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Sida Decentralised Evaluation

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End of Strategy Evaluation of the Zanzibar Legal Services Centre

Final Report

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September 2017**

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Clarence Kipobota
Johanna Lindgren Garcia**

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The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

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Abbreviations and Acronyms

CHRGG	Commission of Human Rights and Good Governance
CSOs	Civil Society Organizations
DP	Development Partner
DPP	Director of Public Prosecutions
GNU	Government of National Unity
LHRC	Legal and Human Rights Centre
M&E	Monitoring and evaluation
NGOs	Non-Governmental Organizations
OECD/DAC	Organization for Economic Co-operation and Development - Development Assistance Committee
PGCD	Police Gender and Children Desk
PLWHA	People living with HIV and Aids
PWDs	People/ Persons with Disabilities
RF	Results Framework
RNE	Royal Norwegian Embassy
Sida	Swedish International Development Cooperation Agency
SP	Strategic Plan
ToR	Terms of Reference
UNEG	United Nations Evaluation Group
UNICEF	United Nations Children's Fund
UWZ	Umoja wa Walemavu Zanzibar/ Zanzibar Association of Disabled Persons
ZACDID	Zanzibar Centre for Disability and Inclusive Development
ZANAB	Zanzibar NGO Cluster
ZEC	Zanzibar Electoral Commission
ZIRPP	Zanzibar Institute of Research on Public Policy
ZLS	Zanzibar Law Society
ZLSC	Zanzibar Legal Services Centre

Preface

This end of strategy evaluation of the Zanzibar Legal Services Centre was commissioned from NIRAS Indevelop by the Embassy of Sweden in Tanzania. The evaluation took place from June to September by an independent evaluation team consisting of:

- Greg Moran (Team Leader)
- Clarence Kipobota (Senior human rights and legal aid expert)
- Johanna Lindgren Garcia (Evaluation and research support)

Johanna Lindgren Garcia managed the review process at NIRAS Indevelop. Niels Dabelstein provided the quality assurance. Anette Widholm Bolme managed the evaluation at the Embassy of Sweden in Tanzania

Executive Summary

The current evaluation is an end of strategy evaluation based on the Zanzibar Legal Services Centre's (ZLSC) implementation of its Strategic Plan (2013-2017). The evaluation was conducted in the period June – September 2017 and consisted of two 'parts': a qualitative evaluation and a household survey to follow up the results of the baseline survey (2014) and to determine new baselines to inform the selection of indicators for the new strategic plan. The evaluation was based on the standard evaluation criteria of relevance, effectiveness, efficiency, impact and sustainability.

The Strategic Plan (SP) and the selection of outcomes, outputs and activities listed in it were relevant to the situation pertaining in Zanzibar in late 2012 / early 2013 and were based on the strengths and experience of the ZLSC. The SP was not updated to reflect changes in the political economy (the stalling of the constitutional review process and the troubled elections of 2015 that led to the collapse of the government of national unity) or changes in the human rights situation (such as the increase in violence against children and problems facing people, including children in conflict with the law, in the criminal justice system). Most of these changes were reflected in the workplans developed each year though and thus the activities and outputs of the ZLSC have remained largely relevant over time. However, questions remain around the training provided to paralegals and whether this is relevant to the work that they can do given their non-formal status and what they actually do in practice, the relevance of some of the research conducted, and the relevance of the Yearbook of Law.

The ZLSC has been largely effective when its performance is measured against the SP, and most activities listed in the SP have been conducted. The Centre itself has seen an increase in the number of clients assisted and the clients are mostly very satisfied with the services provided. It has not been as effective though when it comes to services provided by paralegals – while these are highly rated, the paralegals work part-time, have limited resources and no office space, and the number of new clients seen each month by them is worryingly low given the amount of human and financial resources required by the training programme. Significant investments were also made to engage Zanzibari in the constitution-making process. These were unfortunately of limited value given that the process has stalled. The Centre has been particularly successful when it comes to advocacy and has made an important input into the revision of existing laws (such as the Law of Evidence Act) and the production of the draft legal aid policy. However, in some cases, there is no clear link between research conducted and the core business of the Centre, and limited research has actually taken place. There have also been few publications produced (the Centre relies far more on community workshops to conduct public education and awareness)

although all of those who had attended workshops or heard the ZLSC's education and awareness radio and television programmes rated these very highly. The Centre has also played a role in building the capacity of other civil society organisations (CSOs) working on human rights, access to justice and the rights of vulnerable groups. The annual human rights survey has been conducted every year and was highly regarded by members of government, the legislature and others, but its potential to raise awareness of human rights issues (through publication of a simplified version in Kiswahili) and to inform research, advocacy and training has not been fully realised. Civic and voter education has been very effective in terms of numbers reached. The Centre has also made some progress in the area of organisational development, the separation between the Board and management has improved, and steps have been taken to improve the monitoring and evaluation system that have contributed to better implementation and reporting to some degree, although more work is needed in this area. The ZLSC has been particularly effective when it comes to building and maintaining networks with civil society, government and national institutions and has become a valued and trusted 'partner' of government in some areas while still managing to maintain its independence.

Overall, the ZLSC have implemented the SP efficiently. In addition to their ability to secure core-funding, primarily from the Swedish International Development Cooperation Agency (Sida) and the Royal Norwegian Embassy (RNE), the Centre's reputation has allowed it to attract a significant number of projects and project funding. At the same time, it is heavily dependent on donor funding and a more diverse resource mobilisation strategy is needed. Since 2013 there have been two instances of negotiations on new grant agreements taking longer than expected resulting in delays in the release of funds from RNE compared to ZLSC's expectations. These have delayed implementation of some activities, forcing them into later parts of the year which has in turn led to underexpenditure each year. The underexpenditure of funds has also had an effect on the ratio of overhead costs to costs for activities – based on the budgeted amounts each year, they would have been below the 30% 'threshold, but based on actual expenditure, they sometimes rise above the threshold. Other issues affecting efficiency and value for money include the fact that staff are paid as consultants for overtime work (and a significant amount of work happens over weekends), the limited number of cases handled by paralegals, and the over-reliance on workshops for public education and awareness.

There have been positive outcomes when it comes to legal aid and services offered to clients – particularly when it comes to children in conflict with the law - and public education is highly rated and has achieved results (although not always as high as the baseline survey might have suggested). Higher level impacts were also found, linked to advocacy conducted by the Centre around legislative changes and development of policy. However, the lack of indicators at the outcome and impact levels in the Strategic Plan make measurement in this area fairly difficult. Two possible negative impacts were also found: the first related to the decision by the ZLSC to continue to work on the re-run of the 2015 election in 2016 despite the fact that the opposition

chose to boycott the election (leading to allegations of political bias); and the second related to the decision to assist children in conflict with the law (leading to allegations that the Centre protects ‘criminals’). Steps have been taken to address the former but the latter is a problem that all organisations providing support to those accused of crime face that can only be partly addressed through increased public awareness. There have been positive developments when it comes to organisational sustainability, but the fact that staff are all on one-year contracts leads to high levels of job insecurity and makes it difficult to justify expensive staff capacity building activities. When it comes to sustainability of action though, there have been many positive developments and the mere fact that the new legal aid policy will still not provide state-funded legal aid means that there will be a continuing need for development partners to support the ZLSC for some time to come.

Based on the conclusions in Chapter 7 of the report, the following recommendations are made:

Overarching recommendations for consideration in the new strategic plan

1. A more strategic approach should be followed, with the work and organisational structure of the ZLSC focused around core business (legal aid and assistance; public education; advocacy).
2. Efforts need to be made to increase the effectiveness and value for money of paralegals. This could be achieved by:
 - a. Better identification of what paralegals need to know and be able to do, based on a learning needs analysis, and what knowledge and skills are needed to do it (for example, training on Sharia law to allow them to act as *Vakils* in Kadhis Courts, in mediating civil disputes and minor criminal matters, public education and running clinics).
 - b. Revising the curriculum and training materials based on the results of the learning needs analysis to simplify them and to include both knowledge and skills needed during and after their two-year training period (for example, mediation, dealing with traumatised victims, taking statements, setting up an organisation and fundraising).
 - c. Considering a ‘two phase’ approach, with core knowledge and skills covered in year one (the ‘need to know’); additional learning / knowledge in year two (the ‘nice to know’ and knowledge and skills for a future career).
 - d. Finding ways to increase the number of women paralegals, which would make it easier for women (and children) to report sensitive issues.
3. A public education / communication strategy should be developed to guide the work in this area including more plain language publications, increased use of social media and community radio, more talk shows and documentaries for radio and television, the development of standard workshop guides and materials, and

building the capacity of staff to conduct workshops using participatory adult education methodologies.

4. A research strategy should be developed, linked to the Centre's core functions, that builds on research already conducted (such as the annual human rights report and client satisfaction surveys) as well as key additional research that might be required in the coming five years.
5. Recognising that a consultant has been engaged to improve the annual human rights report, future versions of the report should avoid repeating information from previous years (unless it is relevant - for example, to show trends), should include more analysis, and should generally be shorter and more focused. A Kiswahili version should be produced each year (either a full version or edited highlights) and the findings should be more clearly incorporated into public education, training for paralegals, advocacy and events (such as Human Rights Day).
6. The new strategic plan should be based on a revised theory of change, the results of the current report and follow up survey, and should include better outcome level indicators to allow for outcomes and impact to be measured. Indicators should be disaggregated by gender, age, people with disabilities (PWDs) and people living with HIV and Aids (PLWHA) as far as is reasonably practicable or relevant.
7. A careful consideration of the new legal aid policy should be included in the strategic planning process to identify the implications for the ZLSC and how to maximise new opportunities that will arise.
8. Efforts to improve the monitoring and evaluation (M&E) system should continue and be included in the SP, with a specific focus on capturing data on the number of cases successfully dealt with through mediation, legal advice and assistance, as well as litigation, and to better track what previously trained paralegals do after leaving the organisation.
9. More support to paralegals that have completed their training should be considered to increase sustainability of action. This could include developing an alumni roster, setting up a Whatsapp group of previous (and current) paralegals to share information on new laws, upcoming events and other useful information, conferences with current and previous paralegals to share experiences and learning, and assisting previous paralegals to secure recognition as *Vakils* and to raise resources for new non-governmental organisations (NGOs).
10. The viability of establishing a hotline for clients to call for advice and assistance or to link them with a paralegal should be explored to save clients travelling long distances to meet with someone at the ZLSC offices when advice could be more readily provided over the phone or by a paralegal in their area.
11. Consideration should be given to requesting the Chief Justice to recognise the ZLSC as an organisation where pupillage can be served as a way of building capacity at no extra cost.

Specific recommendations for the remaining period of the current SP

In the limited time remaining, the following recommendations are made for immediate attention (that can be carried over into the new SP period if required):

1. The Board and management should urgently review the SP to determine what activities might have fallen through the cracks that can still be implemented prior to the end of 2017.
2. The legal aid guideline should be prioritised and completed as a matter of urgency.
3. A resource-mobilisation strategy should be developed including both traditional and other sources of funding, and with clear responsibilities assigned for fundraising and resource mobilisation.
4. Using available funds, a summarised version of the human rights report should be produced, translated into Kiswahili, published and disseminated, including on the website.
5. An analysis should be undertaken to establish the costs of paying staff overtime versus paying them as consultants for weekend work.
6. The Yearbook of Law should be better focused on legal developments, changes to laws, and areas requiring attention in Zanzibar in particular and less on comparative international law.

Recommendation for Sida

Given the need for legal aid to be provided by NGOs under the new Legal Aid Policy, Sida should continue to provide core support to the ZLSC and should actively encourage other Development Partners to contribute to the basket fund.

1 Background

1.1 THE ZANZIBAR LEGAL SERVICES CENTRE

The Zanzibar Legal Service Centre (ZLSC) was established in 1992 as a non-governmental organization (NGO) and registered as a Trust under the Land (Perpetual Successions) Decree of Zanzibar in May 1992. In 1995, it acquired a certificate of compliance under the Societies Act of 1995, the main legislation regulating the civil society sector in Zanzibar.

The core function of the ZLSC is reflected in its vision ‘rights and access to justice for all’. According to the ZLSC constitution, its main objectives are:

- a) To render legal aid, legal assistance and other legal services to the public, especially to the vulnerable and disadvantaged section of the community.
- b) To promote and advocate for the respect and observance of human rights, rule of law, democratic principles and the culture of peace and tolerance.
- c) To provide legal and human rights education to the public in order to raise people’s awareness of their basic rights and responsibilities.
- d) To conduct, coordinate or commission research on legal issues, and carry out consultancies within the relevant to the mandate of the Centre.
- e) To organize educational and scientific programmes for the purpose of training individuals and groups which are identified as being most likely to benefit from a focused and intensive communication of research result.
- f) To assist other institution and individuals whose objectives are charitable in nature within the meaning of ‘charity’ as ascribed to it in the laws of Zanzibar.

The constitution of ZLSC establishes two governing organs, namely, the Management Team headed by the Executive Director with support of several programme officers and support staff; and the Board of Trustees, which is the supreme organ to provide strategic direction and advisory roles to the Management team. The Board is Chaired by a Chairperson and has four additional members, including the Executive Director as an ex-officio member. ZLSC has two offices: its main office in Unguja (where all government ministries, the judiciary and the legislature are based) and a sub-office in Chakechake, Pemba.

The ZLSC is guided by its Strategic Plan (SP) 2013-2017 that sets out six strategic aims:

- Strategic Aim One: Quality and timely legal aid services to the indigent provided.
- Strategic Aim Two: Public engagement in constitution and law making processes enhanced.
- Strategic Aim Three: Comprehensive research, publication and documentation undertaken.

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- Strategic Aim Four: Human rights of marginalized groups promoted and protected enhanced.
- Strategic Aim Five: Demand driven civic and legal education of the general public enhanced .
- Strategic Aim Six: Organizational Development and sustainability strengthened.

1.2 PURPOSE AND OBJECTIVES

The evaluation design was anchored in the overall objectives of the Swedish Results Strategy for Development Cooperation with Tanzania for the period 2013-2019 . In line with the terms of reference (ToR)¹, the main purpose of the evaluation was to assess ZLSC's implementation of its strategic plan in line with the Organization for Economic Co-operation and Development - Development Assistance Committee's (OECD/DAC) evaluation criteria for relevance, effectiveness, efficiency, impact and sustainability, taking into account the political and social context in which the strategic plan has been implemented.

The overall objective of the evaluation was to evaluate the ZLSC Strategic plan and the results framework 2013-2017 according to the OECD/DAC standard evaluation criteria . The specific objectives were to:

- Assess progress towards stated programme objectives, results and impact.
- Assess effectiveness, efficiency, sustainability and relevance of the intervention.
- Identify gaps, challenges and opportunities in the implementation of the ZLSC strategic plan.
- Make recommendations on the way forward for the ZLSC programme, organisation and management.

The evaluation was also required to identify, articulate and analyse any possible changes in Zanzibar people's and communities' awareness and access to legal aid and education as a result of the work of ZLSC as a follow-up of to a baseline survey conducted in 2014. Finally, it is noted that the evaluation was conducted almost simultaneously as an efficiency audit of ZLSC commissioned by the Royal Norwegian Embassy, which is the subject of a separate report.

¹ The ToR are attached as Annex A.

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Note: In addition to relevance, effectiveness, efficiency, impact and sustainability, the ToR also required the team to consider three questions under the heading ‘programme design’ (with the 4th question added in the inception report):

1. How have the monitoring and evaluation (M&E) mechanisms, results framework and the baseline survey informed the implementation and results reporting of the strategic plan?
2. In what way can the strategic plan and work plans be improved to better meet ZLSC strategic objectives?
3. In what ways can the implementing activities ensure that community participation and human rights promotion and protection are improved?
4. How can the rights of women, children and vulnerable groups be better included in the new Strategic Plan?

In writing the report, it emerged that these questions are better dealt with (and already dealt with in some cases) in other parts of the report. In particular, questions around the M&E system and community participation are dealt with in the section on effectiveness (since activities for these were included in the Strategic Plan) while a section on improving the plan is included under the heading on conclusions and recommendations, as well as elsewhere in the report.

1.3 METHODOLOGY

The evaluation consisted of a primarily qualitative assessment conducted by the evaluation team of:

- Greg Moran, Team Leader and human rights and legal aid expert.
- Clarence Kipobota, Senior human rights and legal aid expert.

In addition, a follow up survey to the baseline survey of 2014 was conducted by IPSOS Synovate Tanzania² under the overall leadership of the Team Leader.

The evaluation focused on ZLSC’s implementation of its Strategic Plan. The timeframe under review was thus the period covered by the Strategic Plan, which is 2013-2017. The end date for activities covered by the evaluation was end June 2017. The geographical area covered by the evaluation included both of the islands in the

² <http://www.ipsos.co.tz/>

Zanzibar archipelago – Unguja and Pemba – as well as interviews with organisations and development partners based in Dar es Salaam.

1.3.1 Qualitative evaluation

This part of the survey began with an inception phase during which the team leader and Niras indevelop consulted with Sida. The evaluation team (Greg Moran and Clarence Kipobota) then began the process of reviewing all available documents³ and preparing the inception report (including the questionnaire for the follow up survey and a list of guiding questions for focus group discussions). The evaluation team then travelled to Zanzibar to conduct a series of key informant interviews and roundtable discussions with a range of internal and external stakeholders including members of the ZLSC Board and senior ZLSC staff; members of government, the Judiciary and legislature; members of national institutions; civil society organisations and members of the media; paralegals; ZLSC clients; and members of various Development Partners⁴. At the end of the data collection process, the team held a feedback / validation meeting with internal and external stakeholders before returning to home base to write the draft and final reports.

1.3.2 Follow up to the baseline survey

The follow up to the baseline survey was conducted on both Unguja and Pemba and included a household survey with 507 respondents, and four focus group discussions with a combination of ‘users’ of ZLSC services including clients, people with disabilities (PWDs), people living with HIV and Aids (PLWHA) and the elderly. Some of the main findings, including comparisons with the results of the original baseline survey, are included in the body of this report. A more detailed overview of the methodology and a summary of the results including new baselines to guide the production of the next strategic plan is attached as Annex D.

1.4 LIMITATIONS

Other than the limited time available, no real limitations were encountered. However, differences between data from the baseline study and the follow up might need some explanation at the outset. Some of these differences can be attributed to the fact that the version of the original questionnaire provided to the team may not have been the final version – for example, some responses in the report were not included as questions in the version of the questionnaire. Questions in the baseline survey also combine more than one issue in a question, which makes it hard to ascertain what the respondents were answering to. And the results sometimes appear quite odd – for

³ The document review process continued over the entire evaluation. A list of all documents consulted is attached as Annex B.

⁴ A list of all of those consulted is attached as Annex C.

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example, it would be remarkable for an NGO to be so well known amongst the entire population as is suggested in the baseline survey. As a result, comparison is sometimes difficult and tends to suggest there have been decreases when increases should be expected. For example, the mere fact that the ZLSC has conducted public education should lead to an increase of awareness amongst the population, but levels of awareness appear to have dropped. And it is trite to say that random sampling can lead to differences – for example, random sampling could fortuitously include a large number of people who have interacted with the ZLSC, while another sample might miss such people entirely. Nonetheless, the survey does include valuable data to develop indicators and targets based on the more realistic baselines determined during the study.

2 Relevance

Questions from ToR (and added in the inception report) dealt with in this section
Are the strategic objectives relevant with locally defined current needs and priorities?
Should the direction of the strategic objective be changed to better reflect those needs and priorities?

2.1 RELEVANCE AT ADOPTION OF THE STRATEGIC PLAN (2013)

Zanzibar's economy grew at around 7% per annum since 2013. But despite impressive macro-economic growth, levels of poverty remain high, particularly in rural areas⁵. Access to affordable justice was limited - there was no publicly funded legal aid service in 2013 and no more than 68 practicing advocates for a population of around 1.3 million people. The most common human rights issues affecting the country at the time included violations of women's and child rights, violations of the rights of PWDs and PLWHA, limited access to socio-economic rights, and high levels of violations of rights by law enforcement agencies. The country was, and remains, highly polarised at the political level and previous elections had seen high levels of violence. There were thus legitimate concerns for what would happen during the next elections in 2015.

In 2011, a process to enact a new the Constitution for Tanzania began, falling under the Constitution Review Act (8 of 2011) that set out a clear (and thus predictable) pathway to be followed. In April 2012, the Constitutional Review Commission was established to coordinate and collect public opinions and submissions and, based on these, to prepare a draft Constitution. By December 2013, a draft was ready that was then put before Parliament in early 2014 for consideration and the preparation of a second draft. In terms of the Review Act, this second draft was to be submitted to the public for confirmation via a referendum. With that in mind, there was clearly work to be done to raise awareness of the process, to collect citizen's views and opinions, to inform people of the first draft, and to prepare the publication of the second draft and the anticipated referendum.

Based on all of the above, the Strategic Plan (SP) and the specific activities listed in it

⁵ See for example *Tanzania Situation Analysis: In Support of UNDP II*, April 2015.

were highly relevant at the time of adoption of the plan (2013) and built on the strengths and experience of the Centre gained over many years.

2.2 RELEVANCE OF STRATEGIC OBJECTIVES SINCE 2013

Many of the challenges facing Zanzibar in 2013 have remained and, as a result, the SP has remained largely relevant over time. But Zanzibar also went through a few critical changes in the political economy following 2013 that impacted on its work. At the political level, the period of relative stability following the formation of a power-sharing Government of National Unity (GNU) in 2010 was significantly impacted on by the Zanzibar Electoral Commission's (ZEC) annulment of the 2015 national election. The main opposition party chose to boycott the controversial re-run of the election in March 2016, which led to the collapse of the GNU. Next, the process to finalise the new Constitution ran into significant obstacles when some of the main opposition parties chose to boycott the National Assembly's deliberations on the first draft. Despite this, a second draft was produced by the Assembly. Citing a lack of funds, with 2015 also being an election year, the National Electoral Commission announced that the referendum planned for April 2015 would not take place. Since then, the process has been effectively stalled.

Other changes during the period under review⁶ included increasing levels of violence against women and children (rape, defilement, child trafficking, custody/maintenance, and child labour); an increase in land disputes attributed to population growth and expansion of private sector investments; delays and denial of bail during criminal trials; increased levels of lawlessness, particularly mob violence; high levels of social impunity ('*Muhali*'⁷); and the emergence of '*Zombies*'⁸.

All of these new or emerging issues had the potential to impact on the work of the ZLSC. But while no review of the SP has been conducted since 2013 to see whether it remained relevant, the activities chosen each year during the process of developing

⁶ As raised by various people in interviews and focus groups. It is interesting to note that the 'major issues' raised by these groups differ to the main issues raised by the general public during the household survey (see Annex D). Part of the reason is that those consulted during the evaluation mission were all focused on access to justice and the rights of vulnerable groups and thus tended to focus on those rights, whereas for ordinary Zanzibari, it is to be expected that socio-economic rights and access to services would feature most prominently.

⁷ Muhali literally means 'impunity'. It is closely associated with social relationships and leads to situations where, when a crime such as rape or sexual assault is committed, no one will file a case or collaborate with the judicial process for a fear of damaging the family/ social/ community relationship.

⁸ Allegedly a force of special security operatives to conduct a range of operations whose exact status remains murky but who are alleged to have committed numerous human rights violations.

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annual workplans responded to most changes in the political economy very well. As a result, both the strategic objectives in the SP and the activities undertaken have remained largely relevant over time.

Questions do arise though over the implementation of certain activities and outputs in the SP:

- While it is understood that there is a need for legal expertise in a country with so few practicing advocates, the training curriculum for paralegals does not always appear relevant to the work that a paralegal can do or actually does in practice (see text box below). The training materials themselves are pitched at quite a high level, including numerous references to case law that are only of relevance to practicing lawyers. Although paralegals conduct mediation (included as a topic in refresher training), very little skills training is provided on how to conduct a mediation, how to interview and deal with traumatised victims, how to take statements and so on. And there is no training on Sharia law despite the fact that many people rely on it when it comes to family law matters, and that knowledge of Sharia law would be a pre-requisite for paralegals being recognised as *Vakils* in Kadhis Courts (as confirmed by the Chief Mufti's staff).
- While research into laws affecting good governance and land tribunals is highly relevant to the work of the ZLSC, the same cannot be said for research into the death penalty given the *de facto* moratorium on executions, and the ZLSC has no clients on death row.
- The Yearbook of Law, while highly regarded by those who use it and no doubt useful for ZLSC lawyers and law students, is not focused enough on Zanzibar, nor is it being used to develop research and advocacy around issues of more relevance to the ZLSC's core business.

Box: Paralegal Training Curriculum

Training curriculum for 'new' ZSLC Paralegals (24 months / 2 days per month)

- | | |
|--------|--|
| Year 1 | 1. Law of Contract
2. Constitutional Law and Legal System of East Africa
3. Criminal Law and Procedure
4. Legal Methods |
| Year 2 | 1. Law of Evidence
2. Law of Torts
3. Administrative Law
4. Civil Procedure |

Refresher training (provided periodically to current ZLSC paralegals and to those trained previously)

- | | |
|----------|---|
| Periodic | 1. Land Law
2. Labor/ Employment Law
3. Birth and Death Registration Law
4. Kadhi's Court Law
5. Clove Farming/ Trade Law
6. Regional Administration Law
7. Law of the Child
8. Splinter Law
9. Parenting Skills
10. Dispute Resolution including ADR
11. Other issues as they arise. |
|----------|---|

3 Effectiveness

Questions from ToR (and added in the inception report) dealt with in this section
To what extent have the strategic objectives (quality and timely legal aid services provided to the indigent, public engagement in constitution and law making processes enhanced, comprehensive research, publication and documentation undertaken) been reached?
Are the activities being implemented adequate to realise the objectives?
Effectiveness of networks and relationships with other stakeholders – how have these contributed to achieving objectives?
To what extent have the objectives in Strategic Aim Six (organisational development) been achieved?

3.1 INTRODUCTION

‘Effectiveness’ is a measure of whether the ZLSC has achieved or is likely to achieve its stated objectives. As noted in the introductory sections, the ZLSC Strategic Plan sets out five strategic aims against which effectiveness is measured in the sections that follow. Before continuing though, it is important to state at the outset that the ZLSC is widely regarded as the most effective legal aid and human rights NGO, and generally one of the best civil society organisations (CSOs), in Zanzibar. Civil society is relatively nascent in Zanzibar and so it is also important to remember that NGOs in Zanzibar should not be held to the standards of international NGOs or even those based on the mainland where civil society is far more developed. With those two provisos in place, the following assessment is provided.

3.2 STRATEGIC AIM ONE: LEGAL AID TO THE INDIGENT

Strategic Aim One is at the core of the services offered by ZLSC, with most project staff directly engaged in providing both legal aid services (Output 1.1) and contributing to the training and support of paralegals (Output 1.2).

3.2.1 Legal aid services for poor and marginalised people

Activities under Output 1.1 include drafting legal aid documents for clients, representing clients in court for strategic and public interest cases, coaching clients to represent themselves in court, preparing and publishing legal aid materials, and conducting client satisfaction surveys for improved service delivery.

Clients dealt with at Centre offices

The ZLSC staff assigned to deal with clients have made good progress. As illustrated in Graph 1 below:

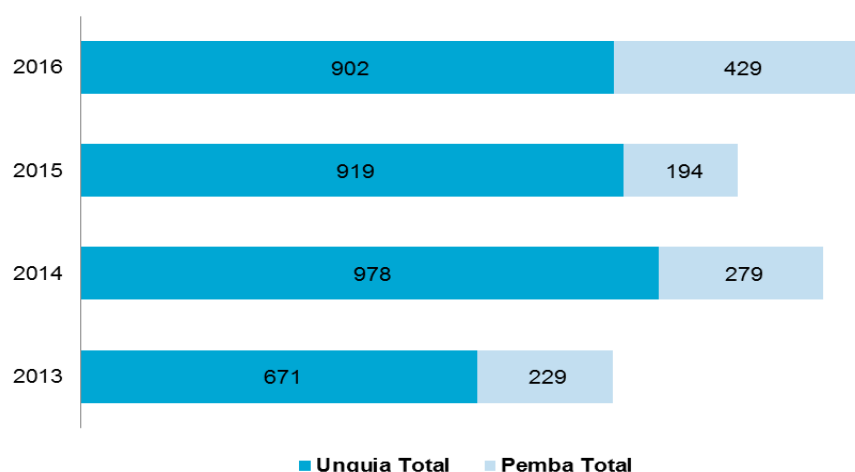
- Although there was a slight decrease in 2015 (1,113 clients) compared to 2014 (1,257), there has been an overall increase in the number of clients from 900 in

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2013 to 1,331 in 2016.

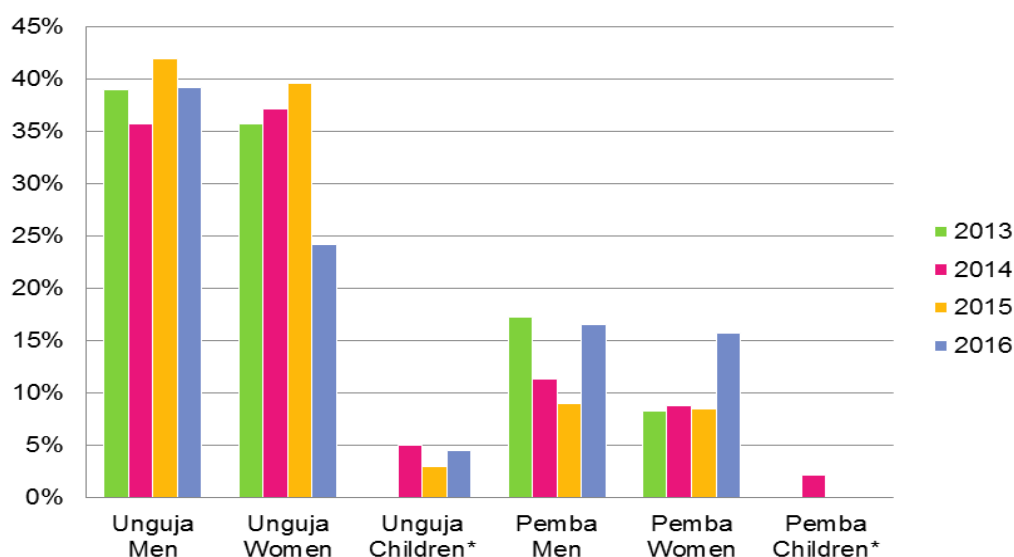
- An additional 495 clients have been provided with legal aid and assistance in the period 1 January – 30 June 2017 (not shown in the Graph).
- Of the total of 5,096 clients in the period 1 January 2013 to 30 June 2017, most (3,740) have been dealt with by the Unguja office, compared to 1,356 in Pemba.

Graph 1: Number of Centre's Clients in Unguja and Pemba in 2013-2016



The balance between male and female clients is generally good, as illustrated by Graph 2 below.

Graph 2: ZLSC clients by year, island and gender (as percent of annual total)



- In Unguja, there have been 1,911 males served compared to 1,676 women.
- In Pemba, 734 males have been served compared to 564 women.
- Although no statistics for 'children' were kept in 2013, a total of 253 children have been dealt with as clients since 2013 – 195 in Unguja and 58 in Pemba (with no children recorded in Pemba in either 2014 or 2015).

Land complaints still constitute the majority of the cases reported to the ZLSC, while

the numbers of general civil and criminal cases and family matters (inheritance, maintenance, marriage and divorce) are also high.

Although all of those provided with legal aid are reportedly indigent⁹, it is hard to be certain since the standard guideline for the provision of legal aid listed in the SP has yet to be completed and there is currently no means test to determine who qualifies for legal aid. Although the guideline is scheduled for completion by end 2017, staff still rely on the own observations to determine whether or not a person is indigent. Given the levels of poverty in Zanzibar, it probable that only those who cannot afford a lawyer are being provided with legal aid, but a means test should be included in the guideline to ensure that a more scientific approach is implemented.

Legal Aid Day and Legal Aid Clinics

The Centre has chosen 13 December each year as Legal Aid Day and, together with other role players¹⁰, marks the day by conducting community clinics to raise awareness of the role of paralegals and to provide legal aid and assistance to those requiring it¹¹. The Centre also conducts legal aid clinics at other times each year. However, the data on these is not added to the overall list of clients attended to at ZLSC offices. For example:

- In 2013, legal assistance was provided to 97 participants on Legal Aid Day and a further 222 clients were assisted during legal aid clinics (107 female and 115 male), none of whom are reflected in the total number of clients dealt with by the Centre at their offices.
- In 2014, 77 clients were provided with advice and assistance on Legal Aid Day.
- Five legal aid clinics were held in 2015 and advice and assistance was provided to 105 clients during Legal Aid Day: 70 in Unguja (42 male and 28 female) and 35 in Pemba (15 male and 20 female).
- In 2016, legal aid clinics were held in all 11 districts during which 50 clients were provided with advice and assistance. In addition, staff at the Legal Aid Day celebrations provided advice and assistance to 60 clients: 23 in Pemba (13 female and 10 male) and 37 in Unguja (15 male and 22 female).
- In the period 1 January to 30 June 2017, 2 legal aid clinics were held reaching 90 clients (9 men and 81 women) - although four more were held in July 2017 reaching a total of 298 clients (125 men and 164 women).

⁹ Legal advice (as opposed to legal aid) is provided to anyone who requests it regardless of their socio-economic status.

¹⁰ For example, Zanzibar Female Lawyers Association, Zanzibar Law Society and the Directorate for Public Prosecutions.

¹¹ Although listed as an activity under Output 1.2 (dealing with support to paralegals), Legal Aid Day is used both to raise awareness of the Centre and the role of paralegals **and** for lawyers and advocates to assist clients.

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These figures significantly increase the number and gender balance of clients served by the ZLSC and need to be better reflected in the overall statistics for each year.

Services

Services provided by ZLSC lawyers and advocates range from simple advice to drafting of legal documents, litigation and representation in court. As illustrated in Table 1, there has been a significant increase in drafting of documents and representation since 2013.

Table 1 – Drafting of legal documents and client representation

Year	No. of legal documents drafted		Number of cases litigated / clients represented	
	Unguja	Pemba	Unguja	Pemba
2013	49	31	No data	No data
2014	102	72	3	0
2015	108	79	79	0
2016	65	50	170	0
2017 (to end June)	111	26	40	0
Totals	435	258	292	0

A very interesting recommendation was also made during focus group discussions with clients. Given that there are only two offices, and that clients are generally poor and transport costs are high, it was suggested that the Centre consider setting up a hotline for people to call to determine whether the Centre can assist, what documents etc. may be required, to offer legal advice if it can be offered over the phone, and to arrange meetings with lawyers and advocates if these will be required before people spend money and time coming to the offices. Although not mentioned during the discussion, such a system could also be used to link callers to paralegals operating in their area where a paralegal might just as easily be able to deal with the matter.

3.2.2 Paralegals

What is a paralegal? Although it might seem a fairly simple question, the reality is that definitions vary widely from one country to another, and even between Zanzibar and the mainland. Unlike on the mainland where a standard definition and approach has been developed and where paralegals are mainly community organisers, the ZLSC model is somewhat different. Recognising that there are few lawyers in Zanzibar and that poorer people lack the funds to pay for their services, the Zanzibar model aims to create what some refer to as ‘mini-lawyers’. ZLSC paralegals are required to have graduated secondary school and are drawn from amongst public servants, police officers and prisons’ staff (amongst others), although the majority are primary and secondary school teachers. They provide a variety of services including advice, community education, monitoring child abuse in places of learning, referral of clients to the ZLSC and other institutions, and mediation of disputes. Paralegals attend 48 days of training split over two years, during which they remain in full time employment and provide services primarily over weekends (when not attending

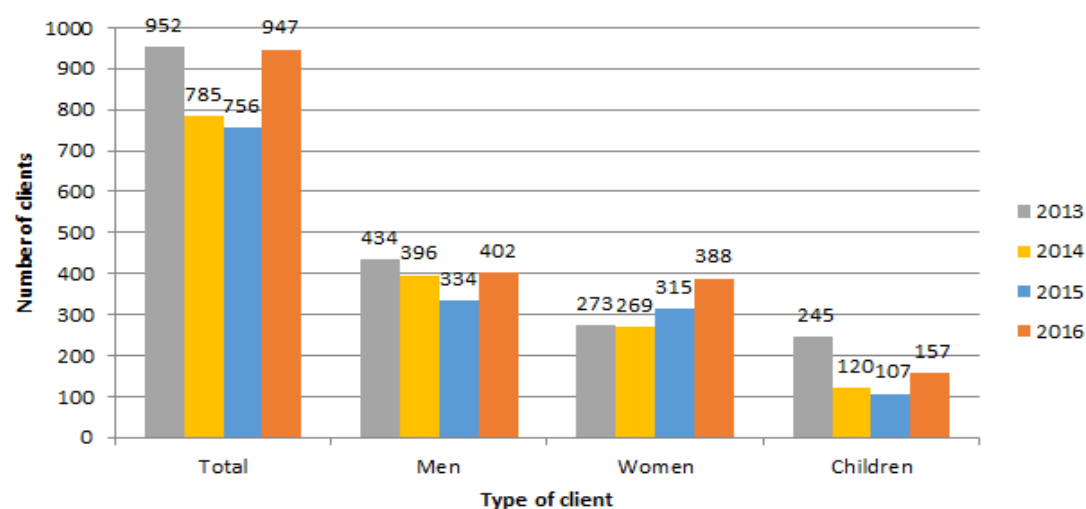
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training). For this, they are paid a small stipend to cover their transport costs provided they submit a monthly return showing what they have done.

Since 2013, a total of 231 paralegals have been trained or are currently finalising their training. Although most training has been paid for from core funding, funding for those trained during 2013-14 was provided by the Legal Services Facility¹². The gender balance amongst paralegals in Unguja is fairly good, but rather skewed in favour of men in Pemba. The reasons for this were cited as few women applying for the position in Pemba and many that do not cope well during the interview process¹³. While recognising that it is not always easy to attract suitably qualified women to the position, additional efforts need to be applied in future to encourage more women to apply given how many women clients the Centre has and the need for at least some of these to be dealt with by women paralegals given the sensitivity of the issues.

Given that all paralegals are in full time employment during their training period, it is perhaps understandable that they have little time to deal with clients¹⁴ and the numbers in this regard are of real concern. As illustrated by Graph 3 below, paralegals are dealing with less than one new client a month on average.

Graph 3: Total number of clients helped by paralegals, in Unguja and Pemba 2013-2016



¹² The Legal Services Facility is a mainland-based NGO that was initially founded to assist CSOs working in legal aid in September 2011 as part of Danida's Tanzania Governance Support Programme. A grant of TZS 500M was provided to ZLSC under phase for the training of 70 paralegals. Phase 2 of the programme runs from 2016-20, funded by Danida and DFID (with the potential of additional funds from the EU) but no support to ZLSC is currently envisaged.

¹³ Although the evaluators suspect this may have something to do with cultural or religious attitudes to women in Pemba, this view was not supported during interviews with senior staff.

¹⁴ Confirmed by those paralegals consulted during the evaluation.

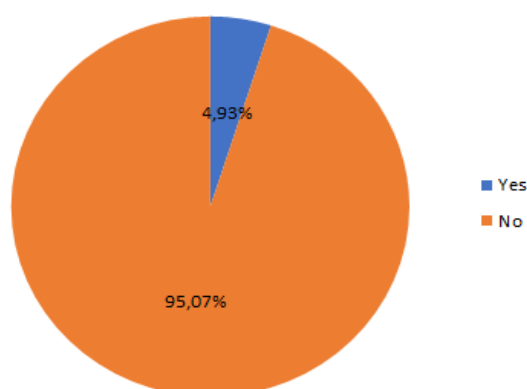
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In addition to the fact that they have limited time to find and assist clients, paralegals pointed to the following as having a negative impact on the number of clients they serve include:

- Many cases are negotiated at family or community level (referred to as '*Muhali*') and are never reported to anyone.
- As people become more aware of their rights and service providers, they sometimes choose to report directly to other service providers rather than to paralegals.
- Paralegals have no office space to deal with clients confidentially.
- Other than their stipend, paralegals are not provided with financial support to allow them to follow-up cases in remote areas.
- Since the vast majority are not formally recognised, they lack support from the government and their communities.
- There are no opportunities provided for joint meetings with others, sharing of ideas, or learning from others' experiences.

Although the updated results framework reflects some degree of satisfaction with the services provided by paralegals¹⁵, the low numbers of clients raises questions as to the value for money / return on investment. ZLSC is aware of the problem and has taken some steps to address it – for example, introducing paralegals to journalists, *Shehas*, the police and others to ensure these are aware of paralegals operating in their areas; increasing the number of new clients per month from one to three before paralegals qualify for the stipend; and holding Legal Aid Days to raise awareness of the role of paralegals. However, there is no general publication on the ZLSC and the role of paralegals and awareness levels of their availability and services remains low – as reflected in the results of the follow up survey in Graph 4 below

Graph 4: Awareness of any paralegals that have been trained by ZLSC (Survey Question 44)



¹⁵ 55% of clients were satisfied with the services provided compared to the target of 55% in 2015. However, in 2016, only 58% were satisfied compared to a target of 60%. Similar levels of satisfaction were found during focus group discussions with users of paralegal's services.

Although there appears to be some blurring of who provides assistance to clients during Legal Aid Days and Legal Aid Clinics that might increase the number of clients dealt with by paralegals if better recorded, additional effort is clearly required to address the problem.

Once completing their studies, paralegals are no longer regarded as ZLSC paralegals and, while they are encouraged to form their own paralegal organisations or networks, to apply for recognition as *Vakils*, or to further their studies¹⁶, they are largely left to their own devices save for refresher training opportunities¹⁷. Although some have gone on to set up their own organisations and anecdotal evidence suggests some have gone on to be recognised as *Vakils*, no formal tracking of how many cases they deal with or even what they choose to do after finishing the course is undertaken and very little of the backstopping envisaged in the SP is currently provided.

3.3 STRATEGIC AIM TWO: PUBLIC ENGAGEMENT IN CONSTITUTION AND LAW-MAKING PROCESSES

Strategic Aim Two was included in the Strategic Plan to focus on the constitution-making process underway in 2013 and where ZLSC had already embarked on activities aimed at increasing public engagement in the process. But ZLSC also strives to ensure public engagement in other law making processes too. Output 2.1 in the SP thus focuses on public engagement in both the constitution-making process as well as other law making processes. Strategic Aim Two also includes another core aspect of ZLSC's work - advocacy for legal reform and good governance (Output 2.2).

3.3.1 Community participation in constitution and law making process

Up until the stalling of the constitutional reform process, the ZLSC had been actively involved. During 2012, the Centre embarked on a programme to solicit the views of individuals towards the development of the first draft. This process continued into 2013, when the focus shifted to consultation with CSOs. Together with three other

¹⁶ At least one paralegal attending a focus group discussion reported to be in their third year of study towards a law degree.

¹⁷ 'Refresher training' was carried out in all of the years under review except 2013. It is provided to those currently enrolled in the course and previously trained paralegals – the latter are selected from the list on a rotational basis and invited to attend. A total of 104 paralegals were provided with refresher training in 2014. The total declined to 67 paralegals in 2015 but increased significantly to 222 during 2016 during eight refresher training sessions. During 2017 (to end June), two sessions have been held in Unguja (102 participants) and one in Pemba (27 participants).

organisations¹⁸, the Centre presented the views of its constituents as well as those of staff and the Board to the Constitutional Review. These submissions focused mainly on the Bill of Rights and national symbols for the new Constitution – some of which found their way into the draft (although not specifically mentioned in any annual reports). In recognition of its contribution, the Commission appointed ZLSC as a constitutional forum to engage with and solicit the views of ZLSC stakeholders on the draft Constitution as part of the further public consultation process. During this, the views of around 100 stakeholders, including paralegals, ZLSC staff, members of Trade Unions, and board members, were gathered and forwarded to the Commission.

During 2014, the ZLSC collaborated with the Legal and Human Rights Centre (LHRC) on a Big Bang Campaign to spread awareness throughout Zanzibar on the second draft of the Constitution, organising round table discussions, public sensitisation meetings, holding district-based discussion dialogues with communities, conducting awareness raising seminars, and using radio and TV programmes to keep people informed. In addition, copies of the second draft were printed and disseminated and several members of the ZLSC participated in the Constituent Assembly itself. Despite problems emerging with the process, the Centre continued to raise awareness around the draft Constitution during late 2014 and early 2015, to solicit views of stakeholders, to train religious and community members, and to raise awareness of the planned referendum process. However, since the process is reportedly unlikely to be reinvigorated under the current President, work in this area has similarly decreased, although some sensitisation continues in case the process is re-started.

3.3.2 Advocacy for legal reform and good governance

The Centre has been actively engaged in numerous law reform and law-making activities. These are largely based on its research into laws impeding or affecting good governance and have included advocacy around the law related to public ethics, the Zanzibar Institute of Education Act, Mnazi Mmoja Hospital Act, Stamp Duty Law, the revised Evidence Act, the Amendment of the Zanzibar Social Security Act, the establishment of Kadhi Courts at regional level, and in the development of the Legal Aid Policy. Activities included participation in public consultation processes led by the Law Review Commission, conducting meetings with constituents where their views and opinions are gathered and sent to the Commission, preparing and submitting their own submissions, and as invitees to events convened by the House of Representatives. The Centre was reported to have been particularly effective when it comes to the Evidence Act and was credited as one of the main advocates for the law

¹⁸ Zanzibar Female Lawyers Association, Zanzibar Law Society (ZLS) and the Zanzibar Constitutional Platform (*Baraza la Katiba la Zanzibar*)

allowing the evidence of a child to be admissible even if not corroborated by an adult and for inclusion of electronic evidence. Unfortunately though, as with the proposals for the second draft of the Constitution, these ‘success stories’ are not highlighted in annual reports.

3.4 STRATEGIC AIM THREE: RESEARCH, PUBLICATION AND DOCUMENTATION

Strategic Aim Three focuses on two areas of work – research, publication and documentation on issues of legal and human rights (Output 3.1) and the two resource centres and the website (Output 3.2).

3.4.1 Research to inform advocacy

The Centre has not been as effective in this area and has only conducted three research activities: research into laws impeding good governance, the death penalty, and on Land Tribunals. Topics for research were identified in consultation with stakeholders¹⁹ and all research was conducted during 2015. While none of the reports have as yet been published, the results are well known by staff have been used to inform the advocacy work of the ZLSC.

3.4.2 Documentation Centres and the website

The ZLSC has two Documentation Centres - one in Unguja and one in Pemba²⁰. Both Centres include numerous resources²¹ and internet-connected computers. The main users of the Document Centres are reported to be university students, ZLSC paralegals and researchers²². Although the evaluation team did not visit the resource centres, 88% of those that have used them were very satisfied (38%) or satisfied (50%) with the services provided according to the follow up survey²³.

During 2013 and 2014 a consultant was engaged to revamp the Centre’s website and the Centre’s IT manager attended a basic website design course. The website appears to be regularly updated, informative, to contain important laws and other resources, and most ZLSC publications have been uploaded – a notable exception being the current Human Rights Report (2016) published together with LHRC.

¹⁹ As required by Activity 3.1.1.

²⁰ A third one mentioned in earlier annual reports has yet to be created.

²¹ Including over 3,000 books and journals on political science, human rights and language donated by the family of the late Prof. Haroub Miraj Othman, the first Chairperson and one of the three founders of the ZLSC.

²² The Centres served 287 people during 2013; 173 in 2014; 222 in 2015; and 413 in 2016.

²³ See the summary of results in Annex D – Question 47.

3.4.3 Publications

Although ‘publications’ appears in the title of Strategic Aim Three (and is included in annual reports under this heading), no specific activities are included in the SP other than the Zanzibar Yearbook of Law. Despite this, a newsletter (*Sheria na Haki*) is regularly produced containing useful information on various issues (such as child rights, the constitution making process, and the rights of PWDs), and other publications such as voter education materials have been produced under other Strategic Aims. Although the Centre published flyers and basic information on legal aid in 2014, no other public education materials have been produced despite the fact that adult literacy levels are comparatively high: 88% of men and 77% of women. Booklets, pamphlets, posters and other publications explaining what an NGO has been set up to do, the services it offers and how to contact it, and covering specific human rights issues are usually a significant part of an NGOs arsenal when it comes to raising awareness and providing public education. They remain in existence for years, are read by significant numbers, and are extremely useful for use at workshops and for encouraging new clients. There are a wealth of issues that the ZLSC works on and standard publications on these should be considered as part of their overall public education and awareness strategy in their new SP.

3.5 STRATEGIC AIM FOUR: PROMOTION AND PROTECTION OF THE RIGHTS OF MARGINALISED GROUPS

The SP sets out three outputs under Strategic Aim Four aimed at promoting and protecting the rights of women, children, the elderly, (PWDs and PLWHA); human rights monitoring; and building the capacity of other CSOs focused on the poor and other marginalised groups.

3.5.1 Public education and awareness and capacity building of CSOs

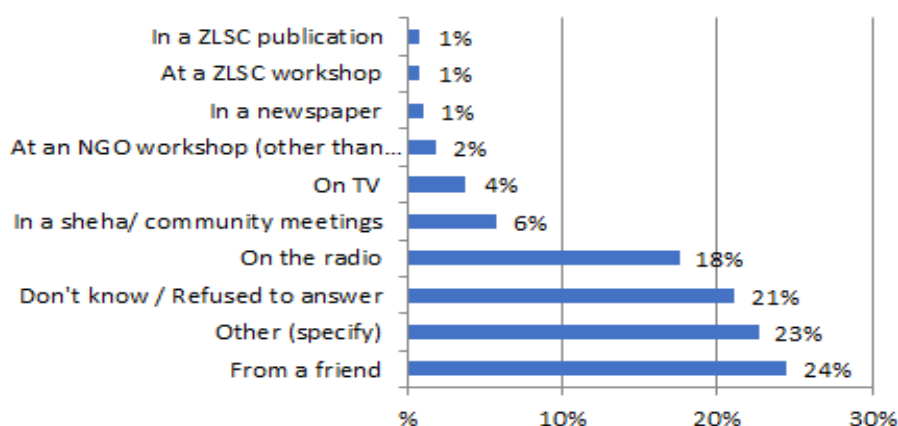
Public education and awareness on human rights, particularly the rights of vulnerable groups, is a core function of the Centre and it has generally been effective in this regard. Examples in the period under review are included as Annex E²⁴. The training and awareness raising was very well received by those consulted by the evaluation team and during focus groups as part of the follow up survey. Of those who have attended ZLSC workshops, satisfaction levels are very high with 96% of respondents in the follow up survey stating they were either very satisfied (48%) or satisfied

²⁴ It is noted that there has been considerable training during July 2017 for local authorities (*Shehas* and Councillors), community coordinators, police and magistrates (on children in conflict with the law), amongst others, but this falls outside of the period under review.

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(48%) with the learning provided²⁵. At the same time, when respondents in the follow up survey were asked where they first learned about human rights, only 1% mentioned ZLSC publications (not surprising given how few there are) while 1% learned at a ZLSC workshop (Graph 5).

Graph 5: Where respondents first learned about human rights (survey question 2)



While most people (24%) first learned about human rights from a friend, a further 18% learned on the radio, 4% on television, and 6% during community meetings – all of which are used by ZLSC as part of their education strategy. There is thus a possibility that the ZLSC is reaching more people than the above Graph suggests.

Knowledge of human rights is fairly good amongst Zanzibari, with 29% able to list more than three rights, 21% able to list three, 19% able to list one, and only 23% not able to list any at all according to the results of the follow up survey²⁶. The most commonly mentioned were the right to life (50%), right to education (47%), right to health care (36%) and right to housing (27%)²⁷. Human rights education may also be bearing fruit in encouraging people to report violations – only 9% of respondents in the follow up survey did not know where to report or refused to answer compared to 21% in the baseline survey. When it comes to where to report a human rights violation, most would still report to their community leader or the police, although 8% would report this to the ZLSC compared to 4% who would report to the ZHRC (Graph 6).

The answers to this question should be considered though in the light of the fact that the most common violations of human rights mentioned by respondents in the follow

²⁵ See the summary of results in Annex D – Question 50.

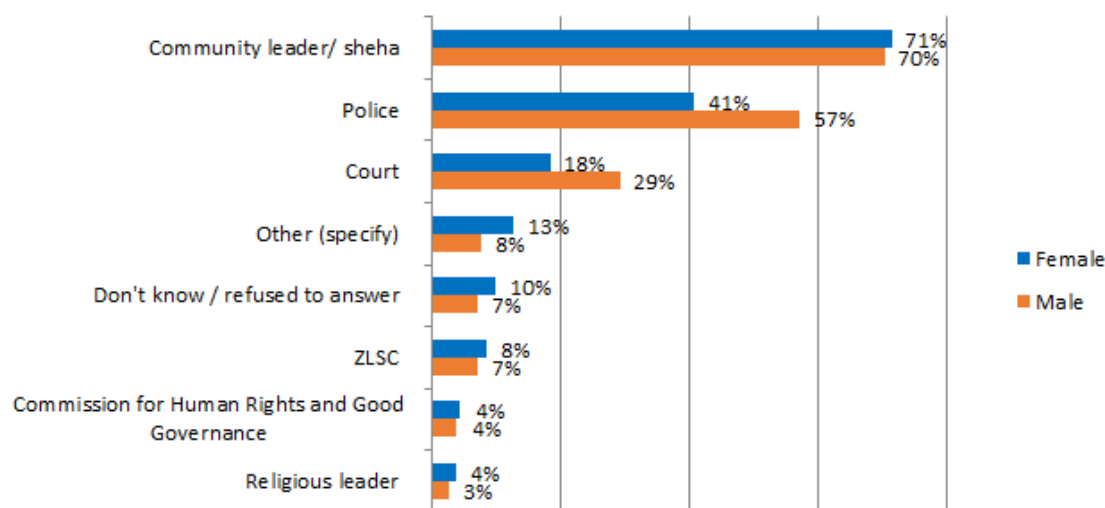
²⁶ See the summary of results in Annex D – Question 1a.

²⁷ See the summary of results in Annex D – Question 1.

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up survey related to socio-economic rights²⁸. Since this is not a key focus area for the ZLSC, it is understandable why those who see violations of socio-economic rights as the main problem would not necessarily report these to the Centre.

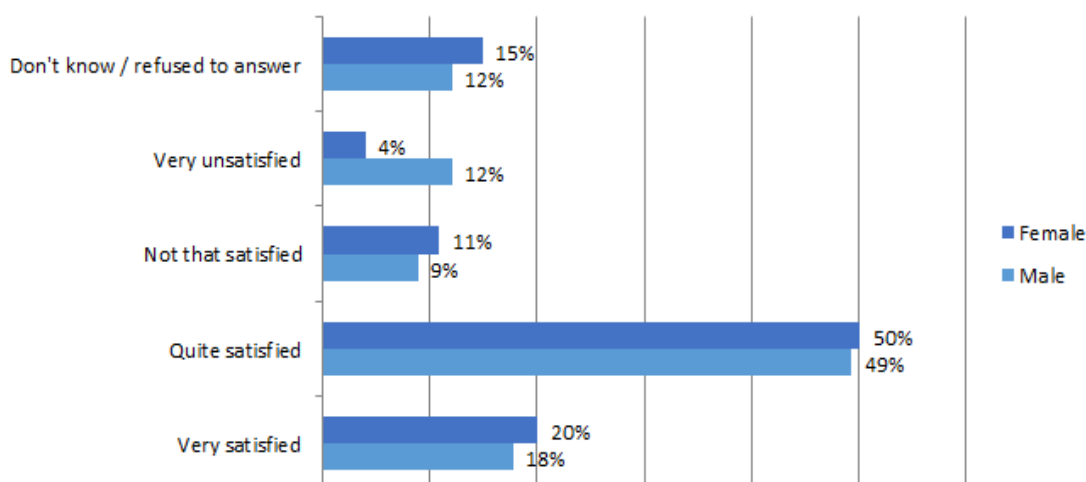
Graph 6: Where respondents would report a human rights violation (survey question 5)



The ZLSC has held regular consultative workshops (two each year) with CSOs, the Commission for Human Rights and Good Governance and law enforcement agencies on human rights and related issues and has conducted needs assessments for rights based CSOs each year since 2015. In addition, both paralegals and staff run regular community based workshops on a variety of human rights issues and the Centre has made good use of the media, producing pre-recorded programmes for both television and radio for use by the Zanzibar Broadcasting Corporation (ZBC), privately owned radio and television channels and community radio, as well as conducting live, call-in sessions from time to time. Although those consulted generally praised these efforts, the most common methodology remains community workshopping. Workshops are a valuable method, but they are labour intensive, reach relatively small numbers of people at a time, and are only really effective over weekends. Staff and paralegals have also not been trained on the various participatory adult education methods commonly used during workshops, and there are no standard workshop outlines and materials to guide facilitators on what needs to be covered and how to cover it. Amongst members of the media, it was suggested that more reliance should be put on privately owned radio and TV and community radio given that the ZBC is reportedly treated with suspicion by those who support the opposition.

²⁸ Access to work / employment (26%), access to education (19%), access to water and sanitation (19%), discrimination against women (14%), child labour (13%) and violence against women (12%) were the most commonly mentioned human rights problems – Annex D, Question 4.

Graph 7: level of satisfaction of the ability of CSOs to protect the rights of vulnerable groups (survey question 34)



The ZLSC regularly works together with other NGOs focused on vulnerable groups including PWDs and PLWHA. According to all of those consulted, it has helped to build their capacity by *inter alia* providing training on the law of relevance to their work and by helping them to produce publications. These efforts appear to have increased levels of satisfaction with the services provided by CSOs, as was confirmed during the follow up survey, where 69% of respondents were either very satisfied (19%) or quite satisfied (50%) with the ability of CSOs to protect the rights of women, children, PWDs, PLWHAs and other vulnerable groups compared to 5% who were very satisfied and 45% who were satisfied in the baseline survey (Graph 7). Additional capacity building has been provided to CSOs on civic and voter education, as dealt with under Strategic Aim Five below.

3.5.2 Annual human rights survey

The annual human rights survey has been undertaken each year – usually with the LHRC²⁹. ZLSC regard the report as an advocacy tool and it is widely shared with government, academics, politicians, the media and others. The report was generally praised by all of those consulted, including ‘ordinary’ members of society. However, as already identified in the mid term review, the report is often repetitive and focuses on issues such as road accidents whose relevance in such a report is questionable. While recognising that the ZLSC needs to exercise a degree of caution when it comes to violations of rights by government given the relationships nurtured with government over many years, very little analysis is provided as to the causes of rights

²⁹ In 2015, the report was published by ZLSC alone, reportedly as a result of a disagreement with LHRC around procuring a printer for the report. The issue has been resolved and the 2016 report was once again published jointly.

violations. The report has only been translated into Kiswahili once (2015) and suggestions in the mid term review that parts of it could be summarised and used to produce other publications have not been followed. The ZLSC is aware of some of the shortcomings with the report and is planning to restructure the 2017 version, reduce repetitions and duplication of text from previous years, and to produce a Kiswahili version. A consultant has specifically been contracted to assist in preparing the 2017 report. Those responsible for the report would also do well to consider how the LHRC approaches it and to consider other highly credible reports such as Human Rights Watch's annual World Report to see how such reports are structured and how issues are analysed.

3.6 STRATEGIC AIM FIVE: CIVIC AND VOTER EDUCATION

The SP lists two outputs for Strategic Aim Five – a general one focused on public voter and civic education, and one aimed at increasing the knowledge of civic education teachers at secondary schools.

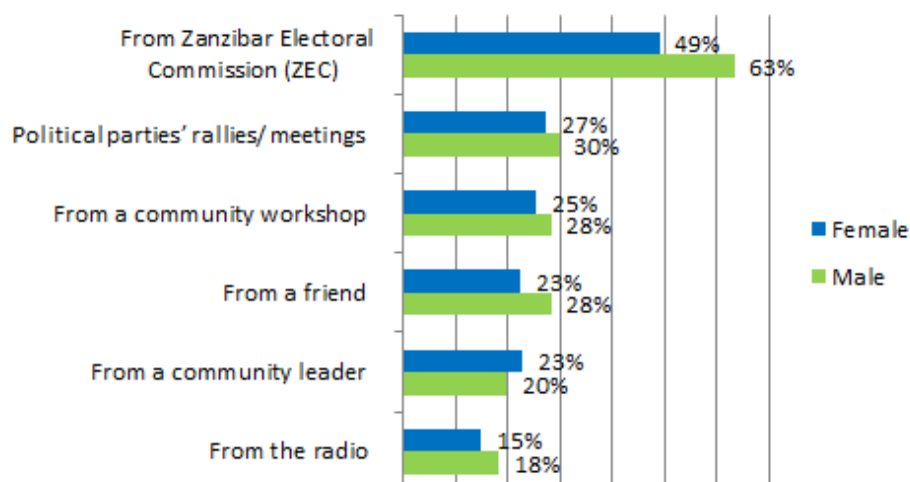
3.6.1 Civic and voter education

The ZLSC has conducted extensive public education and awareness on civic and voter education, mainly centred around the 2015 election but also in other years. It has been accredited by the Zanzibar Electoral Commission (ZEC) to conduct voter education on its behalf and was part of the reference group established by the ZEC to prepare voter education material. However, the distinction between civic education, human rights education, and legal education is somewhat blurred and human rights and legal education activities are reported under both Strategic Aims Four and Five in most annual reports. Reporting is better in the 2016 report, which lists a particular outreach programme on specific civic education topics including registration of birth, marriage, death and divorce certificates, enrolment for Zanzibar and Tanzanian identity cards, and voter identification cards. The outreach programme was conducted in all 11 districts, reaching 390 people (178 male and 212 female).

The primary methods for both civic and voter education are once again radio and television (both public and privately owned), voter education publications (booklets, posters and stickers), civil society roundtable discussions, targeted training (including for the police in the run-up to the 2015 election), and community workshops. Once again though, the absence of workshop outlines and materials, and the lack of training of staff on what to cover (content) and how to cover it (methodologies) is of some concern. Nevertheless, the ZEC regards them as a trusted partner that, together with other accredited NGOs, significantly increases their outreach given that the ZEC itself has less than 30 staff capable of providing voter education.

According to the baseline survey, around 75% of respondents had received civic and voter education, with 9% citing the ZLSC as the main source. Although the question in the follow up survey focused only on voter education, the results are somewhat different, as illustrated in Graph 8.

Graph 8: Where respondents learned to vote (survey question 20)



Only 3% of respondents specifically mentioned ZLSC, with most (54%) citing the ZEC as the source (compared to only 19% in the baseline survey). On the other hand, 'radio' (16%) and 'community workshops' (26%) were also mentioned – both being methods used by the ZLSC. And the ZLSC also conducts voter education on behalf of ZEC, which may have confused some respondents. As a result, it is hard to read too much into the responses. When it comes to the level of understanding of the importance of voting within communities, 82% of respondents believed this was either very well understood (31%) or quite well understood (51%), which compares fairly well with the baseline survey, where 61% believed levels of awareness were satisfactory and 19% that they were very satisfactory³⁰.

The Centre also played a role as official election observers in 2015, providing 24 trained observers for 44 days and 104 short term observers at the 704 polling stations on election day. Given that the opposition chose to boycott the re-run of the election and questions as to its credibility, the Centre provided a less formal role to observe and report any violence or intimidation.

3.6.2 Secondary School teachers

Unlike most activities under Strategic Aim 5, the focus is on civic and **legal** education rather than **voter** education when it comes to improving the knowledge and skills of secondary school civics teachers. Activities in this area have concentrated on training teachers responsible for civic education rather than on revising the curriculum (as was included as Activity 5.2.2), largely because the civic education curriculum reportedly already includes a component on human rights. Support in this area has included

³⁰ See the summary of results in Annex D – Question 26.

training of teachers in 2013 (no statistics available) and 2014 (228 teachers reached) together with the Ministry of Education and Vocational Training; and human rights training for 250 secondary school civics teachers in 2015. In 2016, the focus shifted to target learners themselves and included awareness seminars on identity cards for 232 learners (86 female and 146 male) in both Unguja and Pemba, and establishing 15 civic and legal education clubs at secondary schools (10 in Unguja and 5 in Pemba).

3.7 STRATEGIC AIM SIX: ORGANISATIONAL DEVELOPMENT AND SUSTAINABILITY

Based on the Strengths, Weaknesses, Opportunities and Threats assessment in the SP, Strategic Aim Six aims to enhance and sustain the organisation itself. It includes five outputs focused on human resource management, ensuring the Centre has adequate resources and that governance is strengthened, increasing and sustaining the revenue base, and improvements to the monitoring and evaluation and quality assurance system.

3.7.1 Human and other resources

The Centre currently employs 27 full time staff of whom 13 are ‘programme officers’ (as opposed to administrative staff). Of these, six are qualified lawyers and seven are admitted advocates (one in Pemba and six in Unguja)³¹. The Centre also employs three accountants, a finance and administration officer, an assistant finance and administration officer, an information officer, an information technology officer, a monitoring and evaluation officer and a librarian as well as support staff. The position of the Chief Executive is currently filled by one of the advocates in an acting capacity while the current Chief Executive is on study leave. ZLSC also runs an internship programme for local students and has on occasion attracted volunteers from outside the country³².

Staff turnover is comparatively low – on average, two staff members per annum have left over the four and a half years under review. Most of those who leave reportedly do so to join government where job security, salaries and long term prospects are

³¹ The term ‘lawyers’ is used by the Centre to describe those who have graduated with a law degree while ‘advocates’ are those who have complied with the requirements for admission as an advocate and who are thus capable of actually practicing the law.

³² For the past 10 years, the Centre has been working with Zanzibar University and receives students from the University for internship placing each year. They are allocated to Programme Officers during their time at the Centre who work with them and they have access to the Centre’s Library and internet facilities for their research. Some of those who do their internship at the Centre eventually join the Centre as Volunteers and later Programme Officers after their studies.

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better - a common ‘problem’ for NGOs. The Centre maintains contact with staff who leave though and many currently provide training to paralegals under the paralegal training programme. Although there is no real staff development programme in place, four Accounts staff have been provided with financial support from ZLSC for further training, and some staff learning opportunities have been created. Significant capacity development has taken place in one area in particular: to practice as an advocate in Zanzibar, a law graduate is expected to serve a period of six months pupillage with a law firm, whereafter they may petition the Chief Justice to be admitted as an advocate. All of the current ZLSC advocates, and one who has since left, joined the ZLSC as lawyers and successfully applied to the Chief Justice for their work at the Centre to be regarded as pupillage and to be admitted as advocates. This also might be used to increase capacity by having the ZLSC afforded official recognition to act as pupil masters for potential advocates. Those doing pupillage are not paid, which would increase the Centre’s capacity at no extra cost. The system is expected to be brought in line with that on the mainland, where prospective advocates have to attend Law School and then complete three months of pupillage³³. When implemented, pupils could join the ZLSC after completing their period at the School of Law to complete their pupillage. Although some supervision would be required, the benefit of having additional staff at no extra cost would suggest it is a possibility to be explored.

There has also been some success when it comes to paralegals, some of whom have gone on to form their own paralegal organisation, some have successfully applied for recognition as *Vakil*, some of whom have chosen to pursue law degrees at university, and at least one is now reportedly an admitted advocate. One of the underlying rationales for the ZLSC approach is that the training that is offered is expected to encourage them to further their careers once they have completed the course, and so success in this area validates the approach. However, more could be done to assist those who graduate to qualify as *Vakils* (which has the prospect of increasing sustainability of action too) including providing training on Sharia law to allow paralegals to be granted *Vakil* status in Kadhis Courts.

The ZLSC has sufficient vehicles and equipment, but currently rents its premises in both Unguja (which are fairly spacious and accessible) and Pemba (which is far more congested and, while situated in the middle of town, is at the top of a steep flight of stairs and largely inaccessible to PWDs). Plans to purchase a property have yet to materialise – development partners seldom if ever provide funds to purchase property

³³ The Revolutionary Government of Zanzibar has given the green light to the sector and early this year, a team led by the Chief Justice spent two weeks studying the system on Tanzania Mainland.

and the Centre lacks the funds from other sources to enable it to buy property.

However, one area of genuine concern amongst staff is the fact that all are employed on a one-year contract basis, with contracts renewable based on performance and availability of funds. This issue is not specifically listed in the SP though and, since it relates more to sustainability, it is dealt with in detail in Section 6.2 below.

3.7.2 Governance and the Board

Although the Board meets regularly, limited training has been provided to its members (once per annum) and is not based on the needs assessment included in the SP. The envisaged communication strategy³⁴ has also not been developed.

Some concerns were raised in the evaluation of the previous SP that the Board is too involved in the day-to-day management of the Centre. This was not supported during consultations, including with the Board and management, who pointed to the fact that the recommendations in the previous evaluation have been taken to heart and the Board has stepped back significantly since then. At the same time, Boards of NGOs are often made up of people with great knowledge and experience of the issues at hand that helps to fill gaps in knowledge and experience amongst staff, and they usually play a significant role when it comes to resource mobilisation.

3.7.3 Resource mobilisation

As dealt with further under the sections on efficiency and sustainability below, the ZLSC has been able to attract relatively high levels of core and project funding from a wide range of sources. This in itself shows that the Centre is perceived as effective, since many of the development partners (DPs) such as the United Nations Children's Fund (UNICEF) and Save the Children have actively sought out partnerships with ZLSC rather than the other way around. However, many of the DPs supporting the Centre have been traditional donors rather than sources found as a result of a donor mapping³⁵ or a clearly defined resource mobilisation strategy.

3.7.4 Monitoring and evaluation

Some progress has been made when it comes to monitoring and evaluation (M&E): an M&E officer has been appointed, a results framework has been produced and is regularly updated, a theory of change has been developed, client satisfaction surveys have been introduced and conducted in 2015 and 2016, and in-house training on M&E has been provided to staff (2015 and 2016). Regular staff, management and Board meetings take place to develop workplans and monitor progress, and annual

³⁴ Activity 6.2.10

³⁵ Activity 6.4.1

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reports have improved over the years to include more data and information against which to monitor progress.

Improvements in the M&E system have also contributed to better implementation and reporting to some degree. The baseline survey conducted to address weak and missing indicators in the SP (amongst other things) has been used to produce a results framework (RF) that is now regularly updated through client satisfaction surveys³⁶. The results of these are fed into workplanning processes, which improves implementation, and are included in more recent annual reports. There are flaws in the RF though – notably the fact that data is not disaggregated according to gender or age and is thus not analysed or reported on in that manner, and the fact that not all of the results of the survey have been incorporated the RF. Both of these problems are in part attributable to weaknesses in the baseline study. But while steps have already been taken to improve matters, there are examples where available data, including in the annual human rights report, is not being used or maximised. Better records also need to be kept of clients dealt with by paralegals and staff during clinics and legal aid days. The movement to the RF has also led to the situation where almost all monitoring is done against the RF rather than against the SP, which may explain why some activities listed in the SP appear to have dropped off the radar.

The theory of change was largely developed by the external consultant contracted to assist in this regard and is not very well done. Although a step in the right direction, the diagrammatic representation is not easy to understand and there is no clear narrative or assessment of the key underlying assumptions. Instead, the bulk of the narrative focuses only on risks and mitigation measures, while the elaboration provided at the end simply replicates text from the diagram without showing what the goal is, what changes are required to get there, and how these will be achieved. To illustrate the point, a suggestion for what the theory of change might have looked like is provided in Annex F. It is important to note though that the version in Annex F should **not** be regarded as final – it was not developed through a proper process and is simply intended as an example. Instead, the process to revise and develop the theory should be part of the next strategic planning process and should be completed before the SP is finalised so that the SP itself mirrors the theory of change.

There is thus a need to continue to improve the M&E system under the new SP to

³⁶ It is noted though that not all of the data from the baseline survey has been used to develop the RF. The following in particular are not included: capability of ZLSC in dealing with the rights of ‘special groups’; awareness of the importance of voting; community access to civic and voter education; source of civic and voter education; levels of women participation constitution making process; willingness of communities to report on human rights violation; knowledge of steps taken when a human rights violation occurs.

ensure that it includes multiple sources of data, that the data is better disaggregated and analysed for trends, and that data to determine outreach of existing and new media is sourced, regularly updated, and used to make informed choices about which media to use.

3.8 NETWORKS AND RELATIONSHIPS WITH OTHER STAKEHOLDERS

The ZLSC has been very effective when it comes to establishing and participating in networks with other CSOs, including one on violence against women that has successfully advocated for reform, while a new network on child rights is also in the process of being established. The Centre has also supported and encouraged the formation of a CSO made up of former ZLSC paralegals. All of these efforts were highly regarded by those consulted.

An area of particular strength for the ZLSC is its ability to build relationships with law enforcement agencies, members of the Executive, the House of Representatives, the Judiciary, and national human rights institutions. By providing training to a wide variety of stakeholders, raising awareness and gathering and providing input into constitutional, legislative and policy reform initiatives, and conducting human rights and voter education together with and on behalf of national institutions, the ZLSC has become a trusted partner³⁷. Yet at the same time, it has guarded its independence and continues to be able to advocate and lobby for reform, to expose violations and to assist those whose rights have been violated. This is no mean feat and few CSOs are able to achieve the delicate balancing act that ZLSC is able to manage. For that it deserves to be highly commended (in the opinion of the evaluation team).

³⁷ Confirmed by all of those consulted, including relevant Ministries, the Director of Public Prosecutions, a member of the House of Representatives, the Law Reform Commission, ZEC, and the Human Rights and Good Governance Commission (amongst others).

4 Efficiency

Questions from ToR (and added in the inception report) dealt with in this section
Is the budget and input of resources appropriate and justifiable to the results achieved?
Efficiency generally: Have there been any delays in the flow of funds from Sida? Why, what impact did it have on the ability to implement activities, and what was done to address this?
How effective have the solutions been and what lessons can be learned?

4.1 INTRODUCTION

‘Efficiency’ is a measure of whether the ‘outputs’ and results of the programme have been achieved in a cost-efficient way. It also measures whether activities were achieved on time and if not, what were the causes of the delays, what was done to address them, and what impact have the delays had on the ability of the ZLSC to achieve the results set out in the Strategic Plan.

4.2 FUNDING BASE

As illustrated in Annex G, most of the support to the ZLSC has been in the form of core support from Sida, Royal Norwegian Embassy (RNE) and, to a lesser extent, Finland through a basket fund³⁸. Basket funding is in line with Paris Declaration on Aid Effectiveness and the Accra Agenda for Action and not only reduces transaction costs for DPs and CSOs, it also increases predictability, efficiency, ownership and sustainability. In addition to core support, ZLSC has attracted numerous projects funded by others, including UNICEF, Open Society Initiative for Eastern Africa, LHRC, Violence Against Children (funded by UNICEF and the European Union), Ford Foundation, UN Women, Save the Children and Search for Common Ground. Although the grants in each case have been relatively small, most of these rely on the fact that salaries and other costs are mostly covered by core support, which is another advantage created by the provision of core funding by Sida and RNE in particular.

³⁸ Finland provided a total of Euro 100,000 in the period August 2014 to August 2016. The reasons why no further funds were released are not entirely clear. According to ZLSC, Finland stopped funding over the Centre’s decision to provide support to the re-run of the 2015 election. However, according to the Embassy of Finland, no decision was taken to stop funding. Instead, their system changed in 2016 (all applications for funding now need to be submitted via an online call for proposals process) but while this was explained to ZLSC in 2016 and again in 2017, ZLSC staff seemed unaware of the change. As a result, no application for funding was made in either 2016 or 2017. While not able to commit to providing any further funds to ZLSC from 2018 onwards, the Embassy did confirm that there was no reason ZLSC couldn’t apply for funds in future, provided they met the relevant criteria for the available grants.

Annex G also illustrates that the Centre is highly dependent on donor funding - other sources of funding are largely limited to sales of certain publications, contributions from the Board and others, and rental earned in Pemba where space at the office is occasionally rented to CSOs for meetings and workshops³⁹. This is often referred to as an ‘oxygen fund’ that is used to cover expenses when donor-funds are delayed, but has in turn created some concern (including from RNE). Such high levels of dependency on donor-funding are not uncommon and in some respects, may help to ensure that the Centre’s independence from government is protected. Nevertheless, a more diversified approach to resource mobilisation should be considered when developing a resource mobilisation strategy.

4.3 EXPENDITURE

The Centre has experienced some difficulties when it comes to expenditure (Table 2)⁴⁰.

Table 2: Expenditure compared to budget and actual income

Year	Spent as % of budget	Spent as % of actual income
2013	46%	40%
2014	69%	42%
2015	104%	61%
2016	79%	96%

Part of the reason for underspend compared to actual income that was advanced by the Centre was that unspent funds from each year are carried over into the following year⁴¹. When coupled with new funds from DPs, this significantly increases the amount of funds available, which ZLSC has struggled to absorb. The problem was most pronounced in the first year of the SP and has improved somewhat since then – partly as a result of a 205% over-expenditure in civic and voter education (Strategic Aim 5) during the election year of 2015 (as illustrated in Table 3 below) and partly, according to the ZLSC, as a result of the decision by the RNE to withhold funds for

³⁹ Income from ‘other sources’ amounted to TZS 45M in 2013 compared to actual income of TZS 2,3 Bn, TZS 58M in 2014 compared to actual income of TZS 3,1 Bn, and TZS 343M in 2015 compared to actual income of TZS 3,9 Bn.

⁴⁰ Since the cut of date for the evaluation is mid June 2017, it is too soon to draw any conclusions about expenditure during 2017.

⁴¹ In 2013, unspent funds from a number of projects were carried over from 2012. These included projects with Save the Children and the Foundation for Civil Society, as well as grants from the Sigrid Rausing Trust and Lawyers for Human Rights in South Africa. By the end of the year, TZS 156 million had not been spent and was carried over into 2014. At end 2014, TZS 1,8 billion was carried over into 2015; and at end 2015, TZS 1,6 billion was carried over into the following year.

4. EFFICIENCY

2016 on the basis that ZLSC still had significant levels of funding at the end of 2015⁴².

Table 3: Over/under-expenditure by area

Over/underspend by expenditure area	2013	2014	2015	2016	2017
Strategy Aim 1: Quality legal aid services	-45,8%	-39,8%	-3,4%	-20,6%	-77,8%
Strategy Aim 2: Engagement constitutional law	-39,2%	-64,6%	-1,4%	-50,0%	-76,9%
Strategy Aim 3: Research, publ. & doc.	-82,6%	-36,2%	8,4%	-20,1%	-63,9%
Strategy Aim 4: Human Rights	-68,6%	-55,2%	-1,2%	-26,4%	-88,6%
Strategy Aim 5: Civic and legal education	-86,2%	1,9%	205,5%	-24,1%	-95,2%
Strategy Aim 6: Development & sustainability	-76,2%	-43,1%	-3,6%	-5,9%	-84,8%
Overhead costs	-34,1%	-2,2%	-0,7%	-9,4%	-65,7%
Total Payments	-54,1%	-30,6%	4,8%	-20,9%	-76,2%

A further reason for the rate of under-expenditure advanced by the ZLSC Board and management were occasional delays in the release of funds from the RNE⁴³. For example, although the RNE joined the basket in 2013, negotiations took some time to finalise and funds were only released in November of that year. In 2017, the decision to provide funding was only taken in July 2017 when negotiations on a new grant agreement took longer to conclude than expected, with the Centre under the (mistaken) impression that they have until October to spend these in order to qualify for additional funds that RNE has available⁴⁴. Although an agreement was sought with Sida and RNE to conduct an assessment in December each year in the hope that funds

⁴² The RNE was only made aware of urgent funding-needs in 2016 when it was too late to be able to disburse in 2016. RNE has agreed to release funds for 2017 and has already released NOK 3M and covered the costs of the KPMG efficiency audit (NOK 300,000). An additional NOK 1,7M will be released to ZLSC before end 2017 if they can demonstrate the need and the ability to absorb the additional funds. It is noted too that there have been no delays in the release of Sida funds.

⁴³ RNE grant guidelines only permit disbursement of funding based on financial need according to approved budgets (when required reports are approved), and only allow the Embassy to disburse funds to NGOs for the financial needs of up to 6 months into the future. Sida funds are normally released immediately after receipt of the Auditor's Report and the Annual Narrative Report - usually in late February or early March.

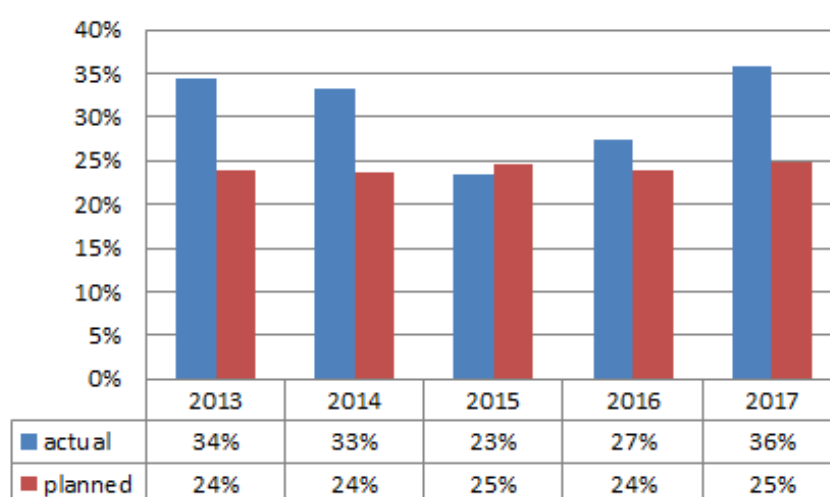
⁴⁴ The new grant agreement for the remainder of 2017 was signed early June, and the funds were disbursed a few days later. In line with RNE grant guidelines, the additional funds that are available can only be disbursed in October 2017. As pointed out by RNE, the impression that all funds already disbursed need to be spent before additional funds are released is erroneous – there is no requirement to spend all disbursed funding before the RNE can make the assessment as to whether to release additional funds.

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would be released in January, this is not possible since both rely on narrative and financial reports to be submitted before funds can be released. In addition, due to the closing of the Norwegian financial year on 10 December until 1 February the following year, RNE is unable to disburse funds during this period. Disbursement can only be made after the budget and workplans for the year has been approved. The annual reports (narrative and financial) are due to be submitted by March 15 to provide basis for the annual meeting in April, and disbursement in June/July. This reportedly makes it difficult for the Centre to plan and has meant that activities scheduled for earlier in the year have to be postponed. Then, when funds are released, ZLSC has found it difficult to spend these in the remaining time available. Although these are real issues, it is hard to understand why this has led to situations where they have had to delay activities in the beginning of some years, given that there has been underspending of funds in most years, and better planning by ZLSC (for example, using funds from the previous year to cover activities in the start of a year) might help to alleviate the problem. Consideration should be given to moving the annual review meeting with core funders in to early in November each year to to approve the work plan and budget in order to make the first disbursement in December (provided this is allowed by the relevant DP⁴⁵), which might also help to improve such planning.

The ratio of overhead costs⁴⁶ to costs for activities is below 30% when compared to the budget each year, but the fact that ZLSC has often underspent also means their actual overhead ratios are higher than planned as illustrated in the graph below. Part of the reason for this is can be attributed to the number of projects that the ZLSC has run, which in turn increases management expenses.

Graph 9: Overhead costs as percent of total costs



⁴⁵ This would be in line with RNE rules and requirements.

⁴⁶ Overhead costs include salaries, fuel, electricity, rental, stationary and all related expenses.

4.4 OTHER ISSUES

In addition to the issues mentioned above, some questions of efficiency and value for money have arisen over the following:

- A significant amount of work can only be done over weekends. Overtime is not dealt with in the contracts for staff and there is no overtime policy in place. Instead, staff are paid as consultants for work over the weekend, which raises questions as to cost effectiveness and value for money. Although this would need to be checked by ZLSC, it might be cheaper to simply pay overtime for hours worked. An additional option that could be explored would be to introduce a staggered workweek for staff so that staff still only work five days a week, but for some staff, that would include work on weekends (to be staggered on a rotational basis).
- The limited number of cases handled by paralegals raises questions of value for money. Although they may deal with more matters than are currently being recorded, significant funds are expended in training paralegals and efforts need to be intensified to increase the number of cases they deal with.
- Workshops are a tried and tested method for public awareness and education. However, they are relatively expensive when compared to the number of people reached, particularly since staff are paid extra to conduct them. Other methods are also used, including radio and television (which is where many people would prefer to receive such education according to the results of the follow up vey⁴⁷). But publications on key rights issues and on the ZLSC itself have the potential to offer value for money too. They last for a long time, can be shared and read by large numbers of people, and can be used in combination with other methods and approaches to enhance the work in particular areas such as training of teachers and law enforcement officials.

A note on the KPMG Efficiency Audit

The RNE recently commissioned KPMG, a firm of auditors, to conduct an 'efficiency audit' of the ZSLC to:

- Assess the reliability, relevance and practical practise of the systems for operational and financial management and control of ZLSC, and to assess to what extent these systems are adhered to and implemented at all levels of ZLSC.
- Assess if procurement guidelines, systems and practises are guaranteeing good international standards and best value aspects.
- Review ZLSC internal control systems.
- Assess the organisation's system for following up the identified weaknesses.
- Provide conclusions/analysis, recommendations to address the identified weaknesses.

The report was still being finalised at the time of completion of the current report.

⁴⁷ See the summary of the results in Annex D. For example, 64% of respondents would prefer to receive information on human rights from the radio and 36% would prefer television. (Question 8).

5 Outcomes and Impact

Questions from the inception report⁴⁸ dealt with in this section

To what extent have the outcomes/ impact suggested in the ZLSC Results Framework been achieved?

What examples of impact exist and how are these measured? What led to better impact in these areas and how can this be replicated and built on in the new Strategic Plan?

5.1 INTRODUCTION

The OECD/DAC defines impact as ‘the positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended. This involves the main impacts and effects resulting from the activity on the local social, economic, environmental and other development indicators’⁴⁹. To some extent, this definition conflates outcomes (short-term changes directly affecting those targeted by a programme – such as access to legal aid) with impact (longer-term changes that affect society as a whole – such as contribution to the development of a legal aid policy). Both of these are addressed in this section.

5.2 POSITIVE OUTCOMES

There is no doubt that the provision of legal aid and assistance to clients by paralegals and ZLSC has led to positive outcomes and, based on the numbers of clients assisted, has certainly led to increased levels of access to justice for women, children and the poor. Even though limited statistics are currently kept on how many cases have been successful⁵⁰, some data exists. For example, though there are no figures for success in the 2014 annual report, three ‘public interest’ cases are highlighted where the Centre achieved success through litigation. The 2016 annual report is an improvement in this regard and the first to real deal with ‘success’. It shows that, of the 170 clients represented in court in a variety of civil and criminal matters, 81 cases were completed successfully while the remaining 89 were ongoing.

The support provided to children in conflict with the law deserve special mention:

⁴⁸ The ToR did not specifically list any questions on impact.

⁴⁹ www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm

⁵⁰ For example, there are no figures for ‘success’ in the 2013 or 2015 annual reports.

5. OUTCOMES AND IMPACT

Legal aid for children in conflict with the law

In addition to focusing on violence against children (supported by Save the Children and including using paralegals to monitor levels of abuse and promote child rights), the Centre has achieved admirable success when it comes to children in conflict with the law⁵¹. In partnership with UNICEF, the ZLSC has been implementing a 'Legal Aid Programme for Children in Conflict with the Law'. The programme began as a pilot running from July 2015 to December 2016, funded by the EU (through UNICEF)⁵², and targeting the Urban West Region. Based on the requirement in the Children's Act of 2011 that children in conflict with the law must be provided with legal representation to prepare and present their case throughout the hearing – a service which the Zanzibar Government simply does not provide – the programme provided legal services at police stations, during Court proceedings and while in detention. The pilot phase included a Coordinator at the Unguja office, a ZLSC advocate, and two paralegals trained as 'child supporters' for each of the nine police stations originally targeted. Child supporters were specifically linked to the gender desks at police stations, established at least in part as a result of lobbying by the ZLSC and funded separately by the EU. Children were provided with the services of an advocate and a legal officer in court proceedings, while the legal officer was also required to conduct a mapping within the institutions for offenders (prisons) to determine whether children were in detention so that the team could follow up. The pilot achieved remarkable success, including providing assistance to 74 children in courts in the pilot area (100% of all such children compared to the target of 74%), 147 children at police stations, and 15 at institutions of offenders. Legal advice and awareness was also provided to children at the Tanzania Youth Icon rehabilitation centre established by an NGO.

Based on the success, it was agreed to extend the programme to all regions including Pemba once the pilot came to an end in December 2016. However, there was a slight delay in UNICEF receiving the funds from the EU that delayed the start until May 2017⁵³. The programme will now run to March 2018. In addition to the original Coordinator and advocate, the programme now has three additional advocates (two in Unguja and one in Pemba), two more legal officers (one on each island), and 42 additional child support officers drawn from current and previous paralegals (32 in Unguja and 10 in Pemba). The current phase is still in its early stages (training has been conducted and child offenders and others introduced to the police, courts and institutions of offenders) and so it is too soon to measure how effective it has been. But based on interviews, it has been extremely effective to date, is having significant impact, and should be included in the new SP and funded with core funding when UNICEF / European Union support comes to an end.

⁵¹ Although children in conflict are not mentioned specifically in the ToR, support in this regard is aligned with Strategic Aim One. It is also a good example of how the Centre has responded to 'emerging issues' through specific activities even though the SP has not been amended to reflect these.

⁵² The programme had a budget of TZS 94M. In addition to interviews conducted during the evaluation with the ZLSC staff responsible for the programme and representatives of UNICEF, some of the text in this section draws from the 'Formative Evaluation of the Legal Aid Programme' prepared for UNICEF Tanzania by Kirsten Anderson and Matilda Phillip.

⁵³ The delay in funding from the EU led to the only negative issue raised by the EU and UNICEF. When it became clear that the EU funds would be delayed, ZLSC agreed to cover the costs from its core support until the EU funds were released. However, this coincided with the decision by RNE not to provide funds to the Centre during 2016 and the negotiations with RNE for funds for 2017 were only concluded in July 2017. As a result, ZLSC were unable to fund transport costs of staff who were expected to visit institutions for offenders. Services were still provided to children in police stations and when appearing in Court, but this does illustrate again the difficulties that can be caused for an organisations that are heavily dependent on donor funds when these are delayed.

5. OUTCOMES AND IMPACT

Whether or not a case is won in court is not the only way of measuring success of course and the Centre conducts regular client satisfaction surveys to track whether clients are satisfied with the services provided⁵⁴. Based on the data from these captured in the updated results framework (RF):

- 58% of clients in 2015 were satisfied with the services provided compared to a target of 48%.
- 84% of clients in 2016 were satisfied compared to a target of 51%.

Similar levels of satisfaction were found with regard to indicators in the RF at the output level (which are actually outcome indicators, albeit linked to specific activities and outputs). According to the client satisfaction surveys conducted, over half of clients appear satisfied with ‘service stands’ provided by ZLSC (55% in 2015 and 58% in 2016); and levels of awareness and satisfaction with services of paralegals (combined into one indicator) are high and increasing (from 65% in 2015 to 85% in 2016). These levels of satisfaction were reflected to some extent in the follow up survey, with 5% of all respondents choosing the ZLSC as the organisation they would turn to if charged with a criminal offence, and 9% reporting that they would use the ZLSC for a civil matter. The principal reason for such choices was that respondents trusted the ZLSC with such matters⁵⁵.

Although few users of the ZLSC were found during the follow up to the baseline survey, those that had used the services were very satisfied with the service provided by both ZLSC staff and paralegals, as illustrated in Graphs 10 and 11 below, while all clients consulted during focus group discussions rated the services highly.

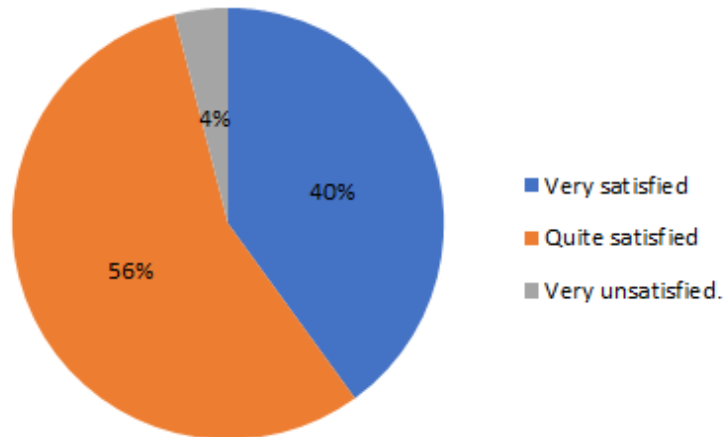
Training of paralegals has not only increased access to justice through the services of the paralegals themselves, but has also led to an increase in the number of CSOs providing legal assistance and *Vakils* - in fact, all of the 15 *Vakils* currently operating in Zanzibar are former ZLSC’s paralegals. However, the fact that paralegals leave the ZLSC at the end of their training, do not submit reports thereafter, and little is done to track what they have done since leaving make measuring the longer-term impact of the training difficult.

⁵⁴ Client satisfaction surveys are listed in the SP as Activities 1.1.3 and 1.1.9. To date, two have been conducted (2015 and 2016) on both Pemba and Unguja. The surveys are administered internally although conducted by consultants and cost around TZS 12 million to conduct.

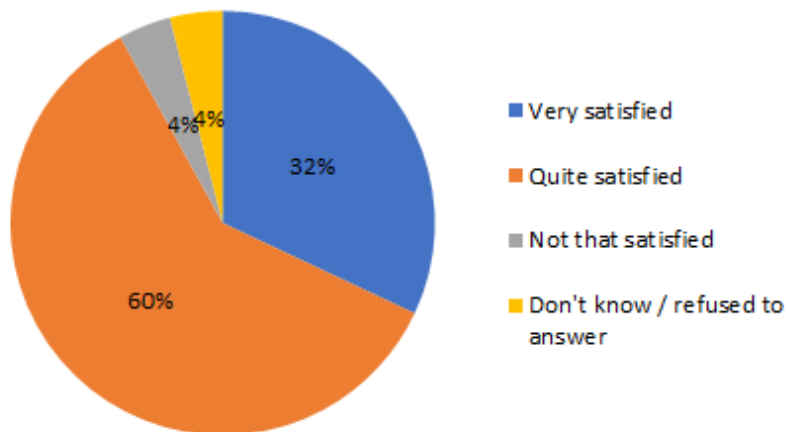
⁵⁵ See the results of the survey in Annex D – Questions 30-33.

Graphs 10 and 11 – Levels of satisfaction with services

Q43. How would you rate the service, you were provided?



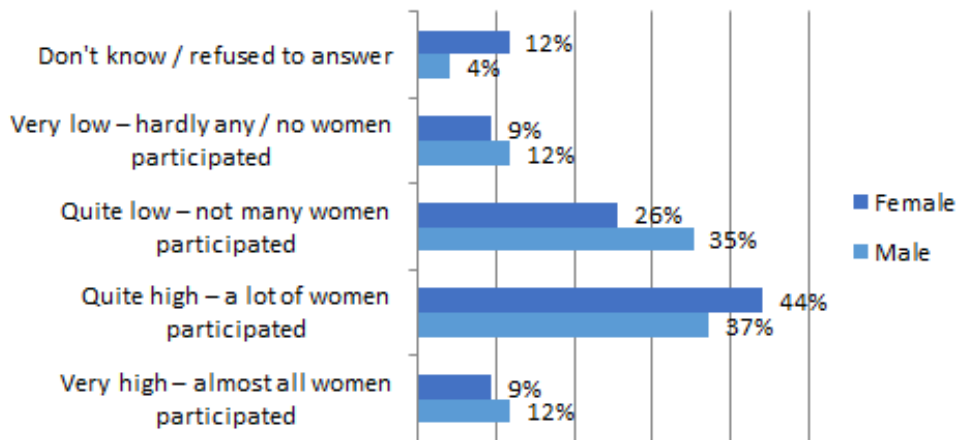
Q45. How would you rate the services provided by the paralegals?



Public education for various target groups on a range of issues was also regularly mentioned as having raised awareness of the constitution making process, the law, human rights, the rights of children and women's rights in particular. Levels of satisfaction with the participation of women in the constitution making process seem to have decreased a bit from the baseline survey – 51% of respondents in the follow up survey were satisfied (40%) or very satisfied (11%) with the participation of women compared to 59% who were very satisfied and 7% who were very satisfied during the baseline survey (Graph 12). These figures may reflect the fact that the process has stalled and not too much should be read into them.

5. OUTCOMES AND IMPACT

Graph 12: Perceived level of participation of women in the constitutional reform process (Survey Question 17)



Training of police officers in particular was cited as a contributing factor to low levels of violence by the police during the 2015 election and an increase in reporting of cases of violence against women and children to the police⁵⁶. According to the updated RF:

- The ZLSC has exceeded its targets when it comes to community participation in the constitution and law making processes, with 50% of those surveys satisfied with their participation in these processes in 2015 and 55% in 2016.
- Awareness of the rights of marginalised groups has increased, although well below the targets set. Nearly half (48%) were 'fully aware' of the rights of these groups in 2015 compared to the target of 82%, while 58% were fully aware in 2016 compared to the target of 85%.
- Civic and voter education campaigns through the media have not been as successful. According to the updated RF, 100,000 people were reached in 2015 (target: 200,000) and 150,000 in 2016 (target: 200,000). It is not clear how this is measured though, since ZLSC staff did not seem to be aware of how to obtain accurate statistics on the circulation of newspapers and the listenership and viewership of radio and TV stations respectively.

It was also reported that increased awareness and knowledge of women and child rights and the law related to violence against women and children have led to increased levels of reporting to both the police and the ZLSC. And although most of its focus has been on women and children rather than other vulnerable groups listed in

⁵⁶ Although anecdotal, the fact that more people are willing to report sexual violence to the police, and to ZLSCR, was made by many participants at focus group and round table discussions.

the SP – PWDs and PLWHA – the Zanzibar AIDS Commission did point to the work of ZLSC as contributing significantly to the reduction of stigma and discrimination against PLWHA in Zanzibar. Work to build the capacity of other CSOs (Output 4.3) also appears to have been successful, as reflected in the section on effectiveness above.

When it comes to organisational development, 90% of staff were satisfied with access to working facilities in 2015 (target: 85%) and the target of 95% satisfaction levels in 2016 was met.

5.3 EXAMPLES OF HIGHER LEVEL IMPACT

The only indicator related to impact in the SP, replicated in the RF, is level of satisfaction amongst citizens with the performance of the Judiciary. Since ZLSC does not actively support the Judiciary or seek to improve its performance, other than indirectly through training on human rights and support to clients making use of the Courts, this is a somewhat confusing indicator, largely outside of ZLSC's sphere of influence. Nonetheless, according to the updated RF, 40% of citizens were satisfied with the performance of the Judiciary in 2015 (compared to the target of 41%) and 48% were satisfied in 2016 (compared to the target of 47%). For the sake of completeness, a similar question was included in the follow up to the baseline survey, which found 53% were either very satisfied (11%) or satisfied (42%) with the performance of the Judiciary, which may indicate at least that some of the work the ZLSC has been doing in this area (training of magistrates and others) has been successful.

Despite the lack of impact level indicators, evidence of impact was found during the evaluation. For example, advocacy work and networking with government and the judiciary has led to institutional reforms of the judiciary and the civil and criminal justice systems. The Ministry of Justice and Constitutional Affairs aims to increase access to justice through the Zanzibar Legal Sector Reform Programme of 2014-2019, where the ZLSC is the only CSOs forming part of its panel of experts⁵⁷. The ZLSC was highly rated by the Ministry, who pointed to its successful advocacy and lobbying during the development of the legal aid policy, for the separation of children in conflict with the law from adults in places of detention, the creation of children's courts, and building the capacity of judicial and law enforcement officials. ZLSC has

⁵⁷ The strategy has five main objectives, (a) to improve criminal justice system that guarantees security and safety for the people of Zanzibar; (b) to improve the civil justice systems that makes civil litigation more efficient and accessible; (c) to enhance equal access to justice and legal services; (d) to strengthen child justice system that guarantees realization of rights and welfare for the children of Zanzibar; and (e) to improve the Zanzibar National Legal Framework to deliver justice efficiently and effectively.

also contributed to other legal reforms such as the new Evidence Act (and particularly the provision allowing a court to accept the evidence of a child without corroboration by an adult), the law of the child, and Kadhi's Courts law. With regard to the latter, the ZLSC proposed amendments to allow for the establishment of Kadhi's courts at regional level to increase access to such courts, and to provide a court of appeal. The Police also pointed to increased levels of efficiency as a result of ZLSC public education and services provided by paralegals, which *'are like a filter to us ... they filtrate clients' issues and leave only some of such issues for us to work on'*. And as a result of the effectiveness of ZLSC trained paralegals in prisons, the Prison Department has begun a process of mainstreaming legal aid and paralegal services within the entire prison system. It is noted though that complaints were raised during one focus group in Pemba particularly around the fact that a child in their community who had been raped was still being asked to bring an adult witness to Court. Although the complainant noted that, in their opinion, the Judge knew the provisions of the new Evidence Act, they chose to ignore them. This suggests that additional training and public awareness raising on this issue might be required.

The ZLSC's public engagement and participation activities during the process to prepare a new Constitution, where it was reported that some of the issues raised by the Centre found their way into the draft, might also have had some impact. Although it is hard to ascribe such inclusions to any one particular organisation (others may have made similar suggestions), the question is unfortunately academic now that the process has stalled.

These examples of impact at the higher level are all based around ZLSC's excellent relationships with government, the Judiciary, Parliament and national institutions that have been nurtured over many years and have led to high levels of trust in the ZLSC. Key research has been conducted that has also contributed significantly to the Centre's ability to lobby and advocate for change in many cases, but some research efforts have not been properly linked to advocacy and the results have thus not been maximised. These are valuable lessons for the new strategic plan, where the link between research and advocacy should be better made while continuing to build and maintain relationships with key decision-makers.

5.4 POSSIBLE NEGATIVE IMPACTS

Two possible examples of 'negative impact' were reported to the evaluation team:

- The fact that the ZLSC chose to continue to work around the re-run of the election in 2016 has led to perceptions and allegations of political bias - since the main opposition chose to boycott the election, those participating in it in any manner are perceived by some to be supporting the ruling party. The opposition party also pointed out as problematic the fact that the ZLSC did not issue a press release around the decision to annul the 2015 election or include it in their reports. Given how politically polarised the country is, this was reported to have led to some problems in accessing communities in Pemba, where the opposition party is

strongest. The ZLSC are mindful of this and have taken steps to address it – the most concrete being the decision to provide human rights awareness and training to both major political parties to dispel the notion that they favour one over the other. But, recognising that the ZLSC would have created similar problems for themselves in areas that support the ruling party if they had come out strongly against the rerun, there are nonetheless valuable lessons for the Centre to learn when it comes to how easily perceptions of bias can arise.

- According to some of those consulted, the fact that the ZLSC is increasingly focusing on children in conflict with the law has given rise to allegations that ZLSC protects ‘criminals’. This is a common problem faced by any organisation that chooses to focus on the rights of those in conflict with the law, including child rights and prisoner’s rights, and such allegations are both to be expected and hard to counter. The Centre is already addressing it by focusing on the rights of women and child victims of crime and violence, but increased awareness of the rights of children in conflict with the law and adults accused of crimes or in prison, and what the ZLSC is doing with regard to victims of crime, should be included in the new SP to try to show a more balanced picture.

6 Sustainability

Questions from ToR (and added in the inception report) dealt with in this section

To what extent does the Legal aid system need support from ZLSC for its effective implementation?

Are the involved parties willing and able to continue with the implementation of activities targeted under these stated strategic aims on their own?

To what extent have organisational development activities under Strategic Aim Six contributed to a more sustainable organisation?

To what extent have networks and relationships with other stakeholders contributed to enhanced sustainability?

6.1 INTRODUCTION

The sustainability of an NGO is in some respects a bit of a red herring – there are very few examples of NGOs anywhere in the world that have become independent of donor-funding and the fact that a not-for-profit organisation secures most (if not all) of its funding without reliance on funds from government helps to ensure their independence. Nonetheless, there are things an NGO can do to increase its own levels of sustainability that are dealt with in this section. But it is not only the organisation that needs to be assessed. Instead, this question is better answered from the perspective of ‘sustainability of action’ – that is, are there things that the NGO has done that will continue to bear fruit even if the organisation were to go out of business?

6.2 ORGANISATIONAL SUSTAINABILITY

The ZLSC has been in existence for 25 years, during which it has grown as an organisation and has attracted both core funding and project funds. These alone are indications that the Centre has developed a relatively high degree of sustainability. Core funding is hard to come by for many NGOs and the fact that DPs remain committed to supporting it this way generally increases predictability, certainty and sustainability. It also allows for greater impact of project funds since overhead costs are largely taken care of by core funding and more of the project funds can be used for activities. Nonetheless, a clear resource mobilisation strategy with specific staff and Board members tasked with raising funds from various sources, not just the traditional funding base, would help to increase certainty and sustainability and reduce the impact should funds from one or more DP be delayed. It would also help to avoid the situation that arose with Finland, where the fact that no one is specifically tasked with this crucial function no doubt contributed to the fact that the ZLSC was unaware that the funding rules and application procedures had changed.

The Centre has also established and maintained networks with CSOs in and outside of Zanzibar, which offers protection against government interference in a world where

the space for civil society is shrinking so dramatically. It has also built relationships with government, the judiciary, law enforcement agencies, the legislature, and the main national institutions and commissions. ZLSC has thus become a trusted partner for government (in all its forms) and the chances of interference are thus greatly reduced.

There is also evidence that activities under Strategic Aim Six have contributed to a better-equipped organisation with better and more developed human resource management tools and approaches. However, the fact that staff are all employed on a one-year, renewable contract basis has the potential to impact on the long-term sustainability of the Centre. The rationale for keeping staff on such contracts is three-fold. Firstly, since the ZLSC is heavily dependent on donor funds, the Board prefer not to put staff on permanent contracts since it can never be certain what funds it will have each year - even core-funding is not guaranteed and is not always released every year. Secondly, since decisions by donors to support an NGO is generally based on the performance of the organisation, staff are responsible for ensuring that the Centre as a whole performs sufficiently well enough to secure funding, which increases performance and encourages a sense of ownership. And thirdly, the practice allows for employment to be terminated for poor performance or where there are insufficient funds without having to comply with the labour law regarding dismissals and retrenchment⁵⁸.

All of these arguments have merit. But staff repeatedly alluded to the low level of job security as a major issue and, although staff turnover levels are low, it was cited as one of the reasons why staff leave when offered more secure positions in government, law firms or elsewhere. Of course it is not the only factor and it is not uncommon for young professionals to start their careers in an NGO before moving on to better paid employment or into private practice. But it does make it difficult to invest in staff development, which would help to keep staff interested in remaining on board. For example, investments in things like Masters Degrees, PhDs, or expensive training programmes can easily be lost if a person is simply able to leave the Centre within a year after completing the degree or programme. And although it may be in line with the country's current labour law, it is questionable as to whether it would comply with more internationally recognised levels of fairness.

⁵⁸ A further consequence of this approach is that the staff appraisals required by Activity 6.1.6 are not carried out in the ordinary way and are thus not linked to salary increases, although staff are appraised and their salaries renegotiated as part of the process of determining whether to renew their contracts.

6.3 SUSTAINABILITY OF ACTION

The ZLSC has achieved a high degree of sustainability of action and the benefits of many of its activities will continue even if funds were no longer available. For example, advocacy has led to law and policy reform and development that will remain in place for many years to come. Public education on a range of legal, human rights and other issues has led to more people knowing their rights and how to claim and protect them, and paralegals have gone on to establish their own organisations, to become *Vakils* and to continue to provide services independently of the Centre. Training provided to law enforcement officials, judicial and prisons staff, CSOs and others will continue to influence their actions and, hopefully, reduce incidents of human rights violations even if funding were to cease.

More importantly perhaps, there is no formal legal aid system in Zanzibar, and although a new policy has been developed (as yet unseen by the evaluation team), it reportedly does not provide for state-sponsored legal aid but instead seeks mainly to coordinate legal aid and assistance provided by CSOs. Sustainability of action when it comes to legal aid, and paralegals in particular, could be enhanced by increasing their outreach and the number of cases they deal with, and by better supporting those that have completed their training. But as the leading CSO providing such aid and assistance, no one can allow it to fail or remain unfunded.

7 Conclusions and recommendations

7.1 CONCLUSIONS

The ZLSC has generally performed well during the period under review and there are no reasons to suggest that core funding should not be continued and even increased. The SP was based on prevailing conditions at the time it was created, reflects the most important human rights issues (at least those facing an organisation focused on legal aid and the rights of vulnerable groups), included events on the horizon such as the election and ongoing constitutional reform process, and built on strengths and experience gained over many years. Although access to socio-economic rights and services are clearly important to Zanzibari as reflected in the results of the survey, other than land disputes, these are not ordinarily the type of issue a legal aid and services organisation would deal with. And while the SP has never been reviewed and updated to reflect changes in the political economy and new and intensifying human rights issues, the Centre has generally responded well to these in workplanning by reducing certain activities, deprioritising others, and increasing activities in areas where rights are increasingly under threat – such as violations of child rights and violence against women.

The Centre has made very good progress with activities and can generally be judged to have been effective, particularly when it comes to the provision of legal aid and services, advocacy, and public education and awareness on various issues. There are some areas though where effectiveness could be improved, particularly when it comes to linking research to the core business of the Centre, increasing the number of cases dealt with by paralegals, rethinking paralegal training, increasing the numbers of female paralegals given the high numbers of complaints from women and children, building the capacity of staff to conduct workshops through the production of workshop guides and training on workshop methods, and continuing to improve the M&E system. In fact, the Centre would do well during the next strategic planning process to reflect on what its core business is (legal aid and assistance by both staff and paralegals, advocacy around issues of direct relevance to its clients, and public education and awareness), and which activities, such as research and publications, should be regarded as cross-cutting rather than central to its work. In the area of public education, a comprehensive communication strategy including various methods depending on the information to be conveyed and the target audience, would help to guide the Centre in deciding what publications and other materials to produce, which radio and television stations to use and the type of programmes to prioritise, and what new media could be employed based on access to cellphones, the internet and so on. While this will not only increase knowledge and understanding amongst the population, it will also serve to raise awareness of the ZLSC and the services it offers. At the same time, care needs to be taken not to raise awareness too much lest staff are over-

whelmed by complaints. It is a delicate balancing act, but one the Centre should not shy away from.

The ZLSC has made good use of donor funding and has generally been efficient. Overheads could be reduced through innovative means such as staggering the work week to avoid having to pay overtime or consultancy fees to staff for weekend work, but the real challenge at this stage from a value for money perspective is the possibly low numbers of cases dealt with by paralegals given the financial and human resource investments in these. And there are challenges related to uptake of funds that affect both efficiency and sustainability that need to be addressed through clearer timetables for the release of funds and better planning. The Centre would also do well to produce a more diverse resource mobilisation strategy to include both traditional and new sources of funding and revenue to enhance sustainability even though it currently attracts numerous donors through both core and project funding. Organisational sustainability could also be improved by considering longer contracts to address the insecurity felt by staff and to allow for more funding to be provided to the capacity building of staff without the fear that investments in this area may be lost if staff are able to leave at the end of their one-year contract. At the same time, many of the activities have led to fairly high levels of sustainability of action, where the benefits will continue to be felt even if the Centre were to cease operations.

With that in mind, the following recommendations are made:

7.2 RECOMMENDATIONS

7.2.1 Overarching recommendations for consideration in the new strategic plan

1. A more strategic approach should be followed, with the work and organisational structure of the ZLSC focused around core business (legal aid and assistance; public education; advocacy).
2. Efforts need to be made to increase the effectiveness and value for money of paralegals. This could be achieved by:
 - a. Better identification of what paralegals need to know and be able to do, based on a learning needs analysis, and what knowledge and skills are needed to do it (for example, training on Sharia law to allow them to act as *Vakils* in Kadhis Courts, in mediating civil disputes and minor criminal matters, public education and running clinics).
 - b. Revising the curriculum and training materials based on the results of the learning needs analysis to simplify them and to include both knowledge and skills needed during and after their two-year training period (for example, mediation, dealing with traumatised victims, taking statements, setting up an organisation and fundraising).

- c. Considering a ‘two phase’ approach, with core knowledge and skills covered in year one (the ‘need to know’); additional learning / knowledge in year two (the ‘nice to know’ and knowledge and skills for a future career).
 - d. Finding ways to increase the number of women paralegals, which would make it easier for women (and children) to report sensitive issues.
3. A public education / communication strategy should be developed to guide the work in this area including more plain language publications, increased use of social media and community radio, more talk shows and documentaries for radio and television, the development of standard workshop guides and materials, and building the capacity of staff to conduct workshops using participatory adult education methodologies.
4. A research strategy should be developed, linked to the Centre’s core functions, that builds on research already conducted (such as the annual human rights report and client satisfaction surveys) as well as key additional research that might be required in the coming five years.
5. Recognising that a consultant has been engaged to improve the annual human rights report, future versions of the report should avoid repeating information from previous years (unless it is relevant - for example, to show trends), should include more analysis, and should generally be shorter and more focused. A Kiswahili version should be produced each year (either a full version or edited highlights) and the findings should be more clearly incorporated into public education, training for paralegals, advocacy and events (such as Human Rights Day).
6. The new strategic plan should be based on a revised theory of change, the results of the current report and follow up survey, and should include better outcome level indicators to allow for outcomes and impact to be measured. Indicators should be disaggregated by gender, age, PWDs and PLWHA as far as is reasonably practicable or relevant.
7. A careful consideration of the new legal aid policy should be included in the strategic planning process to identify the implications for the ZLSC and how to maximise new opportunities that will arise.
8. Efforts to improve the M&E system should continue and be included in the SP, with a specific focus on capturing data on the number of cases successfully dealt with through mediation, legal advice and assistance, as well as litigation, and to better track what previously trained paralegals do after leaving the organisation.
9. More support to paralegals that have completed their training should be considered to increase sustainability of action. This could include developing an alumni roster, setting up a Whatsapp group of previous (and current) paralegals to share information on new laws, upcoming events and other useful information, conferences with current and previous paralegals to share experiences and learning, and assisting previous paralegals to secure recognition as *Vakils* and to raise resources for new NGOs.

10. The viability of establishing a hotline for clients to call for advice and assistance or to link them with a paralegal should be explored to save clients travelling long distances to meet with someone at the ZLSC offices when advice could be more readily provided over the phone or by a paralegal in their area.
11. Consideration should be given to requesting the Chief Justice to recognise the ZLSC as an organisation where pupillage can be served as a way of building capacity at no extra cost.

Specific recommendations for the remaining period of the current SP

In the limited time remaining, the following recommendations are made for immediate attention (that can be carried over into the new SP period if required):

1. The Board and management should urgently review the SP to determine what activities might have fallen through the cracks that can still be implemented prior to the end of 2017.
2. The legal aid guideline should be prioritised and completed as a matter of urgency.
3. A resource-mobilisation strategy should be developed including both traditional and other sources of funding, and with clear responsibilities assigned for fundraising and resource mobilisation.
4. Using available funds, a summarised version of the human rights report should be produced, translated into Kiswahili, published and disseminated, including on the website.
5. An analysis should be undertaken to establish the costs of paying staff overtime versus paying them as consultants for weekend work.
6. The Yearbook of Law should be better focused on legal developments, changes to laws, and areas requiring attention in Zanzibar in particular and less on comparative international law.

Recommendation for Sida

Given the need for legal aid to be provided by NGOs under the new Legal Aid Policy, Sida should continue to provide core support to the ZLSC and should actively encourage other Development Partners to contribute to the basket fund.

Annex A – Terms of Reference

Background Information

Zanzibar Legal Services Centre (ZLSC) is a non-governmental, independent and non-profit making organization established in 1992 to promote access to justice and advocacy for the respect and observance of human rights, popularization of the knowledge of law and production of publications in all areas of legal concern to the people of Zanzibar. The Centre was formerly registered as a Trust under the Land (Perpetual Successions) Decree of Zanzibar in May, 1992, but later it acquired a Certificate of Compliance under the Societies Act, 1995 (Act No. 6 of 1995).

ZLSC is currently implementing a five-year Strategic Plan for the period 2013-2017. The formulation of this strategy was informed by global, regional and national policy and legal frameworks. The strategy has also been informed by ZLSC's organisational evaluation findings in 2012 as well as programming and management experience of ZLSC in promoting access to justice among the poor, marginalised and vulnerable in Zanzibar. ZLSC's overall desired impact is rights and access to justice for all. Over the five-year period, ZLSC has sought to work towards the following strategic aims:

- Strategic Objective One: Quality and timely legal aid services to the indigent provided.
- Strategic Aim Two: Public engagement in constitution and law making processes enhanced.
- Strategic Objective Three: Comprehensive research, publication and documentation undertaken.
- Strategic Objective Four: Human rights of marginalized groups promoted and protected enhanced.
- Strategic Objective Five: Demand driven civic and legal education of the general public enhanced.
- Strategic Objective Six: Organizational Development and sustainability strengthened.

The main beneficiaries of ZLSC's work and efforts included vulnerable groups such as the poor, women, children, the elderly and people with disability, People Living with HIV/AIDs and other marginalized groups. The Board of Trustees provides overall organizational oversight role for quality programme delivery and accountability. The Executive Director is responsible for overall coordination and management of the organization and its programme.

Sweden and Norway have provided core support during the implementation period and a mid-term review was commissioned by Norway in 2015 and conducted by Chr. Michelsen Institute of Bergen, Norway.

Description of the Assignment

The main purpose of this evaluation is to assess ZLSC's implementation of the five years strategic plan in line with the OECD/DAC evaluation criteria for relevance, effectiveness, efficiency, impact and sustainability. The evaluation should take into account the political and social context in which the strategic plan has been implemented. Furthermore, the evaluation also intends to identify, articulate and analyse the possible change of the Zanzibar people

and communities regarding their awareness and access to legal aid and education, as a follow-up of the baseline survey conducted in 2014, due to the work of ZLSC as guided by its strategic plan 2013-2017.

Objective

Overall Objective:

To evaluate the ZLSC Strategic plan and the results framework 2013-2017 according to OECD/DAC evaluation criteria, identifying key results and lessons learned which can inform the formulation of the new strategic plan and help develop the organisation and management of ZLSC.

To conduct a comprehensive and objective end-term evaluation in order to validate results reported. The evaluation will inform the development of a new Strategic Plan to be finalised by the third quarter of 2017.

Specific Objectives

1. To assess progress towards stated programme objectives, results and impact;
2. To assess effectiveness, efficiency, sustainability and relevance of the intervention;
3. To identify gaps, challenges and opportunities in the implementation of the ZLSC strategic plan;
4. To make recommendations on the way forward for the ZLSC programme, organisation and management.

Evaluation Questions Could Be, But Not Restricted to, the Below:

Effectiveness

- To what extent have the strategic objectives (Quality and timely legal aid services to the indigent provided, Public engagement in constitution and law making processes enhanced, Comprehensive research, publication and documentation undertaken) have been reached?
- Are the activities being implemented adequate to realize the objectives?

Efficiency

- Is the budget and input of resources appropriate and justifiable to the results achieved?

Relevance

- Are the strategic objectives relevant with locally defined needs and priorities?
- Should the direction of the strategic objective be changed to better reflect those needs and priorities?

Sustainability

- To what extent does the Legal aid systems need support from ZLSC to its effective implementation?
- Are the involved parties willing and able to continue with the implementation of activities targeted under these stated strategic aims on their own?
- *Program Design*
- How have the M&E mechanisms, results frame work and the baseline survey informed the implementation and results reporting of the strategic plan?
- In what way can the strategic plan and work plans be improved to better meet ZLSC strategic objectives?
- In what ways can the implementing activities ensure that community participation

and human rights promotion and protection being improved?

Evaluation Methods and Scope of Work

The evaluator is expected to undertake the evaluation based on data sampling, verification and triangulation, interviews with key stakeholders and analysis. The evaluator will undertake a follow-up of the baseline survey which was conducted in 2014 and analyse the results. The evaluation will apply a participatory methodology which will involve stakeholders including but not limited to: the criminal justice institutions, legal aid service providers, targeted groups, recipients/beneficiaries of the ZLSC intervention and community members. Both qualitative and quantitative methods will be used and the baseline follow-up needs to be designed in a way that allows for comparison. Existing programme documents and progress reports, including the baseline survey, will be shared with the evaluator to facilitate completion of the tasks. The undertaking will include a validation workshop where results are presented to stakeholders.

Qualifications

The recommended number of consultants for the assignment is two or three.

Lead Consultant

The Lead Consultant should have the following qualifications:

- Bachelors' degree in Law and a Masters degree in a relevant field;
- Minimum of five years of professional work experience in areas pertaining to access to justice and legal aid service provision;
- Current expert knowledge of access to justice at an international level;
- Excellent research and analytical skills, in both qualitative and quantitative methodologies;
- Excellent writing skills in English; and
- Previous experience of similar assignments is an added advantage.

Team Composition

The Lead Consultant will be expected to work with another consultant. The team may be assisted by a support team. The team should have knowledge, expertise and experience in:

- Current local environment; efforts and background to enhance access to justice and human rights in Zanzibar and Tanzania Mainland;
- Fluency in Kiswahili;
- Legal aid;
- Law;
- Monitoring and Evaluation; and
- Justice and governance sector reforms.

Time-table and Deliverables

The full assignment is suggested to take place between June and September 2017 and is suggested to take approximately 20-30 days per consultant. This includes submitting a draft report, incorporating comments and submitting a final report.

The deadline for submitting the Draft Appraisal Report (validated with ZLSC and other relevant partners) is 15th August, 2017. The final report will be submitted at the latest one week after the Embassy of Sweden has submitted its comments. Please observe that the dates might change slightly if external circumstances dictate. The Swedish Embassy will inform on changed conditions immediately.

Accountability and Reporting

The Consultant shall submit a technical and financial proposal which will be assessed before the assignment is awarded.

The consultant shall be responsible for the overall implementation and quality of the whole assignment. Contractual issues are a matter between the Consultant and the Swedish Embassy, who is the funding body and contractual partner.

Reference Documents

- ZLSC Strategic Plan 2013 - 2017
- Progress Reports and work plans for the years 2013, 2014, 2015 and 2016.
- ZLSC M&E Framework
- Baseline study from 2014
- Mid-Term Review, 2015
- Constitution of ZLSC, 1992

Annex B - Documents Reviewed

- Constitution of the Zanzibar Legal Services Centre of 1992 (as amended 2009).
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tract of 2015.

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- Zanzibar Legal Services Centre & Legal and Human Rights Centre ‘Tanzania Human Rights Report of 2016.’
- Zanzibar Legal Services Centre ‘Zanzibar Human Rights Report of 2015.’

Annex C – People Consulted

S/N	Name of Respondent	Sex	Organization/ Community	Job Title	Contact Details/ Place
Central Government, Judiciary, Legislature, and Public Institutions					
1	Simba Kubingwa Masha-ka	M	Ministry of Justice and Constitutional Affairs	Deputy Principle Secretary	Ministry's Head Office, Unguja.
2	Hon. Omar O. Makungu	M	High Court of Zanzibar	Chief Justice	0777412049, Unguja
3	Mussa Kombo Bakari	M	House of Representatives	Chief Legal Counsel and Head of Dept. Of House Business	0777412669, Unguja
4	I. M. Ibrahim	M	Office of DPP	DPP	0777260462, Unguja
5	Nuru	F	Zanzibar AIDS Commission	Head of Advocacy	Unguja
6	SACP Nassir	M	Police	Regional Police Commander	0715009939/ 0777425353
7	WP Fatia	F	Police	Officer PGCD	0776741088
8	Insp. Kassim	M	Police	Officer PGCD	0778455508
9	SSP Seif Maabad Makungu	M	Prison	Head of Law and Correction Department	0773046393
10	Khamis Issa Khamis	M	Zanzibar Electoral Commission	Legal Advisor	+255-242231489
11	Juma Mleli	M	CHRG	Senior Enquiry Officer	Unguja
12	Khamis Mwitahaji	M	Zanzibar Law Review Commission	Researcher	Unguja
13	Mohammed Ali Ahmed	M	Zanzibar Law Review Commission	Researcher	Unguja
14	Ali Juma Ali	M	Zanzibar Law Review Commission	Legal Researcher	Unguja
Development Partners & Auditing Firm					
15	Victor Mlunde	M	Royal Norwegian Embassy	Programme Officer, Governance and Political Affairs	+255 782 777 013, Dar es Salaam
16	Anette Widholm Bome	F	SIDA	Governance & Human Rights	+255 (0) 754 570 457
17	Clara Ruhara	F	Finland Embassy	Programme Officer	clara.ruhara@formin.fi
18	Vania Bonalberti	F	European Union	Programme Manager, Economics & Governance Section	Dar es Salaam Vania.BONALBERTI@eeas.europa.eu
19	Ahmed Rashid	M	UNICEF	Child Protection	ahrli@unicef.org
20	Shane Keenan	M	UNICEF	Child Protection Specialist	+255 778 385 676
21	Ramadhan Rashid	M	Save the Children	Program Officer	Unguja
22	Andrew Mbugua	M	KMPG	Senior Adviser	Dar es Salaam
23	Tumaini Abayo	M	KPMG	Manager	Dar es Salaam
ZLSC's Pemba and Unguja Staff					
24	Fatma Khamis Hemed	F	ZLSC (Branch Office)	Office Coordinator	0773094712, Pemba
25	Safia Saleh Sultan	F	ZLSC (Branch Office)	Program Officer	0777859763, Pemba
26	Said Rashid Hassan	M	ZLSC (Branch Office)	Support Staff/ Driver	0777468868, Pemba
27	Mohamed Hassan Ali	M	ZLSC (Branch Office)	Program Officer	0779665071, Pemba
28	Khalfan A. Mohamed	M	ZLSC (Branch Office)	Program Officer	0778010203, Pemba
29	Siti H. Mohamed	F	ZLSC (Branch Office)	Program Officer	0777679797, Pemba

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30	Sahima S. Muslim	F	ZLSC (Branch Office)	Advocate	0774537121, Pemba
31	Jamila Masood	F	ZLSC (HQ)	Program Officer	Unguja
32	Saida Amur Abdallah	F	ZLSC (HQ)	Executive Director	Unguja
33	Sikudhani M. Makame	F	ZLSC (HQ)	Librarian	Unguja
34	Thabit Abdula Juma	M	ZLSC (HQ)	Program Officer	Uguja
35	Mohammed Katib Mo-hammed	M	ZLSC (HQ)	M&E Officer	Unguja
36	Haji Haji Hassan	M	ZLSC (HQ)	Program Officer	Unguja
37	Moza K. Nzole	F	ZLSC (HQ)	Paralegal Coordinator	Unguja
38	Mariam Majiba	F	ZLSC (HQ)	Program Officer	Unguja
39	Mohamed Rashid Ngope	M	ZLSC (HQ)	IT	Unguja
40	Omar Hamad	M	ZLSC (HQ)	Accountant	Unguja
41	Nassor Mbarak	M	ZLSC (HQ)	Head of Finance	Unguja
ZLSC's Board of Trustees					
44	Prof. Chris Maina Peter	M	ZLSC Board	Board Member	Unguja
45	Josefrida Perera	F	ZLSC Board	Board Member	Unguja
46	Salma Sadaat	F	ZLSC Board	Board Member	Unguja
47	Saida Amur Abdallah	F	ZLSC Board	Ex-Officio	Unguja
48	Daudi Kondo	M	ZLSC Board	Board Member	Unguja
Civil Society Organizations and Research Institution(s)					
49	Mohamed Yusuf	M	ZIRPP	Managing Director	0777707820
50	Mohamed Najim	M	PACSO	Secretary	Chakechake, Pemba
51	Omar A. Omar	M	PACSO	Chairperson	Chakechake, Pemba
52	Dr. Hellen Kijo-Bisimba	F	LHRC	Executive Director	LHRC Office, Dar es Salaam
53	Ali Abdi Hashim	M	ZAPAO	Member/ Paralegal	0777470701, Unguja
54	Hawra M. Shamte	F	TAMWA	Officer	0773849694, Unguja
55	Shadida O. Ali	F	ZAFAYCO	Officer	0779654493, Unguja
56	Dadi Kombo Maalim	M	ZYF	Director	0773251956, Unguja
57	Donald G. Navetta	M	UWZ	Program Coordinator	0715478737, Unguja
58	Tatu Mvita Khamis	F	ZAWOPA	Member/ Paralegal	0777871952, Unguja
Civil Society Organizations' Networks and Trade Unions					
59	Yunus M. Yunus	M	Trade Union – Hotel, Restaurants & Allied Union.	Officer	Unguja
60	Musa Kombo	M	ZCRF	Director	Unguja
61	Shaban A. Abdallah	M	ZNC	Officer	Unguja
62	Jecha V. Jecha	M	ANGOZA	Program Officer	Unguja
63	Mgeni Maulid	F	ZAPHA+	Program Officer	Unguja
64	Jina H. Silima	M	ZUPHE	Officer	Unguja
Media					
65	Suleiman Abdulla Salimu	M	ZBC - TV	Journalist	Unguja
66	Rahim Y. Mohamed	F	ZBC - Radio	Journalist	Unguja
67	Mwinyimvua Abdi Nzuku	M	ZPC	Journalist	Unguja
Local Government Leaders (Shehiya = Village, Sheha = Village Leader)					
68	Khatib S. Khatib	M	Ward Leader	Councillor	Chonga, Pemba
69	Faira H. Khatib	F	Ward Leader	Councillor	Mtambile, Pemba
70	Makame J. Ame	M	Ward Leader	Councillor	Chokocho, Pemba
71	Rose J. Mihambo	F	Ward Leader	Councillor	Wete, Pemba
72	Mwadini A. Haji	M	Shehiya (Village) Leader	Sheha	Tibilizi, Pemba
73	Mafunda H. Rubea	F	Shehiya Leader	Sheha	Madungu, Pemba
74	Abdallah O. Mjawili	M	Shehiya Leader	Sheha	Uweleni, Pemba
75	Nassoro J. Kombo	M	Shehiya Leader	Sheha	Mbuyuni, Pemba
76	Mrisho J. Mbwana	M	Shehiya Leader	Sheha	Mtemani, Pemba
77	Salimia s. Rashid	F	Shehiya Leader	Sheha	Bopwe, Pemba
78	Dawa J. Mshindo	M	Shehiya Leader	Sheha	Micheweni, Pemba
79	Ibrahim Ali Ibrahim	M	Shehiya Leader	Sheha	Kikwajuni, Unguja
80	Sadala Tawakala Khaila	M	Shehiya Leader	Sheha	Bububu, Unguja
81	Issa Wisa Issa	M	Shehiya Leader	Sheha	Kiponda, Unguja
82	Karume Ali Mohamed	M	Shehiya Leader	Sheha	Chunga, Unguja

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83	Khalid Ali Kombo	M	Shehiya Leader	Sheha	Kilimani, Unguja
84	Haji A. Shaame	M	Shehiya Leader	Sheha	Mtoni, Unguja
85	Omar S. Juma	M	Shehiya Leader	Sheha	Rahaleo, Unguja
Main Political Parties					
86	Pavu Abdallah	F	Political Party, CUF	Deputy Director, Human Rights Department.	0773110534, Unguja
87	Mohamed Abdallah	M	Political Party, CUF	Human Rights Officer	0777414449, Unguja
Paralegals					
88	Ali K. Hassan	M	Community Paralegals	Paralegal	Micheweni, Pemba
89	Sitti F. Ali	F	Community Paralegals	Paralegal	Wete, Pemba
90	Mashavu J. Mbarouk	F	Community Paralegals	Paralegal	Chake, Pemba
91	Salim A. Salim	M	Community Paralegals	Paralegal	Mgogoni, Pemba
92	Shaban J. Kassim	M	Community Paralegals	Paralegal	Mkoani, Pemba
93	Suleiman H. Saidi	M	Community Paralegals	Paralegal	Tumbe, Pemba
94	Omar R. Bakari	M	Community Paralegals	Paralegal	Chonga, Pemba
95	Nassor Haji	M	Community Paralegals	Paralegal	Mkoani, Pemba
96	Mbaraka H. Ali	M	Community Paralegals	Paralegal	Gando, Pemba
97	Thabit A. Abdullahman	M	Community Paralegals	Paralegal	0773173456, Rahaleo, Unguja
98	Juma Haji Ali	M	Community Paralegals	Paralegal	0776868927, Bububu, Unguja
99	Yunus Juma Ali	M	Community Paralegals	Paralegal	0777123894, Malindi, Unguja
100	Awena Suleiman Waziri	F	Community Paralegals	Paralegal	0773316631, Dimani, Unguja
101	Salum Ali Saadun	M	Community Paralegals	Paralegal	0777457550, Chaani, Unguja
102	Salum Mkubwa Abdullah	M	Community Paralegals	Paralegal	0777429430, Mtoni, Unguja
103	Mohamed Jabir Makame	M	Community Paralegals	Paralegal	0776108455, Magomeni, Unguja
104	Yahya Khatib Haji	M	Community Paralegals	Paralegal	0713324188, Malindi, Unguja
ZLSC's Legal Aid Services Clients					
105	Sarehe Amir	M	Community Member	ZLSC's Client	Makomani, Pemba
106	Salim Gaje	M	Community Member	ZLSC's Client	Msingini, Pemba
107	Mohamed J. Salim	M	Community Member	ZLSC's Client	Matale, Pemba
108	Mwajuma A. Zuberi	F	Community Member	ZLSC's Client	Vitongoji, Pemba
109	Seif R. Abdallah	M	Community Member	ZLSC's Client	Gombani, Pemba
110	Shindano Fatma	F	Community Member	ZLSC's Client	Daraja-Bovu, Unguja
111	Anchila William	F	Community Member	ZLSC's Client	Bububu, Unguja
112	Mwajuma Abdallah	F	Community Member	ZLSC's Client	Unguja
113	Ali S. Ali	M	Community Member	ZLSC's Client	Kwelekwwe, Unguja

Annex D – Results of follow up survey

METHODOLOGY

The design of the survey took place as part of the inception report, during which a draft questionnaire and guiding questions for focus group discussions were shared with the ZLSC and Sida for comments. The questionnaire aimed to incorporate as many questions from the original baseline study (conducted in 2014) as possible so as to allow for comparisons to be made and impact to be measured; and new questions to determine baselines that might prove useful in the preparation of the new ZLSC strategic plan.

Sampling

The survey was conducted in both Unguja and Pemba with a random selection of 507 participants. By using the ‘probability proportional to size’ (PPS) approach, each selected sampling point was allocated 10 interviews. Respondents in the sampling frame will be stratified for both urban and rural areas. Generally, the survey targeted Zanzibaris of 18 years or older, men and women living in Pemba and Unguja, and those in both urban and rural areas. It excluded visitors, refugees and none household members. To ascertain this, the interviewers listed all of those in the household by asking specific questions to confirm whether they would be considered as household members before entering them in a Kish Grid⁵⁹, which is the instrument used to select the respondent in the household. From each sampling point a maximum of 10 interviews were conducted.

Household Identification: Once at the sampling point, interviewers identified a landmark (for example, a school, church, mosque, police post or shop) closest to the households to be selected. From the landmark the interviewers used the date score (by summing up the date in case the date has two digits). This determined the first household to be sampled⁶⁰. The interviewers then used the left-hand rule in the household identification process.

⁵⁹ The Kish grid or Kish selection grid is a method for selecting members within a household to be interviewed. It uses a pre-assigned table of random numbers to find the person to be interviewed and is the standard technique used in survey-based research.

⁶⁰ For instance, on the 10th all the interviews begun at the 1st household from the landmark (i.e. 10; 1+0=1), while on the 13th, the interviewers will sum up 1+3=4 then begin on the 4th household from the landmark.

- a) In urban areas, four households were skipped after every successful interview to ensure that each sampling point was well covered. In the event of an unsuccessful interview the interviewer knocked on the immediate next household until a successful interview was achieved.
- b) In rural areas / single-dwelling where the households are sparsely distributed, a minimum distance of 200 meters was kept between successful interviews.

Respondent Selection: The respondent selection process was held after a successful household identification process. The respondents were selected by use of the Kish grid whereby interviewers listed occupants of the household aged 18 years and above, always attempting to ensure that equal numbers of women and men are reached.⁶¹

Data capturing and preliminary analysis: Hand-held devices were used, allowing data to be captured immediately on a centralised database system. Data was then cleaned and tables produced and sent to the team leader and NIRAS Indevelop for further, detailed analysis and comparison with evidence obtained in other ways.

RESULTS

General information on the sample

Table 1. Education level

	Total		Male		Female	
Total	507	100%	158	100%	349	100%
None	137	27%	29	18%	108	31%
Primary Education	114	22%	42	27%	72	21%
Secondary	243	48%	81	51%	162	46%
University/ college and more	13	3%	6	4%	7	2%

- Table 1 presents the level of education of the respondents. About 51% of the interviewed had a secondary education or higher, 22% of the interviewed had a primary education, while 27% have no formal education.
- This sample differs from that of the baseline where 12,2% had no education; 58,5% had a primary education; and 29,4% had a secondary education or higher.

⁶¹ For example, where the selected respondent is not available at the time of call, three call backs will be made to find the respondent. If the respondent would be totally unavailable, the interviewers will make a substitution by interviewing another respondent in the next household. If they will find that nobody that fits the criteria, they will continue with the normal skip routine till they got the right respondent.

Table 2. Employment status

	Total		Male		Female	
Total	507	100%	158	100%	349	100%
Employed Worker	38	7%	22	14%	16	5%
Trader	70	14%	30	19%	40	11%
Fishery/ Farmer	198	39%	76	48%	122	35%
Housework	88	17%	1	1%	87	25%
Unemployed	113	22%	29	18%	84	24%

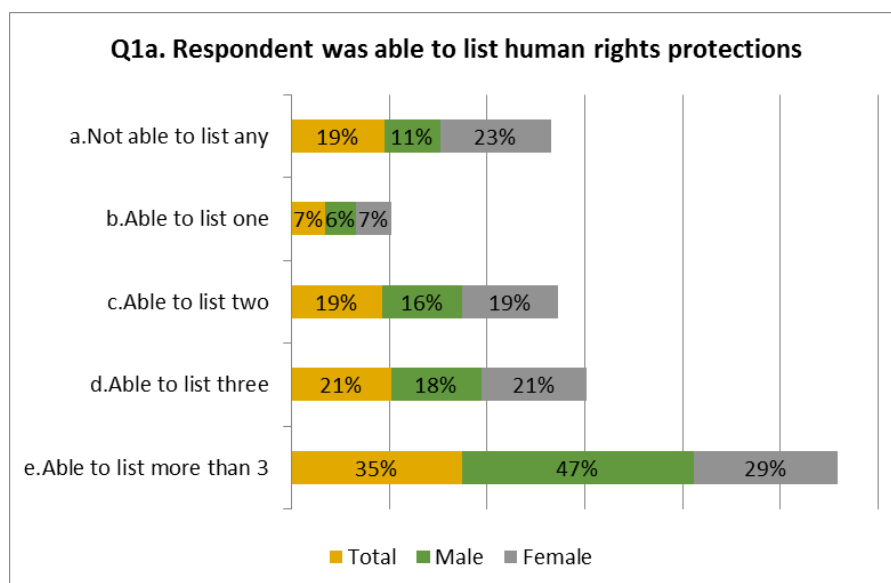
- Table 2 shows the employment status of respondents. Most of the respondents work in farming or fisheries (38%); are unemployed (22%); or work as traders (14%). 25% of women list housework as their employment status.

Community awareness of Human Rights

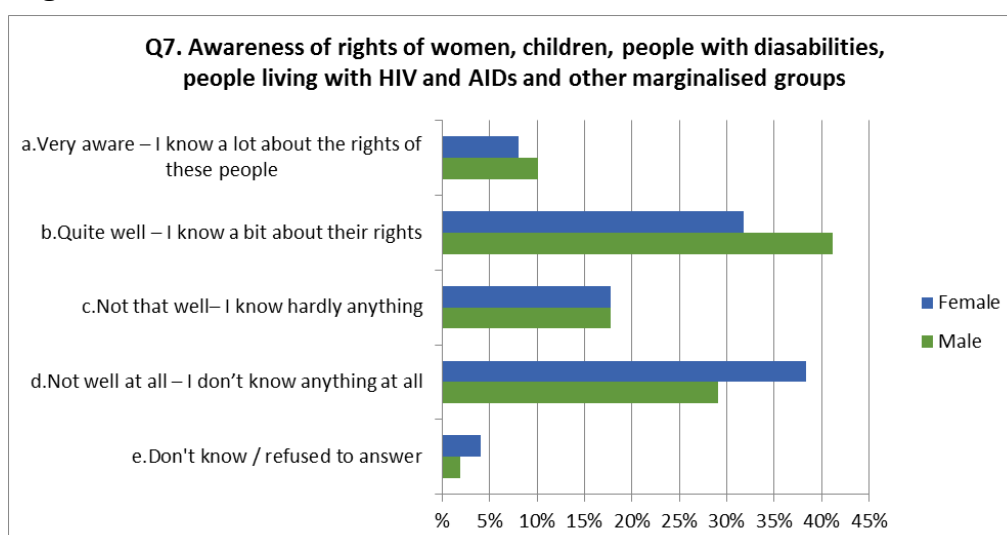
Table: Can you list any human rights that are protected (e.g under the constitution or other laws) in Zanzibar? (Q1)

	Total		Male		Female	
Total	507	100%	158	100%	349	100%
Right to life	251	50%	95	60%	156	45%
Right to education	236	47%	92	58%	144	41%
Right to health care	185	36%	71	45%	114	33%
Right to housing	138	27%	54	34%	84	24%
Right to individual freedom	120	24%	48	30%	72	21%
Don't know / refused to answer	97	19%	18	11%	79	23%
Freedom of expression	82	16%	34	22%	48	14%
Right to water / sanitation	79	16%	28	18%	51	15%
Right to work / right to be paid for work	76	15%	30	19%	46	13%
Equality / non discrimination	60	12%	20	13%	40	11%
Freedom of religion	49	10%	22	14%	27	8%
Freedom of movement	47	9%	13	8%	34	10%
Right to privacy and personal security	43	8%	20	13%	23	7%
Other (specify)	31	6%	13	8%	18	5%
Freedom of to participate in public affairs	21	4%	6	4%	15	4%
Equality before the law / no one is above the law	16	3%	11	7%	5	1%
Freedom of association and assembly	9	2%	5	3%	4	1%
Protection from deprivation of property / property can't be taken away from you for no reason	7	1%	1	1%	6	2%

- Over half of the respondents mentioned the right to life (50%), and right to education (47%), followed by the right to health care (36%), housing (27%) and the right to individual freedom (24%).
- About one in five responded that they did not know or refused to answer; this was higher among women than men (23% vs 11%).

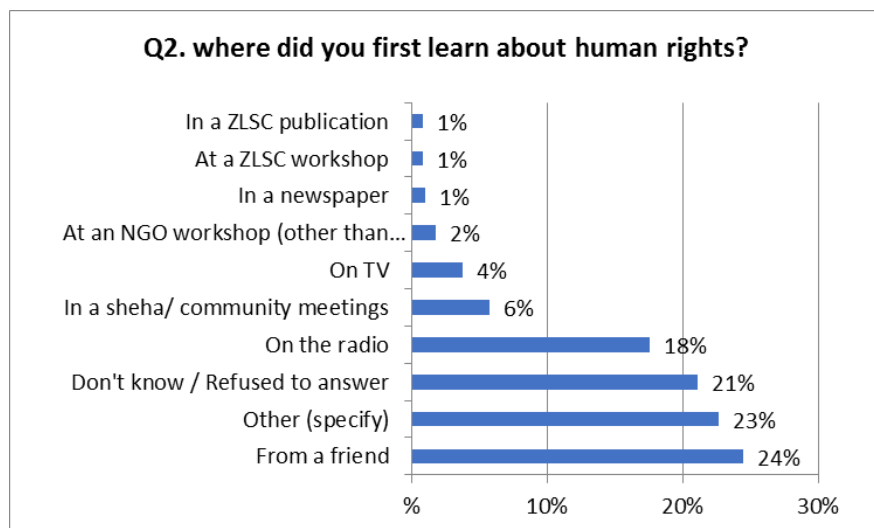
Figure 1

- Figure 1 shows the number of human rights protections that the respondents could list. One third (29%) were able to list more than three human rights protections.
- Men were more likely to list three or more human rights protections than women, at 47% to 35%.
- Women were also more likely than men to not be able to list any human rights protections (19% of women compared to 11% for men)

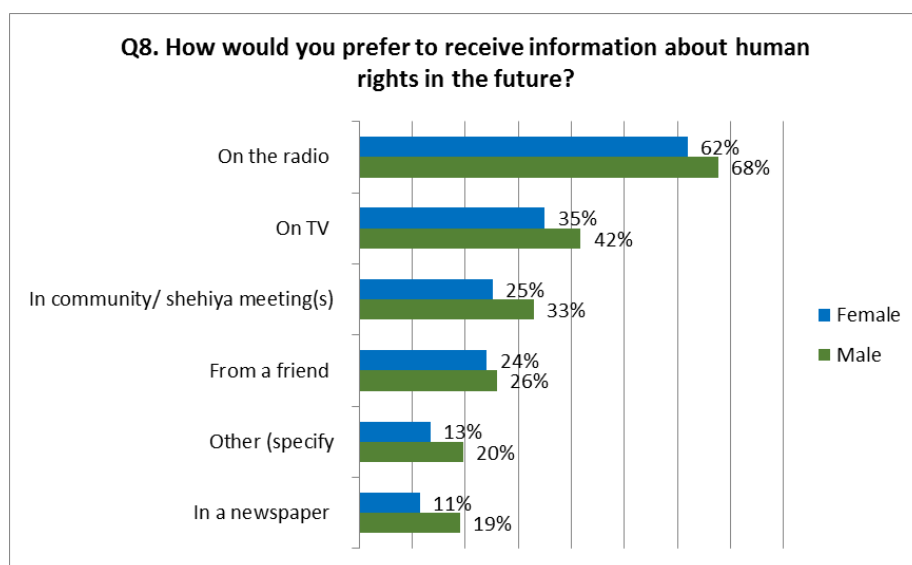
Figure 2

- When it comes to awareness of the right of vulnerable groups 53% replied that they do not know it well at all or not that well, while 43% report that they know quite well or are very aware.

- Men report a slightly higher awareness of the rights of marginalised groups than women (Figure 2).

Figure 3

- When asked where they first learned about human rights (Figure 3), the majority had learned from a friend (24%)
- Radio and TV was a source of information for about 22% of all respondents. More men than women list the radio as their source (24% of men vs. 15% of women).
- Written materials (newspaper, publications) have limited outreach; 2% listed these as sources for learning about human rights
- A high proportion (21%) said they do not know or refused to answer

Figure 4

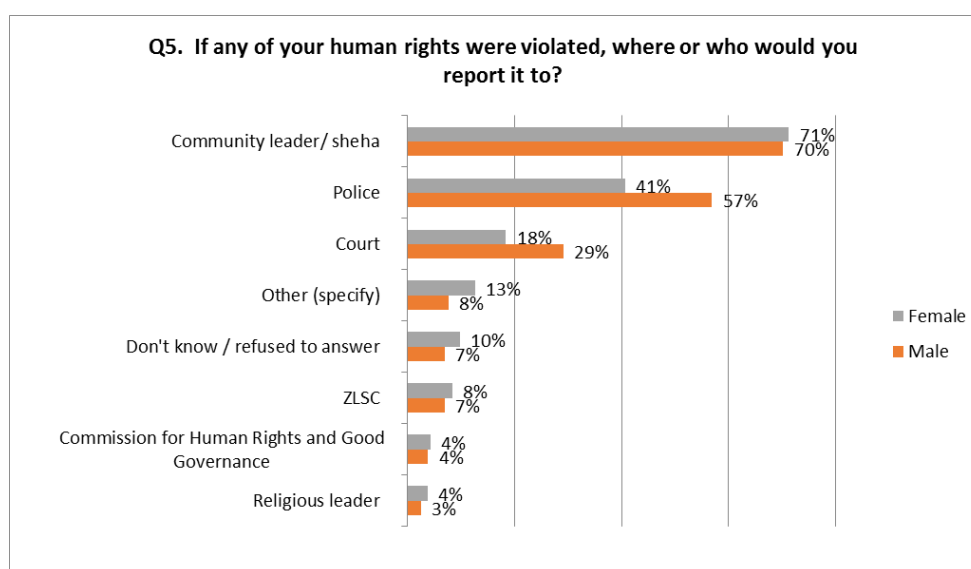
- A majority of the respondents want to receive human rights information through the radio (64%) and TV (37%); fewer want to receive information through friends (25%) and community (28%).
- The ZLSC was mentioned by 9% of respondents

Table: Which are the most common human rights problems faced by your community? (Q4)

	Total		Male		Female	
Total	507	100%	158	100%	349	100%
Limited / no access to work/ empl.	130	26%	48	30%	82	23%
Don't know / refused to answer	101	20%	24	15%	77	22%
Limited / no access to education	96	19%	33	21%	63	18%
Limited /no access to water/ sanit'n	95	19%	34	22%	61	17%
Discrimination against women	71	14%	18	11%	53	15%
Child labour	66	13%	22	14%	44	13%
Violence against women	60	12%	10	6%	50	14%
Other (specify)	55	11%	20	13%	35	10%
No access to justice	54	11%	23	15%	31	9%
Violence against children	51	10%	9	6%	42	12%

- The most common human rights violations as perceived by the respondents relates firstly to their basic economic and social rights, followed by discrimination and violence of women and children: Limited / no access to work / employment (26%); Limited / no access to education (19%); Limited / no access to water / sanitation (19%); Discrimination against women (14%); Child labour (13%); and violence against women (12%); violence against children (10%).
- One in five (20%) replied they do not know or refused to answer.

Figure 5



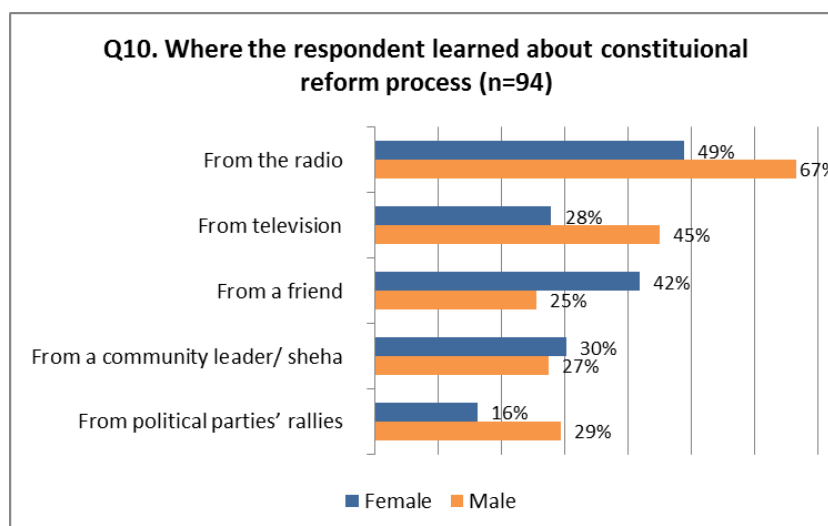
- Figure 5 shows where respondents would turn if they perceived their human rights were violated.
- 71% said they would report it to their community leader. The reason they give for this is mainly twofold: they trust that they will get help and proximity
- 46% would turn to the police; 22% would go directly to the court. This indicates that there is a high degree of trust in the judiciary of Zanzibar. However there is a significant gender difference here: Only 41% of women as compared to 57% of men would turn to the police; and 18% of women as compared to 29% of men would turn to the courts.
- 4% reported they would go to the Commission for Human Rights and Good Governance
- 8% reported they would turn to the ZLSC
- Only 10% report that they do not know where to turn to report a human rights violation.

Community Awareness of the Constitutional reform process

Table: Were you aware of the constitutional reform process (to enact a new union constitution) that took place during 2013 and 2014? (Q9)

	Total		Male		Female	
Total	507	100,00%	158	100%	349	100%
Yes	94	18,54%	51	32%	43	12%
No	413	81,46%	107	68%	306	88%

- Low awareness. Less than 20% of respondents were awareness of the constitutional reform process of 2013 and 2014. Only 12% of women interviewed were aware of the process.
- Of those that replied yes, the vast majority had learned about it through radio (59%) and TV (37%). Information was also shared in families, among friends and the community sheha. Political rallies were also cited as sources of information. Women tend to get their information from friends (42%) while men mainly from radio (67%), TV (45%), political rallies (29%). (Q10)



- In the future respondents reported they would prefer to have information through radio and TV. (Radio is mainly accessed/used by men in the communities, alternative strategies

are needed if women are to be targeted.) (Q.18)

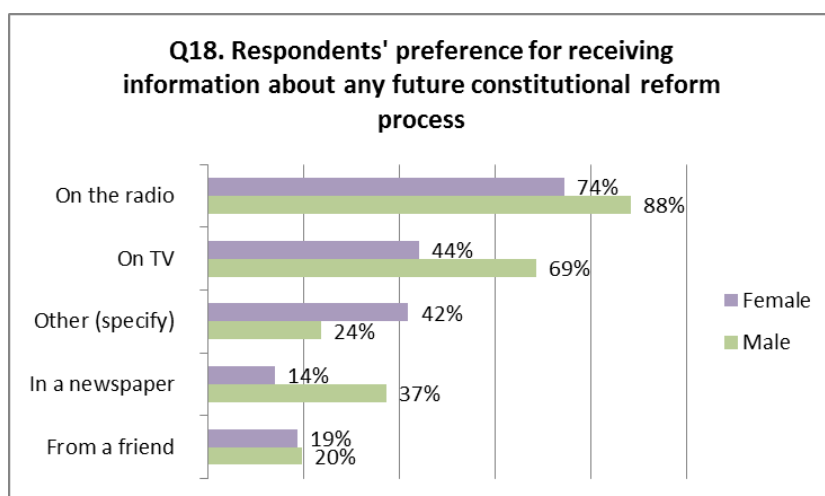


Table: How well would you say you understood your role in the constitutional reform process? (Q12)

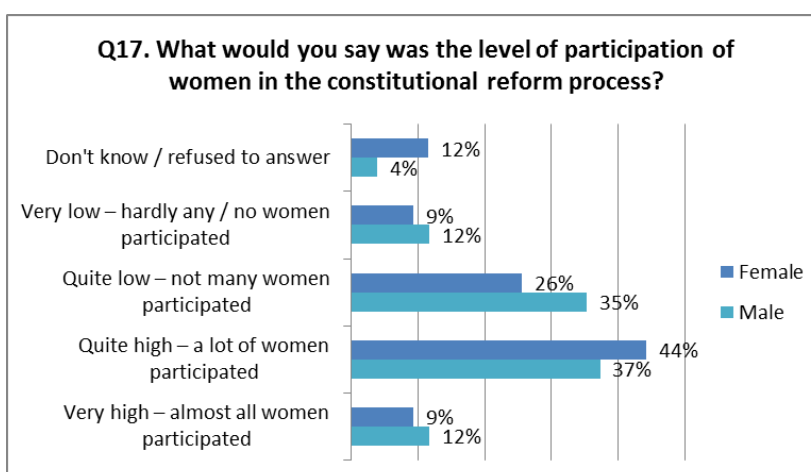
	Total		Male		Female	
Total	94	100,00%	51	100,00%	43	100,00%
Very well	17	18,09%	10	19,61%	7	16,28%
Quite well	50	53,19%	30	58,82%	20	46,51%
Not that well	13	13,83%	7	13,73%	6	13,95%
Not well at all – I don't understand it at all	9	9,57%	3	5,88%	6	13,95%
Don't know / refused to answer	5	5,32%	1	1,96%	4	9,30%

Table: Did you participate in any way in the said constitutional reform process? (Q13)

	Total		Male		Female	
Total	94	100,00%	51	100,00%	43	100,00%
Yes	32	34,04%	24	47,06%	8	18,60%
No	62	65,96%	27	52,94%	35	81,40%

- Of those that replied that they were aware of the constitutional reform process, 69% of respondents report that they understand their role in the process, and one third (34%) participated in the process.

- There was a perception that there was a quite high participation of women in the process (40%) (Q17)



Elections and civic education

Table: Q19. Do you know how to vote in an election?

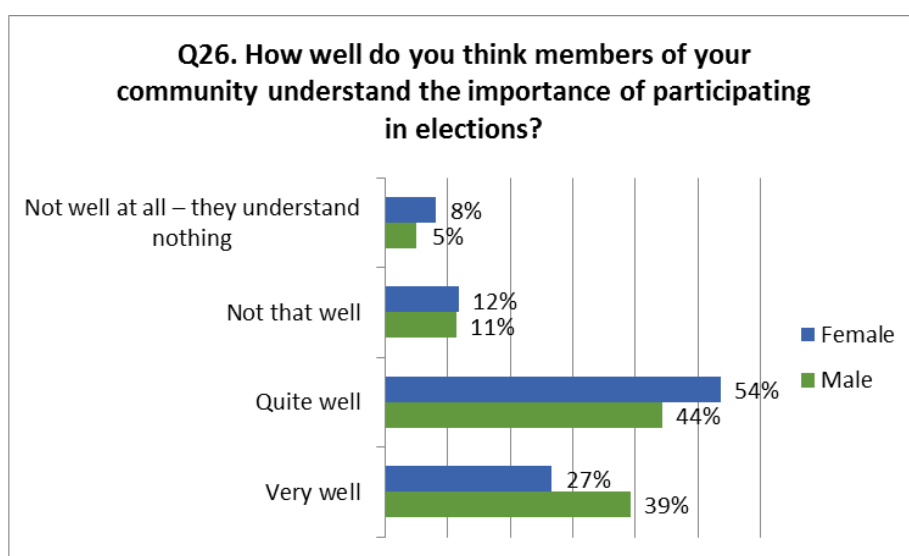
	Total		Male		Female	
Total	507	100%	158	100%	349	100%
Yes	406	80%	131	83%	275	79%
No	101	20%	27	17%	74	21%

- 80% of respondents reported that they know how to vote in an election

Table: Q20. Where did you learn how to vote?

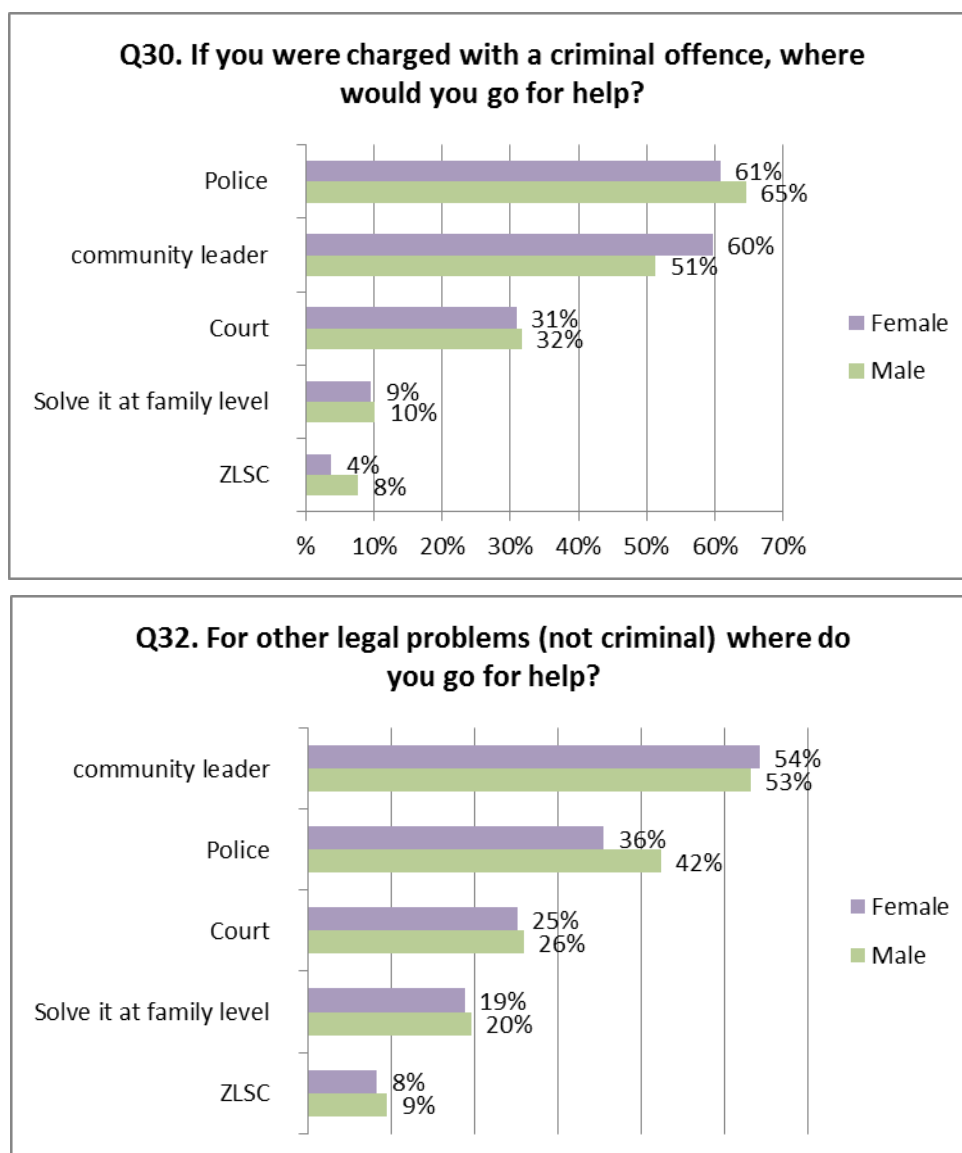
	Total		Male		Female	
Total	406	100%	131	100%	275	100%
From the ZLSC	11	3%	4	3%	7	3%
From my parents or a family member	34	8%	6	5%	28	10%
From television	39	10%	16	12%	23	8%
Other (specify)	42	10%	18	14%	24	9%
From the radio	65	16%	24	18%	41	15%
From a community leader	89	22%	26	20%	63	23%
From a friend	99	24%	37	28%	62	23%
From a community workshop	107	26%	37	28%	70	25%
Political parties' rallies/ meetings	114	28%	39	30%	75	27%
From Zanzibar Electoral Commission	218	54%	83	63%	135	49%

- Of those that replied yes, over half learned from the Zanzibar Electoral Commission (54%); almost one third (28%) learned from a political rally meeting; 26% from community workshop; 16% from radio; 10% from TV; 24% from a friend; and 22% from a community member. Only 3% (11 responses) reported they learned from the ZLSC.

Level of community understanding of importance of voting (Q 26)

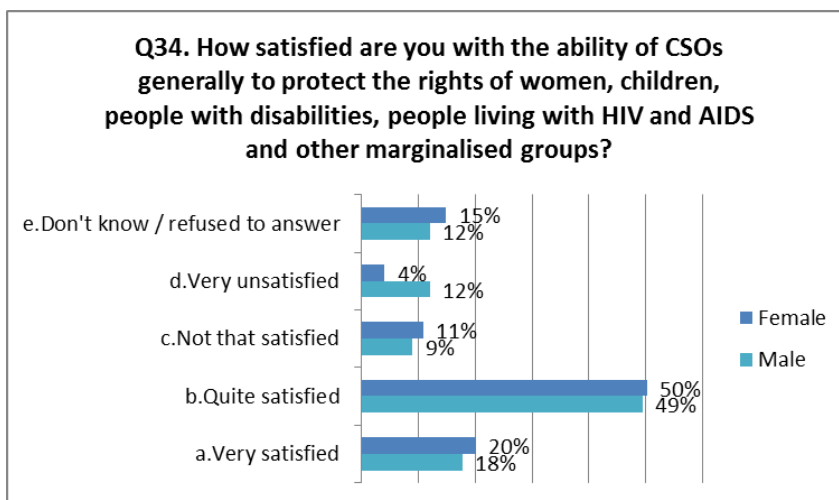
- There is a high level of Level of community understanding of the importance of voting in election processes; 54% of women understand the importance quite well, and 39% of men understand it very well. Cumulatively, about 80% of the respondents said that community members have realized the importance of participating in elections.

Service providers



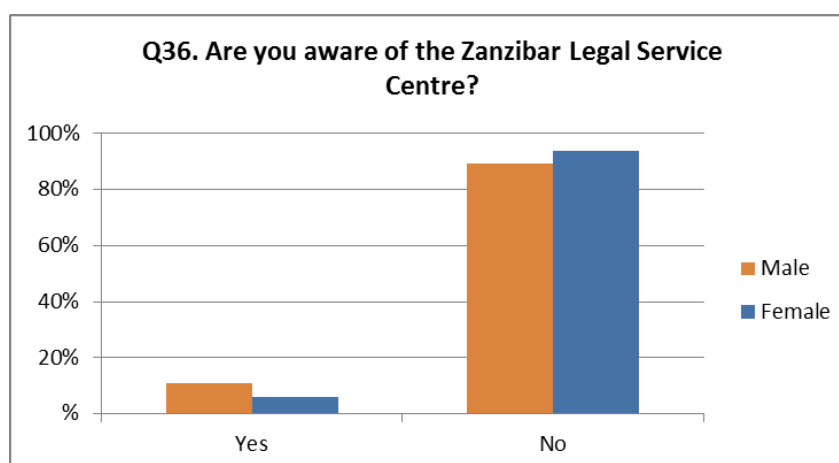
- For both criminal offences and other legal problems, the majority of respondents say they would turn to the police, community leader and court.
- 5% would chose to go to the ZLSC for help with a criminal offence; for other legal issues, 9% would turn to the ZLSC for help.
- In both cases the overwhelming reason given is that they trust them to help

Satisfaction with ability of CSOs to protect rights of vulnerable groups



- Most respondents were quite satisfied (50%) or very satisfied (19%) with the ability of CSOs to protect rights of vulnerable groups.

ZLSC



- Very low public awareness of the ZLSC (5%)

Table: What would you say is the main function of the ZLSC? (Q37)

	Total		Male		Female	
Total	38	100,00%	17	100,00%	21	100,00%
To provide public education on the process to change the constitution	1	2,63%	1	5,88%	0	,00%
To protect the rights of women	2	5,26%	0	,00%	2	9,52%
To protect the human rights of vulnerable people	3	7,89%	2	11,76%	1	4,76%
To provide free legal assistance for the poor	4	10,53%	2	11,76%	2	9,52%
To provide public education on human rights	8	21,05%	4	23,53%	4	19,05%
To provide public education on the law	10	26,32%	3	17,65%	7	33,33%
To protect human rights	10	26,32%	5	29,41%	5	23,81%

- Of those that are aware of the ZLSC, the main functions that were listed are: To provide public education on human rights (21%); To provide public education on the law (26%); To protect human rights (26%)

- Use of ZLSC legal services

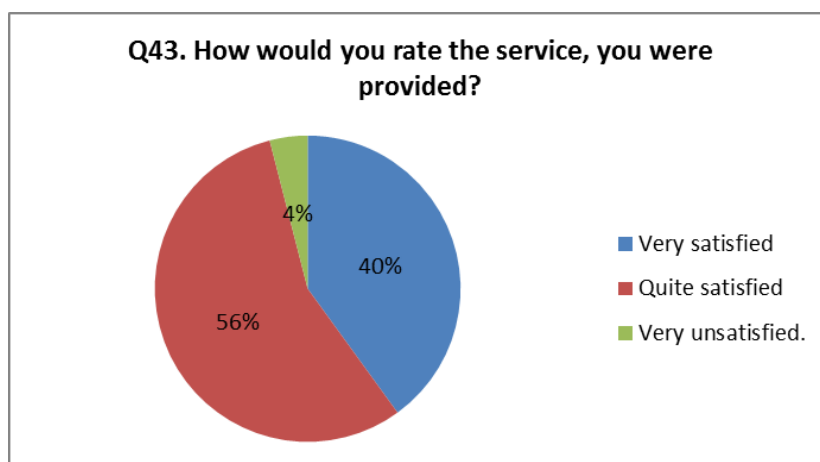


Table: Have you ever used their legal aid services? (Q42)

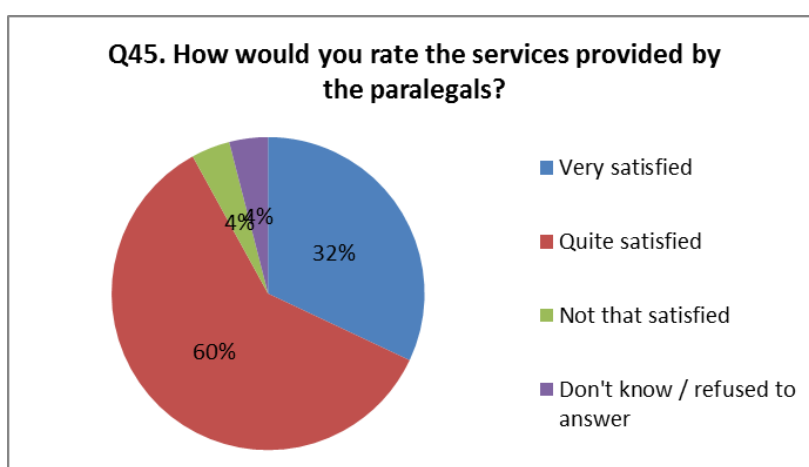
	Total		Male		Female	
Total	507	100,00%	158	100,00%	349	100,00%
Yes	25	4,9%	11	6,96%	14	4,01%
No	482	95,1%	147	93,04%	335	95,99%

- Only 5% (25 cases) report they have used ZLSC legal aid services. Of these, 40% were very satisfied, and 56% quite satisfied.

Paralegals

Table: Are you aware of any paralegals that have been trained by ZLSC? (Q44)

	Total		Male		Female	
Total	507	100,00%	158	100,00%	349	100,00%
Yes	25	4,93%	8	5,06%	17	4,87%
No	482	95,07%	150	94,94%	332	95,13%



- Only 5% report they are aware of paralegals trained by ZLSC. Of these, 32% were very satisfied, and 60% quite satisfied. (Q45)

ZLSC Education workshop**Table: Have you ever attended an education workshop or similar event provided by the ZLSC? (Q49)**

	Total		Male		Female	
Total	507	100,00%	158	100,00%	349	100,00%
Yes	29	5,72%	13	8,23%	16	4,58%
No	478	94,28%	145	91,77%	333	95,42%

- 29 respondents or 6% reported that they have attended an education workshop or event provided by the ZLSC.

Annex E – Examples of public awareness, education and training 2013-2017

- Annual training and sensitisation seminars to coincide with Women's Day (8 March).
- Annual sensitisation events, including for members of the public service, to mark the Day of the African Child, 16 June (together with the Ministry responsible for children).
- Meetings and seminars against the death penalty on the World Day Against the Death Penalty on 10 October each year.
- Annual events to celebrate and promote Human Rights Day (10 December).
- Training on human rights for 30 people living with HIV/AIDS (together with the Zanzibar Aids Commission) in 2014, 39 in 2015 and 78 in 2016.
- Training on human rights for 60 PWDs (together with various CSOs focused on PWDs) in 2014, 84 in 2015, and 40 in 2016.
- Training on human rights for the parents and guardians of PWDs in 2016.
- Human rights seminars for law enforcement agencies (prisons and police), teachers and school counsellors (the latter together with Save the Children) in 2014 and for 64 police officers, *Shehas*, and community police in 2016.
- Human rights training for 39 members of women's groups in 2016 and 40 in 2017.
- Human rights training for 36 youth in 2016.
- Human rights awareness training for 542 secondary school learners during 2016.
- Human rights and good governance training for a variety of ZLSC stakeholders in 2016.
- Human rights training for 80 Law Clerks in 2016.

Annex F – Example of a revised theory of change

INTRODUCTION

The Zanzibar Legal Service Centre (ZLSC) developed their current theory of change (ToC) after the inception of the Strategic Plan (SP) of 2013-2017. According to ZLSC's ToC document, the purpose of the ToC was to create '*a visual map of the relationships between interventions, outcomes and long-term outcomes and articulates all assumptions about how interventions will generate the desired outcomes.*' In the text and diagrams below, an alternative version of what the ToC might have looked like is presented. It is important to note though that this is merely provided as an example – it was not developed as part of a proper process and is only a suggestion. It cannot replace an activity to develop a new theory as part of the strategic planning process for the new SP and should in no way be seen as final or prescriptive – or as replacing the theory of change that currently exists.

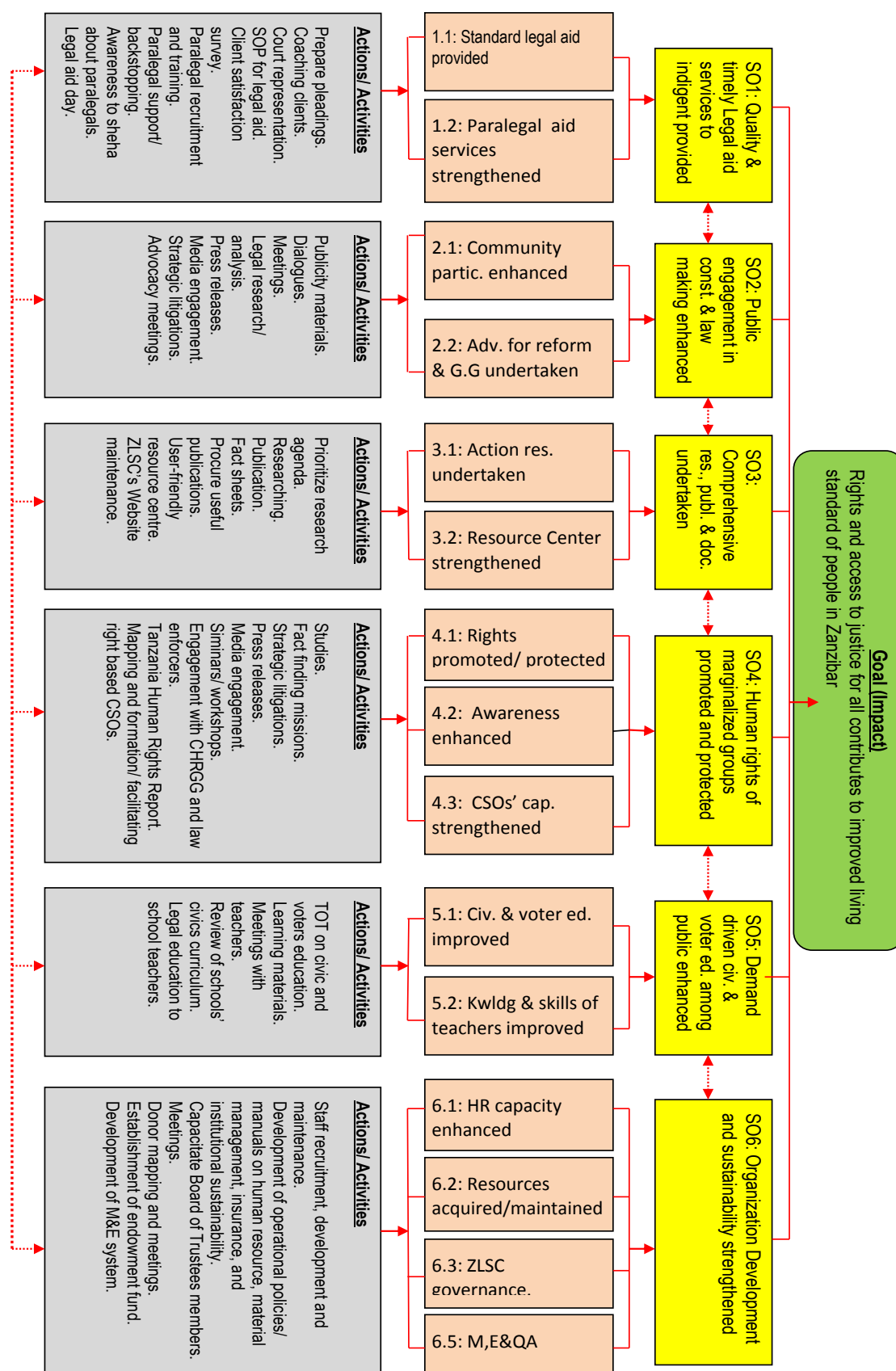
GENERAL OBSERVATIONS

The evaluation team has the following observations on the form and contents plus reasoning used to draw up the current ToC:

- (i) There was little reflection of the SP's result areas in the ToC; rather, what appears in blue boxes, looks more like assumptions.
- (ii) Some of the SP's strategic objectives - advocacy, research and legal aid - are highlighted in that diagram; however, there is no connectivity or pathways between them and there is no pathway towards the central results/ goal or vision.
- (iii) The focus of ToC is centralized on an achievement of the 'vision', while a 'vision' is not a result ('goal') to have been achieved over the period of five years (2013-2017).
- (iv) There is no logical connectivity between the groups (children, persons with disability, women, etc) with the intended 'results' or 'assumptions' (indicated in blue boxes).
- (v) In general, the ToC is illogically designed and misses the essential features of a proper ToC as suggested below. The visual map of the relationships between interventions, outcomes and long-term outcomes is unclear and therefore difficult to understand.
- (vi) The risks indicated in the ZLSC's ToC document are relevant and well thought out though.

The SP's logical framework can be figuratively summarized as indicated in Figure 1 below:

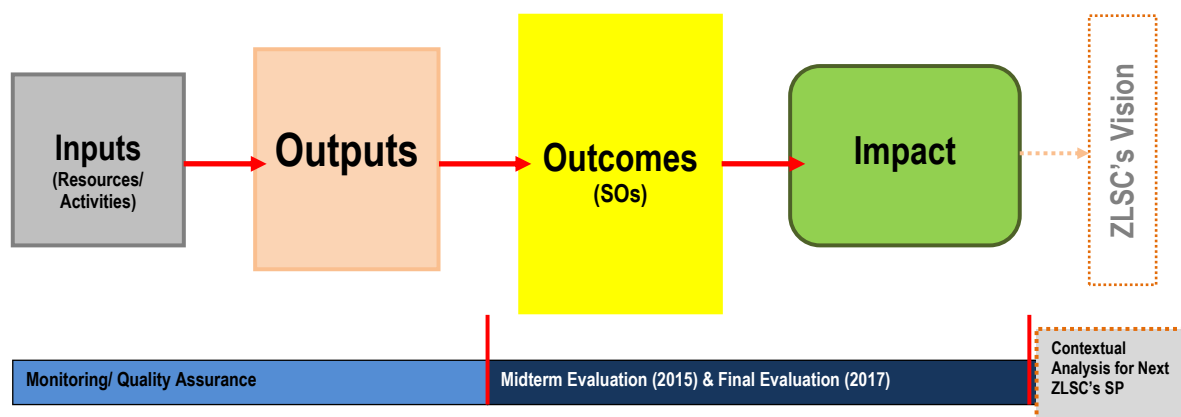
Figure 1: Figurative Summary of the ZLSC's 2013-2017 Logical Framework



SAMPLE OF PROPOSED SIMPLE THEORY OF CHANGE

Based on ZLSC's current result framework/ logical framework, the components of the ToC, plus the logical flow/ clear pathways, should have been as indicated in the layout below (Figure 2):

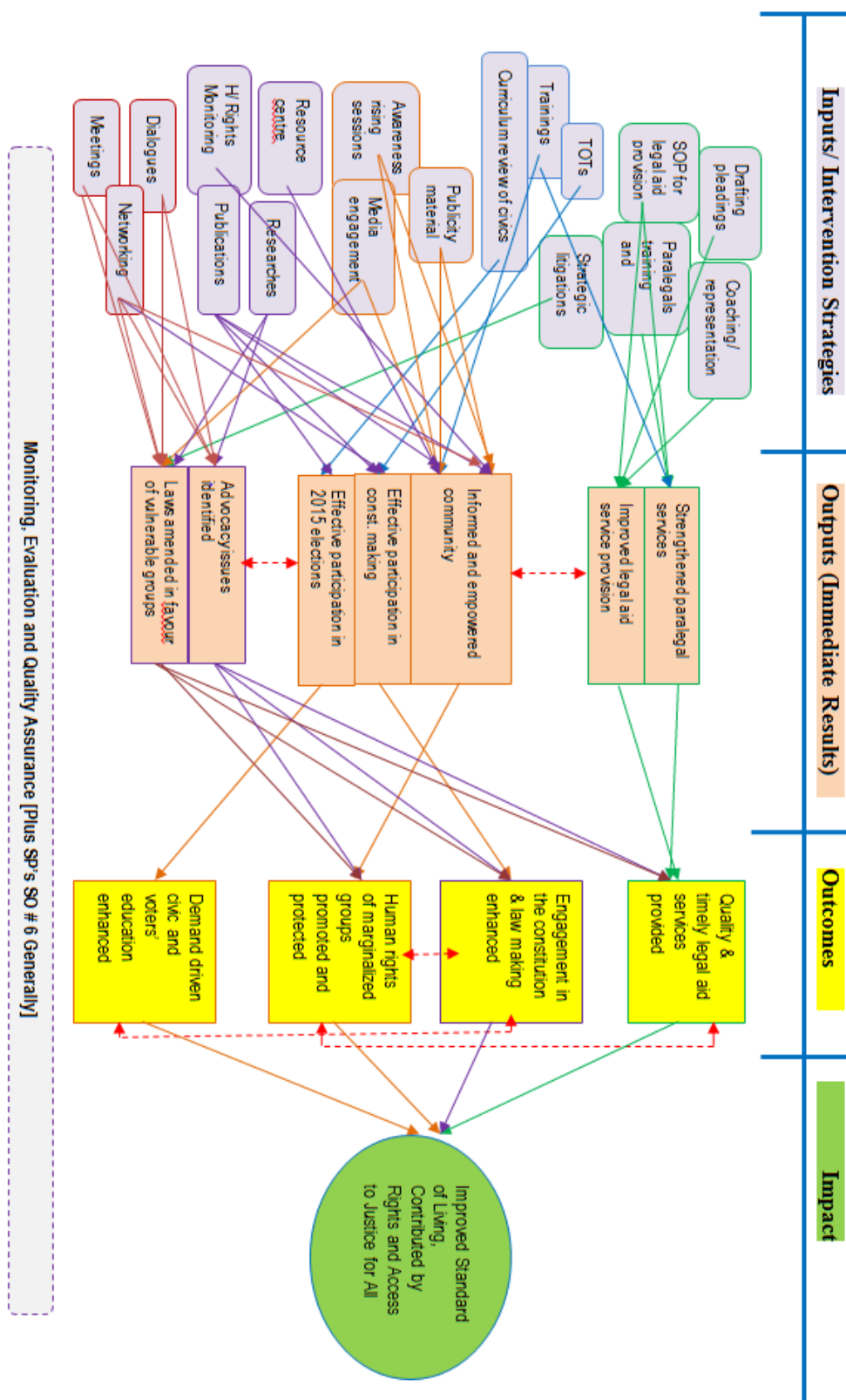
Figure 2: Layout of ZLSC's ToC for 2013-2017 SP's Implementation



The ToC cannot necessarily indicate all activities/ actions/ inputs or all outputs appearing in the logical framework/ result framework or all outcomes. Rather, a logical analysis can be done to merge or rephrase them depending on whether inclusion or exclusion of some of them could improve or weaken the pathways (e.g. red colours in Figures 1 and 2 above). For example, ZLSC's ToC could have the following (rough/ summarised diagram) based on the current SP's logical or result framework as seen in Figure 3 below.

The SO3 on comprehensive research, publications and documentation undertaken has been excluded from the diagram because it is not an outcome. It is rather an activity target or an output result area. Also, SO6 on organization development is not reflected in the ToC because it is an internal result area also part of the 'inputs' and 'processes' towards realization of other SOs.

Figure 3: Example of how the ToC for the SP might have been presented



Annex G – List of DPs supporting ZLSC

DONOR NAME	PROJECT NAME	DURATION	AMOUNT
Basket Fund / Core support:			
Sweden	SP 2013 - 2017	2013 - 2017	SEK 9,250,000
Norway	SP 2013 - 2017	2013-2015, 2017	NOK 11,000,000
Finland	SP 2013 - 2017	Aug 2014 - Aug 2016	EURO 100,000
Project funding			
Open Society Initiative for Eastern Africa	Promoting of legal education and access to justice in Tanzania	Aug 2014 - July 2016	\$98 000
Legal Services Facilities	Increased access to legal aid for more people	Oct 2012 – Nov 2015	694 831 250
UNICEF fund	Legal aid program for children in conflict with the law	July 2015 – Dec 2016	94 045 000
LHRC	Citizen observation of the October 2015 electoral cycle	Sept 2015 – Nov 2015	104 430 000
VAC SOLO	Preventing and respond to violence against children	April 2014 – dec 2016	169 540 912
VAC partner with EU save & UNICEF	Preventing and respond to violence against children	April 2014 – dec 2015	90 034 485
Ford Foundation	Advocacy and public education on community participation in Tanzania constitution	June 2015 - May 2016 Sept 2013 – Aug 2014	\$150 000
UN Women - TAMWA	Support women, Youth and PWDs participation and access to leadership position in Zanzibar	May 2014 - April 2015	18 510 000
Save the Children Fund - Nairobi	East Africa region training to facilitator on Positive Discipline	Sept 2013 - Nov 2013	\$40 225,50
IPLI	Centre for Youth Dialogue	2014	\$4 850
Search for Common Grounds	National Governance round table	Feb 2013 - Aug 2014	\$26 248

Annex H – ZLSC Management Response



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2nd October, 2017

Ms Anette Widholm Bolme,
Governance & Human Rights,
Embassy of Sweden Tanzania,
DAR ES SALAAM.

Dear Anette,

RE: MANAGEMENT RESPONSE ON THE ZLSC HOLISTIC EVALUATION REPORT FOR COMPLETION OF STRATEGIC PLAN 2013-2017

We acknowledge receipt of the Evaluation Report prepared by the two consultants, Mr. Greg Moran and Clarence under NIRAS of Sweden. We are grateful to them for the good and punctually submitted work and the Embassy of Sweden in Dar es Salaam for supporting this exercise.

The Centre has carefully examined the Draft version of this Report. It is of the view that this Report is scientific, balanced, fair and based on actual research done in the field and interviews conducted by the team in Dar es Salaam, Unguja and Pemba. The Report is also based on a thorough reading and understanding of the various documents of the Centre availed to the Team.

The Centre thus associates itself fully with this Report. This is because where good things have been done, it has indicated that clearly and where there are deficiencies, the Team did not hesitate to point out and provide constructive recommendations on how to improve the performance of the Centre.

Some of the recommendations made by the Consultants have already been implemented. For example, establishment of Paralegal WhatsApp groups and meetings. There are already in existence. In addition, Paralegals who have graduated from our law training are already organising themselves into groups and are providing legal aid in their communities.

However, some suggestions in the report might be difficult to implement in the context of Zanzibar. These include the use of hotlines which are popular in other jurisdictions. We are however not closing the door for any suggestion made in the Report. Everything will be discussed in the course of the preparation of the next Strategic Plan (2018-2022).

Best Regards.


Saida Amour
Ag. Executive Director





End of Strategy Evaluation of the Zanzibar Legal Services Centre

This report, which has been commissioned by the Swedish Embassy in Tanzania, presents a review of the Zanzibar Legal Services Centre, a legal aid and human rights based NGO in Zanzibar. The evaluation is based on the ZLSC's five year strategic plan (2013–17) and is thus an end of strategy evaluation. Based on this, the work of the ZLSC, and the strategic plan, are judged as relevant at the time of adoption and largely relevant in the period under review. The ZLSC has made good progress towards the objectives in the strategic plan and has been largely effective and efficient. There are good examples of positive outcomes and some examples of impact at the higher level. While organisational sustainability has improved, the fact that the new legal aid policy for Zanzibar will still rely heavily on civil society organisations to provide the actual services means that the ZLSC will continue to need to be supported by development partners for many years to come.

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