interview, Center for Human Rights Mostar, Sarajevo, 11 April 2017

"We didn't plan on partnering with MoE and pedagogues. When we first had the notion of secondary prevention we didn't think it would be based in schools but in Centres for Social Welfare.... When we started doing assessments of what needed to be done everyone kept saying: we just need to do it in the schools – they are the place where children are located and where they spend most of their time. It is more comprehensive to work in school. Once the children are identified by the CSW it might be too late"¹³⁰

¹²⁸ Individual interview, RS MoJ, Banja Luka, 7 April 2017

¹²⁹ Individual interview, FBiH JPTC, Sarajevo, 5 April 2017

¹³⁰ Individual interview, Project Representative, Sarajevo, 10 April 2017

4 Conclusions and Lessons Learned

This evaluation demonstrates that the Justice for Every Child Project has played an essential role in the process of child justice reform in BiH. The Project effectively utilised opportunities created by new legislation in BiH to promote its overall objective: *that juveniles in conflict with the law, children at-risk, child victims/witnesses and children in civil proceedings are better served and protected by the BiH justice system, including the security and social welfare sectors.*

The Project's design, whilst ambitious, was found to be necessary for achieving holistic reform of the child justice system and was recognised as valuable by beneficiaries. UNICEF's approach to the Project, which focussed on *creating the conditions* necessary for the implementation of new legislation, proved particularly relevant to needs identified by beneficiaries and stakeholders alike. Furthermore, the project's engagement with government officials and practitioners in the justice and social welfare sectors was found to be an efficient approach to achieving change by effectively harnessing existing resources wherever possible. This approach to reform, which imbedded Project outputs within existing structures and systems, has great potential for sustainability if certain challenges identified by the evaluation can be overcome.

The evaluation identified areas of significant impact and achievement, which include:

- The provision of leadership, which instigated the process of child justice reform;
- The establishment of effective coordination between implementing authorities, particularly social services and the justice sector;
- The delivery of extensive training and capacity building for relevant professionals on the implementation of the Law on Protection and child friendly working methods, as well as the provision of certification;
- The increased engagement of the social welfare sector in the area of justice for children;
- The increased application of diversion and application of 'alternative measures';
- Successful provision of support to child victims and witnesses in criminal proceedings, and legal aid to children involved in civil proceedings;
- A change in attitudes among relevant stakeholders, to support a preventative approach to offending and endorse non punitive approaches to addressing children in conflict with the law;
- The development of promising prevention services to be delivered in schools and other environments.

Whilst important progress has been made, it is clear that significant work remains to be done in order for the Project to achieve its overall objective, and ensure the sustainability of results in the longer term. As a project partner clearly expressed: *"It is necessary to continue these activities – we are not at the peak stage of our work. If we stopped now it seems to me we would stop just at the time when we gained real momentum."*¹³¹ In particular, the effectiveness of the Project and its impacts were hampered by a number of external factors, primarily lack of capacity in social services at the municipal level, the complex political and administrative environment in BiH and a lack of financial commitment from government to support the implementation of justice reform.

Remaining gaps and areas of need which should be prioritised in the next programme cycle include: the development of specialised support services for children who are victims and witnesses; strengthening available support for children and families to address underlying causes of offending; developing community based alternatives for children (to be used as diversionary and alternative sentencing measures); improving the capacity of social welfare centres to contribute to justice for children; establishing guidelines to support the application of correctional recommendations and measures; improving case planning and follow up for children who served custodial sentences (and non-custodial sentences where needed).

¹³¹ Individual interview, Center for Human Rights Mostar, Sarajevo, 11 April 2017

It is unsurprising that the process of child justice reform in BiH remains ‘in progress’, given the ambitious nature of the task and certain difficult characteristics of the environment. The evaluation clearly demonstrates that the Justice for Every Child Project has established an important foundation for achieving reform in its second phase. A number of lessons which emerge from evaluation findings may provide insights to inform future programming:

4.1 Lessons learned

1. Justice reform requires sustained political and financial commitment across relevant government departments. Reforms of this nature which involve a radical systemic change are likely to take about ten years to embed themselves and establish an institutional culture. It is important to bear the time frame in mind when designing interventions, and ensure the constant reinforcement of training of those involved, if the Project results are to be sustainable.
2. In order to be effective, it is essential that secondary and tertiary prevention programmes address underlying causes of offending and involve family focussed work to address dysfunction. Effective prevention programmes will also encourage the use of diversion by practitioners. Effective prevention requires significant multi-disciplinary working on individual cases. Existing community based alternatives for those who are being diverted are not adequate at the present time and need more assistance to become a reality in practice.
3. Approaches to systems reform should not only focus on establishing relevant services but on creating links between them (e.g. through case planning). This approach to addressing individual cases, which was applied as part of the ‘Optidur’ model, has the potential to be both effective and efficient: it allows for the accurate assessment of the child to ensure that all relevant issues are identified, and the crafting of an individualised response drawing on a range of existing resources. Of course, in order to be effective, case planning relies on the allocation of sufficient human resources and the existence of relevant services.
4. It is important to encourage and ensure child participation in designing and evaluating all Project interventions. Children’s views can provide important insights into the effectiveness and appropriateness of programmes to reduce and address offending.
5. It is essential to have strong and specialised social welfare services in place at local level to implement child justice system reforms, and to ensure that underlying child protection concerns that may be contributing to offending are addressed.
6. Training and capacity building is most effective where it is participatory, based in practice and involves multi-agency cooperation. Limited in the use of alternative measures and diversion suggest additional training is still required.
7. Where data collection is weak and unreliable this can undermine the justice reform process. In order to monitor and determine the impacts of justice reform, and effectiveness of measures, a strong evidence base is essential. This must include both ongoing analysis of databases maintained by the police, social welfare and HJPC, as well as targeted research focussed on building an evidence base. Important gaps at present include disaggregated data and data on child victims.

5 Recommendations

Recommendations for future programming are set out below, based on the key findings, conclusions and lessons learned which emerge from the evaluation. Recommendations are focussed on addressing remaining gaps and needs, expanding and developing support for victims and witnesses, and achieving sustainability of the Project's effects.

Recommendations have been developed based on an analysis of evaluation findings whilst considering the opportunities that exist in the BiH context. Whilst recommendations are primarily directed to UNICEF, for those that require government support and leadership, this is indicated. A suggested timeframe for the implementation of recommendations is also set out below. Recommendations will be further discussed and developed through a participatory workshop to be held with key stakeholders in Sarajevo on 7 June, 2017 in order to ensure that they are practical and actionable.

5.1 Pursuing improved leadership in J4C

2018-2020:

1. *(UNICEF)* Advocate for the development of a strategy or action plan for the implementation of child justice reform at entity level, which designates responsibility and sets out budget commitments [over the next two to three years].
2. *(UNICEF)* Advocate for harmonisation of legislation between RS, FBiH and BD to address any relevant discrepancies [over the next one to two years].

In the longer term:

3. *(UNICEF and HJPC)* Conduct analysis of justice sector databases to determine trends in offending and justice sector response in criminal cases involving children. Also consider conducting on-going analysis of civil cases to determine the types of cases being brought (involving children), and by whom.

5.2 Outcome 1: Secondary and Tertiary Prevention

Provide continued support to Municipal Working Groups, including in new municipalities, drawing on good practice examples from current Project locations:

2018-2020:

1. *(Municipal administration, or working group chair)* Consider including legal aid representatives in working groups [immediately, over the next one to two years].
2. *(UNICEF, NGO partners)* Continue to support municipal working groups to conduct on-going gap analysis to identify alternative measures which are not applied, and address obstacles to implementation [immediately, over the next one to two years].
3. *(UNICEF, NGO partners)* Encourage engagement between working groups and practitioners/service providers handling children's cases to ensure that challenges on the ground are identified and addressed within working group settings [immediately, over the next one to two years].
4. *(Municipal administration, or working group chair)* In FBiH, continue to ensure that political support for Working Groups is achieved at Canton level [immediately, over the next one to two years].
5. *(Municipal administration, or working group chair)* (Continue to) advocate for the allocation of a general budget (with contributions from multiple departments) to support the implementation of Working Group Action Plans [over the next two to three years].

5.2.1 Secondary prevention

2018-2020:

1. (UNICEF and implementing partners) Continue to roll out the implementation of secondary prevention pilots, monitoring effectiveness and outcomes. Prioritise the development/strengthening of services for children at risk [over the next two to three years].
2. (UNICEF and implementing partners) Design awareness programmes to address stigma around counselling and psychosocial support, whilst strengthening the availability of these services [over the next two the three years].
3. (UNICEF, working groups and implementing partners) In cooperation with broader child protection programmes, develop community based services to promote children's social engagement and inclusion in their community, including through creating meaningful and gender sensitive social, volunteering and employment activities for youth (18 – 24) [immediately, over the next one to two years].

5.2.2 Tertiary prevention

2018-2020:

1. (UNICEF) Develop and support a diversion pilot programme based in the municipality preferably in a community centre with activities (based and run by an NGO/ or in schools with input from social services). The diversion programme should facilitate the implementation of correctional recommendations, but also focus on addressing underlying causes of offending. It should offer gender sensitive services. The pilot should be implemented in areas with high offending rates [immediately, over the next one to two years].
2. (UNICEF and Working Groups) Develop community service/volunteer programmes, which can be used to apply correctional measures/recommendations to volunteer – community service should be employment related where possible [immediately, over the next one to two years].
3. (UNICEF in collaboration with Ministries responsible for social welfare) Support establishment of / designation of specialised professional staff in CSWs to work on child protection (and in well-staffed CSWs, to work with children in conflict with the law and at-risk of offending) [over the next two to three years].
4. (Ministries responsible for social welfare) Establish a reintegration fund for children (and young adults) leaving institutions; the fund could be accessed by the designated social worker to support reintegration and rehabilitation [over the next two to three years].
5. (Ministries of Justice) Organise study visits for judges and prosecutors to educational centres and correctional institutions [over the next one to two years].

If and when feasible:

6. (UNICEF) Commission a research institute to conduct a (minimum) three year assessment of the impact and effectiveness of various alternative measures.

5.3 Outcome 2: Support to victims and witnesses of crimes, and children in civil proceedings

2018-2020:

1. (UNICEF) Continue to develop/improve training and capacity building for professionals working with children who are victims or witnesses of criminal offences or are involved in civil proceedings; ensure that capacity building takes an applied approach, i.e. through the use of practical examples, demonstrations and role play [immediately, over the next one to two years, and ongoing].

2. *(UNICEF)* Develop guidance on /procedures for determining the best interests of the child [over the next one to two years]. Whilst determining best interests is dependent upon each individual child's particular circumstances, needs, views and wishes, there are a number of factors in the UN Committee on the Rights of the Child General Comment No 14 that need to be taken into account. Guidance should elaborate on these, placing them in a BiH context, with explanation of how they can be applied and the extent to which children's views and wishes should be balanced with best interests. The guidance should provide a range of good case examples and checklists.
3. *(UNICEF and Ministries responsible for social welfare)* Support / advocate for the development of victim support services, including specialised psychosocial support services (e.g. continued employment of expert associates in courts and POs), and a victim and witness support scheme that provides continuous support throughout all stages of the case [over the next two to three years].
4. *(UNICEF and Ministries of Justice)* Advocate to strengthen children's right to (government provided) legal aid where they are involved in proceedings as a victim or witness [over the next one to three years].

In the longer term:

5. *(UNICEF)* Commission a study on children's views of participating in court proceedings (for children who have already done so).
6. *(UNICEF and Ministries responsible for social welfare)* Consider supporting the establishment of a guardian ad litem scheme. There are several advantages to establishing a separate, independent guardian ad litem service. The CSW acts on behalf of the State and its primary role is to support the family and to protect children in accordance with the applicable legislation. The role of a guardian ad litem is more limited and is focused purely on the child and to represent the child's views and wishes to court and the CSW. When the CSW acts as the child's guardian, there is a potential for conflict where what the Centre deems to be in the child's best interests conflicts with the child's views and wishes. Additionally, a guardian ad litem can free up the busy social work staff to focus on child protection and can spend a greater amount of time getting to know and understand the child, and his or her problems and difficulties. Finally, the guardian acts as a 'check and balance' on the CSWs, to ensure that the CSWs are providing all the services to which the child is entitled, and are acting in accordance with a child's best interests.

5.4 Strengthen the capacity of social welfare sector

2018-2020 (and in the longer term):

1. *(UNICEF)* Identify synergies between Justice for Every Child Project and UNICEF's other child protection interventions [immediately, over the next one to two years].
2. *(UNICEF and Ministries responsible for social welfare)* Advocate for improved resourcing of CSWs, including increased staffing [over the next three to five years].
3. *(UNICEF and Ministries responsible for social welfare)* Support the development of social services capacity to work with families, through on-going case management and the provision of specialised services, such as family focussed counselling [over the next three to five years].

5.5 Encourage government ownership of justice for children reform

2018-2020 (and in the longer term):

1. *(UNICEF)* In the development of the new Project document ensure that sustainability (and risks) are assessed; develop approaches to addressing risks and continue to evaluate assumptions about sustainability throughout the Project's implementation [immediately, over the next one to two years].
2. *(UNICEF)* Ensure that all Project components include a strategy for sustainability: engage with government partners to develop realistic plans for scaling down UNICEF support and ensuring

government commitment to take responsibility for relevant components/outputs [over the course of the next three to five years].

6 Annexes

Annexes to this report include:

Annex A: List of data sources (interviews, site visits, documentary evidence)

Individual interviews

1. Programme Officer, Swedish Embassy
2. Psychologist, Prosecutors
3. Representative, High Judicial and Prosecutorial Council
4. Pedagogue, Centre of Social Welfare, Ilidza
5. Representative, Institute of Pedagogues, RS
6. Representative, Ministry of Justice, RS
7. Representative, Ministry of Justice, State level
8. Representative, Ministry of Justice, BiH
9. Representative, Ministry of Health and Social Welfare, RS
10. Representative, Ministry of Labour and Social Protection, FBiH
11. Child Protection Specialist, UNICEF
12. Juvenile Judge, RS
13. Representative, Judicial and Prosecutorial Training Centre, RS
14. Representative, Judicial and Prosecutorial Training Centre, FBiH
15. Representative, Human Rights Centre Mostar
16. Project consultant, UNICEF
17. Representative, Cantonal Education Department, Sarajevo
18. Representative, Association of Psychologists, RS
19. Representative, Ministry of the Interior, Tuzla
20. Representative, Centre of Social Welfare, BD
21. Representative, Prosecutor, Tuzla
22. Representative, Prosecutor, BD
23. Representative, Disciplinary Centre, Tuzla
24. Young man who received correctional measures as a boy, Kljuc
25. Mother of child who received correctional measures, Kljuc
26. Boy who received correctional recommendations, Bihac

Group interviews

1. Pedagogue and project mentor, secondary school, East Sarajevo
2. Teacher and pedagogue, primary school, Sarajevo
3. Project officers, Swiss Embassy
4. Federal prosecutors, Association of Prosecutors, FBiH
5. Representatives, Ministry of the Interior, RS
6. Representatives, Ministry of the Interior, FBiH
7. Representatives, Criminal Policy and Research Centre
8. Representatives of secondary school, Tuzla
9. Pedagogue and social worker at Day Centre, Bijeljina
10. Representatives, Bureau for Human Rights, Tuzla

Focus group discussions

1. Municipal Working Group members, Zenica
2. Municipal Working Group members, Sarajevo
3. Municipal Working Group members, Banja Luka
4. UNICEF Project Team

5. Municipal Working Group members, Bijeljina
6. Justice sector professionals, Jajce

List of documentary evidence

Programme documents

1. J4C Project Report, Jan – Dec, 2014
2. J4C Project Proposal April 2014 (Updated statistics)
3. J4C Progress Report 2015
4. J4C Mid Term Review – May 2016
5. J4C Project Proposal July 2016, Post Mid Term Review
6. BiH Country Programme Document, 2014
7. One United Nations Programme and Common Budgetary Framework: Bosnia and Herzegovina: 2015-2019
8. UNICEF Justice for Children Logframe, April, 2017

Existing evidence and resources

1. Mid-term review, Survey results
2. Meagan Smith Hrle and Sanja Tomic, 'Children's Equitable Access to Justice in Bosnia and Herzegovina', UNICEF, November 2015
3. Customs Concept, Knowledge Attitude Practice (KAP) Survey on Justice for Children, Executive Summary (unpublished report for UNICEF), Dec 2014
4. The Institution of Human Rights Ombudsman/Ombudsman of Bosnia and Herzegovina, 'Analysis of the Situation in Institutions Accommodating Minors in Conflict with the Law in Bosnia and Herzegovina', 2016
5. Agency for Statistics of Bosnia and Herzegovina, Juvenile Perpetrators of Criminal Offences in Bosnia and Herzegovina: 2015, 2014, 2013, 2012, 2011

Annex B: Ethical protocol

The evaluation will be guided by Coram International's Ethical Guidelines for Evaluation. Prior to data collection taking place, the Director of International Programmes and Research, Professor Carolyn Hamilton, must approve the evaluation methodology, tools and ethical protocol. Ethical approval must also be obtained from UNICEF Bosnia and Herzegovina's evaluation Management Team.

How will researchers be recruited and trained?

The Project's Lead Evaluators (Carolyn Hamilton and Kara Apland) have had training and extensive experience carrying out evaluation with diverse groups of children, young people and adults, and are suitably qualified. These evaluators will be responsible for ensuring that the ethical protocol is followed and for addressing any ethical concerns or issues that may arise during the course of the study. A national evaluator, Mirnesa Bajramovic, who has significant experience working with children, has also been selected to assist with data collection.

Mirnesa Bajramovic has conducted training in research ethics, and will undergo an in-depth training session delivered by Kara Apland prior to the data collection phase. This training will include: an introduction to the evaluation methods to be used in the study, the data collection tools, and the specific ethical and child protection considerations and procedures that researchers will need to take into consideration and respect while carrying out the evaluation.

Is informed consent required from all participants in the evaluation?

Yes, as the study involves carrying out data collection from persons, it is essential that all respondents give their voluntary and informed consent to participate in the study.

Researchers will explain to participants in clear, age-appropriate language that participants are not *required* to participate in the study, and that they may stop participating in the evaluation at any time. Researchers will carefully explain that refusal to participate will not result in any negative consequences. Researchers will obtain written consent from participants before beginning all interviews. In the case that the child is under the age of 16 years, oral consent will also be required from the child's parent or guardian.

At the beginning of each interview/ focus group, researchers will explain the purpose of the evaluation in accessible and child appropriate language. Researchers will also ask children to repeat back information about the study, to ensure that children have understood what they are consenting to.

Does the evaluation involve vulnerable populations? And if so, how will ethical issues arising out of this be addressed?

Yes, the evaluation will involve speaking with children aged 10-18 years; as well as persons who may have been victims of physical or sexual violence, and/or other rights abuses.

The evaluation will employ the principle of 'best interests of the child', in which the welfare and best interests of the participants will be the primary consideration in methodology design and data collection. All evaluation will be guided by the UN Convention on the Rights of the Child, in particular Article 3.1 which states: "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts or legislative bodies, the best interests of the child shall be a primary consideration."

Particular care will be taken to ensure that questions are asked sensitively and in a child-friendly, manner that is appropriate to the age, gender, ethnicity and social background of the participants. Researchers will speak

with participants in their local language. Clear language will be used which avoids victimisation, blame and judgement. Where it is clear that the interview is having a negative effect on a participant, the interview will be stopped.

Children will be provided with the opportunity to participate in data collection with a trusted adult or friend if this would make them feel more at ease. Researchers will identify staff at institutions (e.g. schools, community groups, detention centre staff) that are available to accompany participants, if requested.

Interviews may cover particularly sensitive or traumatic material, and it is important to ensure that participants feel empowered and not solely like victims. Interviews will finish on a 'positive or empowering note' (e.g. through asking questions about what would improve the situation of children in the relevant study sample). This will help to ensure that participants do not leave the interview focusing on past experiences of abuse. Where participants reveal past experiences of violence or abuse, researchers will convey empathy, but will not show shock or anger, as this can be harmful to children who have experienced violence.

During the data collection process, participants may disclose information that raises **child protections concerns** (i.e. information indicating that they are currently at risk of or are experiencing violence, exploitation or abuse). Prior to the data collection taking place, researchers will be provided with copies of the child protection policies and procedures of each institution from which participants are recruited, if relevant (i.e. schools, community groups, detention facilities) and should familiarise themselves child protection referral mechanisms and child protection focal points. Researchers will also be trained on UNICEF's child protection and ethics procedures as well as UNEG evaluation norms and standards.

In the event that the child interviewee reveals that they are at high risk of ongoing or immediate harm, or discloses that other children are at high risk of ongoing or immediate harm, the evaluator will prioritise obtaining the child's informed consent to report this information to the appropriate professional as set out in the child protection policy, or, in the absence of such a policy, the person with authority and professional capacity to respond. If the child declines, the evaluator will consult with an appropriate the designated person as advised by UNICEF, as well as the lead evaluator and other key persons in the evaluation team (on a need to know basis), concerning the appropriate course of action in line with the child's best interests. If a decision is made to report this information to the designated professional, the child interviewee is carefully informed of this decision and kept informed of any other key stages in the reporting and response process.

How will cultural appropriateness / sensitivity be determined and ensured?

The methodology and data collection tools will be reviewed by UNICEF and key partners, as well as a local (Bosnia and Herzegovina) member of the Evaluation Team. In addition, all data collection tools will be subject to an initial pilot, to identify any potential issues and concerns to be addressed before the data collection phase takes place.

Is it likely that participants will be misinformed about the purpose of the evaluation?

The researchers will fully explain the nature and purpose of the evaluation. However, because the evaluation has been commissioned by UNICEF, participants may have expectations of being provided direct or specific assistance as a result of the evaluation. Researchers will be advised and trained on how to explain the purpose of the evaluation to avoid raising expectations that they will be unable to fulfil.

Will participants be given anonymity and how will this be ensured?

Yes, all participation in the evaluation will be on an anonymous basis. The identity of all evaluation participants will be kept confidential throughout the process of data collection as well as in the analysis and writing up study findings.¹³² The following measures will be used to ensure anonymity:

- Interviews will take place in a secure, private location that is comfortable to the child, which ensures that the participant's answers are kept anonymous and not overheard;
- Researchers will not record the name of participants and will ensure that names are not recorded on any documents containing collected data, including on transcripts of interviews and focus group discussions;
- Researchers will delete electronic records of data from personal, unprotected computers;
- Coram International will store all electronic data on a secure, locked server, to which persons who are not employed by Coram cannot gain access. All hard copies of data will be filed in a cabinet in the Coram International office, only accessible by employees of Coram International. Hard copies of data will be destroyed after the completion of the contract with UNICEF BiH. Electronic copies will be retained for future reference on the same secure, locked server. All employees of the Coram International, including volunteers and interns, receive a criminal record check before employment commences.
- Evaluation findings will be presented in such a way so as to ensure that individuals are not able to be identified; except in the case that the respondent is a public official who is willing to give consent to the recording of their title and position, and that this is felt to be important for the evaluation.

All participants will be informed of their rights to anonymity and confidentiality throughout the evaluation process. Participants should be informed where it is possible that their confidentiality will be compromised. This may occur where, in a particular, named setting, the background information relating to a participant may make it possible for them to be identified even where they are not named.

How will the physical safety and well-being of researchers and participants be ensured?

Researchers will receive a security briefing from the relevant UNICEF office, before travel to field locations; and will be required to travel in pairs or larger groups.

All researchers will be required to produce a 'certificate of good conduct' / police clearance / criminal record check or equivalent before commencing field evaluation.

¹³² Where desirable and appropriate, and on a strictly voluntary basis, public officials may consent to the recording of their 'title' or 'position' where this is thought to add value to the research findings.

Annex C: Consent forms

INFORMED CONSENT FORM FOR PROFESSIONALS

Coram International a UK based children’s charity, is undertaking research on behalf of UNICEF to evaluate the project “Justice for Every Child”, a project that started in December 2013. The focus of the project has been on supporting the protection of children’s rights in the justice system.

The aim of the evaluation is to understand how far the project has met its aims, to identify any lessons learned and to make recommendations for future developments in the area of child justice in Bosnia and Herzegovina. As part of the study we are interested in getting the views of a wide range of stakeholders, including professionals and service providers. We would therefore like to ask you about your experience with the programme specifically, and with child justice in Bosnia and Herzegovina more broadly, by taking part in an interview/focus group discussion. We expect the interview/focus group discussion to take between 45 minutes and 1 hour.

While taking part in the study is unlikely to have direct benefits for you, it provides an opportunity to make your voice heard and considered as UNICEF and partners develop future programming on child justice.

Your participation is entirely voluntary and you are free to stop the interview at any time. Furthermore, you are free to decline to answer any of the questions we ask if you prefer to do so.

We will draw upon the information you provide us in our evaluation report for UNICEF and partners. However, we will not include your name any other personal information in any publication or documents produced, so no one will be able to link the information you give us back to you. **Your participation is anonymous and confidential.** Any information from the interview/focus group discussion will be securely stored, and after 3 years the information will be destroyed.

Do you have any questions in relation to the study or about your participation?

If you have any questions about the research at any point after the research, you can use the contact details below:

Mirnesa Bajramovic, mirnesab@bih.net.ba

If you would like to participate in the study, please complete the form below.

I have understood the information stated on the form or read to me by the researcher from Coram International about the study and my participation in the study.

I have had the opportunity to ask questions and any questions I have been asked have been answered to my satisfaction.

I hereby consent voluntarily to be a participant in this study.

Printed name of participant _____

Signature _____

Date _____

Day/month/year

INFORMED CONSENT FORM FOR CHILDREN

My name is Kara/Mirnesa and I work for an organization that works to promote and protect children's rights. My organization is doing research for UNICEF about one of their projects. The project was focused on improving the justice system for children. We are helping UNICEF to learn out what went well, what didn't go so well and what is the remaining work to be done.

For our study, we also want to learn from children about their experiences within the justice system and about their views and perspectives. I therefore wanted to ask you if I could ask some questions about what your experiences, what was positive, what was negative, and so on. For example it could be about when you met the police or about the work you do with your social worker. I would like to talk to you for about 30 to 45 minutes.

Taking part in the study may not have any specific benefits to you, but it gives you an opportunity to say what you think, and UNICEF can also use all the information that we collect when they plan any of their other projects for children.

You decide on your own if you want to take part in the study. Also, you can tell me at any point that you would like to stop the interview. If you don't want to take part or want to stop that is absolutely fine, there are no negative consequences in any way.

It is possible that I could ask about some things that you may not like to talk about or that you think are upsetting, but you decide yourself if you want to answer or not, just tell me. We can stop at any time. If you don't know an answer to a question or don't know what to say, that is also fine, just tell me.

After all of the interviews my colleagues and I are going to write a report, so we may include some of the things we discuss in that report. However, we will never use your name or any other information about you, so no one will know that we spoke to you.

The details of what we discuss will stay between you and me, and I am not going to tell anyone else. The only exception would be if you tell me something that makes me worry about your present safety, in which case I would really like to get some help for you. To get some help for you I might have to tell someone who could help you. But this person would also protect your privacy.

If you wanted to be part of the study and talk to me, I would take some notes so that I can remember later what we talked about. But I will keep those notes safe and the only other person I might show them to is someone who is also a researcher on this project.

Do you have any questions to anything I have told you or about taking part in the study?

If you have any questions after I have left, or if you would like to get some help because something we talked about made you very sad or upset, you could contact Mirnesa that I work with.

Her email address is: mirnesab@bih.net.ba

If you would like to take part in the study, please write your name in the box below.

I have understood the information on the form, read to me by the researcher from Coram International about the study and taking part.

I was given the chance to ask any questions I had and I am happy with the answers.

I would like to take part in this study.

Printed name of participant _____

Signature _____

Date _____
Day/month/year

INFORMED CONSENT FORM FOR PARENTS OF UNDER 16s

Coram International a UK based children’s charity, is undertaking research on behalf of UNICEF to evaluate the project “Justice for Every Child”, a project that started in December 2013. The focus of the project has been on supporting the protection of children’s rights in the justice system.

The aim of the evaluation is to understand how far the project has met its aims, any lessons learned and to make recommendations for future developments in the area of child justice in Bosnia and Herzegovina.

As part of the study we are also interested in getting the views of children themselves. We would therefore like to ask your child about his or her experiences. We expect the interview to take between 30 and 45 minutes.

While taking part in the study is unlikely to have any direct benefits for your child, it provides an opportunity for him or her to make his/her voice heard and the aim is for the study to inform future programming by UNICEF on child justice.

The participation of your child is entirely voluntary and he or she is free to stop the interview at any time. If you consent to your child participating, we will also ask you child separately if he or she wants to participate and he/she is free to decide on their own whether to participate or not.

It is possible that the research might cover some topics that your child is not comfortable to discuss, but he/she is free to choose not to answer certain questions.

The information provided may be used in a report or other documents that we publish or otherwise make available. However, we will not include the child’s name any other personal information in any publication or documents produced, so no one will be able to link the information provided back to your child. The participation is anonymous and confidential. Any information from the interview will be securely stored, and after 3 years the information will be destroyed.

Do you have any questions in relation to the study or about your participation?

If you have any questions about the research at any point after the research, or would like any assistance you can use the contact details below:

Mirnesa Bajramovic, mirnesab@bih.net.ba

If you would like to participate in the study, please complete the form below.

I have understood the information stated on the form or read to me by the researcher from Coram International about the study and my participation in the study.

I have had the opportunity to ask questions and any questions I have been asked have been answered to my satisfaction.

I hereby consent voluntarily to be a participant in this study.

Printed name of participant _____

Signature _____

Date _____
Day/month/year

INFORMED CONSENT FORM FOR PARENTS

Coram International a UK based children's charity, is undertaking research on behalf of UNICEF to evaluate the project "Justice for Every Child", a project that started in December 2013. The focus of the project has been on supporting the protection of children's rights in the justice system.

The aim of the evaluation is to understand how far the project has met its aims, any lessons learned and to make recommendations for future developments in the area of child justice in Bosnia and Herzegovina.

As part of the study we are interested in getting the views of a wide range of stakeholders, including parents of children who have experience of the justice system. We would therefore like to ask you about your experience by taking part in an interview. We expect the interview to take between 45 minutes and 1 hour.

While taking part in the study is unlikely to have direct benefits for you, it provides an opportunity to make your voice heard and the aim is for the study to inform future programming by UNICEF on child justice.

Your participation is entirely voluntary and you are free to stop being involved at any time. It is possible that the research might cover some topics that you may not be comfortable to discuss, but you decide what you want to share.

The information provided may be used in a report or other documents that we publish or otherwise make available. However, we will not include your name any other personal information in any publication or documents produced, so no one will be able to link the information you give us back to you. Your participation is anonymous and confidential. Any information from the interview will be securely stored, and after 3 years the information will be destroyed.

Do you have any questions in relation to the study or about your participation?

If you have any questions about the research at any point after the research, or would like any assistance because you feel that the study had a negative impact on your wellbeing, you can use the contact details below:

Mirnesa Bajramovic, mirnesab@bih.net.ba

If you would like to participate in the study, please complete the form below.

I have understood the information stated on the form or read to me by the researcher from Coram International about the study and my participation in the study.

I have had the opportunity to ask questions and any questions I have been asked have been answered to my satisfaction.

I hereby consent voluntarily to be a participant in this study.

Printed name of participant _____

Signature _____

Date _____

Day/month/year

Annex D: Data collection instruments

This annex contains:

- I. Key informant interview guide – Government, implementing partners and UNICEF staff
- II. Interview guide – children who have had contact with the justice system
- III. Interview guide – parents and caretakers of children who have had contact with the justice system
- IV. Survey – Justice sector professionals at municipal level

I. Key Informant Interview Guide – Government, Implementing Partners and UNICEF Staff

Please record the date and location of the interview and describe the respondent.

Introduce the evaluation according to the following script:

We are in the process of conducting a formative evaluation of UNICEF’s Justice for Every Child programming in Bosnia in Herzegovina. We have some questions for you regarding your experience with the programme specifically and with child justice in Bosnia more broadly.

Explain that participation in the study is voluntary, and advise participants about confidentiality and anonymity.

Are you happy to participate in the interview?

(If the respondent agrees to participate) We appreciate your agreement to participate in this interview. The evaluation is first and foremost a learning exercise for UNICEF so please do be open and candid in your responses as you can. While we would like to draw upon your contributions in our report, we will always keep your comments anonymous. You may not have answers to all of the questions so don’t feel you need to answer them - we are interested to learn from your knowledge, views and experiences.

Section 1: Introductory questions

1. Please give me a brief overview of your role and responsibilities. In particular, how does your work relate to justice for children in Bosnia?
2. How familiar are you with UNICEF’s child justice programming? According to your knowledge and experience, what has the Justice for Children Project involved? Have you collaborated with UNICEF in anyway?

Section 2: Programme Relevance

1. Can you give a bit of background/context in relation to the child justice system in Bosnia? How has the system evolved in recent years? What are its greatest strengths and weaknesses? (Feel free to focus on your area of knowledge and experience).
2. Do you feel the J4C project has addressed the needs of children within the justice system? (If so) how so? (If not) why not?
3. What are the particular needs of girls and boys within the justice system? How has the project addressed these needs? (If so) how?

4. From your perspective, are the objectives and outcomes of the project consistent and supportive of (your agency's) agenda? What about the government's broader policy agenda? Is the project relevant to the EU accession agenda?
5. Do you think the Project interventions (refer to specific intervention with which the respondent is familiar where relevant) were effective at achieving its results and outcomes? Why / why not?
6. Were changes made to the design of the project at any stage? Did these changes make the project more effective?
7. In your view, are the project's objectives still relevant? Why or why not?
8. What do you think are the remaining needs / priorities for the project to address?

Section 3: Programme Impact

1. In what areas have you found that the J4C Project has had a significant impact? How has the Project contributed to the broader process of justice reform? Have standards for child justice improved through Project activities? How so?
2. Which target groups and institutions benefited from the Project? How?
3. Did the Project respond to the needs of all groups of children, through addressing gender, disability and other forms of vulnerability? How so?
4. What external factors have influenced the Project? Was the Project able to overcome (unanticipated) barriers to its implementation? How so?
5. Were there any positive unintended consequences that emerged from the Project?

Section 4: Programme Efficiency (particularly relevant in interviews with implementing partners)

1. Tell me a bit more about your work in relation to the J4C process: (probe to understand nature of interventions). What have the greatest achievements been, and what has been difficult?
[In interviews with justice, security and social welfare practitioners, probe to understand more about their role in the justice system, their understanding of relevant law and policy and their practices].
2. Are you aware of any duplication or overlap of efforts to reform child justice in Bosnia?
3. How has the process of receiving support from UNICEF worked? Have there been any inefficiencies or problems with this?
4. Were you able to implement activities according to schedule? When you were not, why not? Can you give me an example of this?
5. Were you able to implement activities within the planned financial resources? If you were not, when and why not?

Section 5: Programme Effectiveness (results)

1. In your experience / in relation to your work which project outputs and outcomes have been achieved? Are they on track to be achieved as planned?
2. Why or why not? What factors disturbed the achievement of outputs and outcomes?
3. Are there any lessons you learned from your involvement in the project? What worked particularly well?
4. Were there any important changes in the context (e.g. political, environmental) that affected Project implementation or overall results?

Section 6: Programme Sustainability

1. Do you think that the achievements made by the project (refer to specific outcomes mentioned by the respondent) will be lasting? Why or why not?
2. Has the Project strengthened your capacity, or the capacity of key partners with whom you work? In what ways?
3. How well is the Project embedded in institutional structures that will last beyond the life of the Project? Has training and capacity building been incorporated into institutional structures?
4. Do you think Project interventions have been long enough to be lasting?
5. Do you think aspects of the Project implemented at the local level can be further disseminated throughout the country? Why or why not?

Section 7: Partnerships and cooperation (primarily for UNICEF)

1. Who were the partners you worked with in the delivery of the Project? Which partnerships were effective? Why or why not?
2. Were 'efficient and mutually satisfactory' cooperation agreements established with NGO partners? Other UN agencies? Government partners? Others?
3. Did partners fulfil their responsibilities? Were there contributions to the project high quality and timely? Over the course of the project, have new partnerships emerged that were not initially established?

Section 8: Conclusions and recommendations

1. If you could make any recommendations to UNICEF regarding their programming going forward, what would they be? Are there any gaps where you feel they should be programming and aren't? In particular, do you have any recommendations for UNICEF's justice for children programming? What about child protection programming more broadly? What can be done to enhance the protective environment of children in BiH?

II. Interview Guide – Children who have had contact with the justice system

Please record the date and location of the interview, the age, gender and membership of a minority group of the respondent and the nature of the respondent's experience with the justice system, a prevention programme, etc.

Ideally, interviews should be held in a one to one setting (two to one, including the translator). If the child being interviewed is more comfortable, it is okay for him or her to bring a trusted companion to the interview. Interviews should be conducted in a secure, quiet place.

Introduce yourself and the purpose of the study: the study is about the justice system for children in Bosnia and Herzegovina, and particularly about the work that UNICEF and its partners have been doing to improve the system, and ensure that it meets children's needs. We are looking to learn from your experiences so that we can find out what is happening in practice and what more could be done to protect children in the future.

Explain that the interview is voluntary, gain informed consent and advise participants about anonymity.

Section 1: Background information / warm up

Where are you living? Who do you live with? Who looks after you (at home)? (Probe to learn about the history of the child's living arrangements, particularly if the child has been serving a custodial sentence / living in an institution).

Do your parents / caretakers work? What are the main sources of income in your household?

Do you go to school? Where? Have you ever had to miss school for any reason? Why?
(If the child is not attending school) If not, why not?

Do you like spending time at home / with your family? Why / why not? If not, do you go anywhere else instead?

Where do you spend most of your time when you're not at home? What do you do? Who do you spend time with?

Are there any problems you are dealing with at home, at school or in the community? Is there anything that makes you feel unsafe or at risk of harm?

Section 2: Case history

As I mentioned, we are particularly interested to learn about your experience with the justice system – can you tell me the story of your case from the beginning? (If necessary reassure respondent) Remember, we will not share your story or your name with any authorities, and won't even tell your parents about what you have told us. We just want to learn from your experience so that the system can be improved for other children in the future.

Ask probing questions to get as much detail as possible about the events that led up to the child's arrest / apprehension, or involvement in judicial proceedings as a victim/witness.

(If not already addressed) **How was the case referred to authorities? What was their response like?** Ask probing questions to learn how the case was handled and who handled it.

Address all relevant stages: You should try to obtain details of each of the steps involved, including **when**, **where** and **why** each step is carried out, **how long** each step takes, **who** is responsible for each step, **who else** is **involved** in each step. Steps may include:

- a. Arrest or apprehension;
- b. Questioning / interviews of the suspect, victim and witnesses;
- c. Investigation into the matter;
- d. Charges laid on the accused;
- e. Referring the matter to court / other body;
- f. Preparing for trial / mediation;
- g. Trial / mediation;
- h. Sentencing / settlement;
- i. Post-sentencing / post-settlement.

Probe to get a sense of whether child-friendly procedures were implemented during proceedings, particularly in relation to interviews and hearings.

What was the outcome of the case / how was the case resolved? Whose decision was it? What did you think about this? What did your family think about this?

How did you feel about your experience? Is there anything you wish had been different?

Did you trust the authorities involved in the process? Why or why not?

How are things going for you now? (If relevant) has the problem improved? Are there any new problems you are dealing with now? Is there anything in your life that you would like to change?

What are your current goals/plans/hopes for the future?

Looking back, do you agree with the way that the case was handled and the decisions that were made? Do you wish that things had been done differently? How?

Section 3: Recommendations

What do you think would improve the justice system for you and other children in the future? Do you have any recommendations for what the [government] should do to make things better for children?

III. Interview Guide – Parent whose child has had contact with the case management system

Please record the date and location of the interview, the age, gender and membership of minority group of the respondent and the nature of the respondents experience with the justice system, a prevention programme, etc.

Ideally, interviews should be held in a one to one setting (two to one, including the translator).

Introduce yourself and the purpose of the study: the study is about the justice system for children in Bosnia, and particularly about the work that UNICEF and its partners have been doing to improve the system, and ensure that it meets children's needs. We are looking to learn from your experiences so that we can find out what is happening in practice and what more could be done to protect children in the future.

Explain that the interview is voluntary, gain informed consent and advise participants about anonymity.

Section 1: Background information / warm up

Tell me a bit about your family: who lives with you at home?

What are the main sources of income in your household?

What are the main challenges or sources of stress you face within your household? Are there any particular difficulties involving your children?

Tell me about your children – do they go to school? (Ask specifically about the child / children involved in the case). Have they ever missed school for any reason? Why? (If the child is not attending school) If not, why not?

Where do your children spend most of their time when they're not at home?

Section 2: Case history

As I mentioned, we are particularly interested to learn about children's experience with the justice system – can you tell me the story of your child's case from the beginning? (If necessary reassure respondent) Remember, we will not share your story or your name with any authorities, and won't mention to your child what you have told us. We just want to learn from your experience so that the system can be improved for other children in the future.

Ask probing questions to get as much detail as possible about the events that led up to the child's arrest / apprehension, or involvement in judicial proceedings as a victim/witness.

(If not already addressed) How was the case referred to authorities? What was their response like? Ask probing questions to learn how the case was handled / who handled it and what happened.

Address all relevant stages: You should try to obtain details of each of the steps involved, including **when**, **where** and **why** each step is carried out, **how long** each step takes, **who** is responsible for each step, **who else** is **involved** in each step. Steps may include:

- a. Arrest or apprehension;
- b. Questioning / interviews of the suspect, victim and witnesses;
- c. Investigation into the matter;
- d. Charges laid on the accused;
- e. Referring the matter to court / other body;
- f. Preparing for trial / mediation;
- g. Trial / mediation;
- h. Sentencing / settlement;
- i. Post-sentencing / post-settlement.

Probe to get a sense of whether child-friendly procedures were implemented during proceedings, particularly in relation to interviews and hearings.

What was the outcome of the case / how was the case resolved? Whose decision was it? What did you think about this? What did your child think about this?

How did you feel about your child's experience? Is there anything you wish had been different?

Did you trust the authorities involved in the process? Why or why not?

How are things going for you now? (If relevant) has the problem improved? Are there any new problems you are dealing with now? Is there anything in your life that you would like to change?

What are your current goals/plans/hopes for the future?

Looking back, do you agree with the way that the case was handled and the decisions that were made? Do you wish that things had been done differently? How?

Section 3: Recommendations

What do you think would improve the justice system for your child and other children in the future? Do you have any recommendations for what the [government] should do to make things better for children?

IV. Survey for J4C Working Groups Members and Justice Sector Professionals

Section 1: Background Information

- What is the locality / municipality covered by your working group?
- Which sector do you represent?
 - Ministry of Interior/Police
 - Judiciary
 - Prosecutor
 - Social Welfare
 - Education
 - NGO
 - Local administrative authority
 - Other
- How long has your working group been meeting?
- How often do you meet?
 - Once a month or more
 - At least once every three months
 - At least once every six months
 - Very irregularly
- Are all relevant stakeholders engaged in the working group on a regular basis? If not, which are missing?
 - Ministry of Interior/Police
 - Judiciary
 - Prosecutor
 - Social Development / Social Work Centre
 - Education
 - NGO

Section 2: Implementation of Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings

- Which specialised professionals are present in your locality? (Circle all that apply)
 - Judges for juveniles
 - Prosecutor
 - Police
 - Expert advisors to courts and prosecutors

- Has use of diversion increased in your locality since the working group was established?
 - Yes, a lot
 - Yes, somewhat
 - No, it has stayed the same
 - It is not used at all

- If so, which of the following are used (circle all that apply):
 - Police warning
 - Correctional recommendations (prosecutorial / judicial diversion)
 - Personal apology
 - Compensation or damage
 - Regular attendance of schools and work
 - Volunteering
 - Treatment in medical institution
 - Attending counselling
 - Principle of opportunity (prosecutorial or judicial diversion)

- Has use of alternative (correctional) measures increased in your locality since the working group was established?
 - Yes, a lot
 - Yes, somewhat
 - No, it has stayed the same
 - Alternative (correctional) measures are rarely used

- If so, which of the following has increased (circle all that apply):
 - Intensified supervision;
 - Warning and referrals;
 - Disciplinary centre
 - Special obligations
 - Attend school regularly
 - Attend work regularly
 - Vocational training
 - Volunteering
 - Refraining from going to certain places or socialising with certain persons
 - Medical treatment, including addiction treatment
 - Individual or group counselling
 - Attending skills development course
 - Participate in sports or recreational activities
 - Not to leave place of residence without court permission
 - Court reprimand

Section 3: Availability of prevention services and witness support services

- Is support available to victims and witnesses in your locality (circle all that apply):
 - o During initial interview with police
 - o Between interview and charge of perpetrator
 - o Between charge and trial
 - o During the trial
 - o Post trial

- Are prevention services available for children with 'risky' behaviour? Yes / No
 - o If yes, please list the prevention services:
- (If so) Do you feel these services are effective? Very / somewhat / not really / not at all

- Do children who are issued an alternative measure or juvenile detention provided with rehabilitation support / support to address underlying causes of offending? (Circle one)
 - o Yes, always
 - o Sometimes
 - o Rarely
 - o Never

Section 4: Training and capacity building

- Are you professionally involved with cases involving children or juveniles in criminal proceedings (as accused, victims, or witnesses)?
- How many cases have you dealt with in the past 12 months?
- How many days of training have you received in relation to justice for children in the past three years?
- What about in the past year?
- On a scale of 1 – 5, how helpful has the training been? 1 2 3 4 5
- Do you expect to receive more training in the next year? Yes / No

Annex E: Terms of Reference

TERMS OF REFERENCE FOR:

Final Evaluation of Justice for Every Child project

Type of contract: International Institutional Consultancy

Duration: 15 January 2017 – 7 April 2017 (45 Days in total)

Requested by: Swedish International Development Cooperation Agency (Sida), the Swiss Embassy and UNICEF BiH

Consultancy Mode: International

2. Background

UNICEF Bosnia and Herzegovina, with the support of the Swiss Embassy and the Swedish International Cooperation Development Agency (Sida), has been implementing the Project Justice for Every Child since December 2013. These terms of reference provide the overall framework for conducting an evaluation of this Project, as the Project comes to a close in November 2017. The purpose of the evaluation is to assess progress made against planned objectives, identify lessons learned, and make strategic recommendations for future decision-making in the area of justice for children, both for UNICEF and local stakeholders. The evaluation should be conducted by a team of two over a period of 45 days.

3. Evaluation Context

In 2010, UNICEF, with the support of the Swiss Government and Sida, began implementing a project to support the protection of children's rights in the justice system, particularly in proceedings involving children in conflict with the law. UNICEF has been recognized as the lead agency in this area, and has been working closely with key Governmental partners to strengthen the systems of justice for children on all levels. The first phase of the project contributed to: the implementation of the Republika Srpska (RS) Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings (hereafter: Law on Protection) and the adoption of the Federation (FBiH) and Brcko District (BD) Laws on Protection; the implementation of nine Municipal Action Plans on Justice for Children, with a focus on diversion, alternatives to detention measures and prevention of juvenile offending, and measures taken to implement these; nine police stations equipped with child-friendly rooms; increased capacity and knowledge of professionals working with juveniles in justice for children and approaches to prevent or respond to offending; inclusion of juvenile justice modules in the curricula for capacity development of judges and prosecutors in RS; awareness among policy and decision makers on the situation of institutions for children and juveniles in conflict with the law in Bosnia and Herzegovina (BiH); and increased attention and accountability of policy makers in ensuring institutions for children deprived of their liberty are monitored and up to internationally agreed standards.

Although tangible advancements in creating a child friendly justice system were achieved in many areas during the course of the first project, including elevating justice for children as a rule of law priority, much work remained to be done. The legal framework and its implementation, practices and services were yet to comply with justice for children standards. Against this backdrop, it was agreed among UNICEF and the donors to extend the Project for a second phase, from December 2013-November 2017.

4. Project Overview

In December 2013, UNICEF, with the continued support of the Swiss Government and Sida, launched the next phase of this project, with an increased attention to children as victims/witnesses in criminal proceedings and children in civil proceedings, as well as sustained focus on secondary and tertiary prevention. The Project Justice for Every Child seeks to improve the application of international standards in BiH so that children¹³³ are better served and protected by the justice system, including the security and social welfare sectors. The project has two main objectives:

- to strengthen the legal, policy and social environment for secondary¹³⁴ and tertiary¹³⁵ prevention measures for children at-risk and juveniles in conflict with the law; and
- to increase access to efficient support and protection services to child victims/witnesses and children in civil proceedings.

To build on achievements from the first phase, the focus of the Project is on bolstering secondary and tertiary prevention related activities and improving outcomes for all children who interact with the justice system. In keeping with the holistic approach embedded in justice for children, Justice for Every Child seeks to address the needs of child victims and witnesses and children in civil proceedings and work to enhance services and support to them before, during and after criminal or civil proceedings.

The Project works with a multi-layered intervention strategy, necessitated by the many facets of justice for children combined with the complex institutional arrangements in BiH. Following on the success of the local Juvenile Justice Working Groups, the Project scaled-up impact by consolidating sustainability in nine locations from the first phase, and establishing working groups in another seven locations in the Federation (FBiH), and the Republika Srpska (RS) with the goal of creating conditions which allow for implementation of diversion, alternative measures, and reintegration, as well as greater coordination among stakeholders. At the same time, through technical assistance and advocacy activities, the Project supports enduring changes to the legislative and policy framework.

In response to the devastation and trauma caused by the unexpected floods in 2014, together with the donors, it was agreed to include and implement additional activities to support children and their families in the recovery response. At the same time, certain other project activities were impeded during 2014 due to this emergency response which affected nearly all of the relevant stakeholders. The project's budget amount to 4 million USD.

Key Stakeholders

FBiH, RS and BiH Ministries of Justice

As members of Project Coordination Board, actively participate in programme planning and information sharing. Provide technical assistance on development of policy and legal framework. FBiH and RS Ministries of Justice play an oversight role as to training process on Laws on Protection and Treatment of Children and Juveniles in Criminal Proceedings for non-judicial professionals, as well as oversight of all children in detention. RS Ministry of Justice implementing assessment of Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings.

RS and FBiH Ministries of Interior and police officials

As members of Project Coordination Board, actively participate in programme planning and information sharing. Designed and implemented small scale projects to support internal capacity building on justice for

¹³³ In this document, a child is under 18 years of age. A juvenile refers to a child aged 14-17 involved in the justice system as an alleged offender.

¹³⁴ Secondary prevention refers to measures which address children who are at-risk of entering the juvenile justice system.

¹³⁵ Tertiary prevention refers to measures to prevent reoffending and reintegration of juveniles who are in contact with the law. In Bosnia and Herzegovina, this means children between 14-17 years of age, hereafter referred to as juveniles.

children, and greater awareness among children about their rights. Police officials participate in trainings, serve as trainers and experts.

FBiH and RS Ministries of Social Protection and Centres for Social Welfare

As members of Project Coordination Board, actively participate in programme planning and information sharing. Developing capacity building standards and materials for social workers on justice for children and mediation. Staff at Centres for Social Welfare participate in local working groups, serve as trainers and experts, and implement new initiatives.

FBiH and RS Judicial and Prosecutorial Training Centres

Organise and implement trainings for judges and prosecutors on justice for children. Issue certificates to training participants.

BiH Ministry of Human Rights and Refugees

As member of Project Coordination Board, actively participate in programme planning and information sharing. Developed guidelines on juvenile justice data collection for all relevant governmental authorities to facilitate reporting on children's rights in Bosnia and Herzegovina.

Municipal/City/Cantonal Working Groups

In total, 16 Municipal/City/Cantonal Working Groups encompassing 26 municipalities. Municipal, Cantonal and City officials have played a key role in establishing and ensuring smooth implementation of local action plans designed to improve treatment of children in conflict with the law, and reduce offending.

High Judicial and Prosecutorial Council (HJPC), judges and prosecutors

As member of Project Coordination Board, actively participate in programme planning and information sharing. Supported harmonisation of electronic Case Management System with the Laws on Protection and Treatment of Children in Juveniles in Criminal Proceedings. Judges and prosecutors participate in local working groups, and serve as educators and experts for various Project activities.

National justice experts, UNICEF consultants

Development of training programmes, studies, assessments, and legislative analyses. Supporting implementation of various project activities in a high quality manner, and ensuring compliance with the highest professional justice for children standards.

Ministries of Education, educational institutions (primary, secondary and universities)

Cooperation with Ministries of Education established with respect to some alternative measures, identification of at-risk children, with respect to participation in local Working Groups. Primary and secondary school officials participate in identification of at risk children, local working group, and capacity building. A network of universities developed a multi-disciplinary graduate level course on justice for children, and some universities supported legal aid clinics for law students.

National and international NGOs

The Project has supported three NGOs which have made significant contribution to implementation of Project activities, particularly at the local level. These include: Criminal Policy Research Centre, supporting Sarajevo and East Sarajevo Working Groups; Human Rights Office, supporting Bijeljina, Banja Luka, Prijedor, Kozarska Dubica, Bihac, Travnik, Tuzla, Zenica and Dobož Working Groups; and Human Rights Centre, supporting Mostar, Čapljina, Trebinje and Livno Working Groups. Other NGOs which have been actively involved in project

implementation include Save the Children, the RS Association of Psychologists, and the FBiH Association of Prosecutors.

BiH Ombudsmen

Conducted assessment of institutions where juveniles are held. Report regularly on human rights situation in country, including rights of the child.

International organisations and NGOs

Solid cooperation has been established with other organisations working on matters involving the justice sector and/or children, including the European Union, Council of Europe, United Nations Development Programme, and Emmaus.

5. Purpose and objectives of the final evaluation

As per the Project document, UNICEF, Sida and the Swiss Government agreed to conduct a final evaluation of the Project. The evaluation should encompass all aspects of the Project, including the additional activities as a response to the flood emergency as set forth in the revised project document. The main purpose of the final evaluation is to review and assess the relevance, efficiency, effectiveness, sustainability and impact of the Project, and make strategic recommendations for future decision-making in the area of justice for children, both for UNICEF and local stakeholders. The evaluation will assess progress against the Project results throughout Bosnia and Herzegovina and in all Project locations.

The intended users of the evaluation will be primarily UNICEF and the Project staff, the Project Coordination Board, and donors. As well, the results of the evaluation will be shared with relevant entity, Cantonal, municipal, and State governments, and other stakeholders in the area of justice for children. The evaluation process will be informed by the United Nations' Norms and Standards for Evaluation.¹³⁶

The selected evaluators will take a broad overview of the project area by gathering perceptions, aspirations, feedback and data from relevant partners, stakeholders and beneficiaries for objective analysis and conduct of the evaluation. The evaluation will look to underline the key factors that have either facilitated or impeded project implementation. The evaluation will examine the overall performance and impact of the project.

The objectives of the final evaluation are to:

- 1) assess the Project results against the planned activities, through the lens of relevance, effectiveness, efficiency, sustainability and impact, and identify if there were any unintended project results;
- 2) identify lessons learned; and
- 3) make strategic and forward-looking recommendations for exit strategies or areas where interventions may still be warranted.

6. Key evaluation questions

A fair knowledge and understanding of the Project's context and operating environment will be required. In keeping with UNICEF priorities, a human-rights based approach and gender should be taken into consideration across all evaluation criteria. The evaluation will assess a number of elements to determine the Project's achievements and constraints, performance, results, impact, relevance and sustainability. The core evaluation question are:

¹³⁶ United Nations Evaluation Group, (2016). *Norms and Standards for Evaluation*. New York: UNEG.

6.1 Relevance and design: The extent to which the objectives address the real problems and the needs of its target groups, country priorities, associated national policies and donor priorities. Questions to be explored include:

- To what extent are the Project's objectives still valid?
- To what extent have the BiH/entity/cantonal/municipal stakeholders been taken into consideration, participated, or been involved in the development and implementation?
- Does the Project respond to the needs of the identified target groups and beneficiaries? Were the unique needs of girls and boys taken into consideration / to what extent was gender equality respected and mainstreamed within the project implementation?
- Are the Project's objectives and outcomes consistent and supportive of governmental policies, sectoral policies, and EU accession agenda?
- Was the design of the Project appropriate for reaching its results and outcomes?
- Have any changes been made to the Project's design during the implementation? If yes, did they lead to significant design improvements?
- Were coordination, management and financing arrangements clearly defined and did they support institutional strengthening and local ownership?

6.2 Programme Efficiency (processes): Were inputs utilised or transformed into outputs in the most optimal or cost efficient way? Could the same results be produced by utilising fewer resources? Questions to be explored include:

- To what extent has support to governments and NGOs as implementing partners been an efficient implementation modality?
- To what extent have the target population and participants taken an active role in implementing the Project? What modes of participation have taken place?
- How efficient are NGOs in supporting the implementation?
- To what extent were activities implemented as scheduled and with the planned financial resources?
- Are there any duplication of efforts?

6.3 Programme Effectiveness (results): Extent to which the objectives of the development intervention have been achieved or are expected to be achieved, bearing in mind their relative importance. How well programme's results contribute to the achievement of programme's objectives?

- To what extent have the Programme outputs and outcomes been achieved? Are they on track to be achieved as planned during the Project?
- What factors contributed to progress or delay in the achievement of products and results?
- What good practices or successful experiences or transferable examples have been identified?
- What is the quality of interventions and results achieved on local/municipality/Cantonal/Entity/BiH level?

- Have any changes in the overall context in BiH (political situation, emergency/floods) affected Project implementation and overall results?

6.4 Programme Impact: The effect of the programme on its environment - the positive and negative changes produced by the Programme (directly or indirectly, intended or unintended).

- In which areas did the Project have a significant impact (if identifiable at this stage)?
- How is the Project contributing to the overall reform process within the justice for children system in BiH?
- Which target groups and institutions benefit from the Project?
- How have cross-cutting issues, such as gender, disability, and reaching the most vulnerable children, been effectively taken up?
- How have justice for children standards been advanced through the Project activities?
- What factors favourably or adversely affected the Project delivery and approach? Was the Project successful in overcoming any external negative factors?
- Were there positive spill-over effects?

6.5 Programme Sustainability: Probability of the benefits of the programme continuing in the long term.

- Has the Project created conditions to ensure that benefits continue beyond the Project?
- How well is the Project embedded in the institutional structures (national, entity and local) that will survive beyond the life of the Project?
- How has the Project institutionalised training and overall capacity development efforts so far?
- Has an approach/model been developed that can be further disseminated throughout BiH?
- Is the duration of the current Project sufficient to ensure sustainability of the interventions?
- How has the Project strengthened the capacity of municipal, cantonal, entity and BiH governmental stakeholders to recognise and respond to children's needs within the justice sector?
- Which recommendations can be made to inform future strategies and programming?

6.6 Partnerships and cooperation: Measure of the level and quality of UNICEF cooperation with partners and implementing partners (e.g. donors, NGOs, Governments, other UN agencies etc.)

- To what extent have partnerships been sought and established and synergies created in the delivery of assistance?
- Were efficient and mutually satisfactory cooperation arrangements established between UNICEF and NGO partners? Other UN agencies? Governmental institutions? Other partners?
- Were partners' inputs of quality and provided in a timely manner? Have partners fully and effectively discharged their responsibilities?
- Does the Project contribute to the overall UN Country Strategy?
- Have any new partners emerged that were not initially identified?

7. Scope of the evaluation and limitations

The evaluation covers the period January 2014 to December 2016 (a brief review and update will be undertaken at the end of the programme, in December 2017). The geographical scope of the evaluation should encompass the Federation, the Republika Srpska and Brčko District, as well as overall progress in the 16 Project locations. However, it is not expected to conduct a detailed assessment in each location.

One limitation to this evaluation refers to the overall timing - the evaluation will realistically only be able to assess approximately three years of activities (January 2014-December 2016), but significantly, data for 2016 will not yet be available at the time of conducting the evaluation. Thus, official data for only two years of Project implementation will support the analysis.

Another limitation refers to the overall comprehensive nature of the Project and numerous stakeholders - given the limitation of approximately ten days for field research, the evaluation team will not be able to interact with all relevant stakeholders nor gain first-hand information on all aspects of the Project's implementation. As a mitigating strategy, an online survey among all stakeholders may allow the evaluation team to reach a broader cross section of Project beneficiaries.

8. Methodology

In this evaluation, both qualitative and quantitative research methods will be applied. The analysis will build on information collected from a variety of stakeholders, available data, as well as a desk review. The methodology should incorporate the following elements:

- Desk research, including review of all relevant project documents: annual work plans, indicator monitoring table, monitoring reports, training material developed, guidebooks developed, decisions on formation of Working Groups, Municipal Working Group Action Plans, NGO implementing partner reports, Project Coordination Board minutes, etc.
- Individual meetings and semi-structured interviews with UNICEF Project staff, beneficiaries, NGO implementing partners, governmental stakeholders, and others benefiting from project activities.
- Online survey for Project beneficiaries, similar to one undertaken for mid-term review, which will allow for comparison of results.

A methodology is expected to be developed by the evaluation team within the inception phase, and shared with UNICEF, the Swiss Government and Sida for approval.

9. Key deliverables and time frame

The evaluation team is expected to produce and submit the following deliverables:

- Work plan and methodology by 13 January 2017 (to be approved by UNICEF by 31 Jan 2017);
- 1st draft evaluation report (draft findings, conclusions and recommendations from all data sources used in the evaluation) by 28 February 2017;
- 2nd draft evaluation report by 14 March 2017;
- Final evaluation report by 28 March 2017;
- Evaluation Summary Document and Power Point Presentation summarizing key findings and recommendations from the main report by 31 March 2017;
- Final presentation - delivery of Power Point Presentation of the evaluation to stakeholders by 7 April 2017.

Please note that work plan and methodology, draft reports and final evaluation report shall be submitted in English while an evaluation summary document and a Power Point Presentation shall be submitted both, in English and in Bosnian/Croatian/Serbian.

10. Evaluation team

The evaluation will be conducted by an international institution which needs to engage a team of two evaluators, one international as the evaluation leader and one national from Bosnia and Herzegovina, as it would be important that one member of the team speaks and writes Bosnian/Croatian/Serbian fluently. UNICEF shall approve all members of the team upon receipt of individual CVs, references, and work samples.

The evaluation leader will lead the evaluation process at all stages and coordinate cooperation with UNICEF and other stakeholders involved. The evaluation leader will be responsible for all components of the evaluation and responsible for provision of deliverables listed previously on time and of acceptable quality.

The evaluation leader will work in close cooperation with UNICEF Bosnia and Herzegovina Child Protection Section and Programme Monitoring and Evaluation Section and will report to the UNICEF Programme Monitoring and Evaluation Specialist.

The evaluation team should act with integrity and respect for all stakeholders according to UNEG Ethical Guidelines for Evaluation.¹³⁷ In the report, evaluators should not refer to any personal data obtained during the evaluation, nor share any findings concerning individual children, families or individual institutions. The evaluation team should aspire to conduct high quality and ethical work guided by professional standards and ethical and moral principles.

The international evaluation leader is required to possess following competencies:

- Advanced university degree in law or social science (certificates in evaluation studies is an asset);
- Extensive experience in designing and conducting evaluations and surveys, quantitative and qualitative analysis and data analysis (minimum of 6 years);
- Excellent knowledge of monitoring and evaluation methodologies; sound judgment and ability to objectively evaluate programmes in terms of processes, as well as results achieved (evidenced through previously conducted evaluations and references);
- Experience in conducting evaluations related to child friendly justice or child protection;
- Proven knowledge on child rights, human rights, gender equality and social inclusion;
- Very good written and spoken English required if the team leader is an international expert, while excellent written and spoken Bosnian/Croatian/Serbian and English is required if the team leader is a national expert;
- Excellent communication and presentation skills;
- Excellent skills in working with people and organising team work;
- Excellent analytical report writing skills;
- Excellent conceptual skills;
- Ability to keep with strict deadlines;
- Knowledge of the country context related to justice system is an asset;
- Familiarity with UNICEF's mission and mandate is an asset.

The national member of the evaluation team is required to possess the following competencies:

- Advanced university degree in law or social science;
- Minimum 3 years of expertise in the area of evaluation and experience in programmes related to justice and child protection;

¹³⁷ Available here:

file:///D:/UNICEF%20BIH/J4C%20Implementation/Evaluation/Other%20Evaluation%20ToRs/UNEG_FN_ETH_2008_EthicalGuidelines.pdf

- Proven knowledge on child rights, human rights, gender equality and social inclusion;
- Proven knowledge of the justice system and child protection system in Bosnia and Herzegovina;
- Demonstrated ability to prepare interview/focus groups protocols and other evaluation instruments;
- Excellent communication and presentation skills in English for international team members; excellent communication and presentation skills in Bosnian/Croatian/Serbian and English for national team members;
- Excellent analytical and report writing skills;
- Familiarity with UNICEF's mission and mandate is an asset.

The consultants must not have any relation to the programme, or UNICEF, or would personally benefit from the result of the evaluation.

11. Duty station and official travel involved

All of the field work will take place in Bosnia and Herzegovina; all official travel will be scheduled, agreed and approved by UNICEF during the inception phase.

12. Duration

Expected duration of the contract is from 9 January to 7 April 2017, with a total of 45 working days.