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## **ANNEX A - INTERVENTION OVERVIEWS**

### **Introduction to intervention overviews**

Each intervention overview contains:

- Brief description of the intervention including chart showing key events, and a summary of intervention expenditure
- A table summarising key intervention outcomes
- Overview of the policing context
- Findings on intervention-level outcomes
- Evaluation conclusions

### **Introduction to tables summarising key outcomes**

Results diagrams were constructed by the team for the purposes of the evaluation. These aimed to capture the ‘true’ intention and scope of each intervention design (as far could be ascertained) whilst retaining a degree of correspondence with the reporting formats used during the implementation period. The diagrams were discussed with and validated by MFAT aid programme staff in Wellington and at post.

While the diagrams are not reproduced in this annex, key intervention outcomes are summarised in each intervention overview.

### **Introduction to findings on intervention-level outcomes**

Tables are used to provide a summary of intended results and actual achievements for each intervention. They are structured around the findings on intervention-level outcomes which highlight the medium and long term outcomes feeding into each other to achieve the overarching goal.

## **Annex A(1): Afghanistan - Operation Highland**

### **Intervention description**

New Zealand joined the international coalition supporting Afghanistan in 2003. Six months after its creation by the US in March of the same year, the New Zealand Defence Force (NZDF) took over the running of Bamiyan's Provincial Reconstruction Team (PRT).<sup>1</sup> The following year, New Zealand was asked by the Afghan Police Training Project (under German leadership) to assist with police training at the Regional Training College to be established in Bamiyan. This request was made in light of the existing military presence and the consequent ability of the NZDF to provide force protection to New Zealand Police personnel. After a scoping deployment to launch Operation Highland (OH), the New Zealand Cabinet approved in December 2005 the continuation of the initial NZ Police contribution on a year-by-year basis. Following the signing of a Terms of Agreement between EUPOL and the New Zealand Government in October 2007, NZP Highland personnel have been hatted under EUPOL and their work underpinned both by the NZ Police Strategic Plan<sup>2</sup> and a EUPOL Operational Plan<sup>3</sup>.

The overall objectives of OH are first, to support the Bamiyan Regional Training Centre (RTC) to deliver training to the Afghan National Police, initially through training trainers and imparting basic skills directly to new recruits, and latterly by focusing on honing trainers' skills; and second, to mentor the Bamiyan Provincial Police Chief and other senior police managers in Bamiyan Province. In the first two phases of OH, activities also included site development of the Regional Training College (financed by the US Department of State), along with the 'back capture' (i.e. retraining) of existing Afghan National Police (ANP) personnel. In addition, an important aspect of New Zealand's support for security in Bamiyan has been the training of a Provincial Quick Response Force. This has been carried out by the NZDF, with support from the New Zealand Police.

Over time, the number of NZ Police personnel was increased from three to a maximum of eleven during the 12<sup>th</sup> Operation Highland 6-month deployment (Highland 12). Today, in Highland 15, five NZ Police officers serve alongside other EUPOL police and civilian Human Rights and Rule of Law advisers. The EUPOL/NZ Police team also lives and works alongside US officers who support the Rule of Law, Corrections and Intelligence work.

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<sup>1</sup> The PRT comprises NZDF, NZ Police, US Armed Forces, representatives from the US Departments of State and Agriculture, and a USAID rep. New Zealand PRT support to Operation Highland has included technical advice and support on some of the building development and maintenance at the RTC and PPHQ; and providing NZ Police with information about the status of ANP in the Districts. New Zealand PRT have also provided support to the ANP through NZ Official Development Assistance funding by constructing police stations, and providing essential equipment. Cresswell S. (2009).

<sup>2</sup> *A Vision of Safer Communities Together and Policing values of Integrity, Professionalism, Commitment and Respect.*

<sup>3</sup> The mentoring work responds to Strategic Objective 2: "Development of a National Strategy for Criminal Investigation" and S.O. 4: "Development and Implementation of a National Training Strategy" of the *EUPOL-A Operational Plan*, April 2008.

**Operation Highland: key events**

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Operation Highland: Intervention events</b>											
NZ Cabinet provisionally agrees to NZP deployment to Bamiyan until the end of 2005. (January 2005)	▲										
NZ Cabinet approves continuation of the NZP support to RTC, and an expanded police mentoring role. (December 2005)	▲										
Tactical Training Programme (TTP) and new Basic 8 course begin in Bamiyan (2006)		▲									
Agreement signed between the European Union and New Zealand on NZ participation in EUPOL (October 2007)			▲								
NZDF Lt. Tim O'Donnell killed following an ambush in NE Bamiyan (August 2010)						▲					
Official transition of security responsibilities in Bamiyan from international to Afghan security forces (July 2011)							▲				
NZ government announces a three-year commitment to Rule of Law projects in Bamiyan (May 2012)								▲			
Two NZDF soldiers killed and six wounded in NE Bamiyan (August 2012)								▲			

**Operation Highland: expenditure summary - (funded from MFAT)**

2005	2006	2007	2008	2009	2010	2011	2012	Total (2005/2012)
97,218	695,171	631,866	625,017	907,817	882,310	741,616	666,308	5,247,383

Notes: (1) The above figures refer to ODA expenditure for work implemented by the NZP. The figures do not include NZP expenditure from other sources nor ODA paid to other vendors (estimated at about 3-4% of the total ODA spent on police reform).  
 (2) Approximately 75% of ODA expenditure funded personnel salaries.

*Currency: NZ\$ 000's*

*Source: MFAT data*

## Intended intervention outcome

<b>Overarching Goal: The Provincial Police component of the Afghan National Police is capable of maintaining security and law and order in Bamiyan Province</b>		
<b>Long Term Outcomes</b>	ANP in Bamiyan discharges its duties in an efficient, effective, just and transparent manner in accordance with Afghan law	The quality and skills of ANP personnel in Bamiyan is sustained over time through its training system
<b>Medium term Outcomes</b>	Improved ANP ethos, upgraded personnel and resource management at Bamiyan and in the districts	Creation of excellence in training and re-training of ANP at the Regional Training Centre, Bamiyan

## Overview of the policing context

**Police mandate:** In 2005, an Afghanistan Police Law was promulgated and defined a new mandate and a new chain of command for the ANP.<sup>4</sup> The organisation of the provincial police is determined centrally by the Ministry of Interior, which allocates the *tashkil*<sup>5</sup> for the province, establishing the number of police that can be recruited and deployed. Efforts to promote community policing have received significant attention only since 2010.

By the time the Taliban took power in 1996, the Ministry had become a chess-piece in local power politics and a repository of patronage and corruption.<sup>6</sup> The key impediment to the development of a modern, accountable police force in Afghanistan is the national and local elite manipulation of the police, with the Ministry remaining a political fiefdom and local power-brokers constraining and sometimes actively controlling police personnel to further their own private objectives. The rapid formation of police units at the provincial and district level reinforced such tendencies: available early recruits were far from ideal. While ex-militiamen and former warlords were quick to embrace policing as an occupation, they brought with them a mind-set that viewed policing as a personal income source.

**Police technical capacity:** The need to achieve ‘stabilisation’ in the country motivated a 2007 increase in ANP numbers to 82,000<sup>7</sup>, including 44,319 Afghan Uniformed Police (AUP), 5,365 Afghan National Civil Order Police (elite gendarmerie-style units) and 17,970 Afghan Border Police. The target number was further increased to 157,000 for the autumn of 2012. Many of these personnel have been used as front line combatants against the Taliban insurgency and against other more localised armed groups.

<sup>4</sup> Wilder A. (2007) *Cops or Robbers? The Struggle to Reform the Afghan National Police*, Afghanistan Research and Evaluation Unit, July 2007.

<sup>5</sup> I.e. staffing establishment detailing the number of sanctioned posts at each grade level

<sup>6</sup> Giustozzi A. and Isaqzadeh M. (2011).

<sup>7</sup> Approved by the Joint Coordination and Monitoring Board (JCMB) in April 2007; International Crisis Group (2008) *Policing in Afghanistan: Still Searching for a Strategy*, Asia Briefing N°85, 18 December 2008.

Over the last decade, appreciable improvements have been made in the administration of the police at the national level. Electronic salary payments, payroll rationalisation and a national biometric personnel inventory have been introduced; salaries have been raised to US\$220-300 per month for rank and file troopers; and major donor investments have been made in building and renovating police infrastructure, purchasing and donating police equipment and in training and mentoring. Nonetheless, training programs have found it difficult to keep pace with the expansion in police numbers, while a fundamental tension in the mission of the ANP remains: between countering a rising insurgency, and offering community-oriented day-to-day civilian policing services. The style, approach and accountabilities associated with these two mandates are often at odds – to the relative neglect, and overall detriment of civilian policing and the skills required for it (community consultation and awareness, crime scene investigation etc.). In Bamiyan this manifests in part as the frequent deployment of staff to checkpoint and security duties.

Illiteracy remains a major problem across Afghanistan, though there is variation between provinces. About 60% of serving police are still thought to be unable to read and write. Literacy is fundamental to police development: training illiterate recruits yields little sustained change, since graduates are unable to keep records, read case notes, maintain a knowledge of developing law and procedures or handle intelligence.

**Police relationship with communities:** Multiple studies in Afghanistan have indicated the high levels of distrust, and sometimes fear, of the police that exist among ordinary civilians. Although sporadic activities have been conducted by civil society and Family Response Units have been established in provincial stations to build public confidence, such initiatives have been small-scale, ad-hoc and poorly institutionalized into Ministry of Interior structures and ANP training. In the past two years or so, a *police-e-mardomi* initiative (loosely translated as ‘people’s policing’, and intended to increase the accountability and responsiveness of police forces to their communities) has begun to gain some traction, and is now mandated as part of the Ministry of Interior’s strategy. At the national level, activities are now being led by a Ministry focal point and largely funded from the Democratic Policing pillar of the UNDP administered Law and Order Trust Fund for Afghanistan and by NATO Training Mission – Afghanistan. For some provinces, EUPOL has been working with the Ministry of Interior to establish provincial *police-e-mardomi* units dedicated to democratic policing, with a particular emphasis on outreach to youth. Made up of six police officers (usually four male, two female), they have their own office space and a van equipped with outreach tools and handouts. The first three units have been established in Herat, Balkh and Ghor provinces; the establishment of such a unit in Bamiyan is underway.

**Police relationship with the formal justice system:** Formal processes of criminal investigation and prosecution have been negatively affected by the ANP’s necessary relationships with the Provincial Prosecutors Office (reporting separately to the Attorney General’s Office in Kabul) and the judiciary (which comes under the authority of the Supreme Court). Changes in the long-standing practices of these institutions remain a significant challenge and many dysfunctionalities continue. Prosecutors are poorly-paid and subject to influence and bribery, allegedly resulting in cases being dropped for lack of evidence, and against ANP advice. With formal justice commonly delayed or subverted, the police’s criminal investigation functions continue to be compromised - even in relatively stable and well-governed provinces such as Bamiyan.

**Police relationship with non-state dispute resolution systems:** In rural areas, engaging with the police often involves long travel times, significant expense and uncertain outcomes for those without political access or ready funds. Local disputes are thus much more likely to be handled within communities, often with some involvement by local religious authorities, given that trust in a just outcome is often higher, and costs can be kept more reasonable. Political disputes or major outbreaks of violence are likely to gain the attention of the district or provincial governor, who must balance the pursuit of objective justice against the realities of power-management. Police practice is therefore subject to local power-bargaining, as well as being strongly influenced by expectations based on cultural norms and kinship ties. The administration of justice is rarely, if ever, a question of applying ‘impartial’ (or formal) legal prescriptions.

## Findings on intervention-level outcomes

Findings against outcomes are as follows:

Summary key intended results	Intended final delivery date	Key evidence
<p>ANP in Bamiyan discharges its duties in an efficient, effective, just and transparent manner in accordance with Afghan law [Long term outcome]</p> <p>Improved ANP ethos, upgraded personnel and resource management at Bamiyan and in the districts [Medium term outcome]</p>	Continuous (mandate renewed annually from 2005-14)	<p>Some impact in terms of better procedural record-keeping, budgeting and personnel / equipment allocation. But sustainability is uncertain owing to political context. The nature of the reform challenge argues for a more extended deployment, but international ‘transition’ realities do not permit this</p> <ul style="list-style-type: none"> <li>• 2009 review (Cresswell)</li> <li>• Evaluation interviews and observations</li> </ul>
<p>The quality and skills of ANP personnel in Bamiyan is sustained over time through its training system [Long term outcome]</p> <p>Creation of excellence in training and re-training of ANP at the Regional Training Centre, Bamiyan [Medium term outcome]</p>		<p>Relevance, quality and efficiency of training at the RTC greatly improved as a consequence of NZP involvement. However the impact of training is diluted on the ground by the politicisation of policing in Afghanistan.</p> <ul style="list-style-type: none"> <li>• 2009 review (Cresswell)</li> <li>• Evaluation interviews and observations</li> </ul>

## Evaluation conclusions

NZ Police mentors have helped ANP senior staff at the RTC to make significant improvements in planning, management and administration processes. Supplies at the RTC, including uniforms and equipment, are now adequately accounted for; OH has promoted audits of firearms and ammunition at the RTC, and has attempted to track the authorised and actual distribution of personnel around the province. Key positions listed in the RTC *tashkil* have increasingly come to be filled by staff with relevant skill-sets and appropriate rank.

OH has played an essential part in ensuring that the Bamiyan RTC has sustained a basic training cycle for new recruits and existing patrolmen, and provided in-service training for existing ANP non-commissioned officers and officers (e.g. under the Transition Integration Programme). Qualitative evidence from evaluation team interviews at the RTC suggests that NZ Police officers have greatly enhanced the ability of ANP instructors to provide sound training. Consistent with the 2009 review

of NZAID-funded New Zealand Police activities in Bamiyan<sup>8</sup>, feedback from RTC instructors and EUPOL personnel in Bamiyan and Kabul interviewed by this evaluation team was very positive, with the NZ Police mentoring role receiving high praise. The Bamiyan RTC has also been lauded by its peers: at the April 2008 RTC Commanders Conference in Kabul, it was rated as the best police RTC in the country, with participants complimenting it for being the first to deliver a criminal investigation course (to police from around the country), and to provide accommodation to female trainees; it was also praised for continually running above capacity, with over 100 trainees commonly in situ at any one time. The impact of training on individual ANP participants is more difficult to assess. Although OH reports specify that assessment forms have been used to evaluate the impact of RTC instruction, no records of these appear to have been retained – and it is therefore not possible to ascertain the extent to which training has influenced the quality of police work on the ground. The evident politicisation of the police's role and influence of patronage on staff appointments and promotions also suggest that the impact of both behavioural orientation and procedural training is likely to be diluted when trainees re-encounter the workplace.

New Zealand Police's mentoring of the Provincial Chief of Police and ANP managers have resulted in the establishment of regular senior staff meetings, improved payroll management, staff rosters and incidents records. Interviews during the 2009 and the current reviews of New Zealand Police activities made it clear that the NZ Police's mentoring efforts had been well received by the police leadership in Bamiyan. Again, as with training, the potential impact and longevity of these kinds of mentoring inputs are bound to be diluted by the politics of policing in Bamiyan, and its impact on deployment logic, internal discipline and incentives.

Progress has been made in relation to policing with and for women. Disapproval of family members and religious leaders remains a barrier to recruitment of women into the police. OH has increasingly taken on the task of working with the Provincial Police Headquarters and RTC to promote greater gender equality in the ANP, including advising the police leadership to hire more women to meaningful roles, and has supported the development of a Family Response Unit. From having almost no women police in the entire province in 2002, Provincial Police HQ data suggests that 18 female personnel are now present in three districts. This is an important achievement, though one that is vulnerable to future security developments and social attitudes.

Overall, the continuous presence of committed and professional NZ Police officers has had a significant impact on the effectiveness of the Bamiyan RTC, and has exerted at least some positive influence on the management of the provincial police. It is clear that NZ Police officers have carried out their various functions with exemplary skill, and have earned significant local appreciation for their efforts. Anecdotal evidence from interviews with provincial residents and officials suggest that the ANP in Bamiyan has begun to shed its previous reactive, controlling style, or 'checkpoint mentality', in favour of giving greater attention to engagement with the community. Bamiyan's police are seen today as behaving with greater professionalism and respect for citizens than their predecessors of a decade past; they also have developed some capacity to undertake formal criminal investigations<sup>9</sup>. Consistency of standards in hiring and promotions remains elusive, though, and

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<sup>8</sup> Cresswell S. (2009).

<sup>9</sup> More exact measures of progress are tricky to establish as mechanisms have not been in place (in Bamiyan as in the country as a whole) to track what happens to those who have been trained.

cases of malpractice have been left un-investigated or have gone unpunished<sup>10</sup>. While OH did not have access to significant financial resources, the daily modelling of professional behaviour, scrutiny of ANP actions, and enthusiasm for the development of ANP in Bamyan appears to have borne results. In other provinces where cash, rather than professional mentoring and training assistance, has been used as the key lever for change, outcomes have been much less favourable. Although it is impossible to say with certainty how far these changes can be attributed to OH, it is reasonable to assume that New Zealand Police's role has been significant.

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<sup>10</sup> For example, a senior officer in the RTC was administratively transferred to Kabul in 2008 after being caught falsifying student examination results for the CID final examination. Undisciplined, he subsequently returned to the RTC at the discretion of a high-level official in the MoI. A similar reinstatement occurred with the chief prosecutor of the province after a new Auditor General decided to ignore longstanding allegations of corruption.

## **Annex A(2): Bougainville Community Policing Project**

### **Intervention description**

The Bougainville Community Policing Project (BCPP) aims to strengthen the Bougainville Police Service (BPS) and mainstream community policing within its operations, including through the community auxiliary police (CAP). CAP are a group of about 350 part-time police, drawn from and selected by the community in which they serve, operating in collaboration with village leaders and courts, and paid a modest allowance. CAP were formed following the 1997 declaration of peace in Bougainville, when the Autonomous Bougainville Government identified community policing as an important mechanism for achieving stability in the region. The BCCP was established in 1998 to support the implementation of the CAP. Phase four of BCPP focused on supporting the BPS in community policing and the integration of CAP into the BPS.

The New Zealand aid programme currently funds one long term adviser, supplemented by short term advisers.

**BCCP phase 4: key events**

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>Intervention events: preparation, design and review</b>											
One off course for CAPs (1998)											
Phase 1 (2000-2001)											
Phase 2 (2001-2002)											
Phase 3 (2004-2007)											
Phase 3 review											
Phase 4											
Phase 4 review											
Phase 4 extended (Phase 4B)											
<b>Implementation events</b>											
Bougainville Agreement (2001)											
Bougainville Constitution (creating BPS)											
First elections											
ABG Strategic Action Plan (2006-10)											
Law and Justice Sector review											
Law and Justice Sector prog (LJSP)											
Second elections											
BPS Strategic Plan (2010-2014)											

**BCCP: expenditure summary – (funded from MFAT)**

2005	2006	2007	2008	2009	2010	2011	2012	Total (2005/2012)
1,692	1,502	1,249	2,069	2,570	1,953	2,301	2,008	15,346

Notes: (1) The above figures refer to ODA expenditure for work implemented by the NZP. The figures do not include NZP expenditure from other sources nor ODA paid to other vendors (estimated at about 3-4% of the total ODA spent on police reform).  
 (2) Approximately 57% of ODA expenditure funded personnel salaries.

*Currency: NZ\$ 000's*

*Source: MFAT data*

### **Intended intervention outcomes**

<b>Overarching Goal: BPS operates as an effective community policing agency and integrates and supports a strong and sustainable CAP Programme</b>			
<b>Long Term Outcome</b>	Effective policing services provided across all of Bougainville by BPS and CAPS		
<b>Medium term Outcomes</b>	CAPs provide effective community police	CAPs are effectively managed by BPS	Active application of community policing philosophy by BPS regulars

### **Overview of the policing context**

**Police mandate:** The BPS reports to the Autonomous Bougainville Government (ABG). However, because the BPS is formally part of the Royal PNG Constabulary, and because the government of PNG provides the budget to BPS it follows that the principal political control lies in Port Moresby with the government of PNG. BPS reform, including the full integration of CAP into it will require both funding and political will. The degree of Royal PNG Constabulary commitment to BPS or to CAP is unclear.

The ABG seeks to prioritise the police (although constrained by limited funds and restricted autonomy). A key issue for policing is the mandate and role of the police in addressing land conflicts between communities and companies who obtain extractive licences for minerals from the government.

**Police technical capacity:** The BPS has low capacity; a 2009 follow up to the 2009 crime survey in Bougainville unfortunately shows a decline in community perceptions of police performance in relation to police performance and discipline. There are no reliable statistics on actual crime rates, due to poor BPS management information systems. There is a general belief that most crimes go unreported<sup>11</sup>. Plans are in place within the justice sector, wider government (Constitution and organic law) and BPS for reform (including the draft BPS Community Policing Strategy). But limited funding, unclear leadership, and the constraints flowing from operating under the auspices of the Royal PNG Constabulary are key challenges to moving forward.

<sup>11</sup> Bougainville Police Re-structure Project. Draft final report. 9 July 2010

**Police relationship with communities:** As stated above, public confidence in the BPS is low. Nearly 80% of people in Bougainville reside in remote villages and most of these people have no or very little interactions with BPS. The presence of CAP in local village communities provides a visible policing presence.

**Police relationship with the formal justice system:** Problems with poor investigations and case management and a backlog of cases remain a cause for concern. Officials in the ABG noted that the decision of GoPNG to appoint a resident Bougainville judge may be compromised if funding is not allocated for housing of the judge and his associate.

**Police relationship with non-state dispute resolution systems:** CAP interact very closely with informal systems aimed at mediation, reconciliation and settlement of disputes and grievances in villages. There is some need for role clarity to overcome confusion about the boundaries between the constabulary duties of CAP, the traditional function of village mediators and the role of unsworn peace officers who provide court orderly services for village courts.

## Findings on intervention-level outcomes

Findings against outcomes are as follows:

Summary key intended results	Intended final delivery date	Key evidence
Effective policing services provided across all of Bougainville by BPS and CAPS [Long term outcome]  CAP provide effective community police [Medium term outcome]  CAP are effectively managed by BPS [Medium term outcome]  Active application of community policing philosophy by BPS regulars [Medium term outcome]	2010	CAP appear to be providing an effective service at village level, but their effectiveness is constrained by low BPS capacity <ul style="list-style-type: none"><li>• Mid Term Review BCPP July 2006</li><li>• Review of Bougainville Community Police Project 14 December 2009</li><li>• 2009 crime survey (reported in draft report of Police Restructure Project. 9 July 2010)</li><li>• Draft BPS Community Policing Strategy 2011-15</li><li>• Interview evidence and observations gathered during evaluation fieldwork</li></ul>

## Evaluation conclusions

It is clear from the table above that while outcomes relating to CAP have been met, there has been very limited progress in terms of the overall performance of the BPS and integrating CAP into the mainstream police. Issues with BPS leadership, discipline, and accountability would make such integration very challenging. In the meantime, CAP are in effect operating as a 'parallel structure' and are highly dependent on New Zealand technical and logistical support.

The evaluation team found widespread anecdotal evidence of community satisfaction with the CAP, which was described as being a highly motivated, locally representative group of people with a strong local mandate to act on behalf of local people. The work ethic, integrity and quality of judgement, along with CAP's 'moral authority' was contrasted by some observers as being in strong contrast to the BPS, which was seen as failing to meet community expectations. So, while the BPS is not seen as providing effective community policing services (both in terms of the quantity and

quality of its performance, and because its activities are largely restricted to around Buka), the CAP is seen as being highly effective in meeting policing needs in the villages. The effectiveness of the CAP was evident in a number of dimensions. They were seen as being a ‘bridge’ between formal and informal justice systems and, anecdotally, there has been some success in tackling violence against women through more referrals to the criminal justice system. Statistics collected by New Zealand Police suggest that crimes reported to the CAP (an average of 645 per month) far out-number those reported to the BPS (an average of 107 per month).<sup>12</sup> More cases affecting women and children are reported to the CAP than to the regular police (nearly 80% of CAP cases fall into this category, compared with just over 20% to the BPS). 20% of CAP are female, compared to 11% of the full-time BPS.

New Zealand Police have provided a wide range of technical assistance to the BPS by means of topic experts who have provided training, advice and mentoring to BPS personnel. MFAT Wellington informed the evaluation team that in 2010 a crime statistics gathering systems was developed, but this was not evident to the evaluation team. It was noted that on New Zealand Police were in some cases counterpartnering and mentoring officers of a more senior rank than they were. Technical assistance provided appeared to be appreciated, but the evaluation team found no evidence that BPS had converted the training and planning into a concept of operations that provides clear direction for the BPS<sup>13</sup> (despite the existence of a number of strategies and planning documents - the draft Community Policing Strategy developed by NZ Police, a BPS Midterm Development Strategy (Strategic Plan) 2010 – 2014, and a draft BPS restructuring plan). BPS has developed a restructuring plan with the ABG aimed at expanding and strengthening police operations, transport, communication and infrastructure. Implementation is subject to funding and there is an expectation that ABG will secure authority to prioritise the BPS reform using the Kina 100 million (US\$47.2 million) allocated to it by the GoPNG in 2012.

The approach taken by the NZP contingent commander to increase the proportion of women, to ensure distribution of CAP is proportionate to population and to place a high level of importance on performance and personal responsibility will benefit BPS if CAP personnel present as applicants for fulltime positions in BPS. Applicants equipped with the skills acquired in CAP will be compelling and if suitable numbers are accepted, this could act as a catalyst for change – a critical mass of motivated individuals may assist the change programme within BPS, provided that they are prepared to leave their villages, that a concept of operations is in place and that leadership in the BPS is capable and willing to use their talents to effect positive change.

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<sup>12</sup> Statistics provided by New Zealand Police for three months of April, July and August 2010

<sup>13</sup> Concept of Operations documents outline goals and objectives, strategies, tactics, policies, and constraints, activities, and interactions among participants and stakeholders, clear statements of responsibilities and authorities delegated, specific operational processes for initiating, developing, maintaining, and reviewing the operations as a system.

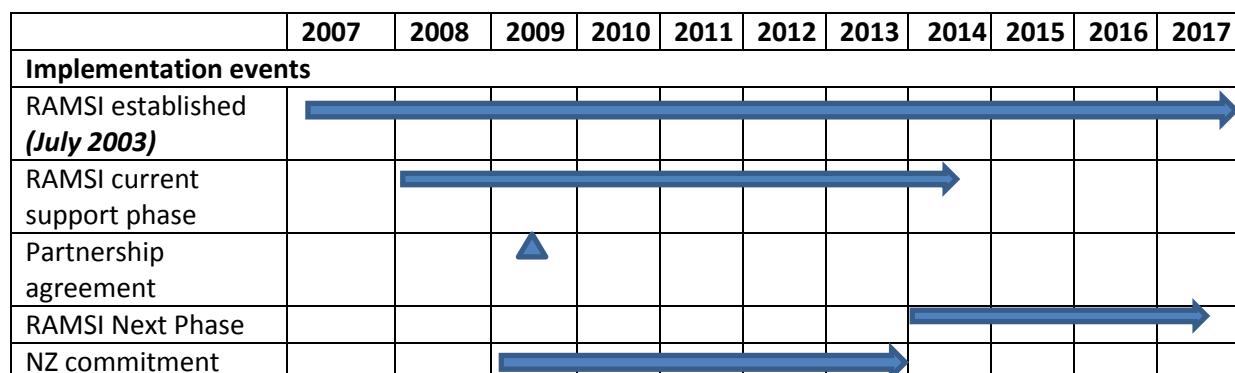
## **Annex A(3): Solomon Islands - RAMSI**

### **Background and context**

New Zealand's assistance to policing in the Solomon Islands is delivered through the Regional Assistance Mission to the Solomon Islands (RAMSI), which responded to a crisis that threatened the peace and security of the Solomon Islands in particular, but also posed a destabilising threat to the Pacific region. Policing assistance and capacity development for the Royal Solomon Islands Police Force (RSIPF) is provided through the RAMSI Participating Police Force (PPF).

New Zealand Police play a full role in the PPF (with up to 25 staff serving mainly on six-month deployments) and supports RAMSI at the executive level through the appointment of an MFAT senior civil servant as the mission's Deputy Special Co-ordinator. The New Zealand Police advisers are totally embedded in the PPF so it is difficult to single out their particular contribution. The PPF leadership are of the view that, with personnel participating from nine regional nations, all interventions have to follow RAMSI/PPF strategy and policy.

**New Zealand Police support to RAMSI: key events**



**New Zealand Police support to RAMSI: expenditure summary – (funded from MFAT)**

2005	2006	2007	2008	2009	2010	2011	2012	Total (2005/2012)
n/a	n/a	n/a	3,916	5,302	5,080	3,562	5,076	22,936

Notes: (1) The above figures refer to ODA expenditure for work implemented by the NZP. The figures do not include NZP expenditure from other sources nor ODA paid to other vendors (estimated at about 3-4% of the total ODA spent on police reform).  
(2) Approximately 81% of ODA expenditure funded personnel salaries.

*Currency: NZ\$ 000's*

*Source: MFAT data*

## Intended intervention outcomes

<b>Long Term Outcomes</b>	Civil order, rule of law and safe communities Community has confidence and trust in the RSIPF	
<b>Medium term Outcomes</b>	Political mandate for police secured	RISFP is a capable, efficient, self-reliant and self-sustaining police force with new services and approaches in use (including collaborative crime prevention, community safety and security initiatives)

## Overview of the policing context

**Police mandate:** The creation of RAMSI came about in April 2003, following an urgent request for assistance from the Prime Minister of Solomon Islands. After some five years of ethnic tensions, including a *coup d'état* in 2000, the problems facing the people of the Solomon Islands were serious and complex. Law and order had broken down, officials and private citizens were subject to intimidation and violence, and corruption was unfettered. The Government and its institutions had ceased to function effectively. The members of the Pacific Islands Forum, therefore, agreed to support the formation of a regional assistance mission to be led and funded by Australia and New Zealand with membership from all Forum countries. RAMSI is in the process of totally withdrawing military forces so that the mission will become a police only process.

The PPF is the public face of RAMSI and after quelling civil disturbances to restore peace and good order in 2003 it has been involved in executive policing functions thereby creating a dual police service approach to the Solomon Islands. The PPF is making plans to return as much sovereignty over policing as possible to the RSIP by June 2013. The legislation for policing, which provides the RSIPF with its legal mandate is out of date. The Ministry of Police, National Security and Corrections is currently reviewing the Act and undertaking consultations on it, with the assistance of an Australian lawyer engaged through RAMSI and supported by the APF.

Key issues around police mandate and the RSIPF's relationship with society as a whole include:

- Armed support for policing. Presently, the RSIP is unarmed and the only armed police visible in the Solomon Islands are PPF personnel. This is a highly political issue and will have to be carefully decided between RAMSI and Solomon Islands government
- The role of the police in dealing with underlying issues of conflict including property rights, and resources exploitation (e.g. logging)
- The involvement of some members of the RSIPF as participants in the crisis (see next paragraph).

**Police technical capacity:** The PPF has done an excellent job with some 80% of people surveyed stating total confidence in the PPF and admiration of its performance in bringing peace back to the islands. The PPF is now into a phase of capacity building so that the RSIPF can resume its Constitutional primacy for policing.<sup>[1]</sup> The troubles of 2003 led to many allegations<sup>[2]</sup> against the

<sup>[1]</sup> For further and detailed information refer to the RAMSI web page at [www.ramsi.org](http://www.ramsi.org)

RSIPF of complicity in the disorders, collaboration with various anti-government groups, and that police personnel allowed rioters and rebels access to the firearms maintained in the police armoury in Honiara. The evaluation team was informed of on-going concerns about RSIPF performance including: public drunkenness by police in uniform, lack of visibility at times and places where trouble is brewing, harsh interactions with young people, and a poor level of response to reported crime are concerns in communities. This information is backed up by the People's Survey 2011, which reports that only 31% said that the RSIPF treats people fairly and with respect. Key concerns noted were the unwillingness of the police to leave posts and their ineffectiveness when they do. Individuals reported seeing police take bribes and engage in drunken and disorderly behaviour. People's dissatisfaction goes well beyond issues of poor performance, it was noted that people fear harassment, retaliation, damage to property and threats to safety if disputes are reported to the police.

**Police relationship with communities:** The Solomon Islands archipelago consists of more than 900 islands. The people comprise diverse cultures, languages, and customs. 93% are Melanesian, 4% Polynesian, and 1.5% Micronesian. Additionally, there are small numbers of Europeans and Chinese residents. Some 120 vernacular languages are spoken. There is also a tight culture of *wantokism*, with the requirement of loyalty to the *wantok*. This affects police personnel and results in allegations of favouritism in approach and suspicions of corrupt practice. One of the main causes of the findings, is the greater loyalty afforded towards constituencies, rather than the national interest<sup>14</sup>. In a study of state building in Solomon Islands, Fukuyama<sup>15</sup>, found that *wantokism* “... while possessing strengths in terms of delivering equity and social cohesion, wantokism is said to fundamentally impede Solomon Islands society’s capacity to deal with collective action problems due to the continued embeddedness of political leadership within personalised networks of reciprocity.”

The concept of community policing requires careful consideration in this context, particularly in relation to inter-communal tensions. RAMSI has encouraged closer linkages between the RSIPF and communities including through:

- Funding NGOs to support the development of community police committees
- Sporting activities and Bluelight clubs (New Zealand Police personnel have been active in this area)
- Working with NGOs to develop more victim centric approaches to violence against women (again, New Zealand Police personnel have been active in this area)

**Police relationship with the formal justice system:** RAMSI’s Law and Justice Programme has supported improvements in institutions across the justice sector, including the judiciary and corrections service. There do not appear to be clear linkages between these interventions and those undertaken by the PPF aimed at improving the RSIPF’s performance in the criminal justice chain.

**Police relationship with non-state dispute resolution systems:** With a population scattered over more than 900 islands, and 60% of Solomon Islanders never seeing a police officer,<sup>16</sup> non-state

<sup>[2]</sup> Some of which the evaluation team heard at first hand through interviews with victims

<sup>14</sup> Greener, B, 2011 ‘Investigating the peacebuilding projects in the Pacific: The experience of Solomon Islands and Timor Leste

<sup>15</sup> Fukuyama, F 2008 ‘State building in Solomon Islands’, *Pacific Economic Bulletin* 23(3), 18–34.

<sup>16</sup> Estimate by RAMSI adviser

security and justice systems - mainly traditional and religious - are important forms of conflict and dispute resolution. Communities invest time and resources on reconciliation, in a formal setting as the national reconciliation policy of the government and in informal settings as part of tradition and custom. Churches are heavily involved in these processes (e.g. as a peace centre providing trauma healing, counselling, reconciliation and peace dialogue in retreats and across networks in the community). A number of people advised the evaluation team that police were seen as fundamental and very important to reconciliation processes. New Zealand Police personnel were spoken of in positive terms in their ability to comfort people in workshop setting when there was fear and tension. A particularly important role for police is to encourage crime victims to come forward.

## Findings on intervention-level outcomes

Findings against outcomes are as follows:

Summary key intended results	Intended final delivery date	Key evidence
Civil order, rule of law and safe communities [On-going outcome] Community has confidence and trust in RSIPF [Long term outcome] Political mandate for RSIPF secured [Medium term outcome] RSIPF is a capable, efficient, self-reliant and self-sustaining police forces with new services and approaches in use (including collaborative crime prevention, community safety and security initiatives) [Medium term outcome]	2012	<p>Law and order re-established, but limited progress made on developing RSIPF capacity</p> <ul style="list-style-type: none"> <li>• Draft Independent Review 2009</li> <li>• RAMSI Annual Performance Report 2010</li> <li>• People's Survey</li> <li>• Interviews evidence and observations gathered during evaluation fieldwork</li> </ul>

## Evaluation conclusions

New Zealand Police personnel have clearly made a positive contribution to the PPF. They are highly respected within the PPF and by the RSIPF, who recall the productive tenure of the present New Zealand Police Commissioner of Police, Peter Marshall, when positive strides were taken towards the professionalisation of the RSIPF. A sample of members of the public spoken to by the evaluation team said they found it easiest to identify with police from other Pacific Island countries<sup>17</sup> of similar ethnic origins. Undoubtedly the ethnic diversity of its personnel contributes to the success of RAMSI. The evaluation team were concerned that on occasions New Zealand Police were counterbalanced with more senior officers within the RSIPF.

The geography, demography, languages and *wantok* culture make policing in the Solomon Islands a difficult and expensive task. It is difficult to communicate, customs differ from community to community, the culture of *wantokism* is engrained and the islands are difficult to reach without costly seagoing boats and aircraft. It appears that limited progress has been made to assist the RSIPF to address these issues. While satisfaction levels with the PPF are high, the 2007 RAMSI People's Survey<sup>18</sup> found that 54% of people believed misbehaviour was likely amongst senior officials

<sup>17</sup> The PPF has deployed police personnel from Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Tonga, Tuvalu and Vanuatu.

<sup>18</sup> <http://www.ramsi.org/solomon-islands/people-survey.html>

(including the RSIPF police) or politicians, this increased to 81% in 2008 and 83% in 2009<sup>19</sup>. The 2011 Survey 2011 reported that only 31% of Solomon Islanders said that the RSIPF treats people fairly and with respect.

As far as community policing is concerned, consultations with senior RSIPF ranks suggested that the intention is to develop a community police model suitable for the Solomon Islands. The RSIPF has studied community policing in Japan, Malaysia, Singapore, Australia, Fiji and New Zealand. The evaluation team was formed that the intention was not to adopt any one of these model, but rather *design a model that meets the needs of the Solomon Islands*. The on-going review of the Police Act is clearly an important entry point for ensuring that community policing is adopted as a whole of policing approach.

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<sup>19</sup> After 2009, this question or a variation of it was not addressed in the Peoples Survey.

## Annex A(4): Timor-Leste

### Intervention description

New Zealand police officers were deployed to Timor-Leste in July 2006 following violent protests and riots in the capital Dili. Factionalism within the local police and military resulted in violence breaking out within and between the National Police Force (PNTL) and the Defence Forces (F-FDTL) which lead to the collapse of the legal and institutional structures. The Timorese government requested New Zealand, Australia, Malaysia and Portugal to deploy police and military troops to restore peace and security. In August 2006 the United Nations Integrated Mission to Timor Leste (UNMIT) was established, with a mandate for interim law enforcement and public security until the PNTL was fully reconstituted.

There are currently around 1,500 police personnel from over 40 contributing countries serving in UNPOL in Timor-Leste. New Zealand Police deployment is under the auspices of UNMIT, with most officers serving under UNPOL command (others as advisers within UNMIT). About thirteen district mentors are deployed by NZ Police on a short term basis (each for six months) to advise on specific issues (including community policing), together with two long term advisers (one on community policing and one on training).

A key focus of New Zealand Police's engagement has been on the promotion of community policing in the PNTL – through training and at the operational level. This focus became more pronounced when, at the request of Timor-Leste's Secretary of State for Security, the NZ Police contingent in UNPOL ran community policing pilots from September 2008 to March 2010 in two of Timor-Leste's 64 sub-districts (with some input to three more). Following on from these fourteen month pilots, and with the planned withdrawal of UNMIT, and at the request of the Government of Timor-Leste, New Zealand took the decision to engage with Timor-Leste on policing on a bilateral basis, and the five year Timor-Leste Community Policing Programme (TLCPP) began to be implemented in 2011. The approach is to support the adoption of community policing throughout PNTL by a combination of pilots and support to systemic change by working with the PNTL National Community Policing Unit and the Timorese Police Training Academy.

#### New Zealand support to Timor-Leste: key events

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>Implementation events</b>												
Referendum	▲											
PNTL Established	▲											
UNMIT Mission begins							▲	→				
Timor-Leste requests Pilot on CP										▲		
Scoping Mission								→				
NZ commitment								→				
							2011	2012	2013	2014	2015	
<b>Implementation events</b>												
PNTL resumes full responsibilities						▲						
TLCPP launched						▲						
NZ commitment						→						

**Timor-Leste: expenditure summary – (funded from MFAT)**

2005	2006	2007	2008	2009	2010	2011	2012	Total (2005/2012)
n/a	n/a	2,488	3,005	3,271	3,410	2,569	1,123	15,865

Notes: (1) The above figures refer to ODA expenditure for work implemented by the NZP. The figures do not include NZP expenditure from other sources nor ODA paid to other vendors (estimated at about 3-4% of the total ODA spent on police reform).  
 (2) Approximately 55% of ODA expenditure funded personnel salaries.

*Currency: NZ\$ 000's*

*Source: MFAT data*

## Intended intervention outcomes

### NZ support to UNMIT/UNPOL 2006 – 2011 (including community policing pilots)

<b>Overarching Goal: Sustainable restoration of civil order in Timor Leste</b>			
<b>Long Term Outcomes</b>	Enforcement of law and order supported	PNTL is capable, sustainable and effective with strengthened governance and discipline	Community confidence in PNTL enhanced
<b>Medium term Outcomes</b>		PNTL strengthened including on community policing methodologies	Sustainable community policing model and philosophy developed

### Bilateral Community Policing Project: 2011-2015

<b>Overarching Goal: Effective and efficient community policing</b>		
<b>Long Term Outcomes</b>	Effective community policing programme at national/district/ sub-district/ suco levels	Effective ongoing partnerships at national/district/ sub-district/suco levels
<b>Medium term Outcomes</b>	Effective training at all levels	Effective PNTL community policing action plans, systems and procedures at national/ district. Sub-district/ suco levels

## Overview of the policing context

**Police mandate:** The political crisis in 2006 brought to light the institutional fragilities of both the military and the police in Timor-Leste, which culminated in the total restructuring of the PNTL. In May 2009, UNMIT and the Timor-Leste government agreed a process for the gradual resumption of policing responsibilities to the PNTL. This process was completed in early 2011. However, institutional rivalries between the military and police continue to jeopardise security.<sup>20</sup>

<sup>20</sup> Institutionalizing Community Policing in Timor-Leste, the Asia Foundation, December 2011

The PNTL's legal mandate is contained in a 2009 Organic Law to provide the PNTL with greater operational capability and an efficient chain of command, as well as for civilian oversight of the police by the Secretary of State for Security and Parliament. Drafted with support from Portugal (who have provided paramilitary police support to the PNTL), the new law combines *the characteristics of a community policing approach with organisation, discipline, training, and personnel...identical to the military without constituting a force of military nature*. In the absence of sub-legislation under the organic law (which comprises a legislative framework only) or of a developed concept of operations for policing in Timor-Leste, the nature and style of policing desired by the Timorese government is currently unclear.

The legitimacy of the police may be compromised by the inclusion in the force of former officers who had served in the Indonesian police force POLRI prior independence, and also by the appointment of high ranking PNTL officials with political affiliation to the current government.<sup>21</sup>

**Police technical capacity:** The PNTL is a young and developing police force, established under the UN administration in 1999. The force currently stands at about 3,000 (nearly 20% of whom are female), most of whom were recruited with no policing experience, the balance comprising about 370 former Indonesian officers. A significant number of officers<sup>22</sup> are accused of human rights abuses. The PNTL has very low capacity in terms of basic resources (such as fuel), skills, weak organisational systems and strategic engagement.<sup>23</sup> Senior PNTL officers continue to favour paramilitary style policing with recent large-scale special police operations pushing towards the militarization of the police, including the purchase of semi-automatic rifles and other offensive equipment. Specialised elite units have been trained equipped and deployed against martial arts groups in the west of the country in aggressive manoeuvres to restore order.<sup>24</sup>

**Police relationship with communities:** The Asia Foundation (with support from the New Zealand Aid Programme and USAID) are working with communities to support police / community councils at the district level. Other NGOs (such as Belun) are also working at community level on security issues and to enhance police / community relations. At the village level, village councils engage with community policing units, where these exist. For example a New Zealand community policing adviser in Liquicia (an hour's drive outside Dili) is working with community volunteers at sub-village level. More broadly, the Government of Timor-Leste is taking steps to engage with communities on security issues. For example the Ministry of Justice during 2011 undertook extensive sensitisation at village level on domestic violence issues.

Challenges include the limited ability of the PNTL to respond to community expectations of service provision, or to use information provided to them by communities.

**Police relationship with the formal justice system:** Timor-Leste's justice system is modelled on the Portuguese system, one aspect of which is an early handing over of cases from the police to the prosecution authorities, who then take the lead on investigations. Poor communications between the police and prosecutor make investigation problematic. More generally backlogs, the slow

<sup>21</sup> The Asia Foundation, December 2011

<sup>22</sup> Possibly a third of the force: see *Timor-Leste, A need for accountability not force*. Gordon Peake (former police reform adviser). April 2011. The Timor-Leste Provedoria for Human Rights and Justice (national human rights organisation) asserts a significantly lower number of outstanding cases

<sup>23</sup> The Asia Foundation, December 2011

<sup>24</sup> The Asia Foundation, December 2011

processing of cases, and the use of Portuguese as the official language of the court make for a dysfunctional criminal justice system.

**Police relationship with non-state dispute resolution systems:** Traditional and informal mechanisms (including through *suco* (village) and *aldeia* (sub-village) chiefs, religious leaders and community leaders) are dominant throughout the country. The manner in which PNTL works with traditional mechanism appears to be variable. From focus group discussions and stakeholder interviews, these mechanisms appear to be generally regarded as appropriate for dealing with minor infringements. In some cases the police participate in traditional Tara Bandu ceremonies which declare prohibitions, and regulate daily life at the community level.

An independent Comprehensive Needs Assessment of the Justice System in Timor-Leste<sup>25</sup> reported that in cases of domestic violence and sexual assault, pressure is put on women to settle such cases with traditional authorities rather than report them to the police. The evaluation team were informed that the office of the Secretary of State for the Promotion of Equality is looking at this issue and at mechanisms to promote linkages between the traditional and formal systems.

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<sup>25</sup> Justice System Needs Assessment Timor-Leste 2009

## Findings on intervention-level outcomes

Findings against outcomes are as follows:

Summary key intended results	Intended final delivery date	Key evidence
<b>NZ support to UNMIT/UNPOL (including Community Policing Pilot)</b>		
Enforcement of law and order supported [ <i>long term outcome</i> ]	2010	<p>New Zealand Police's contribution to supporting law and order within UNPOL/ UNMIT has been appropriate and effective</p> <ul style="list-style-type: none"> <li>• CPP independent review report 2010</li> <li>• Evaluation interviews and observations</li> </ul>
PNTL is capable, sustainable and effective with strengthened governance and discipline [ <i>long term outcome</i> ] Community confidence in PNTL enhanced [ <i>long term outcome</i> ]		<p>Concerns over safety and the performance and capability of the PNTL remain high. However the vast majority of respondents in a survey of four sub-districts believed the relationship between the PNTL and citizens is 'good' and that the security situation has improved or stayed the same.</p> <ul style="list-style-type: none"> <li>• Baseline survey of community policing perceptions 2009</li> </ul>
PNTL strengthened including on community policing methodologies [ <i>medium term outcome</i> ] Sustainable community policing model and philosophy developed [ <i>medium term outcome</i> ]		<p>Organic Law on Police recognises community policing approach (within a military-style structure) and establishes a Department of Community Policing</p> <ul style="list-style-type: none"> <li>• Timor Leste Community Policing Pilot Review 2009</li> <li>• CPPP independent review report 2010</li> </ul> <p>Training in community policing has progressed well with the 2009 Review reporting t280 PNTL staff trained in community policing based on the modules prepared in consultation with PNTL 50-75% of PNTL surveyed across four sub-districts say they are familiar with community policing concept.</p> <ul style="list-style-type: none"> <li>• Baseline survey of community policing perceptions 2009</li> </ul> <p>Evaluation fieldwork suggested that on the ground, the sustainability of community policing approaches promoted during the pilot was patchy.</p>
<b>Bilateral Community Policing Project 2011-2015</b>		
Effective community policing programme at national/ district/sub-district/ suco levels [ <i>Long term outcome</i> ]	2015	Too early to assess No data available
Effective ongoing partnerships at national/district/sub-district/ suco levels [ <i>Long term outcome</i> ]		
Effective training at all levels [ <i>Medium term outcome</i> ]		
Effective PNTL community policing action plans, systems and procedures at national/district/sub-district/ suco levels [ <i>Medium term outcome</i> ]		

## **Evaluation conclusions**

New Zealand Police have clearly contributed to re-establishing law and order in Timor-Leste, and towards capacity building the PNTL who now have resumed direct operational policing responsibilities. Timor-Leste is now much safer than in 2006, with low reported crime rates, although underlying drivers of instability (including regional, ethnic and political tensions, fragile institutions and poverty) remain.

The ability of New Zealand Police to have a strategic impact on policing in Timor-Leste has been constrained by operating under UNPOL command, and by the variety of policing approaches adopted by the different UNPOL contingents. However the presence of New Zealand Police advisers within UNMIT, and the provision of advice in strategic areas such as training, combined with the practical operationalisation of community policing on the ground<sup>26</sup> has had some impact. For example, the Timor-Leste Community Policing Pilot Review of 2009 reported that in Becora training had contributed positively to a noticeable increase in the basic skills of the PNTL. And the Suai community policing pilot is reported to have lead to a number of projects including development of the market place, road safety initiative involving key partners, the establishment of a vulnerable persons facility and initial steps taken in establishing a community board.

However, the sustainability of a community policing approach is less than clear. The evaluation visited two police stations (Becora and Comoro) where community policing had been formally piloted by New Zealand officers, and one station (Liquica) where the approach is being promoted by a New Zealand officer. At Becora there was still enthusiasm for community policing, with the process being actively guided by an NZ Police officer, with a well-engaged commander and enthusiastic *suco* chiefs. However at Comoro police station where there is no longer a New Zealand Police officer in the UNPOL contingent, the community policing function has been relegated to a niche activity. At Liquica it was apparent that despite the presence of a committed and enthusiastic female NZ Police officer, community policing is not part of the mainstream activities of the police district. The community policing office is located well away from the operational area of the police station, which was manned very much in the style of an Indonesian facility. Riot shields and other police equipment of an aggressive appearance were lined up outside the open air public enquiry counter presenting a less than user friendly environment.

The Timor-Leste Community Policing Programme has the potential to address the sustainability issue including through capacity building, training and mentoring on community policing. But without a clear commitment to mainstream community policing by PNTL's senior command and the integration of the approach within PNTL's concept of operations, sustainability of the approach remains an issue that should be closely monitored as implementation progresses.

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<sup>26</sup> Community Policing Pilot Programme Timor-Leste Independent Review Report 2010

## **ANNEX B – EVALUATION QUESTIONS AND TERMS OF REFERENCE**

### **Objectives and evaluation questions**

<b>OBJECTIVE 1: RELEVANCE – to determine the extent to which the programme of policing work has been relevant to the needs of partner countries and New Zealand</b>	
<b>Throughout the evaluation period (2005-2011).....</b>	
1.1	How coherent was the programme?
1.2	To what extent was the programme aligned with New Zealand's strategic and development interests (including regional security and trans-boundary issues)?
1.3	To what extent was the programme aligned with partner countries' strategic, development, and law and justice sector interests and needs (including regional security and trans-boundary issues)?
1.4	To what extent were the approaches adopted by the programme aligned with good development practice?
1.5	How and in what circumstances did peace-keeping work transition to a development approach (including capacity development)?
1.6	What were the advantages and disadvantages of a regional approach?
<b>OBJECTIVE 2: EFFECTIVENESS – to identify the intended results (outputs and outcomes and associated achievements of the programme)</b>	
<b>Throughout the evaluation period (2005-2011).....</b>	
2.1	To what extent did the programme deliver on supporting New Zealand's strategic and development interests (including regional security and trans-boundary issues)?
2.2	To what extent did the programme deliver on supporting partner countries' strategic, development, and law and justice sector interests and needs (including regional and trans-boundary issues)
2.3	To what extend have the intended results (outcomes and outputs) of the programme been achieved (quality and time)?
2.4	Has the programme had any unintended consequences? If so, have these been mitigated, if negative, or embraced if positive?
2.5	To what extent did the programme provide leverage for, or leverage from improvements in the law and justice system as a whole?
2.6	What factors enhanced achievement of the results?
2.7	What factors constrained achievement of the results?
<b>OBJECTIVE 3: SUSTAINABILITY – to determine the extent to which the programme has (or is likely to) contributed to sustained development outcomes</b>	
3.1	To what extent is there local ownership of the reform process?
3.2	Are the improvements brought about though NZ funded interventions likely to be sustained / difficult to reverse?
3.3	What factors are constraining sustainability?
<b>OBJECTIVE 4: EFFICIENCY – to determine the extent to which the programme and the interventions have been efficient</b>	
<b>Throughout the evaluation period (2005-2011).....</b>	
4.1	<b>Programme management:</b>
4.1.1	To what extent were the arrangements and relationships between the New Zealand Police National Headquarters, MFAT Wellington, MFAT Posts, other sector actors and implementing sites efficient and provided value for money?
4.1.2	To what extent has the programme been appropriately resourced with the right technical and development competences to achieve development results?

4.2	<b>Financial efficiency:</b> To what extent could the programme have achieved the same level of actual outcomes at less financial cost and with fewer staffing resources from MFAT and NZ Police? (value for money)
<b>OBJECTIVE 5: CROSS CUTTING – to determine the extent to which the programme has appropriately addressed gender and human rights, in line with NZ mandate<sup>27</sup></b>	
<b>Throughout the evaluation period (2005-2011).....</b>	
5.1	To what extent has the programme addressed gender and human rights through targeted interventions?
5.2	What human rights and gender outcomes have been achieved?
5.3	To what extent are gender and human rights outcomes likely to be sustained?
5.4	To what extent has the programme mainstreamed gender and human rights?
<b>OBJECTIVE 6: LESSONS – to identify lessons and opportunities for improving the relevance, effectiveness, efficiency and sustainability</b>	
<b>Relevance</b>	
6.1	How can police work be implemented more effectively to promote the transition from peacekeeping to a development approach?
6.2	How can the programme maximise its relevance in the future, including from making better use of regional mechanisms?
<b>Effectiveness</b>	
6.3	In relation to any unintended consequences, how could the programme have better have mitigated (if negative) or embraced (if positive) ?
6.4	How can police work better leverage from and / or provide leverage for reforms across the law and justice sector in future?
<b>Sustainability</b>	
6.5	How can factors that are constraining sustainability be integrated into programme design and implementation?
6.6	What does sustainability mean for policing in small Pacific Island states?
<b>Efficiency</b>	
6.7	How could future resourcing (competencies) support better development outcomes?
6.8	Noting the work to be done towards forming a Partnerships Arrangement during 2011 and early 2012, how could the management arrangements between New Zealand Police and MFAT be further enhanced to maximise aid effectiveness and ensure successful implementation of the policing programme?
6.9	How can programme monitoring and reporting be improved (efficiently) to better meet results-based mutual accountability requirements?
<b>Gender and human rights</b>	
6.10	What are the advantages and disadvantages of the different approaches used to achieve gender and human rights outcomes work under the programme? How might they be better used in the future (including through resourcing (competencies)) to achieve better development outcomes?
6.11	How can factors that are constraining sustainability of gender and human rights outcomes be integrated into programme design and implementation?
6.12	How can programme monitoring and reporting be improved in relation to gender and human rights, including with regard to the effect of the interventions on both men and women?
6.13	How could gender and human rights mainstreaming within programme design and implementation be enhanced?

<sup>27</sup> [www.aid.govt.nz/about](http://www.aid.govt.nz/about)

## **Evaluation and Research of Police Work Funded Under the New Zealand Aid Programme Terms of Reference**

### **Introduction**

1. The development of policing functions in developing countries plays a critical role in creating the environment for broad-based development. The Ministry of Foreign Affairs and Trade (MFAT), through the New Zealand Aid Programme, has made a significant investment in country partners' policing services for many years. New Zealand Police is MFAT's main implementing partner for this work and they have undertaken 33 contracts valued at \$NZ66.4m over the last 10 years<sup>28</sup>.
2. The involvement of the New Zealand Police as an implementing partner has been increasing over the last five years with 28 (of the 33) contracts being funded since 2004 with a combined value of \$59.1m. Seventy seven percent of the funding since 2004 has been spent in the last three calendar years (\$45.3m). New Zealand Police are becoming increasingly well-known internationally for their development work, particularly with regards to community policing capacity development work in post-conflict and/or fragile states and in the Pacific.
3. The MFAT-New Zealand Police partnership is becoming increasingly important to both agencies and the New Zealand Aid Programme. It is therefore timely to assess past results and to identify key learnings to ensure future achievements are maximised for the benefit of country partners, the New Zealand Aid Programme, New Zealand Police, and for donors working in the law and justice sector.
4. Consultations with stakeholders have identified a range of information needs. Some of the priority questions of interest include:
  - What has worked?
  - What makes for a successful police intervention model, and in what circumstances?
  - How do police interventions move from conflict prevention/peace-keeping to capacity development?
  - What does sustainability mean for policing in small Pacific Island states?
  - What role should regional and bilateral mechanisms have for policing work?
  - How well are our policing interventions providing leverage for and leverage from other law and justice interventions?
  - What role do policing interventions need to play to support New Zealand and Pacific Island partners from a security and trans-boundary perspective?
  - How can monitoring and reporting about police interventions be improved to meet key information needs efficiently?

### **Purpose of the Evaluation and Research Paper**

5. The purpose of the evaluation is to assess the extent to which the New Zealand Aid Programme's support for work implemented by New Zealand Police has been and could be more relevant, effective, efficient and sustainable (see appendix one for a definition of these terms) in the future. The evaluation will also identify key lessons for the overall programme of police work (now and for the future); including for effective police work in post-conflict and/or fragile states.

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<sup>28</sup> Source: AMS – estimates may differ from other sources.

6. The information will be used by MFAT and the New Zealand Police to inform the strategic direction of the work programme, to strengthen the design and implementation of the programme and associated interventions, and to strengthen the range of Wellington-based and in-country partnership arrangements.
7. The purpose of the research paper is to contribute to knowledge about effective policing work (by New Zealand) in post-conflict and/or fragile states. The paper is expected to be used by the development community, including country partners, donors, and implementing agents involved in policing and law and justice initiatives.
8. The work will be undertaken in two phases with (at least) four linked publishable outputs:

**Phase one (FY 2011-12):** will focus on post-conflict and/or fragile state policing work. This phase will involve completion of a background study, fieldwork in post-conflict and/or fragile states, an evaluation report (post conflict and/or fragile states only), and the research paper about policing work in post-conflict and/or fragile states.

**Phase two (FY 2012-13):** will focus on policing work in the Pacific and will comprise of further fieldwork (other Pacific countries) and the completion of an evaluation report on policing work in the Pacific.

9. The background study (literature review) will examine the strategic context for international policing work, the different models and approaches deployed, and will develop a good practice framework/s<sup>29</sup>. Information from the background study will be used to inform the evaluations and research framework.

#### Scope

10. The work will examine all policing work funded under the New Zealand Aid Programme and implemented by the New Zealand Police from the beginning of 2005<sup>30</sup>, irrespective of geographical location. Particular aspects of the evaluation and research work will have a narrower focus to align with their purpose and objectives (see table below).

<b>Output / Objectives</b>	<b>Scope</b>
<u>Research paper</u>	MFAT-funded post-conflict and / or fragile state policing Interventions: Afghanistan, Timor-Leste, Solomon Islands, and Papua New Guinea (Autonomous Region of Bougainville). Indonesia (West Papua) will be excluded due to the intervention being a pilot

<sup>29</sup> The framework should reflect good practice in different policing contexts and it may be appropriate to develop a framework for different types of situation e.g. post-conflict and/or fragile states; peace-keeping, or related to the Pacific (Polynesia / Melanesia).

<sup>30</sup> Information from before 2005 is likely to be diffuse and would be difficult collate.

<u>Evaluation report – post-conflict and/or fragile states</u>  Objective one (relevance), questions 1.2-1.5; objective two (effectiveness); objective three (sustainability); objective four (efficiency); objective five (cross-cutting issues)	All key MFAT-funded post conflict and/or fragile state policing interventions (as above), with the exception of small and/or stand-alone contracts <sup>31</sup>
<u>Evaluation report – the Pacific</u>  Objective one (relevance), questions 1.2-1.5; objective two (effectiveness); objective three (sustainability); objective four (efficiency); objective five (cross-cutting issues)	All key MFAT-funded Pacific policing interventions, with the exception of small and/or stand-alone contracts. These Pacific policing interventions are located in Tonga, Cook Islands, Papua New Guinea (Autonomous Region of Bougainville), and the Solomon Islands, and also include the regional policing interventions Partnership for Pacific Policing Programme, Regional Pacific Prevention of Domestic Violence Programme and the Pacific Island Chiefs of Police Secretariat.

11. The defined scope for the two evaluations (phase one and two) mean that it will cover 94% of the funding since 2004, therefore, allowing findings with regards to the overall programme of police work since 2004. A table describing the main Activities in scope can be found in appendix three.

#### Objectives and High-level Questions

12. The work will be undertaken in two phases with three outputs completed in the first phase (FY11-12) and one in the second phase (FY12-13). The objectives and high-level questions to be answered for each of the outputs are identified below. It is not mandatory for the evaluation team to address these questions but alternative and/or additional questions should be proposed through the evaluation and research plan.
13. Background Study (phase one): taking into account different development contexts, the background study will examine the strategic context for international policing work, the different models and approaches deployed, and develop a good practice framework/s that can be used to inform the evaluation and research plan. The study should examine the information needs, in particular, from a post-conflict and/or fragile states perspective. The background study's purpose is:

**Objective one:** to identify the key strategic context and issues and their relevance for operating a high quality programme of police work under the New Zealand Aid Programme.

**Objective two:** to identify the different models, approaches, and associated good practice for police work in a development context (differentiate for post-conflict and/or fragile states and other ways as appropriate).

**Objective three:** to identify factors and processes for adapting these models and good practices to different operating contexts.

**Objective four:** based on objectives two and three, to develop a good practice and adaptation framework for assessing the programme.

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<sup>31</sup> This excludes 16 atypical and/or low-value contracts/Activities. For example, New Zealand support in Aceh (\$81k), emergency response work (\$25k), model police station in the Philippines (\$98k), special assistance to the Samoa law and justice sector programme (\$85k), specialist training for Indonesian drug investigators (\$32k), clandestine drug library training (\$140k).

**Objective five:** to identify key knowledge gaps in development policing work that the research paper and evaluation reports could address.

14. Research Paper (phase one): the paper will be informed by the background study and will draw on findings from the first phase of fieldwork in post-conflict and/or fragile states. Its purpose is:

**Objective one:** to identify key lessons (supported by case studies) about effective community policing in post-conflict and/or fragile states development work with reference to internationally recognised good practice and models/approaches for different contexts.

15. Evaluation Reports: the evaluation will examine the policing work in post-conflict and/or fragile states (phase one, FY11-12) and the second evaluation report will examine the policing work in the Pacific (phase two, FY12-13). Each evaluation report will address the objectives and high-level questions (below) from their unique focus (i.e. post-conflict and/or fragile states (phase one) and the Pacific (phase two).

**Objective one, relevance:** to determine the extent to which the programme of policing work has been relevant to the needs of partner countries and New Zealand.

1.1 to what extent is the programme coherent and aligned with meeting New Zealand's and our country partners' strategic and development interests? Consider, in particular, the programme's contribution to addressing regional security, trans-boundary, gender and human right issues.

1.2 to what extent has the work under the work programme been harmonised with priority strategic, country development, and law and justice sector needs including with regards to gender and human rights?

1.3 to what extent are the models and approaches being used aligned with good development practice and development needs? What are the advantages and disadvantages of different models and approaches (in different contexts) and how might they be utilised better to achieve better development outcomes? Include consideration of achieving gender and human right development outcomes.

1.4 how, and in what circumstances, does peace-keeping work successfully transition to a development approach (including capacity development) and how can policing work be implemented more effectively to promote this transition?<sup>32</sup>

1.5 to what extent have policing interventions being resourced with the right technical and development competencies to achieve development results (including to support gender and human rights outcomes), and how could future resourcing (re competencies) support better development outcomes?

1.6 how can the programme maximise its relevance in the future, including from making better use of regional mechanisms (identify advantages and disadvantages)?

**Objective two, effectiveness:** to identify the intended results (outputs and outcomes) and associated achievements of the programme.

2.1 to what extent has the programme met New Zealand's and our country partners' strategic and development interests, including with regards to gender and human rights?

2.2 to what extent have the intended results of the interventions been achieved (quality and time), including with regards to gender and human rights? What, if any, unintended outcomes resulted and how have these (or could these have) been mitigated, if negative, or opportunistically embraced, if positive?

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<sup>32</sup> This high-level question will only be addressed for interventions in post-conflict and/or fragile states, and those in the Pacific.

- 2.3 to what extent were the results leveraged from, and/or provided leverage for, other development outcomes (interventions) from within the law and justice sector, and how can leveraging be maximised in the future?
- 2.4 what factors enhanced or constrained achievement of results?

**Objective three**, sustainability: to determine the extent to which the programme has (or is likely to) contributed to sustained development outcomes.

- 3.1 to what extent is local ownership developing for the policing work?
- 3.2 to what extent are positive development outcomes likely to continue after the Activities end?
- 3.3 what factors in different contexts are constraining the sustainability of the development outcomes and how can they be integrated into Activity and programme design and implementation? Include consideration of the sustainability of achieving gender and human right development outcomes.

**Objective four**, efficiency: to determine the extent to which the programme and the Activities themselves have been efficient.

- 4.1 to what extent has the overall programme management been efficient and provided value for money? Consider the arrangements and relationships between New Zealand Police National Headquarters, MFAT Wellington, MFAT Posts, other sector actors and implementing sites.
- 4.2 noting the work to be done towards forming a Partnerships Arrangement during 2011 and early 2012, how could the management arrangements between New Zealand Police and MFAT be further enhanced to maximise Aid Effectiveness and ensure successful implementation of the policing Programme?
- 4.3 how can intervention monitoring and reporting be improved (efficiently) to better meet results-based mutual accountability requirements? Including with regards to monitoring and reporting of gender outcomes and the effect of the interventions on different genders.

**Objective five**, cross-cutting: to determine the extent to which the Activities have appropriately addressed gender and human rights<sup>33</sup>.

- 5.1 to what extent has the programme addressed gender and human rights and, where gender or human rights outcomes were intended, what outcomes have been achieved, including for targeted beneficiaries? To what extent are these outcomes likely to be sustained?
- 5.2 how could gender and human rights mainstreaming within Activity design and implementation be enhanced going forward?

**Objective six**, lessons: to identify lessons and opportunities for improving the relevance, effectiveness, efficiency and sustainability.

## Methodology

16. The design for the evaluation and research should be developed by the evaluation team and submitted as an evaluation and research plan. The Plan will also identify how the work will be organised over the two phases (phase one, before July 2012; and phase two, before January 2013). The Plan will meet the purpose and objectives for the four outputs identified in this terms of reference, and it will identify the information, processes and tools required to provide evidence-based findings, conclusions and recommendations (required) for this evaluation. The Plan will also identify how the content of each output will be organised (sections and subsections). The work will be underpinned by the key

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<sup>33</sup> Refer to the New Zealand Mandate ([www.aid.govt.nz/about/](http://www.aid.govt.nz/about/)) and previous NZAID cross-cutting policies.

principles of independence and transparency. In addition to the requirements stated in this methodology section, the Plan will also address the topics and questions identified in appendix two.

17. Gender analysis should be integrated into the evaluation and research design, data collection and analysis and reporting. Also, where relevant, the evaluation design will take a theory-based approach. The intended outcomes of the programme and Activities how progress can be measured, being identified<sup>34</sup> before any fieldwork<sup>35</sup>.
18. The evaluation design is to include an assessment of value for money at the programme level. The assessment should establish to what extent the same level of actual outcomes could have been achieved at less financial cost (i.e. financial analysis) and staffing resource (New Zealand Police and MFAT). Conclusions about value for money will be discussed taking into account the level of intended compared to actual outcomes (refer to the assessment of effectiveness).
19. The Plan will identify how the information needs can be met through current documentation (including undertaking documentary analysis), and what information gaps will need to be filled through fieldwork including in-country visits. Information gathering to fill any gaps is likely to require a range of data collection methods, for example, interviews (structured and semi-structured), focus groups, direct observation and case studies.
20. The Plan will be considered for approval by the steering group once it has been endorsed by the Evaluation Manager.

#### Governance

21. The evaluation will be governed by a steering group comprising of the key stakeholders as indicated in the table below. The steering group will ensure the evaluation is fit-for-purpose and is delivered as agreed in these terms of reference and as agreed through the approval of the evaluation and research plan. Key responsibilities of the steering group will include agreeing the terms of reference, evaluation and research plan, background study, research paper, and evaluation reports. Details of the purpose, roles, responsibilities, and the meeting schedule are enclosed in the steering group's terms of reference.

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<sup>34</sup> This information should be included in the evaluation and research plan.

<sup>35</sup> It is recommended that the evaluation team draws on MFAT's results framework guidance for this work. The identified outcomes should be verified during fieldwork. The materials will be used for the evaluation, and to inform future M&E and reporting of the programme.

Evaluation Steering Group and Roles	
Barbara Williams, IDG Director Pacific Bi-lateral Division (Chair)	Business owner. Ensuring the evaluation meets the required contribution to MFAT interests in the Pacific
Amanda Ellis, IDG Deputy Secretary, MFAT (attendance as time allows)	Ensuring the evaluation meets the strategic needs of the New Zealand Aid Programme
Stuart Wildon, National Manager International Services Group; and Tony Grubb, Manager International Strategy and Policy, New Zealand Police	Ensuring the evaluation meets the needs of the NZP
Sarndra Hamilton, IDG Partnerships, Humanitarian and Disaster Management Division	Ensuring the evaluation meets the required contribution to MFAT future relationship and programming with NZP
Ingrid van Aalst, IDG Principle Evaluation Manager	The Principal Evaluation Manager will provide evaluative input to help the steering group in decision-making. Represents the evaluation sponsor and their needs
Mark Ramsden, MFAT Post Solomon Islands	Provide a Posts' perspective on the requirements of the evaluation and the interpretation of the findings

### Management

22. Delivery of the evaluation will be the responsibility of the New Zealand Aid Programme's Evaluation Team, and will be managed by the assigned evaluation manager (Andrew Kibblewhite, Senior Evaluation Adviser). The evaluation manager will also operate as secretary to the evaluation steering group.

### Evaluation Team

23. The independent evaluation team (i.e. people not previously involved in the design or implementation of any in-scope interventions) is to be composed of at least four team members: a community policing in a development context expert, a law and justice sector expert, an evaluation expert, and a research assistant. Leadership of the team will be assigned based on meeting the required competencies for the leadership role. The roles and functions of the team members are detailed in appendix four.
24. Gender analysis competencies have been identified for the evaluation team roles (except for the research assistant). If the right mix of skills in these positions cannot be found, then a gender expert role, either within or outside the team, may be contracted. A governance and capacity development expert will be contracted outside the team to provide peer-review for the evaluation and research plan and report.
25. The evaluation team roles will be either contracted as a team or separately, through an open tender process. The contracts will be managed by the evaluation manager.

### Key Outputs, Delivery and Publishing

26. The evaluation will be undertaken in two phases by the same team, and will produce the key outputs identified in the table below.
27. The New Zealand Aid Programme is committed to international aid transparency and has made a commitment under the International Aid Transparency Initiative to publishing all evaluation reports.

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As such, all the main written outputs from the work will be made publicly available and published. Each output will be written to ensure all the content is appropriate for public release. Any content not appropriate for publishing will be provided to the steering group by way of a separate memorandum.

28. Other outputs (e.g. presentations and knowledge notes) to assist within the dissemination of the findings, conclusions and recommendations will also be identified through the dissemination plan which will be part of the agreed evaluation and research plan.

<b>Team Outputs</b>	<b>Publishing / Delivery Dates</b>
<b>Phase one, FY 2011-12</b>	
Background study	Will be published as a stand-alone document on the New Zealand Aid Programme website (submitted and accepted as a final document by 27 January 2012)
Evaluation and research plan	May be published as a stand-alone document on the New Zealand Aid Programme website and/or published as part of the evaluation reports
- Draft Plan	Submitted and accepted as a satisfactory draft by 15 February 2012
- Final Plan	Submitted and accepted by 29 February
Fieldwork in post-conflict and/or fragile states (if and as needed)	Between March and May 2012
Evaluation report on policing in post-conflict and /or fragile states	Will be published as a stand-alone document on the New Zealand Aid Programme website and may be publish in part or in full in other media
- Draft	Submitted and accepted as a satisfactory draft by 1 June 2012
- Final	Submitted and accepted by 22 June 2012
Research paper	Will be published as a stand-alone document on the New Zealand Aid Programme website and submitted as a research article to (an) agreed journal/s
- Draft report	Submitted and accepted as a satisfactory draft by 8 June 2012
- Final report	Submitted and accepted by 22 June 2012
<b>Phase two, FY 2012-13</b>	
Additional fieldwork in Tonga and the Cook Islands (if and as needed)	July 2012
Evaluation report on police work in the Pacific	Will be published as a stand-alone document on the New Zealand Aid Programme website and may be publish in part or in full in other media
- Draft report	Submitted and accepted as a satisfactory draft by 2 August 2012
- Final report	Submitted and accepted by 20 August 2012

### Quality

29. The table below refers to the standards and requirements for each of the main written outputs. All evaluation processes and all outputs are required to be independent (carried out in a way that avoids any adverse effects of political or organisational influence on the findings) and transparent (process open and understood by all parties).

<b>Outputs</b>	<b>Standards and Requirements</b>
Background study	<ul style="list-style-type: none"><li>Meets the standards whereby it would be accepted in a refereed journal of good standing. The publication should show considerable analytical skill and integrate content into clearly articulated key themes</li></ul>
Research paper	<ul style="list-style-type: none"><li>Meets the standards whereby it would be accepted in a refereed journal of good standing. The publication should show considerable analytical skill and integrate content into clearly articulated key themes and provide well-written case studies using case study methodology</li></ul>
Evaluation and research plan, field work, draft evaluation reports, final evaluation reports	<ul style="list-style-type: none"><li>These products should meet the standards and requirements outlined in the DAC Evaluation Quality Standards and the NZAID Guideline on the Structure of Evaluation and Review Reports</li></ul> <p>In particular:</p> <ul style="list-style-type: none"><li>as this is an evidence-based evaluation approach, the findings, conclusions and recommendations <u>must</u> be based on clear evidence presented in documentation in a way that allows the reader to form their own views on the validity and reliability of the findings, including assessing the vested interests of sources</li><li>where there is conflicting evidence or interpretations, the report should note the differences and justify the findings</li><li>The body (i.e. excluding appendices) of each evaluation report should be no more than forty pages in length (1.5 spacing and 12pt font)</li></ul>

### Dissemination and Follow-up

30. The evaluation and research plan will contain a plan for disseminating the findings, conclusions and recommendations. This plan will ensure that this information is used as effectively as possible to ensure learning take-up and improvement in programming and implementation. The information will be disseminated in partnership by the evaluation team, the New Zealand Police (steering group representative) and the New Zealand Aid Programme evaluation business owner.
31. The New Zealand Aid Programme evaluation business owner will respond to the findings (findings, conclusions and recommendations) and will report back to the MFAT Development Leadership Team (or the equivalent, appropriate body) on the follow-up to these findings six months after the evaluation reports are agreed by the steering group.

### Risks and Mitigation

32. The successful completion of the evaluation and delivery of the key outputs will be dependent on the management of key risks. The table below identifies how the key risks for this evaluation will be effectively mitigated.

<b>Risk</b>	<b>Mitigation Approach</b>
Data availability and quality	Careful and well-resourced documentary analysis will help ensure the data gaps are understood and data gathering resourced
Country partner buy-in and availability	Posts to support with country partner engagement during the evaluation and with in-country scheduling and logistics
Timing of fieldwork (Afghanistan winter, Pacific cyclone season, elections in Timor-Leste)	Contingencies built into approvals
Sensitive findings	Clear instructions about the key outputs being published. Sensitive information may be provided via a separate memorandum

**Appendix One: DAC / OECD Evaluation Criteria**

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The DAC / OECD Evaluation Criteria was adopted (slightly modified) by MFAT (then NZAID) and defined as below. The definitions will be used for the purposes of this evaluation.

Effectiveness: whether and to what extent the programme and/or activity has achieved the desired outcomes

Relevance: whether and to what extent the activity has addressed the needs and priorities of the target groups and is aligned with the partner's policies and priorities

Sustainability: whether and to what extent the benefits can be sustained after the end of the development assistance

Efficiency: the extent to which the programme could have been implemented at less cost without reducing the quality and quantity of the activities.

*Reference: NZAID Evaluation Policy Statement, July 2007 (p. 3)*

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## **Appendix Two: Evaluation and Research Plan**

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The evaluation and research plan should address but not be limited to covering the following topics and address the following questions.

### Topics

- Stakeholder analysis
- Gender analysis and how human rights will be assessed
- Results framework development
- Specific research questions to meet the information requirements (purpose, objectives and high-level questions) for both the evaluation and research
- Detailed description of the evaluation and research methods
- Draft evaluation and research tools
- Data analysis
- Ethical considerations
- Limitations, risks and constraints
- How the content of the outputs will be organised (sections and subsections), including how the broad findings and recommendations covered by both evaluations reports (i.e. not specific to either) will be reported
- Dissemination plan

### Questions

- How will the relevant principles be incorporated into this work?
- Who are the stakeholders, what is their interest or stake, what type of stakeholder are they (primary – directly benefit from the activity, secondary – indirectly involved with the activity etc.), what issues or constraints are there in their involvement in the evaluation or research (e.g. power issues, access, confidentiality)?
- What information will be needed to answer each of the specific research questions for both the evaluation and research?
- What are the most appropriate methods for data/information collection to address each of the questions? For example, will qualitative and/or quantitative methods be used and why? How will study participants be selected? What specific methods will be used – interviews (face-to-face or phone), email questionnaire, workshops, survey, focus groups etc.? For quantitative surveys how will the appropriate sample size be decided, and what statistical analysis will be used to allow judgement on the reliability of results?
- From whom will information be collected to answer each of the questions and how will the evaluation team ensure that the opinions of all appropriate stakeholders (for example, women and men, young and old, powerful and less powerful) are included?
- What questions will be asked in questionnaires or interviews?
- How will information gathered be cross checked?
- What procedures will be used for data analysis – how will qualitative data such as interview notes be analysed, how will survey results be analysed?

- How will the findings be fed back and discussed with appropriate stakeholders during the process, and how will this be incorporated into the report?
- What risks, limitations or constraints are there likely to be and how can these be mitigated?
- How will ethical issues be addressed? For example how will participants be informed of the purpose and use of information they will provide? How will sensitivity to gender and culture be ensured during the evaluation? Is informed consent required from participants, if so how will this be obtained? How will confidentiality of participants be ensured and how will confidential material be stored? What potential harm to participants is there and how will potential harm be minimised?
- The evaluation and research plan should include a dissemination plan. The plan should identify how the evaluation team, New Zealand Aid Programme business owner, and the New Zealand Police will make the findings, conclusions and recommendations available to maximise the learners for both internal and external stakeholders.

**Appendix Three: Key MFAT-Funded Police Activities**

Activity	Description	Study Phasing
Partnership for Pacific Policing (3P)	A 5-year programme of targeted interventions to strengthen Pacific policing. Initial focus countries: Kiribati (including in-country adviser to Police Commissioner), Tuvalu (e.g. short term advisers to support Acting Commissioner, prosecutions, community policing), and Tokelau (consultation visit to be made to decide what type of assistance is appropriate). There may also be assistance to Vanuatu (community policing) but this will be assessed and a report written before any decision is made). Some assistance to Niue and Samoa will be provided in the first year through Pacific regional activities and participation in the supervisory skills course. Training and support activities will include prosecutions, youth, alcohol, road safety, operational emergency response, community policing.	Phase two: Pacific
Afghanistan National Police Training	To support development of an effective policing force in Bamyan province through the mentoring of senior Afghanistan National Police (ANP) at provincial and district levels and training of ANP recruits at the Bamyan Regional Training Centre (RTC) by NZ Police operating under an European Police (EuPol) mandate.	Phase one: post-conflict and/or fragile states
Bougainville Community Policing Project	Aim is for a strengthened Bougainville Police Service that has the capacity to operate sustainably as an effective community policing agency achieved by strengthening management and operational capacity and integrating Community Auxiliary Police into BPS. Approx 14 NZ police per year on 6-month deployments	Both phases
RAMSI	Supports the development of an effective national policing service. The focus of the programme is on transitioning from operational support to solely capacity development. NZ Police has up to 25 staff serving in the RAMSI Participating Police Force on 6-month deployments. Senior officers are also seconded long-term to the Solomon Islands Police Force, including the Police Commissioner.	Both phases

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Regional Pacific Prevention of Domestic Violence Programme	5-year programme to build the capacity of participating PIC police forces to effectively address prevention, and response to domestic violence	Phase two: Pacific
Pacific Island Chiefs of Police Secretariat	Funds the PICP Secretariat to strengthen the capacity and effectiveness of the PICP Secretariat in supporting its members in their efforts to improve and maintain effective secretariat functions and advice for the PICP throughout the Pacific region	Phase two: Pacific
Timor-Leste New Zealand's Deployment of Police to UNMIT	Police officers mandated to participate in UNMIT and aims to strengthen community policing knowledge in the Policia Nacional de Timor Leste (PNTL); and generally build PNTL capacity and capability	Phase one: post-conflict and/or fragile states
Timor-Leste Bilateral Community Policing Programme	\$15m bilateral community policing project over four years to be implemented from the second half of 2011. Improve Timor-Leste Police's capacity to implement effective community policing	Phase one: post-conflict and/or fragile states
Tonga Police Development Programme	Tonga Police Development Programme is a trilateral (New Zealand, Australia, Government of Tonga) four year programme with the overarching goal of developing an effective Tonga Police Force which has the trust and confidence of the community. The Programme provides technical assistance and secondments, (including the appointment of a New Zealander to the position of Commander) and funding for legislative drafting and equipment and resource needs.	Phase two: Pacific
Cook Islands Police Programme	Three year programme of support to assist the Cook Islands Police Commissioner to implement the (116) recommendations of the 2006 review. The programme funded one full time seconded NZ police officer for the first two years. About 12 NZ Police advisors deliver training / technical assistance each year. Key additional activities for the third year include a senior NZ advisor to mentor	Phase two: Pacific

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	the Commissioner, a wider leadership development programme, installation of a Radio Communication Network, and opportunities for police officers to receive appropriate training in NZ.	
West Papua/Papua Community Policing Programme	NZ Police and Indonesian Police conducted a Community Policing Training Pilot in West Papua and Papua (now completed). NZ provided funding under the Indonesia Conflict Prevention and Peace building facility for police officers from conflict areas to study in the Gadjah Mada University Masters of Peace and Conflict Resolution Programme and additional training/workshops on community policing. The next phase is yet to be designed.	Both phases – only to examine the relevance

**Appendix Four: Evaluation Team Composition, Roles, Functions and Competencies**

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The functions and required competencies for team membership and team leader role are identified in the tables below. The team leader role will be assigned to the most suited candidate (see competencies in table 4.1) selected from the community policing in development, law and justice or the evaluation expert roles. The team leader will be responsible for the additional functions identified in table 4.1.

**Table 4.1: Team Leader Role**

Role	Functions	Required Competencies
Team leader	Responsible for the delivery of the evaluation and managing the contributions of team members	Excellent team leadership skills Strong team work and consensus decision-making skills
Note: not a separate role but assigned to a team member (refer table 4.2)	Primarily responsible for managing relationships within the team and with stakeholders	Excellent relationship management skills Excellent communication skills Proficient knowledge of evaluation design, implementation and reporting Excellent report writing and information dissemination skills

**Table 4.2: Evaluation Team Membership, Functions and Required Competencies**

Roles	Functions	Required Competencies
Law and justice expert	Contribute a broad law and justice perspective to the evaluation design, and the evaluation reports (peer-review) Provide peer-review of the background study and research paper, including the case studies Contribute to the evaluation and research design Contribute to data collection and analysis Provide summary information for the evaluation reports Peer-review the evaluation reports	Excellent and in-depth knowledge of a law and justice sector development interventions Excellent strategic analysis, including with regards to international security Strong technical analysis skills Ability to provide constructive peer-review and make practical suggestions Strong written skills
Community policing in development expert (including fragile states)	Lead and write background study and research paper, including the case studies Contribute to the evaluation and research design Contribute to data collection and analysis	Strong relationship management skills Strong communication skills Extensive and in-depth knowledge of community policing in a development context Proficient knowledge of community policing in post-conflict and/or fragile states

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	<p>Provide summary information for the reporting outputs</p> <p>Peer-review the evaluation reports</p>	<p>Excellent technical analysis skills, including case study research</p> <p>Excellent report writing, including in an academic environment, and information dissemination skills</p> <p>Strong team work and consensus decision-making skills</p> <p>Strong gender analysis skills</p>
Evaluation expert	<p>Design the research and evaluation</p> <p>Lead the development or redevelopment of results frameworks for each intervention within scope</p> <p>Work with key stakeholders to ensure frameworks are appropriate for the evaluation reports and research paper, and ongoing intervention monitoring and reporting</p> <p>Develop evaluative tools</p> <p>Contribute to data collection</p> <p>Lead the data analysis, including providing summary information for the reporting outputs</p> <p>Lead the writing of the evaluation reports</p> <p>Peer-review written content for the back ground study and research paper (not authored)</p>	<p>Strong relationship management skills</p> <p>Excellent evaluation design, data collection, implementation, analysis and reporting skills</p> <p>Excellent results framework (programme or intervention logic) design and implementation skills</p> <p>Ability to represent complex interventions within simple, clear and logical diagrammatic and tabular forms</p> <p>Proven ability to develop results frameworks that are appropriate using in evaluations and for implementing for monitoring and reporting</p> <p>Strong skills in assessing (and design) for value for money</p> <p>Excellent report writing and information dissemination skills</p> <p>Strong team work and consensus decision-making skills</p> <p>Strong ability to design evaluations to incorporate gender analysis</p> <p>Strong gender analysis skills</p>
Research assistant	<p>Collate relevant literature for the background study, research paper and the evaluation reports</p> <p>Manage (in conjunction with Posts) fieldwork schedules</p> <p>Assist with primary data collection and analysis</p>	<p>Good development research skills (design, data collection, literature searching, fieldwork), including case study research</p> <p>Experience in development research fieldwork</p> <p>Good organisational skills</p> <p>Strong team work skills</p>

**Table 4.3: Evaluation Team Support Role (Functions and Competencies)**

<b>Role</b>	<b>Functions</b>	<b>Required Competencies</b>
Governance / and Capacity Development expert	Peer-review and comment on the evaluation and research design (plan and results frameworks) Peer-review and comment on the draft research paper (not authored) and evaluation reports	Extensive and in-depth knowledge of governance and capacity development (preferably in law and justice or security fields) in the development context Ability to give clear and actionable feedback in an appropriate way

**ADDENDUM**

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**Introduction**

1. This document details changes to the terms of reference for the evaluation and research of the Police work funded under the New Zealand Aid Programme (document number 2607704). With the exception of the details listed herein, all requirements identified in the terms of reference remain the same.

**Deliverables and deadlines**

The work will still be spread over two financial years (FY2011-12 and FY2012-13), however instead of the post-conflict, fragile states work being completed in FY2011-12 and Pacific work in FY2012-13, these deliverables will now be swapped to align with team availability (see table below for dates). The background study and evaluation and research plan will still be delivered in FY2011-12 before any fieldwork begins.

The required deliverables and deadlines are:

<b>Outputs / deliverables</b>	<b>Indicative Dates (NZT)</b>
<b>Phase one, FY 2011-12 – Work in the Pacific</b>	
Background study	Submitted & accepted as a final document by 30 March 2012
Evaluation and research plan	Draft - 24 March 2012 Final – 5 April 2012
Fieldwork in Tonga, Cook Islands, PNG and Solomon Islands (if and as needed)	April – May 2012
Evaluation report on police work in the Pacific	Draft – 20 June 2012 Final – 6 July 2012
<b>Phase two, FY 2012-13 – Work in Post conflict fragile states</b>	
Additional fieldwork in Afghanistan and Timor-Leste	July-August 2012
Evaluation report on police work in the post conflict fragile states	Draft - 24 August 2012 Final – 7 September 2012
Research paper	Draft – 1 September 2012 Final – 15 October 2012
Dissemination event/s	30 November 2012

*Annex B – Evaluation Questions and Terms of Reference*

*Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011*

*Police work in fragile and conflict affected contexts*

### **Roles, Functions and Competencies**

The revised functions and required competencies are:

<b>Roles</b>	<b>Functions</b>	<b>Required Competencies</b>
Team leader  And  Law and justice expert	<p>Responsible for the delivery of the evaluation and managing the contributions of team members</p> <p>Primarily responsible for managing relationships within the team and with stakeholders</p> <p>PNG, Solomon Islands, Tonga, Cook Islands and Timor-Leste: data collection, prepare summary notes and analysis</p> <p>Contribute a broad law and justice perspective to all aspects of the evaluations and research</p> <p>Primary (first) author of the background study and both evaluation reports</p> <p>Contributing (second) author of the evaluation and research plan and research paper</p> <p>Lead dissemination of the evaluation results</p> <p>Contribute to (peer-review) result frameworks</p> <p>Contribute to analysis of all data collected</p>	<p>Excellent team leadership skills</p> <p>Strong team work and consensus decision-making skills</p> <p>Excellent relationship management skills</p> <p>Excellent communication skills</p> <p>Proficient knowledge of evaluation design, implementation and reporting</p> <p>Excellent report writing and information dissemination skills</p> <p>Excellent and in-depth knowledge of a law and justice sector development interventions</p> <p>Excellent strategic analysis</p> <p>Strong technical analysis skills</p> <p>Ability to provide constructive peer-review and make practical suggestions</p> <p>Strong written skills</p> <p>Excellent gender analysis skills</p>
Post conflict, fragile state expert	<p>Contribute a post conflict, fragile state perspective to all deliverables (focusing on the post conflict fragile state deliverables) and a strategic perspective on the Pacific deliverables</p> <p>Primary (first) author of the research paper</p> <p>Contribute to (peer review) background study, evaluation and research plan, result frameworks, and the evaluation reports on work in the Pacific and in post-</p>	<p>Strong relationship management skills</p> <p>Strong communication skills</p> <p>Excellent knowledge of development work in a post conflict and/or fragile state environment, including in the law and justice sector</p> <p>Proficient knowledge of evaluation and research design</p> <p>Proficient technical analysis skills, including case study research</p> <p>Excellent strategic analysis, including with regards to international security</p> <p>Strong report and note writing, and information dissemination skills</p>

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	<p>conflict fragile states</p> <p>Contribute a strategic perspective (summary notes and analysis) to the assessment of work in the Pacific</p> <p>Lead fieldwork in Afghanistan including data collection, prepare summary notes (analysis and interim findings)</p>	<p>Ability to provide constructive peer-review and make practical suggestions</p> <p>Some knowledge gender analysis preferred</p>
Policing expert – International	<p>Contribute knowledge and experience of international of community policing models, including in a development and post conflict fragile state context, to all aspects of the work</p> <p>Contributing author of the background study (second author)</p> <p>Contribute to (peer review) evaluation and research plan, result frameworks, both evaluation reports and the research paper</p> <p>Contribute to fieldwork in PNG, Solomon Islands, Tonga and Timor-Leste: data collection, prepare summary notes (analysis and interim findings)</p>	<p>Strong relationship management skills</p> <p>Strong communication skills</p> <p>Extensive and in-depth knowledge of community policing including an international development context</p> <p>Proficient knowledge of community policing in post-conflict and/or fragile states</p> <p>Proficient technical analysis skills</p> <p>Proficient report and note writing skills</p> <p>Strong team work and consensus decision-making skills</p> <p>Some knowledge gender analysis preferred</p>
Policing expert – Pacific	<p>Contribute knowledge and experience of the New Zealand and other models of community police in the Pacific to all aspects of the work</p> <p>Contribute to (peer review) background study, evaluation and research plan, result frameworks (additional input into the Pacific interventions), both evaluation reports and the research paper</p> <p>Contribute to fieldwork in PNG, Solomon Islands, Tonga and Timor-Leste: data collection, prepare summary notes (analysis and interim findings)</p>	<p>Strong relationship management skills</p> <p>Strong communication skills</p> <p>Extensive and in-depth knowledge of community policing including in a Pacific context</p> <p>Proficient technical analysis skills</p> <p>Proficient report and note writing skills</p> <p>Strong team work and consensus decision-making skills</p> <p>Some knowledge gender analysis preferred</p>
Evaluation expert	Lead the design of the work	Strong relationship management skills

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	<p>Primary (first) author of the evaluation and research plan</p> <p>Develop evaluative tools</p> <p>Lead and author (first author) the development or redevelopment of result frameworks</p> <p>Work with key stakeholders to ensure frameworks are appropriate for the evaluation reports and research paper, and on-going intervention monitoring and reporting</p> <p>Contributing author of evaluation report on work in the Pacific</p> <p>Contribute to (peer review) the background study, evaluation report and research paper on post conflict fragile states</p> <p>Contribute to fieldwork in PNG, Solomon Islands, Tonga and Timor-Leste: data collection, prepare summary notes (analysis and interim findings)</p>	<p>Excellent evaluation design, data collection, implementation, analysis and reporting skills</p> <p>Excellent results framework (programme or intervention logic) design and implementation skills</p> <p>Ability to represent complex interventions within simple, clear and logical diagrammatic and tabular forms</p> <p>Proven ability to develop results frameworks that are appropriate using in evaluations and for implementing for monitoring and reporting</p> <p>Strong skills in assessing (and design) for value for money</p> <p>Proficient report writing and information dissemination skills</p> <p>Strong team work and consensus decision-making skills</p> <p>Strong ability to design evaluations to incorporate gender analysis</p> <p>Proficient gender analysis skills</p>
Research assistant (non-traveling)	<p>Collate relevant literature for the background study, research paper and the evaluation reports</p> <p>Assist with secondary data collection and analysis, if necessary</p>	<p>Good development research skills (design, data collection, literature searching, fieldwork), including case study research</p> <p>Experience in development research fieldwork</p> <p>Good organisational skills</p> <p>Strong team work skills</p>

## ANNEX C – CONCEPTUAL FRAMEWORK FOR POLICING

### 1. Introduction

This annex provides a brief explanation of each of the five aspects of *policing* in the conceptual framework developed for this evaluation, together with a discussion of the over-arching issue of the legitimacy of the state and of the police as the public face of the police. The annex ends with a discussion of the assumptions underlying the programme goals and outcomes.

### 2. The five aspects of policing

The five aspects of policing are:

- (i) Police mandate (relationship with polity/ society as a whole)
- (ii) The police as an organisation
- (iii) Relationship between the police and communities
- (iv) Relationship between the police and the formal criminal justice system
- (v) Relationship between the police and non-state dispute resolution mechanisms

This thrust of most interventions was on the police as an organisation - to build or develop the capacity of partner countries' police. The technical capacity of the police, as an organisation, was seen as central to achieving the over-arching goal of MFAT funded police work - *safe and secure communities*.<sup>36</sup> But, this work needs to be contextualised within the broader governance and institutional arrangements for policing in each country (aspects (i), (iii), (iv) and (v)). These have evolved over time: they have been shaped by historical factors including events and approaches from previous (traditional and colonial) regimes. In some cases they have been influenced by conflicts and the way these conflicts were resolved. In developing countries, these arrangements are often tenuous, and the police frequently have to enforce the rule of law within a contested and inconsistent set of institutional arrangements, layered on top of previous institutional arrangements and accommodating different interests and interest groups.

#### **(i) Police mandate (relationship with polity/ society as a whole)**

Policing is the enforcement of collective choices - the political mandate for which emanates from society as a whole and is, ideally, articulated in law. The evaluation therefore considers the **legality** of the police in the different contexts in which New Zealand police work took place. This involves considering the extent to which the legal instruments were in place to allow the police to function, and also political decisions taken to provide the police with operational resources (funds and human resources). In addition, the evaluation considers the development of governance structures to promote greater civilian oversight and political responsibility for policing. These structures seek to ensure that the police are not disembodied from society or seen as an enforcement agency of the state. Their precise nature should be tailored to local circumstances: they may include new

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<sup>36</sup> As discussed in chapter 1, *building safe and secure communities* is now one of MFAT's four priority themes for its aid programme, supporting the core focus of *sustainable economic development*

institutional arrangements (e.g. accountability to local authorities) and associated mechanisms (funding, human resources, etc).

The evaluation assesses the extent to which New Zealand funded interventions have addressed the need for appropriate legal and governance arrangements for policing.

## **(ii) Police**

The development of the technical capacity of the police is the entry point for most of New Zealand's assistance to policing. In particular, much of New Zealand's support has focused on supporting partner police forces to develop a *community policing* approach (see section 4 below)

New Zealand has provided some infrastructure, equipment and logistical support to partner police forces, but most assistance has addressed two levels of capacity development:

- **Organisational development:** This relates to the structure and functioning of the police within the wider policing function. Organisational development focuses on the internal capacity of the police (including values, systems, staffing, strategies and leadership) to perform their roles and mandates within a given institutional context;
- **Individual skills development:** This relates to the skills of individuals within an organisation to perform to a high level within set standards. The capacity of an organisation depends not just on systems and strategies, but on these individual skills,

The evaluation assesses the extent to which support has been provided at both these levels.

## **(iii) Relationship between the police and communities**

As mentioned in section (ii) above, much of New Zealand's police work in developing countries has focused on a *community policing* approach. This involves not only supporting the technical capability of the police, but also on building the relationship between the police and communities (communities are likely to comprise a multiplicity of different groups with different power relationships). Community policing is discussed in more detail in section 4 below.

The evaluation considers the extent to which New Zealand's police work has strengthened the relationship between the police and communities. This relationship is multi-faceted: the police need to be aware of communities' interests and concerns, and also to work with them to obtain intelligence. Communities need to be reassured of a police presence and capacity. The nature of this relationship is determined by the social and political context, and also by the existence and effectiveness of alternative, non state security and justice systems (discussed in section (iv) below).

The promotion of community - police relations may require both a reorientation of police attitudes, and the construction of new social institutions, such as police community committees through which the police and community can engage with each other. The formation of these new structures may be instigated through other social organisations, such as non-governmental organisations, rather than by the police.

The evaluation assesses the extent to which mechanisms are in place to enable strong police community linkages.

#### **(iv) Relationship between the police and the formal criminal justice system**

The police are the entry point to the formal criminal justice system. For the goal of safe and secure communities to be realised, the police need to be understood as part of the criminal justice chain (see diagram below). This does not imply that New Zealand should necessarily engage with the whole spectrum of criminal justice reform,<sup>37</sup> but it does suggest that: New Zealand police work should be undertaken in cognisance of the partner country's police's role in the criminal justice system; that linkages should be made with criminal justice reform processes being undertaken in the partner country (which may be supported by other donors); and that engagement with the police work will have limited impact if the rest of the criminal justice system remains dysfunctional. Common problems reported in the system, particularly in fragile and conflict affected situations, included poor investigations and case management and backlogs of cases. Processing a case through the criminal justice system involves complex interactions between the different actors. A weakness in one organisation will impact on the performance of another: files and documents can be lost or delayed; court cases can be delayed by the prison service failing to transport a prisoner to court for a hearing, or by the police prosecutor failing to prepare a case for trial.



The evaluation assesses the links between the police and the wider criminal justice system.

#### **(v) Relationship between the police and non-state dispute resolution mechanisms**

The evaluation considers police work in the context of non-state dispute resolution mechanisms systems. Legal pluralism is the norm in most countries: most disputes and conflicts do not end up in the formal justice system. In developing countries, non-state security and justice systems (such as traditional, religious or social mechanisms) may have greater legitimacy than the formal legal system, having stood the test of time, and viewed as relevant and accessible.

The form of the relationship between state and non-state systems may depend on the nature and preferences of communities and also on the resources available for formal police work. In some situations it may be appropriate for policing to be undertaken in partnership with non-state bodies. In other situations, non-state systems may be less relevant and more formal legal systems may be required - for example in urban areas or in situations of conflict related to external extraction of natural resources or minerals.

Policing is a means to enforce collective choices, which are determined through political, traditional and social structures and articulated in law, customary practice, religious canon and social practice. As a result, policing is exercised in the context and presence of other, non-state, forms of enforcement which may, at times, assign different priorities and interpretations to those defined in formal law. The police are embedded in society, the community and the criminal justice system.

<sup>37</sup> Such as AusAid's Law and Justice Programme in Papua New Guinea, which involved the provision at one stage of over 60 advisers throughout PNG's criminal justice institutions

They are faced with and must ‘resolve’, in practice and on a daily basis, the tensions between the values of these systems and must do so in a fair and impartial manner.

As discussed below, particularly in fragile and conflict affected situations, the legitimacy of the state and security providers may be contested and, in these cases, the legitimacy of the state may be associated with how the formal and informal start to come together to meet the concerns and needs of communities.

The evaluation assesses the extent to which the institutional and governance arrangements as well as approach and operations of the police are linked to non-state security and justice systems.

### **3. Legitimacy of the state and of the police**

Cutting across all the governance and institutional arrangements discussed above is the issue of the **legitimacy** of the police- the extent to which the state and its legal instruments are recognised as legitimate by communities and citizens. In mature democracies, such as New Zealand, the state is seen as the agent of society, managed by the state, but serving the interests of society as whole and ultimately accountable to society as whole. The legitimacy of the police is generally recognised by a substantial majority of citizens. But in developing countries, particularly in fragile and conflict affected situations where the political settlement may be contested, this assumption does not hold. In these situations, strengthening police capacity may be seen as supporting an illegitimate regime, or siding with a particular community or elite. Conversely, the cessation of conflict and manner in which regular policing is introduced or re-established can contribute to enhancing the legitimacy of the state. The approach taken by the police to policing will contribute to shaping the nature of society and the social contract between rulers and ruled.

The tenuous nature of the relationship between the state and society seen in fragile and conflict affected states, may continue long after an initial political settlement has secured the cessation of violence and prior to the emergence of a new social contract. As a result, policing in conflict affected situations must operate in a difficult ‘grey area’, supporting the rule of law (formal, legal) but without an assured sense of social or political legitimacy. In the immediate period following conflict and political breakdown, the mandate for external intervention is based on international or regional agreements, and may be exercised through external agencies such as RAMSI in the Solomon Islands, or the United Nations in Afghanistan and Timor Leste. Almost immediately following and sometimes, as in the case of the Bougainville Peace Agreement, as part of the political settlement, a national mandate for policing must be established.

Since the political settlement is essentially obtained by agreement between leaders and elites, the role of the police may be ill-defined and without a widespread sense of legitimacy. Further, if the police have themselves engaged in communal conflict, there may be little trust in the neutrality and independence of the police. The gap between the state and society is exacerbated when communal divisions are reflected within the police structure. The problem of establishing both a legal mandate and widespread legitimacy may be compounded by the tenuous nature of the state – for example in Melanesia where local (communal) identities are seen as more important than a national one.<sup>38</sup>

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<sup>38</sup> See: Greener, B, 2011 ‘Investigating the peacebuilding projects in the Pacific: The experience of Solomon Islands and Timor Leste; and Fukuyama, F 2008 ‘State building in Solomon Islands’, *Pacific Economic Bulletin* 23(3), 18–34

Police legitimacy can be supported by the development of effective governance and institutional arrangements discussed in sections (i) – (v) above including: the development of structures to promote greater civilian oversight and political responsibility for the police; the development of close relationships between the police and the community; and through the development of hybrid structures which build on non state (but perceived as legitimate) security and justice systems

## **4. Community policing**

Community policing is the key philosophy which underpins New Zealand’s approach to policing both at home and in their international work, and is therefore an integral part of the conceptual framework for policing. Community policing is understood by New Zealand Police in terms of ten key operational principles:<sup>39</sup>

1. Communities are the focus of the New Zealand policing approach
2. By reducing crime and road trauma community policing improves safety and reassures the community
3. Police are visible, accessible and familiar to their community
4. Police listen to their community, jointly prioritise concerns and keep them informed;
5. Police provide opportunities for community participation;
6. Problems are identified and responded to on a local level with the support of area, district and national, when required;
7. Police engage other government, non-government and community groups in problem solving partnerships;
8. Flexibility with accountability for achieving local community outcomes is emphasised;
9. Community policing requires an integrated intelligence-led approach
10. Community policing is the responsibility of all police staff irrespective of role or rank.

These principles apply across the New Zealand Police and impact on police structure, organisation, culture and practices. They flow from the democratic model of policing developed by the founder of modern policing, Sir Robert Peel.<sup>40</sup> The table below aligns Peel’s basic principles of policing developed in 1829, with New Zealand’s principles for community policing. New Zealand Police principles assume these ‘foundational’ precepts, and emphasise the community relations implications of them.

**Peel’s 1829 nine principles of policing aligned with New Zealand’s community policing principles**

<b>Peel’s nine principles of policing</b>	<b>Principles that guide community policing in New Zealand</b>
1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.	1. Communities are the focus of the New Zealand policing approach
2. To recognise always that the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain public respect.	2. By reducing crime and road trauma community policing improves safety and reassures the community
3. To recognise always that to secure and maintain the respect and	3. Police are visible, accessible and familiar

<sup>39</sup> New Zealand Police Evaluation Team September 2008: *Community Policing: An International Literature Review* (page 16)

<sup>40</sup> Peel’s vision was informed by events in Manchester, England of 1819 (popularly known as the Peterloo Massacre) when military dragoons - heavy cavalry - were ordered by local magistrates to disperse a peaceful assembly of working people who were gathered to listen to an orator demanding rights for workers in the rapidly developing cotton industry. People were killed and hundreds wounded through the action of the dragoons. In response, Peel, as the Home Secretary, persuaded Parliament to legislate for a civilian led non-military police that would police by consent.

Peel's nine principles of policing	Principles that guide community policing in New Zealand
approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.	to their community
4. To recognise always that the extent to which the co-operation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.	4. Police listen to their community, jointly prioritise concerns and keep people informed
5. To seek and preserve public favour, not by pandering to public opinion; but by constantly demonstrating absolutely impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humour; and by ready offering of individual sacrifice in protecting and preserving life.	5. Police provide opportunities for community participation
6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.	6. Problems are identified and responded to on a local level with the support of area, district and national resources, when required
7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.	7. Police engage other government, non-government and community groups in problem solving partnerships
8. To recognise always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.	8. Flexibility with accountability for achieving local community outcomes is emphasised
9. To recognise always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.	9. Community policing requires an integrated intelligence-led approach 10. Community policing is the responsibility of all police staff irrespective of role or rank

In view of their common heritage, it is not surprising that very similar principles of policing to New Zealand's are found in other mature democracies including, for example, Australia and the UK. In all these jurisdictions it is well understood that community policing, properly understood is a 'whole of policing' approach, mainstreamed throughout the organisation, rather than a *niche* activity. The methodology of creating a group that encourages good community relations whilst the remainder of the police get on with 'real' policing was criticised in the signal 1981 UK Scarman Report,<sup>41</sup> and the need for a *whole of policing* approach to community policing has subsequently been noted extensively in the literature.<sup>42</sup> Mainstreaming community policing implies that it must be embedded

<sup>41</sup> The Brixton Disorders: 10-12 April 1981. A Report of an Enquiry by the Right Honourable The Lord Scarman. 25 November 1981.

<sup>42</sup> See for example: SEESAC, UNDP Stability Pact, Saferworld, 2006, Philosophy and Principles of Community Based Policing (3rd edition), South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, Belgrade, p3; Zwane, P., 1994, The Need for Community Policing, African Defence Review Issue No 18; Community Policing: Variations on the Western Model in the Developing World. Robert C Davies *et al.* Police Research and Practice Vol. 4 No.3.

within the police's philosophy, legislative framework, organisational structure, concept of operations, management policy, and operational strategy.<sup>43</sup>

The practical outworking of the principles of community policy varies not only between countries, but also within different areas of New Zealand (urban/ rural; prosperous / less prosperous). For example in some areas (such as Wellington) community policing is undertaken through designated community police officers assigned to particular areas, with a centralised response team. In others (such as South Auckland) holistic neighbourhood policing teams have been established, which include a response capability.<sup>44</sup>

A context specific approach to policing, and recognition that there is 'no one ideal uniform model' for police reform<sup>45</sup> is particularly important in developing countries. The literature recognises that 'all too often international experts have attempted to introduce solutions, which mirror their own country, and more often than not are met by cultural resistance and lack of sustainable success.'<sup>46</sup> There is growing recognition that there is a need to develop bottom up, locally owned and locally appropriate solutions<sup>47</sup> - what the World Development Report 2011 has termed a 'best fit' approach (in contrast to a 'best practice' approach).<sup>48</sup>

Key aspects of developing country contexts which need to be taken into account when undertaking police work in accordance with community policing principles are (1) that the legitimacy of the state, and the police as the public face of the state should not be assumed (see discussion in section (vi) above); (2) that the police may be operating within a dysfunctional criminal justice system (see discussion in section (iv) above); and (3) that it may be informal, non state systems of policing that are considered by communities to have more legitimacy than the formal police force (see discussion in section (v) above).

## 5. Assumptions linking programme outcomes to goal

There are a number of key assumptions underlying the programme level results diagram.

**Development assumptions**, relating to the extent to which the long term outcomes will contribute to the goal of safe and secure communities:

- ***There is a sufficient sense of polity/national society to enable the police to enforce national laws.*** In many of the countries in the region, there is only a weak sense of national identity as evidenced by widespread and persistent inter-communal conflicts. As a result, national laws,

<sup>43</sup> SEESAC, UNDP Stability Pact, Saferworld, 2006, Philosophy and Principles of Community Based Policing (3rd edition), South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, Belgrade

<sup>44</sup> Thirty such units are already operational, with a further fifty planned.

<sup>45</sup> Robert C. Davis, Nicole J. Henderson, and Cybele Merrick,. Community Policing: Variations on the Western Model in the Developing World, Police Practice and Research, Vol. 4, No.4, 2003. pp 285-300.

<sup>46</sup> See, for example, Biddle, K., Police Reform Within a Security Sector Wide Framework. Baker, B., 2010, Sierra Leone Police Reform: the role of the UK government, Prepared for the GRIPS State-Building Workshop 2010: Organizing Police Forces in Post-Conflict Peace-Support Operations, January 27-28th, 2010; Baker, B., 2007, 'Post-War Policing by Communities in Sierra Leone, Liberia, Rwanda', Democracy and Security, 3, 2, 215-36

<sup>47</sup> See for example: Groenewald, H. and Peake, G., 2004, Police Reform Through Community-Based Policing: Philosophy and Guidelines for Implementation, International Peace Academy/Saferworld, New York; SEESAC, UNDP Stability Pact, Saferworld, 2006, Philosophy and Principles of Community Based Policing (3rd edition), South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, Belgrade; and

<sup>48</sup> A fuller discussion of these issues can be found in the Background Paper for this evaluation, 28 March 2012

especially those relating to issues that affect community identity, rights and resources (land and minerals) are contested or rejected. The role of the police as both the agent and face of the state requires balancing of both community and national interests.

- ***The promulgation of law and the allocation of rights is widely seen as just and fair.*** In several countries of the region, there is a strong sense in many communities that the granting of licences for minerals and natural resources by national authorities is extractive and unfair, the benefits of which are not realised locally. This sense of exploitation, associated with communal tensions, underlies many of the problems which caused the breakdown that lead to the police intervention.
- ***National policy and policy mechanisms contribute to an environment supportive of community policing.*** For example, in several countries of the region, public financial management policies (such as direct funding to elected representatives) promotes a sense of ‘buying off’ of local interests and, more generally, encourages both rent seeking and violence (gangs and warlordism) neither of which are conducive to consensual community policing.
- ***Community policing as a concept is sufficiently adapted to the social and political context of the countries in the region to make an effective contribution to the goal.*** Community policing approach has evolved under democratic conditions within a framework of national laws and effective enforcement which reinforces the widespread legitimacy of the approach. Where these conditions are not currently in place, the approach will need to be adapted and/or support provided to establishing a nationally appropriate framework.
- ***The substance of traditional and other non-state systems of justice are consistent with legal systems of justice and therefore can work together satisfactorily.*** Where this assumption does not hold true, there is a need to support the adjustment/evolution of one or both systems in order to ensure enforcement of a comprehensive set of social rules.

**Implementation assumptions**, relating to the extent to which the interventions are managed and designed to achieve the outcomes:

- ***Interventions are designed in the context of all five outcome areas and reflect the results required to achieve the goal.*** Achievement of the programme goal requires progress on all five outcome areas. This implies that in the design and implementation of interventions, the New Zealand aid programme should consider and ensure that all five outcome areas are addressed. All five areas do not need to be addressed by New Zealand Police or even by the New Zealand aid programme but, without securing progress on each outcome area, progress in building police capacity will be neither effective or sustainable.
- ***Interventions are managed in a joined up, flexible and responsive manner.*** The results diagram suggests a linear process, whereby interventions proceed from short term to long term outcomes. However, improvements may not take place in this manner, and it is important to recognise the potential for setbacks and imperfections in the process especially in situations where the reform process may be contested, or overtaken by unforeseen events.<sup>49</sup> Further, in many cases, interventions are implemented in partnership with other partners and stakeholders,

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<sup>49</sup> World Bank 2011. World Development Report: Conflict Security and Development. 2011, Chapter 3 p103

requiring the agreement on the overall goal and the ability to be flexible and responsive within a partnership framework. The entry points and the extent to which interventions are required in each outcome area will depend not just on the context at the time of design, but on how it evolves over time. There may be critical interdependences between outcome streams, for example the existence of a mandate which provides sufficient resources for the police. As a result, it is assumed that active management of the programme will be based on a sound and on-going analysis of the political and economic situation throughout the life of the programme.

- ***Pre-conditions for development and capacity-building are in place.*** In fragile and conflict affected situations, the start of a development programme assumes sufficient stability to enable normal policing functions to be re-established. In practice, this process may take time, may be subject to resumption of hostilities, and may not be achieved uniformly across the country.
- ***Exit/withdrawal strategies inform intervention timescales and scope of work.*** Policing lies at the centre of national reconstruction and state-building. Given the history and extent of the political and social breakdown that pertains in conflict affected situations, the time required to address these issues and ensure safe and secure communities should not be underestimated. Likewise, given the important role of policing and the crowding out effect of relatively well-resourced international forces, the timing of withdrawal from operational peace-keeping to capacity development activities, and the switch from substitution to support must be carefully planned and executed.

## **ANNEX D - LIST OF DATA SOURCES**

### **People consulted**

#### **Afghanistan**

##### Bamiyan

- Human Rights Commission
- US Military and NATO Training Assistance Mission
- Ministry of Foreign Affairs and Trade
- New Zealand Defence Force
- Regional Training Centre staff
- United National Assistance Mission in Afghanistan
- Afghan National Police staff
- European Union Police
- Provincial government
- USAID
- New Zealand Police
- NGOs
- UNDP (Gender Equality Project)
- *Shura* of Elders

##### Kabul

- The World Bank
- International Crisis Group
- Aga Khan Foundation
- New Zealand Embassy
- British Embassy
- Rule of Law Counsellor
- United National Assistance Mission in Afghanistan
- Ministry for Transition
- GIZ (German Society for International Coordination)
- United States Institute of Peace
- Australian Federal Police

#### **Timor-Leste**

##### Dili

- New Zealand High Commission
- New Zealand Police advisers
- Australian Federal Police
- NGOs (Belun, The Asia Foundation, Mahein Foundation)
- Church representatives
- Provedoria for Human Rights and Justice
- Parliamentarians
- Office of the Secretary of State for Security

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- UNPOL
- UNMIT
- National Police of Timor Leste (headquarters and Becora and Comora Headquarters)
- Community members at Becora and Comora
- Ministry of Justice
- US Embassy and USAID
- Japan International Cooperation Agency
- Judicial Monitoring Programme
- Women's Affairs Directorate

Liquica

- Local government officials
- New Zealand Police officers
- *Suco* chiefs
- Community members
- UNPOL
- National Police of Timor Leste (Liquica Police Station)

**Papua New Guinea (Bougainville)**

Bougainville

- New Zealand Police (and police officer from Vanuatu deployed to the project)
- Bougainville Police Service (commander, regional commanders and officers)
- Members of the Community Auxiliary Police
- Law and Justice Programme
- Autonomous Bougainville Government (Divisions of Justice, Police Services)
- Magistrates
- NGOs / women's refuge/women's development
- UNDP/World Vision
- Ausaid
- Law and Justice Programme

Port Moresby

- High Commission
- New Zealand Aid Manager
- other donor representatives (JICA and Ausaid)
- Law and Justice Programme
- National Security Advisory Committee Secretariat
- Australia Federal Police
- Royal Papua New Guinea Police Constabulary
- Law and Justice Secretariat
- International NGOs

**Solomon Islands**

Honiara

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- High Commission
- New Zealand aid programme staff
- RAMSI
- Community representatives
- Royal Solomon Islands Police Force
- New Zealand police advisers
- NGOs and donor funded programmes (addressing gender, youth , sport, corruption, transparency)
- Media
- Church representative/ Melanesia Peace Centre
- Key government Ministries (Police, Corrections, Justice, Women, National Unity, Peace and Reconciliation)
- Experts (international consultants – gender, social development, capacity development)

**Gizzo**

- NZ Police
- Save the children
- Australian Federal Police
- Royal Solomon Islands Police Force
- NGOs
- Provincial Council member

**Home base**

Experts and academics (by phone / e-mail)

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## **ANNEX E – PROCESSES AND METHODS FOR IMPLEMENTING THE EVALUATION**

### **Processes for implementing the evaluation**

The evaluation was undertaken by a multi-disciplinary team comprising two senior police experts (one international expert, one New Zealand expert), a monitoring and evaluation expert, a law and justice expert, and a governance/capacity development expert.<sup>50</sup> In addition field work and analysis in relation to Afghanistan was undertaken by an international expert on fragile and conflict affected states, together with a researcher. The overall report was peer reviewed by the international expert on fragile and conflict affected states. The assignment began in March 2012 with a Background Study and literature review.<sup>51</sup> Consultations were undertaken with MFAT and New Zealand Police in Wellington at the beginning of May 2012, followed by three weeks of fieldwork covering Papua New Guinea (including Bougainville), the Solomon Islands, and Timor-Leste. Field work in Afghanistan was undertaken in July 2012. Annex D sets out the data sources used by the evaluation.

The key processes for implementing the evaluation were:

**Construction and validation of results diagrams:** The development of an over-arching programme-level results diagram, and of intervention-level evaluation results diagrams which ‘sit’ within it provided the core analytical framework for the evaluation. These were supported by the development of a programme-level theory of change, a draft of which was set out in annex A of the Evaluation and Research Plan.

The development of the programme-level results diagram and theory of change drew heavily on the background literature review, and was particularly informed by the *framework to develop best fit solutions* described in the Background Study.

**Context analysis:** Initial country context analyses provided in annex D of the Evaluation and Research Plan were supplemented by information and analysis obtained from stakeholders and additional documents obtained during the evaluation.

**Development of structured evaluation findings:** Evaluation analysis sheets (EAS) were used to develop findings against each evaluation question, with evidence provided to back up each finding. Findings were initially developed at intervention-level, and then fed into overall programme-level analysis. Early on during the course of the evaluation the EAS format was altered from that initially presented in annex J of the Evaluation and Research Plan, so that it reflected and was aligned with the developing programme-level results diagram and theory of change.

Evidence to support findings was collected using the range of data collection tools described in the Evaluation and Research Plan.<sup>52</sup> Evidence was assessed as to its strength (strong moderate or weak). Evidence was where possible triangulated. For example: findings about the extent to which

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<sup>50</sup> The governance/ capacity development expert worked from home base and did not participate in fieldwork

<sup>51</sup> The Law & Development Partnership. Evaluation and research of police work funded under the New Zealand aid programme 2005-2011: Background Study. 28 March 2012.

<sup>52</sup> i.e. intervention data sheets; key document checklists; semi-structured interviews guides; and field visit observation sheets. These tools were adapted and used in a flexible manner when in the field.

community policing was mainstreamed within a partner country's police force were typically evidenced by: (a) a review of key documents e.g. legislation, police strategic plans, monitoring review reports and assessments of progress; (b) interviews with key stakeholders; and (c) direct observations of police operations - especially at police stations and posts visited.

## **Methods for implementing the evaluation**

The key methods for implementing the evaluation were:

**Literature and document review:** An extensive literature review was undertaken at the start of the evaluation which covered both academic literature and intervention-level and other background documents provided by MFAT. These were supplemented by additional documents collected during the course of fieldwork, including overarching national planning documents, police strategy, reporting and evaluation documents, and budgets.

**Stakeholder consultations:** These were undertaken in Wellington, in the field, and from home base (by phone, e-mail and skype) with the stakeholders identified in the Evaluation and Research Plan. The table below provides brief details: unless stated otherwise, the comments refer to each country visited during the field work. Overall, over 100 stakeholders were consulted.

**Stakeholder consultation summary**

Stakeholder identified in Evaluation and Research Plan	Comment
<b>Funding/ implementing stakeholders</b>	
MFAT (Wellington)	Consultations with NZ aid programme managers and officer and with MFAT policy divisions. Individual interviews and group discussions
MFAT Post	Initial briefing and final de-briefing with NZ High Commissioners and aid programme managers. Individual interviews and group discussions.
NZ Police (Wellington)	Consultations with ISG and PICP Secretariat staff, together with formerly deployed and short-term deployed officers.
NZ Police in-country	Individual interviews with long term and short term deployed staff.
<b>Delivery stakeholders</b>	
Partner country police	Individual interviews with staff who had direct experience of NZ deployed staff. Where possible officers at all levels were interviewed from Commissioners to constables.
<b>Primary stakeholders (key intended beneficiaries of the programme)</b>	
Users (May be represented by community groups or other civil society organisations, and will include women's groups)	Civil society groups (including women's groups) were interviewed either individually (e.g. in Bougainville and Timor Leste) or as part of a focus group discussion (e.g. Solomon Islands)
<b>Secondary stakeholders</b>	
Other justice sector institutions	Individual interviews were undertaken with the judiciary (Bougainville) and with key government ministries (e.g. Security and Justice in Timor Leste)
<b>Governance stakeholders</b>	

Stakeholder identified in Evaluation and Research Plan	Comment
Partner country politicians / governance institutions (including institutions responsible for human rights and gender issues)	Individual interviews were held mainly at central government level with ministries/bodies responsible for the police (in every country); gender and human rights (Solomon Islands, Timor Leste and Afghanistan). In each country individual interviews were also held at local government level.
Police oversight/ standards setting bodies	Police oversight was covered by interviews with ministries responsible for the police.
<b><i>Other stakeholders with an interest in the programme</i></b>	
Non-state security / justice providers (including traditional and religious leaders)	Individual interviews or focus group discussions were held with traditional / community leaders involved in dispute resolution in Afghanistan, Bougainville and Timor Leste
Other donors	Individual interviews were held with a range of donors in all countries
Academics, analysts, CSOs, opposition politicians, cultural representatives and other professionals	Individual interviews were held with different mixes from this in each country. For example: in the Solomon Islands – interviews were held with analysts (consultants working on other projects), academics (mainly from Australia National University – interviewed by e-mail) and church leaders; and in Timor Leste interviews were conducted with Parliamentarians and church leaders.

***Field visit observations:*** Police stations and posts were visited in each country, focusing on the capital / main town. In Afghanistan, Timor Leste and the Solomon Islands visits were paid outside the capital to stations / posts, local government head-quarters, and opportunities taken to interview members of the community.

## Ethical issues

As discussed in the Evaluation and Research Plan, evaluation transparency was maintained by reporting back to Post (and in some cases NZ Police) on interim findings at the end of each country visit. Key ethical issues related to: (i) the framing and conduct of interviews and meetings; and (ii) the use and acknowledgement of information provided. These issues were addressed as described in the Plan. Interviews were conducted in a friendly and non-antagonistic way that encouraged informants to present their views and understanding in the way they found most appropriate and comfortable. Interviews and focus groups were organised without the presence of stakeholders who might limit the ability of participants to express their views openly, and groups were usually divided into sub-groups on the basis of gender or status to ensure more open discussion. The team was not made aware of individuals who could be harmed by participating in the evaluation. Stakeholders were informed (orally) at the beginning of interviews and focus group discussions of the purpose and independence of the evaluation, the confidentiality and non-attribution of their inputs, and their ability to update or have their information disregarded at any stage following the interviews. Evaluation data and analytical material is stored in notebooks, and on individual laptops and desktops connected to a web-based (cloud) password protected archive, accessible to team members only. After finalisation and acceptance of the report all non-publically available material gathered during the evaluation will be destroyed.

## **Quality control**

At the start of the assignment the team leader defined in agreement with team members: (1) the scope of task for each team member; (2) what each team member was expected to deliver; and (3) timelines for delivery working to an agreed workplan. Each team member reported directly to the team leader who was responsible for quality control, and provided close management support to team members. The draft report was peer reviewed internally by a director of the Law & Development Partnership and by team member Nigel Roberts.

## **ANNEX F – GENERIC TRANSITION PLAN & ALTERNATIVE MODELS FOR INTERNATIONAL POLICE WORK**

### **Generic transition plan from peacekeeping to development**

	<b>Phase 1: peacekeeping</b>	<b>Phase 2: transitional</b>	<b>Phase 3: development</b>
<b>Strategy</b>	Rapid response, ‘shock and awe’, restoration of order and apprehension of offenders	Concentration on getting the basics right in local policing, shared ownership	Community, government and sector engagement to consolidate mandate
<b>Structure</b>	Rigid, hierarchical, formed tactical groups with narrow span of control, centralised	Centralised, span of control built on identified roles, competency framework with mid management authority based on skills	Decentralised, aligned to community structures, embedded in a clear plan that defines roles and responsibilities
<b>Systems</b>	Rapid communication to enable effective interventions, highly mobilised	Clarity of roles, retaining public order groups but merging into capacity development, new selection systems	Legislative, policy and concept of operations clearly outline the role of police in criminal justice system
<b>Style</b>	Command, control, no discretion	Consolidate ability to transition using formal and informal approaches including mentoring	More ability to exercise discretion with emphasis on integrity, ethical conduct and personal responsibility
<b>Shared values</b>	Discipline, obedience, team cohesion, fit, proficient in use of force, defensive tactics and weapons	Shared understanding of ‘how and why we do things around here’ and what needs to change and who needs to go	Police as part of the community, not apart from it, driven by community policing principles
<b>Skills</b>	High technical competence with clear roles to suppress disorder and regain control	Technical expertise deployed at all levels and across constabulary, admin and support, holistic	Situational awareness and leadership based on engagement, role models, relationships and moral authority
<b>Staffing</b>	Specially selected, tested and deployed to be highly responsive and rapidly change tactics to adapt and overwhelm opposition	Job specific training or mix of police/capacity development teams, clear emphasis on building sustainability in local police	Composition of police matches ethnicity, gender mix with abilities to work in and with the community at all levels

Source: Based on the McKinsey 7S model

### **Alternative models for developmental and capacity building international police work**

**Northern hemisphere donor nations:** Programmes tend to be wider than police development and reform and concentrate upon broader policing issues incorporating the development of formal and informal dispute resolution systems and civil society in the wider issues of police delivery and accountability. Programmes are designed by teams that are separate from the people assigned to deliver the projects and are routinely monitored and evaluated by independent groups. Delivery is almost always contracted out to services providers who recruit specialists to deliver the results. Most police experts are retired police officers with appropriate experience in either a specialist discipline, e.g. criminal investigation, or have been in the strategic command to enable mentoring at the appropriate level. The use of retired officers is appropriate because the need for totally up-to-date skills is not so great in most of the areas of operations as most require a back to basics approach.

**Australia:** Assistance is financed through direct activities of the Australian Federal Police (AFP) through its International Deployment Group. The International Deployment Group is a large standing group of police personnel and embedded civilian experts and is drawn from the AFP or from State police organisations within Australia. This methodology avoids extraction of valuable resources from routine police duties within the communities of Australia.

## **ANNEX G – PROGRAMME LEVEL RESULTS MEASUREMENT TABLE**

This results measurement table (RMT) relates to the programme-level results diagram (RD) for MFAT funded police work. The programme-level RD is structured around a generic country, taking an holistic, police-centric, approach to reform. The programme-level RD sets out five key outcome areas, each reflecting a critical dimension of policing reform. MFAT police work will not necessarily directly address all five outcome areas in each intervention country, but must be designed and implemented with a clear understanding of, and be linked to, necessary reforms in all five dimensions. This will require detailed context analysis, political economy analysis and donor coordination at the country level during the design phase.

This RMT follows the same structure as the RD, and should provide the basis for developing a country specific RMT for a given police work intervention. It contains all five dimensions of holistic policing reform, which will need to be modified to reflect the actual intervention design in a specific country. The RMT includes all levels of outcome, matching those in the RD, but does not include outputs as these will be intervention specific.

The RMT format does not provide for indicators at the goal level. The goal relates to the results in terms of the end user/beneficiary of the intervention. This is the highest and most integrative level in the RD and the goal should therefore provide the driver to programme design. Examples of potential goal level indicators are provided at the foot of the RMT below. These primarily relate to indicators of crimes against the individual, although suggestions are also made relating to inter-communal violence and more generally to the enforcement (policing) of collective choices.

The design of country interventions should be context-specific and must reflect local needs, including the selection of indicators. The OECD DAC Handbook on Security Sector Reform (2011) advises strongly against imposition of standardised indicators that will lack local ownership and bias programming decisions. The New Deal for Fragile and Conflict Affected States promotes a new country-led mechanism whereby interventions in fragile and conflict affected states are designed, monitored and evaluated according to country-led and owned *fragility assessments*. The process is intended to facilitate the development of indicators that are owned by partner countries and are in line with their priorities.

Hence this RMT does not specify indicators, but rather sets out areas in which indicators could be considered and developed for specific countries, working with local stakeholders, during country intervention design. Note that all indicators should be gender disaggregated where gender differences may be relevant.

*Annex G– Programme Level Results Measurement Table*

*Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011*

*Police work in fragile and conflict affected contexts*

Results	Indicators	Baseline Information and Targets	Methodology and Data Sources
<b>Long-term outcomes</b>			
Governance arrangements for policing in place - including inclusive and representative political voice and oversight together with a legal mandate	<ul style="list-style-type: none"> <li>⇒ <b>Voice:</b> Institutions (political) in place for citizens, through their representatives, to undertake and be responsible for the governance of policing. This includes mechanisms to: set policy; decide priorities; define standards; and allocate resources</li> <li>⇒ <b>Oversight:</b> Citizen satisfaction with political and legal oversight of policing</li> <li>⇒ <b>Functional separation:</b> Adequate insulation of police from partisan political influence to maintain neutrality and protect all citizens</li> <li>⇒ <b>Legitimacy:</b> Public acceptance of the police as the main legitimate source of internal security</li> <li>⇒ <b>Complaint handling:</b> Presence and strength of external oversight mechanisms that ensure accountability including to receive, investigate and resolve complaints against police</li> <li>⇒ <b>Rights:</b> International scores/rankings for human rights and gender equality</li> </ul>		Review of democratic structures  National citizen surveys  Independent evaluation studies  International surveys of governance quality  Reports of human rights organisations
A capable and effective, community-focused, national police service is established	<ul style="list-style-type: none"> <li>⇒ <b>Corruption:</b> Degree of police corruption and public perceptions of police honesty</li> <li>⇒ <b>Use of force:</b> Legitimate use of force by police is proportionate; the minimum necessary to effect the purpose</li> <li>⇒ <b>Approach:</b> Community-focused policing accepted as core operating principle of the police</li> <li>⇒ <b>Priorities:</b> Police tackle ‘signal crimes’; those that have a disproportionate effect on the sense of security in vulnerable communities</li> <li>⇒ <b>Vision and standards:</b> Clearly defined and understood mission, code of conduct, operational procedures,</li> <li>⇒ <b>Management:</b> Existence of goals and performance measures that regulate current and future professional conduct, chain of command</li> <li>⇒ <b>Funding:</b> Long term budget planning that secures sufficient funding for the development and maintenance of the police service</li> <li>⇒ <b>Transparency:</b> A transparent, open relationship with the media</li> <li>⇒ <b>Human Resources:</b> <ul style="list-style-type: none"> <li>- <b>Staffing:</b> Adequate personnel, with demonstrated commitment to gender</li> </ul> </li> </ul>		National citizen surveys  Reports of independent police oversight authority/ parliamentary commission/ national audit office/ Ombudsman or similar agencies  Independent evaluation studies  Police internal inspection/audit reports  Police reports

*Annex G– Programme Level Results Measurement Table*

*Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011*

*Police work in fragile and conflict affected contexts*

	<ul style="list-style-type: none"> <li>- equity, training and equipment to be effective</li> <li>- <i>Gender equality</i>: A plan to recruit, retain and position female staff in leadership role</li> <li>- <i>Payment</i>: Sufficiency of salaries and other benefits to encourage high retention and discourage corruption</li> <li>- <i>Promotion</i>: Transparent and merit-based recruitment and promotion systems and level of retention rates</li> <li>- <i>Skills</i>: Existence of local capacity to train officers and to purchase and maintain necessary police equipment in to the future</li> </ul>		
Structures facilitating two-way communication between citizens and police are in place and functioning effectively	<ul style="list-style-type: none"> <li>⇒ <b>Structures/mechanisms:</b> Arrangements in place for police-community dialogue</li> <li>⇒ <b>Co-production of police services:</b> Police support community efforts of citizens to police themselves within the rule of law</li> <li>⇒ <b>Relationship quality:</b> Police have good relations with communities</li> </ul>		Reports of NGOs representing communities in relations with police  Police reports  National citizen surveys  Independent evaluation studies  Reports of human rights organisations
Police are fully embedded in and contributing to the functioning of the criminal justice system	<ul style="list-style-type: none"> <li>⇒ <b>Participation in CJS:</b> Police participating in cross-sector arrangements on policy-making, planning, budgeting and operational issues</li> <li>⇒ <b>Quality of participation:</b> Satisfaction expressed by other justice sector agencies on performance of police in relation to their agencies</li> </ul>		Reports of other justice system agencies  Police reports  Independent evaluation studies
Complementary and synergistic linkages between police and non-state security and justice systems are in place	<ul style="list-style-type: none"> <li>⇒ <b>Mechanisms:</b> Police are participating in regular dialogue and cooperation with non-state systems where it is appropriate, legal and consistent with human rights obligations to do so</li> </ul>		Police reports  Independent evaluation studies  Reports of human rights

*Annex G– Programme Level Results Measurement Table*

*Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011*

*Police work in fragile and conflict affected contexts*

			organisations Evident of independent arbiter
<b>Medium-term outcomes</b>			
Governance structures, at national and/or local government level, representing the broad spectrum of communities and stakeholders, women and men, are piloted	⇒ Rate of progress against plan for implementing enhanced governance structures ⇒ Satisfaction of stakeholders in pilot areas		Progress reports  Stakeholder surveys
Police management systems for approaches, standards, HR, planning and budgeting under development and testing	⇒ Rate of progress against a joint national security or policing policy / strategy / action plan		Progress reports
Institutional arrangements and systems for communication between citizens and police are developed, piloted and rolled out across the country	⇒ Systems are in place for police to listen to community concerns or problems, jointly prioritise responses and keep people informed ⇒ # communication structures eg police community committees ⇒ # partnerships with community groups ⇒ # police trained in community policing		Police reports
Police approaches, priorities and operations adjusted to maximise overall performance of criminal justice system	⇒ Needs of other criminal justice system agencies explicitly identified in police strategy/ operational plans ⇒ Youth justice diversion processes are in place and focus on identifying the underlying symptoms that are the cause of offending		Police reports
Police programmes, priorities and operations adjusted to maximise the overall functioning of state and non-state systems	⇒ Needs of non-state systems explicitly identified in police strategy/ operational plans, including assessment of legality of non-state systems and their consistency with human rights obligations		Police reports
<b>Short-term outcomes</b>			

*Annex G– Programme Level Results Measurement Table*

*Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011*

*Police work in fragile and conflict affected contexts*

Governance arrangements for policy and standard development and oversight are developed	<ul style="list-style-type: none"> <li>⇒ Strategic plan in place for institutional arrangements to allow citizens, their representatives and other interest groups (NGOs) to deliberate and determine their approach to policing and how collective choices and human rights will be enforced</li> <li>⇒ Policies / legislation drafted and implementation plan developed and officially endorsed</li> </ul>		Policy/legislation documents and implementation plan
Programme to develop the capacity of the police restructuring, HR and staffing, systems, approaches, standards and ethics, etc prepared	<ul style="list-style-type: none"> <li>⇒ Comprehensive, time bound, costed and resourced programme document(s) officially endorsed</li> <li>⇒ Policies, procedures and practice supported by clearly articulated communications that ensure open dialogue, especially when changes are made</li> <li>⇒ Executive decision-making is supported by effective record keeping</li> </ul>		Programme documents
Mechanisms and structures for community engagement developed (e.g. Community Police Councils, etc)	<ul style="list-style-type: none"> <li>⇒ Policy/plan officially endorsed setting out mechanisms and structures for police-community interaction</li> <li>⇒ Village and officially sanctioned community organisations support and endorse the policing strategy, direction and operational activity</li> </ul>		Policy/plan documents Survey of elected local officials
Role of policing and its interface with the criminal justice system is understood and defined	<ul style="list-style-type: none"> <li>⇒ Analysis undertaken and presented to senior police management</li> <li>⇒ Sector partners (Courts, the judiciary, corrections, restorative justice, customary practitioners in community based village justice and community agencies including NGOs) commit to agreed approach</li> </ul>		Reports of analysis  Evidence of effective engagement and an agreed approach
The nature and scope of non-state criminal justice system is analysed and understood and opportunities for police engagement identified	<ul style="list-style-type: none"> <li>⇒ Police have mapped out and identified key relevant non-state security and justice systems</li> </ul>		Reports of analysis

## **EXAMPLES OF POTENTIAL INDICATORS AT GOAL LEVEL**

The indicators below are ‘technocratic’ indicators that presume the law behind the rule of law is valid and recognised as legitimate. They relate to areas addressed by legally mandated, legitimately accepted and community focused policing.

### **Crime statistics related to individuals (disaggregated: men/women/boys/girls and location)**

#### **Perception of safety**

- ⇒ # people feeling safe going out at night
- ⇒ #the level of fear of crime
- ⇒ # citizens satisfied with police response / complaints system
- ⇒ % citizens who believe bribes are necessary to access police services

#### **Level of reported crime**

- ⇒ #the actual level of victimisation (often inversely related to the level of fear)
- ⇒ # incidents of reported violence
- ⇒ # violent deaths reported by hospitals / morgues
- ⇒ # incidence of GBV
- ⇒ # incidence of domestic violence

If the goal of the programme was more widely defined, goal level indicators might include:

#### **State-community relationships**

- ⇒ # Inter-communal violence
- ⇒ Volume of investment in extractive industries with local transparent and enforceable community agreements including community and public benefit-sharing arrangements

#### **State-society relations**

- ⇒ Alignment of policing with (democratic) polities and identity-based societies that make collective choices through promulgating rules, assigning rights, deciding policies and priorities and reaching decisions based on informed and deliberative processes which bring together and include all interests

## **ANNEX H – A QUALITY REVIEW NOTE OF THE STRATEGIC EVALUATION OF POLICE WORK FUNDED UNDER THE NEW ZEALAND AID PROGRAMME IN FRAGILE AND CONFLICT-AFFECTED CONTEXTS (2005-2011)**

*Robert Picciotto, Senior Independent Evaluation Adviser*

### **Introduction**

New Zealand has excellent credentials in community policing. This translates into a distinct comparative advantage towards implementing a key recommendation of the 2000 *Brahimi Report* to the UN Secretary General: the use of civilian police in conjunction with other peace building actions to restore civil order and protect human rights in fragile states. In this context, the evaluation report is on firm grounds when it stresses that the effectiveness of policing does not just depend on capacities and mechanisms of policing but on the country governance and institutional context as well as the security environment.

### **The assessment framework**

The purpose of the evaluation was mostly “formative” and forward looking: to assess the extent to which the New Zealand Aid Programme’s support for work implemented by New Zealand Police has been and could be more relevant, effective, efficient and sustainable in the future. In particular the report was expected to identify key lessons for the overall programme of police work (now and for the future) in post-conflict and/or fragile states.

Specifically the evaluation was tasked with drawing lessons based on experience with New Zealand Aid Programme funded community policing interventions in Afghanistan, Bougainville, Solomon Island and Timor-Leste. From this perspective this strategic evaluation report, grounded in an impressive literature review, is highly relevant for the design of future New Zealand aid interventions in fragile and conflict affected states.

From a summative and accountability perspective on the other hand the evaluators faced a difficult challenge: the New Zealand funded interventions constituted a small part of international aid efforts. For example NZ’s community policing approach to police work in Solomon Islands, Timor-Leste and Afghanistan was constrained by the difficult security situation and the fact that the New Zealand funded interventions were embedded within a multi-national force operating under a joint command.

A summative, accountability oriented evaluation would have implied attribution of observed results to the New Zealand Aid Programme. This would have required thorough intervention level evaluations as well as a detailed scrutiny of the interface between community policing and other security and development programs. Comparative evaluative ratings of individual interventions (as well as of the overall security and development program at country level) would have been helpful based on OECD Development Assistance Committee criteria (relevance, effectiveness, efficiency and sustainability).

In practice the conceptual framework mandated by the terms of reference was dominated by generic democratic governance outcomes that would have been more appropriate for a joint country strategy evaluation involving all donors. In other words the conceptual theory of change model favoured by MFAT reflected a broad based programmatic approach to the entire peace building effort. It was poorly adapted to a targeted assessment of the specific community policing projects funded out of the New Zealand Aid Programme. Accordingly, the specific links between the individual interventions and the outcomes sought at a higher strategic plane were not identified and analyzed.

Nor given resource constraints was the evaluation expected to ascertain the contribution of concurrent initiatives funded by other development assistance agencies within the related fields of improved governance, reform of justice and security institutions or to reach a summative judgment based on the conflict sensitivity investigations at country level that would have been required –e.g. to demonstrate conclusively that strengthening the police apparatus, say in Afghanistan or the Solomon Islands, did no harm.

### **Limited field work**

Since MFAT asked for an assessment of the New Zealand Aid Programme funded policing programme as a whole against an agreed theoretical model, the evidence gathered for the evaluation was largely based on observations gleaned from limited field work (8 person days per country) and semi-structured interviews. As a result the narrative included in Annex A while plausible is necessarily impressionistic, the evidence base appears limited and the validity of the overall assessment is not as firmly established as would have been desirable, let alone connected to ratings based on the DAC development effectiveness criteria.

### **Evaluation recommendations**

Looking ahead, the report calls for the design of explicit theories of change and for better design of interventions; greater political and diplomatic engagement; improved country diagnostic work upstream of interventions; fine tuning of the NZ Police deployment model; strengthening of the gender and human rights dimensions; and better monitoring and evaluation. These recommendations cannot be faulted and the strategic evaluation report is valuable as a formative evaluation focused on generic lesson learning.

### **Concluding comment**

The terms of reference of the review induced the selection of a broad based theory of change more attuned to the assessment of country wide, multi-donor peace building programmes than to the identification of the distinctive contributions of relatively small community policing interventions funded by the New Zealand Aid Programme in diverse country contexts.

The recommendations are nevertheless appropriate since they reflect well established security and development research findings. However, their linkage to empirical evidence would have been stronger had systematic intervention level evaluations been available as building blocks for the strategic evaluation or had sufficient resources been made available to carry out more field work.

*Annex G– Programme Level Results Measurement Table*  
*Strategic evaluation of police work funded under the New Zealand Aid Programme 2005-2011*  
*Police work in fragile and conflict affected contexts*

The generic lesson may be that all strategic evaluations of New Zealand Aid initiatives should be grounded in solid evaluative work at the intervention level.

RP/rp

26 April 2013