



**Revolutionary Government of Zanzibar President's Office
Constitution, Legal
Affairs, Public Service and Good Governance**

Midterm Evaluation of the Legal Sector Reform Strategy in Zanzibar

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Abbreviations

ADR- Alternative Dispute Resolution

AGC- Attorney General Chambers

BPRA- Business and Property Registration Agency

CCTV-Closed-Circuit Television

CID- Criminal Investigation Department

CSO-Civil Society Organization

DCCI- Deputy Director of Criminal Investigation

DDCI- Deputy Director of Criminal Investigation

DNA- Deoxyribo Nuclei Acid

DPP- Director of Public Prosecution

EU- European Union

GBV- Gender Based Violence

IMTC-Inter Ministerial Technical Committee

KRA-Key Result Area

LHRC- Legal and Human Right Centre

LSRP-Legal Sector Reform Program

MKUZA- Mkakati wa Kupunguza Umaskini Zanzibar

MLEEYWC- Ministry of Labour, Empowerment, Elders, Youth, Women and Children

M & E- Monitoring and Evaluation

MoJCA- Ministry of Justice and Constitutional Affairs

MTEF- Medium Term Expenditure Framework

NGO- Non Governmental Organization

OC-CDS-Officer Commanding- Criminal Investigation Department

ODL-Open and Distance Learning

PO-CLAPSGG – Presidents Office Legal Affairs, public Service and Good Governance

RBD- Registrar of Births and Death

RCO- Regional Crimes Officer

RGoZ-Revolutionary Government of Zanzibar

RSOs- Regional Security Officers

SADC- Southern African Development Community

ToR- Terms of Reference

UNDP-United Nations Development Program

UNDAP-United Nations Development Assistance Plan

UNICEF-United Nations Children’s Fund

ZAECA- Zanzibar Anti-Corruption and Economic Crimes Authority

ZAFELA- Zanzibar Female Lawyers Association

ZIEO-Zanzibar Institute for Education of Offenders

ZLS- Zanzibar Law Society

ZLRC- Zanzibar Law Review Commission

ZLSC-Zanzibar Legal Service Centre

ZLSRS- Zanzibar Legal Sector Reform Strategy

ZSGRP-Zanzibar Strategy for Growth and Reduction of Poverty

Executive Summary

This mid-term evaluation was conducted in order to contribute in the development of a follow-up on the Zanzibar Legal Sector Reform Strategy (ZLSRS). The evaluation reflects the ZLSRS outcomes, develops the learning and suggests the best practices. Specifically, the evaluation recommends improvements of upcoming activities and identification of potential strategies for the sustainability of the developed networks among justice sector institutions. This mid-term evaluation is built on the annual and quarterly activity reports and monitoring data. The information was supplemented by in-depth interviews with main strategy stakeholders to understand why certain intended or unintended outcomes occurred. The mid-term evaluation has provided the opportunity for accountability towards the stakeholders of the Strategy, as well as significant learning for the institutions in the justice and the rule of law institutions.

The findings of this mid-term evaluation have given the possibility to assess the contribution towards the outcomes of the Strategy, provide recommendations on institutional coordination and interconnection, private sector engagement, access to justice, relevance, sustainability of the outcomes and gender. It has as well brought the stakeholders' accountability at large (government, donor, civil society and the private sector, in identifying key lessons in order to improve the current and future strategies). Lastly, it has enabled to assessing the sustainability of networks and linkages and developing the strategies for transition.

Conclusively, the Strategy has significantly contributed towards the implementation of Legal Sector Reform. It has contributed in capacity building training programs, establishment and amendment of laws and procurement of essential working tools. In addition, it has also created a platform for legal sector institutions to meet and discuss challenges and come up with solutions to improve public delivery in the legal sector that will ultimately contribute to access to justice in Zanzibar. Moreover, there are some challenges in implementation of planned activities as detailed in the respective sections. It is expected that learnt lessons will be capitalized in the next stages of strategy implementation.

1. Introduction

The Legal Sector Reform Program (LSRP) is informed by the Revolutionary Government of Zanzibar's (RGoZ) commitment to comprehensively address the challenges facing the legal sector as outlined in key strategic documents (Vision 2020, Zanzibar Strategy for Growth and Reduction of Poverty (ZSGRP II), Ministry of Justice and Constitutional Affairs Strategic Plan, the Legal Sector Reform Strategy and Child Justice Reform Strategy). The project contributes to the United Nations Development Assistance Plan (UNDAP) outcomes 1.2 'Select Public Sector Reforms in Zanzibar are developed and accelerated' and Outcome 5 ensuring that the 'justice system better protects the rights of women and children in contact/conflict with the law and is better able to respond to their needs'.

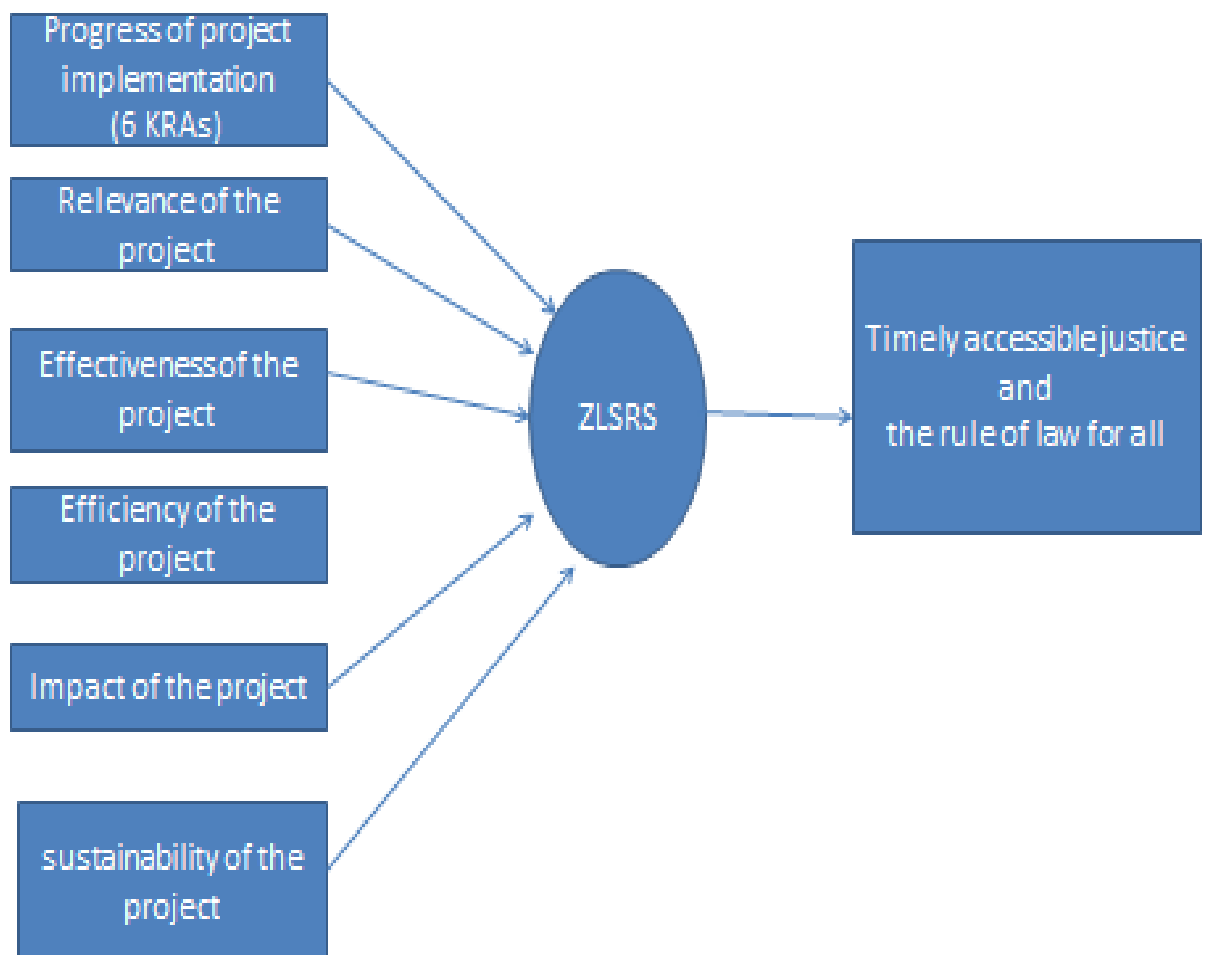
The Zanzibar Legal Sector Reform Project aims to improve access to justice, strengthening the rule of law and accountability as articulated in the second generation of the Zanzibar Strategy for Growth and Reduction of Poverty two (ZSGRP II). The ZSGRP II recognizes that access to justice is essential in promoting governance and consequently contributing to poverty. The LSRP focuses on the strengthening of justice institutions and the enhancement of access to justice for all and in particular for the most vulnerable people. The project further seeks to improve the quality of the administration of justice and the efficiency of its services.

The President's Office Constitutional Legal Affairs, Public Service and Good governance (PO-CLAPSGG) decided to conduct Mid-term Evaluation of the Zanzibar Legal Sector Reform Strategy (ZLSRS). The mid-term evaluation was engaged to ensure timely accessible justice and the rule of law for all. This mid-term evaluation provides recommendations for the improvement of upcoming activities, as well as for the identification of potential strategies for the sustainability.

In line with the project proposal, the midterm evaluation focuses on five evaluation criteria, namely; relevance, effectiveness, efficiency, sustainability and impact. Each criterion is associated with a number of key evaluation questions that are to be addressed and explored as shown in **appendix 5 and 6**. The ZLSRS midterm evaluation criteria are summarized in **figure 1**. This mid-term evaluation serves two immediate purposes,

namely; decision-making and taking stock of initial lessons from experience. Specifically, the evaluation provides a basis for identifying appropriate actions to address particular issues or problems in design, implementation and management, and reinforce initiatives that demonstrate the potential for success. This mid-term evaluation further provide an opportunity for more in-depth analysis, accountability towards the stakeholders and institutions in justice and the rule of law.

Figure 1: Mid-term Evaluation Model



2. Purpose of the evaluation and methodology

2.1 Purpose of the Evaluation

The strategy was developed in pursuit of output one of the Legal Sector Reform Program (LSRP). The midterm evaluation was done with the aim of assessing the progress of implementation, relevance, effectiveness, efficiency, impact and sustainability of the Legal Sector Reform Strategy in Zanzibar.

The overall goal of the ZLSRS is ensuring timely accessible justice and the rule of law for all. This strategy intends to achieve the following specific objectives:

- To improve criminal justice system that guarantees security and safety for the people of Zanzibar;
- To improve the civil justice system that makes civil litigation more efficient and accessible;
- To enhance equal access to justice and legal services;
- To strengthen child justice system that guarantees realization of rights and welfare for the children of Zanzibar;
- To improve the Zanzibar National Legal Framework to deliver justice efficiently and effectively; and
- To manage and coordinate the implementation of the Strategy.

In order to ensure that the overall strategy goal is achieved, the lessons from other reforms currently being implemented in Zanzibar were taken into account after due consultation with Ministries, Departments and Agencies. The consultations were also done to the general public and civil society organizations with legal undertakings.

Since the implementation of the long-term strategy may be severely constrained regarding resources to achieve the Legal Sector objectives in the long term, the Strategy adopts a medium-term perspective in its implementation.

2.2 Methodology of Evaluation

The mid-term evaluation was based on the findings and factual statements identified from a review of relevant documents including the project document, quarterly reports, and annual project reports. In addition, to the technical reports produced by the project and the different products and materials, the field visit was undertaken and in depth interview with stakeholders, the targeted beneficiaries of the strategy and government officials. Participation of stakeholders in the evaluation was maintained at all the times, reflecting their opinions, expectations and vision on the contribution of the strategy towards the achievement of its objectives.

The entry meeting was held at Presidents office Legal Affairs, public Service and Good Governance Ministry on 17/10/2017. It was agreed that apart from the stated terms of reference, the assignment should not focus strictly on strategy implementation. The assignment should as well establish what has not been achieved in line of the strategy and the resources spent in the strategy implementation.

2.2.1 Data Collection Techniques

The techniques for information collection included:

- Documentary reviews and analysis,
- Assessment of logical framework and indicators,
- Face-to-face interviews with strategy's stakeholders,

2.2.2 Documentary reviews and analysis

The document review of relevant literature was done on the literature describing legal service reform in Zanzibar. The literature was gathered from the UNDP and Presidents Office Legal Affairs, public Service and Good Governance ministry. The reviewed documents included the ZLSRS activity reports, amended and newly established laws, policies and plans relating to legal service reform. The list of reviewed documents is attached as **appendix 4**. The activity reports enabled the consultant to evaluate the extent to which various stakeholders are implementing their respective strategy interventions. The information obtained from literature review was as well useful in creating interview

guide questions for purpose evaluating budget and implementation progress of the legal reform strategy.

In addition, Consultant developed a study design by selecting the criteria for identifying progress of the project implementation. The tools were further developed to document existing stakeholders, develop interview guide, and identify organizations and individuals to be interviewed, carry out a series of consultative meetings with different stakeholders.

2.2.3 Assessment of logical framework and indicators

The strategic interventions were analyzed as provided in the Legal Sector Reform Strategy 2014/15-2018/19. The analysis included going through all key outputs to confirm its achievement against expected outcome. The output based result framework was developed to test the Key Result Areas (KRA) measurement.

2.2.4 Face-to-face interviews with stakeholders

In depth interviews was conducted with key stakeholders as per list of interviewees in **appendix 3**. The interviewees were treated with sensitivity and understanding. The project personnel were excluded in the interview process in order to provide freedom of expression to the interviewees. The interviews were guided by an ethical approach and commitment to transparency, honesty and accountability. There was a clear understanding of the confidentiality of availed information. The friendly approach enabled interviewees to contribute to best of their abilities.

2.2.5 Time Frame and work plan

The timeline of the assignment is summarized in **table 1** below.

Table 1: Time frame and work plan

NO	Key Activity	Timeline in Days	Target date
1	Arrival in Zanzibar and finalization of logistical arrangements for the consultant.	Day 1	17/8/2017
2	Debriefing including meetings with officials of the UNDP and the Ministry.	Day 1	25/8/2017
2	Submission and discussing of inception report.	Day 2 – 4	31/8/20017
3	Desk review of the relevant document including enacted and drafted legislations, policies, project results framework, action plans and quarterly and annual reports and all other related available documents.	Day 5 – 6	10/9/2017
4	Carry out consultations with the main institutions, groups, and individuals.	Day 8–10	17-18/10/2017
5	Preparation, submission, and discussion of the first draft of the report of the study to the Judiciary	Day 10–17	19-30/10/2017
6	Presentation of the initial findings of the study to stakeholders for validation and feedback.	Day 18	8/12/2017
7	Submission of final draft of report of the study	Day 19 – 22	10/12/2017

2.2.6 Management of the assignment

The timetable for the field visit and a clear roster of stakeholders was developed in close consultation between PO-CLAPSGG and UNDP officials. The UNDP and PO-CLAPSGG officials participated in the facilitation and monitoring of the data collection exercise that contributed in improving the assignment quality and report ownership. The subsequent chapter reveals the midterm evaluation key findings.

3. The mid-term evaluation key findings

The mid-term evaluation findings on the Legal Sector Reform Strategy were guided by the model provided in **figure 1**. The model tested the relevance, efficiency, effectiveness, the impact of activities, sustainability. Basing on this model the recommendations are

provided to improve the implementation of the future phases of the Legal Sector Reform Strategy.

3.1. Key Result Areas implementation Progress

The implementation progress was conducted by analyzing the six Key Result Areas (KRAs). The summary of the planned KRAs, stakeholders, strategic interventions and expected key outputs is provided in **table 2**.

Table 2: Key Result Areas implementation

s/n	Key Result Areas	Stakeholder(s)	Strategic Interventions	Expected key outputs
1	Reforming the criminal justice	<ul style="list-style-type: none"> • Directorate of Public Prosecution (DPP) • Judiciary • Police Force 	<ol style="list-style-type: none"> 1. Strengthen criminal Justice framework. 2. Enhance capacity of the judiciary to dispense justice 3. Improve institutional and operational capacity of the Institute of Education for Offenders 4. Revive and implement Non- Custodial sentence 	<ul style="list-style-type: none"> - Review of laws governing criminal justice - Investigative and prosecution capacity - Awareness of criminal justice - Record management at the judiciary - Improve service infrastructures and facilities of the Institute for offenders - Establish the probation, community and parole system
2.	Reforming the civil justice	<ul style="list-style-type: none"> • Directorate of Public Prosecution (DPP) • Judiciary • Police Force 	<ol style="list-style-type: none"> 1. Strengthen civil justice framework 2. Enhancing the capacity and visibility of the Kadhi's courts 	<ul style="list-style-type: none"> - Review the laws governing civil justice - Improve registries (BPRA,RBD) - Prepare an Alternative Dispute Resolution's Act. - Put in place new land policy and comprehensive legal framework

				<ul style="list-style-type: none"> - Operationalize the labour Dispute Handling Unit - Recognize the dual nature of the Zanzibar system in constitution - Review law and enhance capacity of Kadhi's court
3	Improving access justice	<ul style="list-style-type: none"> -Zanzibar Law Society (ZLS) -Zanzibar Legal Service Centre (ZLSC) Zanzibar Female Lawyers Association (ZAFELA) 	<ol style="list-style-type: none"> 1. 1.Strengthen the institutional and regulatory framework for legal aid in Zanzibar 2. Enhance ethical conduct of legal practitioners and staff 3. Increase peoples accessibility to legal information 	<ul style="list-style-type: none"> - Legal aid legislative and regulatory framework operational - Enhance ethical conduct of legal practitioners and staff - Increase accountability and transparency of the judiciary - Translate laws in Swahili
4	Reforming the Zanzibar Child Justice system	Ministry of Labour, Empowerment, Elders, Youth, Women and Children	<ol style="list-style-type: none"> 1. Update the policy, legislative and regulatory framework for child justice in Zanzibar 	<ul style="list-style-type: none"> - Review of the policy and legal framework - Enhance public awareness on child justice - Implement the Zanzibar child Justice Strategy under the Ministry responsible for children Affairs
5	The Zanzibar National Legal Framework	<ul style="list-style-type: none"> -President's Office Legal Affairs, public Service and Good Governance. -Judiciary - State University of Zanzibar -Attorney General's Chamber and LRCZ 	<ol style="list-style-type: none"> 1. Updating and improving the Zanzibar national legal framework 2. Provide oversight to the legal practice 3. strengthen institutional capacity of justice agencies 	<ul style="list-style-type: none"> - Amended Zanzibar constitution - Consolidate the laws of Zanzibar and revive the Zanzibar law reports - Establish case management system - Initiate a faculty of law at the State University of Zanzibar and

				<ul style="list-style-type: none"> establish the Council of Legal Education - Perform MoJCA functional review, increase capacity of the Attorney General's Chamber and LRCZ - Improve buildings, procure vehicles and increase skills capacity of staff.
6	Strategy's implementation and funding arrangements	-President's Office Legal Affairs, public Service and Good Governance. -UNDP	<ul style="list-style-type: none"> - Capacity of the MoJCA to coordinate legal sector reform - Financial resources to implement legal sector reform - Need for effective M& E framework 	<ul style="list-style-type: none"> - Set up and operationalize reform coordination - Conduct program meetings - Integrated ZLSRP with other reforms - Create awareness of and commitment to ZLSRP - Administer ZLSRP in consistence with established procedures and guidelines - Institute mechanism for monitoring the strategy implementation and evaluate program

3.2. Strategy and its development context

3.2.1. Establishment of the strategy

The Strategy was endorsed and adopted by the highest government organ, that is, Revolutionary Council in May 2014. The strategy offers a strategic guidance and sets a solid foundation for a comprehensive legal sector reform process in Zanzibar. The Legal Sector Reform Strategy 2014–2018 was developed and finalized with support from the Legal Sector Reform Program (LSRP) which is implemented by the President's Office

Constitutional Legal, Public Service and Good Governance and with funding from United Nations Development Program (UNDP) and the European Union (EU).

The midterm evaluation noted that development of the Legal Sector Reform Strategy (LSRS) was finalized after going through a comprehensive stakeholder consultative process and a detailed internal Government approval process. The LSRS was formulated under the leadership of the Steering Committee which provided strategic guidance in the formulation process.

3.2.2. The strategy outputs

The midterm evaluation wanted to test the immediate and development objectives of the strategy. It was observed that the strategy proposes to support a sector wide and comprehensive legal sector reform in Zanzibar and capacity building support to institutions which are key to drive the legal sector reform. The following outputs were expected to be achieved under this project:

- i. Legal sector reform strategy developed and implemented
- ii. Enhance institutional and operational support of legal sector institutions
- iii. Strengthen access to legal aid for the most vulnerable
- iv. Justice system is enabled to handle children's cases and respond to the needs of child victims, witness and offenders.

3.3. The Implementation status of the strategy Key Result Areas

KRA 1: Reforming the criminal justice

The KRA1 aimed at achieving a criminal justice system that guarantees security and safety. It involved strengthening criminal justice framework, enhancing capacity of the judiciary to dispense justice, improve institutional and operational capacity of Zanzibar Institute of Education for Offenders (ZIEO) and revive and implement non-custodial sentences. The details of the key outputs are summarized in **table 2** above. According to ZLSRS 2014/15-2018/19 document the budget for KRA1 was Tshs. 45,091,099,000/=

which is 39.1 % of the entire budget. However, the evaluation established the Revolution Government of Zanzibar had contributed in various activities related to this key result area.

The midterm evaluation observed a number of activities implemented under of KRA1 for the duration provided. The implemented activities included, a specialized training conducted on cyber-crimes, anti-corruption, money laundering and fraud to 100 lawyers (80 male, 20 female) from various legal sector institutions including the Police, Directorate of Public Prosecution (DPP) Office, ZIEO, Zanzibar Law Review Commission (ZLRC), Attorney General's Chambers, Judiciary, Zanzibar Anti-Corruption and Zanzibar Economic Crimes Authority (ZAECA) and Zanzibar Law Society (ZLS).

There was training on gender mainstreaming for legal sector conducted and it was attended by 40 participants (20 male and 20 female) from various legal institutions such as the Police, DPP's Office, ZIEO, Law Review Commission, AG's Chambers, Judiciary, ZAFELA and ZLS. The training was also held for two days to enhance capacity to Heads of Institutions and Secretariat to lead reforms. The training covered the situation of the Legal Sector Reform Program in Zanzibar, challenges and best approaches to alleviate them. Training to Paralegals was conducted where 35 participants attended. Training for Staff from DPP and Ministry of Health on forensic studies was conducted. The aim of this training was to build capacity of Prosecutors, Doctors and Officers from Chief Government Chemist. Number of 35 participants attended the training. In supporting AG's office to establish a Contract Management Unit, one Senior State Attorney attended three weeks training in Uganda.

The training of 75 judicial officers was conducted on handling cases and judgment writing skills. The training aimed at increasing capacity of criminal institutions to deal with crimes. A group of 50 prosecutors were trained on prosecution practices and skills. There was also training on human resource skills to 50 officers from Unguja and Pemba. Training on record keeping, data analysis, retrieving and sharing of information was conducted involving participants from Judiciary, MoJCA, AG Chambers, DPP's Office, ZLRC, ZIEO, Police Force and Civil Societies. Participants were officers from Registries. One radio program related to children rights was prepared.

According to the Legal Sector Reform Annual Progress Report - 2014/2015, a specialized intensive training on contract management was conducted for 20 State Attorneys and other officials (13 male, 7 female) drawn from the AG's Chambers and other government institutions involved in formulation and execution of government contracts. In the Legal Sector Reform Annual Progress Report - 2014/2015, it points out that the Ministry engaged a local ICT firm to update the website as well as train the staff on IT skills specifically web maintenance.

The evaluation indicated that there were a number of law review activities. For instance, in July- December 2015 the Criminal Procedure Act and Penal Act were reviewed by a team of experts. The participants from various legal institutions including the MOJCA, Police Force, DPP, ZLRC, AGC, and ZLS were involved in this task. The Prosecution Manual was reviewed and updated to include specific issues related to child justice. Two thousand (2000) copies of the Prosecutions Manual were published and disseminated to various stakeholders including Prosecutors, the Police and the Judiciary.

The strategy also facilitated review of the evidence Decree Cap. 5 of the Zanzibar law (1917) and amendment of Criminal procedure Act No 7/2004 and Panel Act no 6/2004. The midterm evaluation noted the establishment of new laws between 2014 and 2017. These include the draft and implementation of a public safety law, the DPP office prepared a framework for cooperation and effective records management system was developed and operationalized.

It was observed that ZLSRS contributed in the procurement of facilities to facilitate provision of legal services. There was a procurement and installation of operational forensic and technical evidence facilities such as Closed-Circuit Television (CCTV) cameras and high frequency radio. However, the evaluation observed that some facilities were not acquired as per plans. The ZLSRS interventions indicated plans to acquire at least four vehicles for the ZIEO but the activity was not implemented. A baseline was conducted to establish need for procurement of DNA machine; however, it was not procured as the planned donor (EU) budget failed to match with consultant's report.

The ZLSRS supported rehabilitation of the ZIEO buildings in Wete and Kinua miguu in Unguja. The strategy also supported construction of Hanyegwa Mchana Centre for offenders. However, interviewees proposed further the improvements in prison Services

by introducing rehabilitation program that considers individual prisoners circumstance before imprisonment. The strategy can also revive and operationalize a probation system (Non-custodial sentences), community services (to reduce custodial sentences) and address the parole system.

The evaluation established efforts in enhancing the capacity of judiciary to dispense justice. According to Legal Sector Reform Annual Progress Report - 2014/2015 a Case Management System analysis for the Judiciary, DPP's Office and Attorney General's Chambers overhauled the filing system through sorting of dilapidated files, procurement of up to date filing equipment and development of a Computerized Case Management Software. The legal resource center at the AG's office was equipped and procurement of Law Reports for AGC and the Law Review Commission was done. The Legal Sector Reform Annual Progress Report - 2014/2015 indicates that 4 laptops, 1 desktop computer, 1 scanner, 2 heavy duty printers, 1 heavy duty UPS, 1 HD Camcorder, 1 compact digital camera and 1 projector with its stand were procured.

KRA 2: Reforming the civil justice

The KRA3 was built to review the parent laws guiding civil justice branch of law, addressing areas that pose challenges to the registration system functions and bring satisfaction to society. The details of the key outputs of the KRA2 are summarized in table 2 above. According to ZLSRS 2014/15-2018/19 document the budget for KRA2 was Tshs. 16,335,525,000/= which is 14.2% of the entire budget.

The evaluations of the implementation status of KRA2 noted the progress on the review and update the civil Procedure Decree Cap 8 and Evidence Decree Cap 5 of the laws of Zanzibar (New civil procedural Act). There was an updated Business, Property and civil registries, harmonized civil laws, Alternative Dispute Resolution Act, New Land Policy, Operational Labour Dispute Handling Unit, Establishment of Mufti's Office Act No 9/2001, New Kadhi's Court Act and Establishment of Kadhi's court. The evaluation also noted constitutional recognition of dual court system and improved capacity of Kadhi's courts. About 69 Planning, Procurement, M&E and project officers were trained on project planning, monitoring and evaluation.

KRA 3: Improving access justice

The KRA 3 objective is to enhance equal access to justice and legal service. The KRA3 activities included strengthening institutional and regulatory. The details of the key outputs of the KRA3 are summarized in **table 2** above. According to ZLSRS 2014/15-2018/19 document the KRA3 budget was Tshs. 1,690,515,000/= which is 1.5% of the entire budget.

The evaluation of the implementation status of KRA3 noted progress on the introduction of Operational Legal Aid, new legal practitioners Act, accountability framework and translation of identified laws in Kiswahili

KRA 4: Reforming the Zanzibar Child Justice system

The KRA 4 was designed to ensure the child justice system addresses the specific needs of children to ensure their rights are served and protected. The KRA main interventions included Updating the policy, legislative and regulatory framework for child justice in Zanzibar. The details of the key outputs of the KRA4 are summarized in **table 2** above. According to ZLSRS 2014/15-2018/19 document the KRA4 budget was Tshs. 3,938,970,000/= which is 3.4% of the entire budget.

The evaluation of the implementation status of KRA 4 noted updated policy, legislative and regulatory framework for child justice, review of children survival, protection and development policy- harmonised instruments on child justice and Child Justice Awareness programme. The Child Justice was supported by UNICEF and the project implementation was noted to be on track, a number of activities had already been implemented, while others are in the process of being implemented. The results achieved include development of a Child Justice Strategy, the establishment of Police Gender and Children's desks, development of Children's Courts rules and capacity development of court staff and police officers.

The police Force was supported to construct and equip a Police Gender and Children's Desk at Mahonda Police Station in North B District in Unguja, a 5 day basic training course on dealing with Gender Based Violence (GBV) and Child Abuse was conducted. The participants were 12 officers from Zanzibar Police College and existing operational

Gender and Children's Desks and 2 NGO representatives. The Commissioner of Police Force has designated at least 2 Police Officers as Gender and Children's Desk Officers in every Police Station in Zanzibar. The training was rolled out to ensure that at least 2 Police Officers in every Police Station were trained on dealing with cases of GBV and Child Abuse.

KRA 5: The Zanzibar National Legal Framework

The KRA5 intended to improve the national legal framework in its totality. It took care of governing laws, key institutions, infrastructures and capacity building in terms of human resources. The details of the key outputs of the KRA5 are summarized in **table 2** above. According to ZLSRS 2014/15-2018/19 document the KRA5 budget was Tshs. 46,226,127,000/= which is 40.1% of the entire budget.

The evaluation of the implementation status of KRA 5 noted the progress in the formulation of the justice sector policies, consolidated laws, printing of law reports and new organizational structure of the Ministry of Justice and Constitutional Affairs. Through this KRA the strategy managed to train staff for the Attorney General's Chambers and provide research skills to Zanzibar Law Review Commission (ZLRC) staff.

The strategy also facilitated construction, rehabilitation and refurbishing the office buildings in the legal sector. The evaluation noted construction of the Ministry of Justice and Constitutional Affairs' building at Mazizini and rehabilitation of Chake Chake court building roof and installation of electrical system. There was a construction of Public Prosecutors' residential houses at Makunduchi, Mwera, Mkokotoni in Unguja and Madungu in Chake Chake–Pemba.

The evaluation also noted the plans to procure vehicles for the legal sector institutions in June 2019 and training programs for staff in the legal sector institutions. The Legal Sector Reform Annual Progress Report - 2014/2015 pointed out that a workshop on Legislative Drafting Skills was conducted. The workshop involved 50 Attorneys from the AG's Chambers, DPP's Office, LRC and Government Legal Officers.

KRA6: Strategy's implementation and funding arrangements

This KRA is concerned with management, coordination, monitoring and evaluation of the strategy. Its interventions included implementation progress and results of the programme and ensuring financing of the strategy. The details of the key outputs of the KRA6 are summarized in **table 2** above. According to ZLSRS 2014/15-2018/19 document the KRA6 budget was Tshs 1,951,128,000/= which is 1.7 % of the entire budget.

The midterm evaluation of the implementation status of KRA 6 established presence of the operational reform secretariat with working facilities and qualified and competent staff. The secretariat made the oversight of the conduct of the meetings, two Steering Committee and two Project Board meetings were conducted. These meetings endorsed LSRS, Annual Work Plans and discussed the LSRP progress report.

To ensure proper strategy implementation a baseline study for legal sector was conducted and final report submitted to the Ministry. The evaluation also noted the integration of ZLSRP with other reforms, increased ownership, awareness and support for the reform. The radio program, jingle, TV program and drama play prepared and aired to increase ownership and awareness of the reforms. In terms of funding arrangements there was efficient administration of the programme as indicated in the audit reports. There was M & E System of the ZLSRS and project progress reports.

The strategy main stake holders

The evaluation established that the strategy was participatory and several stakeholders were involved in its implementation. The project document identified the main stakeholder of this strategy as the responsive parties, that is, Ministry of Labour, Empowerment, Elders, Youth, Women and Children Presidents Office Legal Affairs, public Service and Good Governance. The stakeholders also involved the Directorate of Public Prosecution, Attorney General Chamber, Law reform commission, Zanzibar Female Lawyers Association (ZAFELA), Zanzibar Law society, Judiciary, Police, Prisons, UNICEF, and land registry.

Strategy expectations

According to the project document, the strategy is expected to develop and accelerate selected public reforms in Zanzibar. The strategy is expected to provide an opportunity to address holistically the challenges facing legal sector. It provides a collective approach towards capacity development and maximizes individual strength of the stakeholders.

The strategy concept and design

The evaluation confirmed that the project document was approved version by the appropriate organs. It also clearly defined the problem to be addressed by the legal sector in Zanzibar. It took into account the institutional, socio-political, economic and environmental contexts of Zanzibar. More precisely, the document supported the endeavours of the Zanzibar Legal Sector Reform Project to improve access to justice, strengthening the rule of law and accountability.

Interaction with other national projects

The evaluation noted that ZLSRS was interacting satisfactorily with other national projects. The strategy was in line with day to day activities/on-going initiatives in improving the functions of the Police Force, Social workers, judiciary, Institute of Education for Offenders, Zanzibar Legal Reform Programme, Zanzibar Legal Service Commission and Directorate of Public Prosecution office.

However, there were some observations from the interviewees, such as making regular Monitoring and Evaluation (M&E) of the project. The strategy document provides the TORs of the Reforms Coordinator and one of them is development and ensuring regular monitoring. However, the respondents emphasized on the need for a close M& E for the strategy sustainability. There was a recommendation that activities should involve all stakeholders. The evaluation established that some stakeholders were not fully involved in planning, designing and implementation of the strategy.

3.4. Stakeholders' expectation from the ZLSRS project

The stakeholders were asked to mention their expectations on the ZLSRS project. It was observed that most of the stakeholders' expectations were attained in terms of implementation and some were still in the progress. For instance, stakeholders commended the High Court Case Management System. The evaluation noted that data

entry was still under process waiting for the launching of the website that will provide the case records.

The stakeholders' expectations included enactment of the new laws and amendment of out dated laws and the impacts of new laws. However, they registered disappointment that the schedule for several activities was behind scheduled time. They pointed out delay in activity implementation of the reform activities by respectful Ministries. Specifically, they pointed out plans to establishment of Council of Legal Education 2015, Zanzibar Law School and re-establishment of legal practitioner (strategic no.2). The implementation of these activities was not done during this midterm evaluation (by November 2017). The stakeholders also praised development partners' roles in the strategy's implementation.

The respondents commended that ZLSRS had significantly changed the judiciary system in Zanzibar. They mentioned the support to build and improve judicial infrastructures and complement the government's initiative in the transformation of justice system. However, despite well enacted laws through ZLSRS, there were a number of obsolete laws in Zanzibar that required thorough review and further amendments.

The respondents acclaimed the ZLSRS interventions. Categorically, they mentioned various training programs that involved different officers and Case Flow Management System that has smoothed the courts operational duties. However, the stakeholders pointed out that the ZLSRS first phase had no much direct activities related to Zanzibar Institute for Education of Offenders. They recommended the next phase to consider more programs that will recognize of prisoners directly. They proposed a thematic area in criminal justice which will address prisoner rights and welfare.

3.5. Relevance of the strategy

The evaluator observed that the strategy is highly relevant and is considered a priority by various beneficiaries and stakeholders. All interviewed stakeholders agreed that the strategy is relevant and clear. Overall, the strategy meets development priorities of the Zanzibar at the level being targeted in terms of local, national and justice sector. It addresses urgent and vital needs of the targeted groups such as reforming criminal and civil justice, access to justice, child justice, national legal framework and implementation and funding arrangement. Most interviewee considered implementation of this strategy as

priority in their institutions. When the stakeholders were asked to comment on whether the objectives of the ZLSRS reasonable and will they lead to the expected benefits. 100% of the respondents agreed that the strategy was reasonable. However, there were some reservations on whether the strategy will lead to the expected benefits. They mentioned resources availability, government budgetary contributions, public awareness and stakeholders' ownership as factors that could hinder 100% achievements of the strategy.

The study revealed that cases file flow was not systematic in most institutions. Most of the case files did not meet the required standards on completeness, accuracy, availability and accessibility. It was established that a two days training was conducted on record keeping, data analysis, retrieving and sharing of information. The training involved participants from Judiciary, MoJCA, AG Chambers, DPP's Office, Law Review Commission, Zanzibar Institute for Offenders, Police, and Civil Societies. Moreover, the interviewees insisted on the need to conduct a more detailed training program to ensure proper implementation of the case file flow.

The respondents confirmed that to some extent the objectives of the ZLSRS are reasonable and will they lead to the expected benefits. The strategy has managed to improve from step one to others, for instance, there is a significant changes in criminal investigations. The Police Force had a number of training programs to empower the Directorate of Criminal Investigation. The capacity building training was done to enhance their competence in handling complaints. The training programs were provided to five Regional Security Officers (RSOs) in Zanzibar, Deputy Director of Criminal Investigation (DDCI) office, and Officer Commanding- Criminal Investigation Departments (OC-CDS) in all districts of Zanzibar and Pemba islands. However, the respondents recommended more training to Police Force on customer care, response of events and how to minimise delay of investigations.

Both respondents in the DDCI and DPP office agreed that the ZLSC is meeting anticipated needs, the Courts have improved but there are challenges on the cases proceedings. There are public complaints on the delays resulting from absence of case management system. The strategy has contributed in in improving the judgments through magistrates and judges training programs. However, there is lack of experience in the judicial system as most of the judiciary personnel in Zanzibar are direct from universities.

3.5.1. Stakeholders' involvement

The evaluation observed that ZLSRS stakeholders' job functions are involving various actors. For instance, the interviewees pointed the cycle of justice activities commencing from the police force, judiciary and probably ending up at the Institute of Education for Offenders. Such involvement and a chain of activities among various stakeholders call for cooperation and clear understanding of others roles. The respondents agreed that ZLSRS has majorly met the first two KRAs, that is, reforming the criminal justice and the civil justice. The respondents also agreed that the ZLSRS is participatory and has contributed in the improvement of the criminal justice framework of Zanzibar.

The evaluation observed that ZLSRS is involving the DPPs office in updating the laws, capacity building in prosecution and gender based prosecution training. The results of these training were ranked to be very good. The training built capacity on electronic evidence and recognition of electronic evidence. The ZLSRS enabled the DPPs office to work with medical doctors and DDCI on the sexual offence operations. However, there were some disappointments on failure to procure DNI machine and reference books. On the procurement of reference books it was established that the request was sent and approved by UNDP in January 2017 but till October the procurement was not done yet. The mid-term evaluation observed that the funds from the ZLSRS complemented the RGOZ budget in the provision of legal services. For instance, the amount of money was provided for initiatives to combat drugs and sexual offence programs.

The evaluation established that ZLS was involved in the enactment of the Evidence Decree, Establishment of the Kadhis Court and capacity building training programs for State Attorneys and private advocates. The ZLSC was very pleased for opportunity in the implementation of children law. It was noted that the Legal Aid Policy was in place, after approval by the Cabinet. Through ZLSRS there was an amendment of Evidence Law, renovation of court rooms and children court.

It was noted that the Attorney General Chamber (AGC) was a direct beneficiary of the strategy. The midterm evaluation observed that AGC participated in the steering committee, Board and other implementation committees. The AGC was involved in training of lawyers on case management systems, attachment of the young lawyers,

procurement of equipment and networking with other institutions such as DPP, Police Force, ZLS, ZAFELA, and ZIEO.

3.5.2. ZLSRS Contact with stakeholders

The midterm evaluation tested whether the project was designed to address specific issues relating to individual learning, organizational structures, processes, management systems, networking and linkages that affect the performance of the direct beneficiaries. The respondents confirmed that the Police Force was a starting point of a number of justice issues. The justice issues were later handled by other stakeholders including DPP, office, AGC, ZIEO, ZLS High Court, social welfare, hospital and Chief Chemist. The ZLSRS had facilitated various forums that involved the entire justice sector, such as weekly, monthly and annual Case flow management forums. The interviewees confirmed that ZLSRS has helped in building cooperation amongst all strategy stakeholders.

3.5.3. Information from the ZLSRS

The evaluation tested sufficient clarity of the information coming from the ZLSRS of to enable stakeholders to monitor the progress of the project. The evaluation went further by asking stakeholders to suggest how to improve the clarity of the information. Overall, all stakeholders agreed that ZLSRS information was clear.

3.6. Efficiency of the strategy

The midterm evaluation measured how well the project has used its resources to produce target outputs. The overall mid-term evaluation findings and analysis demonstrate that throughout project implementation, UNDP provided regular technical guidance and regularly monitored progress ensuring timely risk management and appropriate mitigation measures. Nonetheless, some informants indicated some shortcomings in the strategy implementation and organizational performance amongst various actors. For instance, respondents pointed out that despite prompt allocation of funds from the project the field officers failed to go the field work timely. The disbursement procedures at the ministerial level delayed implementation of planned activities. Again, there were dissatisfaction on the law review processes and procedures, especially, the use of task forces instead of providing more funds to fieldwork activities.

The mid-term valuation tested the efficiency by measuring the adequacy of the quantity and quality of project inputs relative to the target outputs. It was observed that the law reform process by using task force approach had some deficiency. The process can be strengthened by provision of more funds to ZLRC and empowering experts and field officers. The stakeholders had reservation on the quality and process of office equipment procured. The dissatisfactions included the unreliability of the procurement which impacted negatively on the needs assessment. The respondents confirmed delays between the contract awarding and the beginning of the activities, accuracy of the initial needs assessment and the cost of the equipment. Overall the stakeholders mentioned insufficient involvement of the project beneficiaries in the needs assessment exercises.

The evaluation was also done to establish the extent and use of local expertise and indigenous technologies and resources. It was noted that most project activities were done by local expertise. The capacity building training programs were done by local professors from SUZA, UDSM, MU and LST. The office equipment was purchased locally as well. The High Court staffs were involved in the preparation of the Case Management System, training and capacity building on its implementation. The ZLS was involved in the preparation of strategy; identify the strategies, member of steering committee and ZLSRS Board member.

3.7. Effectiveness of the strategy

The midterm evaluation tested the effectiveness of the strategy with respect to target outputs in terms of quantity, quality and timeliness. The President's Office, Constitutional, Legal Affairs, Public Service and Good Governance (PO-CLAPSGG) interviewees confirmed that almost all activities scheduled for 2014/15-2018/19 were done. Some activities were still in process and few were not done as pointed out in the respective key result areas.

The effectiveness of the strategy was illustrated by stakeholders' level of satisfaction on behalf of projects' beneficiaries. Analysis of strategy effectiveness also provided the factors that impede or facilitate the production of such outputs. The overall appraisal of the strategy in terms of effectiveness is very positive as far as implementation of the planned six KRAs is concerned. In particular, the strategic interventions and

implementation of ZLSRS activities occurred on a regular basis for both project beneficiaries.

3.7.1. Training and Capacity building

The Legal Sector Reform training for Legal Sector Stakeholders and the Secretariat members was designed purposefully to build the capacity of the above stated groups on the pre-described area of interest where knowledge, skills and experience were imparted and improved among the participants of the above stated training as the all fundamental aspects of the strategy. The leadership and law reforms issues were clearly illustrated and how to practically apply the issues in their areas of work.

Training for the Secretariat members and focal persons was designed to build their capacity on how to lead reform and improve their skills and areas of interest. In implementing this activity a total number of 30 participants which includes the Program Secretariat members and focal persons from various Legal Sector Stakeholders such as the Police, DPP's Office, Prisons, Law Review Commission, AG's Chambers, Muftis' Office, Wakf and Trust Commission, Business and Property Registration Agency, Registry of Births and Deaths and the Judiciary attended the training.

The capacity building interventions is justified by several training programs, including, 65 MoJCA staff and 75 Judicial Officers trained on handling of cases and judgment writing. The training was done to 50 Prosecutors on Prosecution Practices and Skills and human resource skill to 50 Officers in both Unguja and Pemba islands. The training on Project planning, monitoring and evaluation was done to 69 Planning, Procurement, M&E and Project Officers. The Managerial Skills was done to 35 Heads of Ministry's Departments and institutions and Policy Preparations and analysis to 40 officers. The legal drafting and drafting skills was done to 50 State Attorneys and prosecutors. There was also training on Litigation and adjudication skills to 125 legal officers including Judges, Magistrates, State Attorneys and Prosecutors.

At the end of the capacity training activities, the participants' capacity on different areas was improved as revealed through training evaluations. Among the preliminary successes include the improved understanding of project planning management, reporting, monitoring and evaluation by the participants including the ability to prepare quality

project reports which relate to their functions. The training had improved understanding of the roles and functions of each group. The training also has improved understanding on the scope of stakeholders' roles and how each one contributes to the access to justice cycle.

Two days training was conducted on record keeping, data analysis, retrieving and sharing of information was conducted involving participants from Judiciary, MoJCA, AG Chambers, DPP's Office, Law Review Commission, Education ZIEO, Police Force and Civil Societies. Training on gender mainstreaming for Legal Sector Institutions was designed to build capacity on the pre-described area of interest where knowledge, skills and experience were imparted and improved among the key stakeholders in the legal sector where gender issues were clearly discussed particularly on how to practically apply the issues in the areas of work. In implementing this activity a total number of 40 participants (20 male and 20 female) from various legal institutions such as the Police, DPP's Office, Prisons, Law Review Commission, AG's Chambers, Judiciary, ZAFELA and ZLS were invited and attended the training.

Another activity was Supporting Paralegals with a Specific focus on Gender Mainstreaming, The Ministry conducted three days training to Paralegals aiming at providing skills so as to enable them discharge their duties effectively and in the required standards. This training was held from 7th to 9th of November, 2015. The training involved 30 female and 30 male participants. To enhance capacity in forensic investigation and prosecution, 50 staff drawn from the DPP, Police Judiciary, Institute of Education for Offenders (Prison), Ministry of Health Institutions including the Chief Government Chemist and Medical Practitioners Zanzibar Food and Drugs Authority were trained on forensic investigation and evidence.

The evaluation noted a significant gender differentiation in the stakeholders training. The gender mainstreaming for Legal Sector Institutions was designed to build capacity on the pre-described area of interest where knowledge, skills and experience were imparted and improved among the key stakeholders in the legal sector where gender issues were clearly discussed particularly on how to practically apply the issues in the areas of work. In implementing this activity a total number of 40 participants (20 male and 20 female) from various legal institutions such as the Police, DPP's Office, Prisons, Law Review

Commission, AG's Chambers, Judiciary, ZAFELA and ZLS were invited to attend the training.

The evaluation observed that the capacity building interventions and outputs were useful to the needs of the stakeholders. Generally, there was an acceptance of the outputs by beneficiaries. For instance, to enhance capacity in forensic investigation and prosecution, 50 staff drawn from the DPP's Office, the Police, Judiciary, Ministry of Health Institutions including the Chief Government's Chemist and Medical Practitioners were trained on forensic investigation and evidence. This training will help to speed up investigation, provide forensic evidence to support convictions and reduce the chances of wrongful convictions.

The ZLSRS met anticipated needs in providing equipment to Zanzibar Law Review Commission including the photocopies, printers, generator, binding machine and scanner machine. It facilitated production of research documents and provision of training to ZLRC staff to enable them to build capacity in legal draft and report writing. The Law Review Commission has already reviewed the Evidence Decree Cap. 5 of the Laws of Zanzibar. A task force was formed to fine tune the draft reviewed Decree and put it in the required standards before it is submitted to IMTC.

3.7.2. Clarity of the information

The midterm evaluation tested whether the flow of information coming from the ZLSRS had sufficient clarity to enable monitoring of the project progress. The stakeholders commended the strategy's flow of information from donors to stakeholders. It was observed that UNDP and Ministry officials were making a close follow up on all strategy implementations. However, the interviewees pointed out the weaknesses related to activity coordination and delayed logistics. Precisely, the delays related to payment to services providers were highlighted.

3.8. Impact of the strategy

In general, it appears that the strategy has improved the access to justice in Zanzibar. Given the indicators established by the strategy and opinion of stakeholders the project has contributed to provide an opportunity to address holistically the challenges

facing the legal sector in Zanzibar. The strategy has enormous impact in the development of the capacity of the direct beneficiaries in terms of individual learning, by gender, and improving stakeholders' interrelationships. The strategy has likely impact beyond the direct beneficiaries as it will minimize delay of justice to the entire Zanzibar community. The evaluation noted many signs of potential contribution of the strategy to address inadequate institutional and operational capacity, low capacity awareness on basic justice and rights, poor infrastructure, delays in delivery of justice, and poor legal practice and procedures.

The evaluation highlighted positive changes in the legal sector reform strategy. However, there was consensus among stakeholders that the change needs long time and needs efforts to be inculcated in the Zanzibar legal sector. Further capacity building interventions will be required for the sector to change from the old ways of doing business. Hence, the second phase is important to ensure all stakeholders have adopted a new way of doing things. According to the project progress reports of the Zanzibar Legal Sector Reform Strategy has clear positive impact on increased disposition of criminal cases, improved management of information and disposition of civil cases. The progress was also noted on simplified civil and business registration processes, proposition of people having access to legal aid services, conviction of perpetrators of violence and abuse against children, efficient, effective and accountable justice sector, adequate capacity and working environment.

3.9. Sustainability of the strategy

The Legal Sector Reform Strategy envisages a system to monitor and evaluate progress in its implementation in order to measure progress towards the planned outputs and desired outcomes or results. To ensure sustainability of the ZLSRS in the targeted activities, UNDP held a number of meetings with stakeholders. The progress reports confirms that since 2013 Stakeholders' meetings were held to review MTEF and Result Frame work and the Final Validation Meeting (MTEF and Result Frame work) was done by the Strategy Steering Committee.

3.9.1. Mechanisms for Monitoring the Strategy's Implementation

The midterm evaluation confirmed that the strategy had a mechanism for its monitoring. The Program Governance and Board meeting was conducted at Attorney Generals' Chambers on 18th Feb, 2015 and endorsed the Annual Work Plan. The strategy document provided activities and its budget details. A technical feasibility study and detailed design of the strategy was undertaken by external consultant for objectivity purposes. The Legal Sector baseline study was undertaken to establish baseline data. In addition, the interviewees confirmed that project coordination was done through field visits to the targeted stakeholders to oversee implementation of the project.

3.9.2. The Project sustainability

The midterm evaluation tested whether the Key Result Areas of ZLSRS were clear and whether the outcome of this project is sustainable. The stakeholders were also given opportunity to suggest how to achieve the sustainability. Most interviewed stakeholders agreed that the KRAs touch their daily activities and were relevant. Moreover, its sustainability will depend on a number of factors, including availability of funds and good strategies. Specifically, the stakeholders mentioned that sustainability is very likely for KRA1: Reforming the criminal justice and KRA 2: Reforming civil justice. The sustainability of KRA3: Improving accesses to justice rely on the presence of donors.

The respondents indicated suspicions on the sustainability of the planned interventions in the absence of the project. The mentioned that some interventions proposed in the strategy are rarely practiced in Zanzibar. For instance implementation of non-custodial sentences is based on guilt or shameful principles. Such sentences might not be so effective to common citizens compared to when applied to leaders and popular personalities in the country. Notwithstanding the above challenges, key findings of the midterm evaluation in respect of each evaluation objective showed that project achievement of expected results was overall satisfactory and sustainable.

3.10. Areas of potential success

The midterm evaluation noted early indications of potential success of the strategy. Overall the strategy was observed to be potentially successful in all institutions that were

involved in the project. For instance, in the Ministry of Labour Empowerment Elders, Youth Women and Children it was observed that the strategy has potential success on women and children policy and laws, evidence law and increased pace of case managements. The Zanzibar Law Review commission pointed out success in law amendments, systematic law reviews (Zanzibar laws are grouped as per ministries) and facilitation of the stakeholders' joint meetings. The ZAFELA successes included its involvement in the ZLSRS Steering Committee, support in legal aid provision through young female lawyers (fresh from universities) and enabling the female lawyers to attend clients more competently.

The DPP office success included criminal justice reform, enactment of new laws, and joint work with other stakeholders and new Evidence Act No. 9. The ZLSC mentioned success in the Implementation of Child Law and involvement on the paralegal and strategy meetings. The Institute of Education for Offenders was noted to be key legal sector in the preparation of the strategy documents and participation in the steering committee.

The success in the Registry of land included assisting the government preparation of new land policy, land tribunal and improvement of land registration. The strategy has strengthened women empowerment in land ownership and address formalization on the inheritance of land. Through ZLSRS the Office of the Registry of land managed to go through land laws, provide awareness of land registration, sensitisation campaigns and community participation/outreach.

The land awareness campaigns involved 16 sheihas from Unguja and 10 from Pemba islands. The citizens were provided with community education on inheritance of right of occupancy. About 160 community members from Unguja and from 100 Pemba islands were trained on land issues and inheritance of right of occupancy. The community meetings were conducted, religious leaders were trained on land issues and about 200 campaign T-shirts were distributed.

3.11. The factors that affected the implementation of the project

The evaluation established minimal contribution of the government in the strategy implementation budgets. For instance, the reforming the Zanzibar child justice system received Tshs. 150, million from donors and the government contributed Ths. 40million.

There was no budget records and project progress at the ministerial level. The Ministry of Labour Empowerment Elders, Youth Women and Children had no exact expenditure and strategy progress reports. The interviewees pointed out that the control of child justice activities were solely done by the UNICEF.

4. Lessons learned: Assessment of attainment of indicators, operational and developmental lessons

4.1. Introduction

This chapter summarizes the main lessons drawn from the strategy experience that may have generic application. It points out the best and worst practices in formulating, implementing, monitoring and evaluating the legal reform strategy.

4.2. Main lessons from this strategy

Generally, the midterm evaluation pointed out both best practices and areas that require improvements for the future implementation processes.

4.2.1. The best practices

The mid-term evaluation established that the information provided by the strategy was beneficial to the general public. The evaluation established that the legal sector reform strategy was a long awaited in Zanzibar. The stakeholders agreed the strategy made a lot of difference in capacity building of the legal sector personnel. In collaboration the stakeholders valued the strategy contribution and commented the need to extend it further in order to strengthen the legal sector in Zanzibar.

4.2.2. Areas that require improvements

The evaluation asked the stakeholder to list the problems in project implementation that need to be improved. The stakeholders were also probed to mention the flaws in designing, implementation, monitoring and evaluation of the strategy. The respondents commended efficiency in the strategy designing and implementation. However, they pointed out few areas where the strategy failed to fully involve stakeholders in some interventions. In some cases the ministry had extended the coordination and monitoring roles into implementations. The stakeholders proposed the actual implementation of the strategy to be done by the stakeholders and strategy beneficiaries. They pointed out that the bureaucracy in the strategy implementation need to be minimized in the second phase of the project.

The respondents mentioned some of the strategy activity costs were not settled promptly. Respondents pointed out a need to reconsider the coordination arrangement of the activities and the Ministry of Labour Empowerment Elders, Youth Women and Children on reforming the Zanzibar child justice system by considering more involvements of the responsible staff.

The evaluator noted that participants' concentration in training and capacity building was compromised by the interruptions as most of the training programs were conducted in the office proximities. The attention of trainees was low as some left the training rooms frequently and some signed and left altogether. It was observed that the oversight of the training was done but there were no evaluation reports. Some training programs did not provide the participants' attendance and performance certificates. The stakeholders also mentioned the need to do a thorough analysis of the relevance of the training programs. The stakeholders applauded the necessity of capacity building but insisted on considering the relevance of the training to provision of legal justice to Zanzibar.

4.3. Areas to be incorporated in the second phase of the strategy

The stakeholders were asked to provide the suggestions that would enhance and benefit the second ZLSRS. The subsequent sections indicate suggestions provided in the specific areas.

4.3.1. Provision of working equipment

The interviewees mentioned that the first strategy was more on training and capacity building and with less budget on physical materials such as working equipment and infrastructure. They suggested consideration of provision of additional working equipment components. The working equipment will enable the stakeholders to put in practice what was learnt in the capacity building programs.

4.3.2. Decentralization of the project

The stakeholders proposed the next phase to further decentralize implementation of the project. They pointed out that in the current strategy there had centralized many interventions at the ministerial level. They proposed the next phase of the strategy to deal directly with implementing partner institutions.

4.3.3. Selection of few and affordable interventions

The respondents highlighted that the strategy was ambitious and it was not possible to achieve remarkable achievements with provided limited resources. The proposal for the next phase was to consider selection of few and affordable interventions in the justice system. There was a proposal to conduct a stakeholder's analysis that will reveal the actual needs of each institution.

4.3.4. Need to maintain the trained focal persons

The evaluation revealed that the recent reformulation of Ministries had brought challenges in the current strategy implementations. A number of previously trained focal persons had moved to other Ministries or provided with new roles. They also pointed out that the current Ministries were somehow overloaded. For example the new Ministry of Labour Empowerment Elders, Youth Women and Children and President's Office Constitutional, Legal Affairs, Public Service and Good Governance had lost the intensity of strategy. They mentioned that the current Ministry is a combination of more than one ministry hence the relevance of the strategy will highly depend on the priority provided the management. The interviewees also insisted on the need to increase public awareness to communities on the relevance of improving the legal sector.

4.3.5. Need for enough consultations with stakeholders

The respondents pointed that there were no enough consultations on the kind and modality of strategy implementation. The stakeholders suggested thorough need assignments before introduction of the strategic interventions. They suggested that enough consultations could bring more positive impacts instead of a 'top-down approach'. The stakeholder proposed the training programs to go further down to the lower levels such as Police Force desk officers, homicide and fraud. The stakeholders mentioned a need to conduct a thorough need assignment of each stakeholder on the required budget, administrative costs and transport facilities.

4.3.6. Timely disbursement of funds

The evaluator noted that there were some challenges in the disbursement of funds to respective strategy implementers. Despite the fact that funds were disbursed timely, the

stakeholders pointed out the delays in reaching them. They suggested a need to strengthen the Strategy Secretariat capacity and disbursement of funds straight to the partner institution accounts. It was further noted that, it was not easy to establish the exact amount of funds allocated by the Ministries to cater for legal reform interventions.

4.3.7. Reform of the business related law components

The stakeholder pointed out that the strategy was good but had less in addressing the business law related components. It was observed that the strategy KRAs focused in four areas only and there is a need to expand the horizon by inclusion of business related law components, oil and gas laws and private advocates. The stakeholders insisted that the private lawyers are watch dogs of civil and criminal cases and their interventions ensure provision of the human rights.

4.3.8. Introduction of the Children's detentions

The stakeholders mentioned a need to introduce children's detentions and provided them with counselling personnel and facilities. It was observed that when children are diverted they sometimes meet the most notorious convicts and come back home with even more advanced crime skills. The stakeholders mentioned that the current diversion only punishes children instead of changing them. They proposed next phase to consider improvement of the Pemba and rehabilitate the Madema children diversions.

4.3.9. The completion of strategy interventions

The stakeholder insisted on the completion of the first phase interventions and activities. The activities to be completed included capacity building, allocation of resources for the Land Registry, support identification of the land owners and facilitate its registration. It was established that the Land Registry department had shortage of transport and survey equipment. The ZIEO had reflection of legal reform program in the mainland where the Tanzania Prison Force was provided with cars and buses for prisoners. Such facilities were not provided in the Zanzibar reform strategy. They suggested that next phase can consider intervention to make prisoners to law abiding citizens.

The stakeholders insisted that the strategy should be a paper to practice not paper to paper. There is a need to strengthen the coordination team, by involving appropriate officers as

focus persons. It was stressed that the next strategy to continue in capacity building of the young lawyers through facilitation of field attachment of young lawyers for three months at the Attorney General Chamber. To support provision of short courses, such as legal drafting skills (Good laws comes from good drafters). Capacity building saved the purpose but did not fulfil the needs of Professionals. E.g. drafting of legal document training was conducted but the course duration was too short, one week was not enough.

The stakeholders pointed the need to strengthen the library of the Attorney General Chambers. The next strategy to target to change the Zanzibar laws to be model e.g. moving from current punishments into community service and reduce the congestion of the prisoners. Need to institute the disciplinary punishments, reflect the Taiwan where drivers with traffic offences are taken to mortuary to witness the implications of car accidents.

The next phase can consider additional offices of High Court by construction of more buildings. The strategy to support library facilities and reference books, The strategy to address staff motivation (low salaries for Primary Courts Clerks and Primary Court Magistrates promotions) and Capacity building programs.

4.3.10. Need to conduct frequent evaluations

The evaluation noted that the strategy was very good but there was a need to conduct frequent evaluations to respective activities. The stakeholders proposed introduction of pilot projects instead of covering the entire islands at a time. The advantages of pilots included witnessing the remarkable changes before embarking into the full fledge project. The stakeholders also proposed adoption of the good things from other countries' strategies such as introduction of prison buses in the Tanzania mainland and establishment of professional investigation college in Zanzibar.

5. Conclusion and Recommendations

This chapter covers conclusions and corrective actions recommended for the design, implementation, monitoring and evaluation of the strategy. It recommends the actions to follow up or reinforce the initial benefits from the strategy.

5.1. Conclusion

The evaluation concluded that the strategy has contributed in strengthening criminal justice framework, enhancing judiciary capacity, improving institutional and operational capacity of the stakeholders and revive and implement non-custodial sentences. The strategy addressed the review of the parent laws, make civil litigation more efficient and accessible. The strategy has strengthened the institutional and regulatory framework for the legal aid, enhanced ethical conduct of legal practitioner and increase accessibility to legal information.

The strategy has supported the updates of the policy, legislative and regulatory framework for child justice in Zanzibar. It has improved the Zanzibar national laws framework, provide oversight to the legal practice and strengthen the institutional capacity of the justice agencies. The strategy also has supported coordination of legal reform, provision of resources and provision of effective monitoring and evaluation framework.

5.2. Recommendations

This midterm evaluation is proposing short term and strategic recommendations as follows:

5.2.1. Short term recommendations

In the short term recommendation the evaluator is suggesting the strategy to continue to focus on sustainable, cost-effective, high impact approaches pushing for convergent rather than scattered legal service interventions. The current strategy has six key result areas and a number of interventions. Generally, some key outputs were completely not achieved. Probably, expected financial, physical and human resources were not readily available as per program activities and budget. The next phase can reconsider avoidance of scattered interventions for the maximum impacts in the legal service.

The evaluator is suggesting that the next phase to consider more programs that will recognize prisoners directly and to involve the Zanzibar Institute of Education for Offenders in handling and escort of prisoners and convicted persons. Also, the next phase can reconsider the provision of infrastructure to inmates.

The evaluator is suggesting more short courses on legal drafting and allocation of funds timely for the fieldwork for young lawyers at the Attorney General Chamber. It was observed that despite allocation of funds from the project the field officers failed to go to the field work timely. It is recommended that the next strategy to continue in capacity building of the young lawyers by allocating funds and facilitating their field attachment at the Attorney General Chamber.

It was noted that delay of funds is still a big problem in the implementation of the strategy. For example, a request for January disbursement can be made at the end of February while the report are insisted to be submitted at the end March. Some examples of delays included the preparation of Legal Aid Policy and Penal and Procedure legislation. The respondents pointed out that the chain of meetings to officiate the documents delayed the whole process. They recommended timely disbursement of funds and minimization of unnecessary procedures to facilitate implementation of the strategy.

It is recommended that there is a need for more long term training programs to the legal sector institution employees. It was observed that there is a lack of experience in the judicial system as most of the judiciary personnel in Zanzibar are direct from universities.

It was observed that there are few vehicles that can facilitate the implementation of strategy. The evaluator is suggesting that there is a need to consider the procurement of vehicles to ZIEO and Ministries for project's implementation. This will help in managing time and simplifying work.

The evaluator is suggesting investing much more efforts and recognising paralegals as it was observed few paralegals were trained. Paralegals are important in a way that they are helpful in providing legal aid to those who are in need of it. The CSO are endeavouring to provide public awareness but they lack enough funds. The next strategy phase can consider setting aside funds for this activity.

5.2.2. Strategic recommendations

There was consensus among key stakeholders interviewed that this intervention was very important and a long awaited intervention in the Zanzibar legal sector. Again, there was such strong national and genuine donor alignment behind the designing and

implementation of this strategy. It was observed that all stakeholders had commitment and agreed of the relevance of the project. It is essential that ZLSRS continues to maintain its legal interventions for the sustainability purposes.

The evaluation is recommending the next phase to strategically work in line with collectively identified intervention areas. Further involvement of all stakeholders is highly needed in both stage of project implementation. The needs assessments of the strategic activities should involve both direct and indirect beneficiaries. The evaluation has noted that nearly all strategic interventions were cross cutting. There is a strong need to continue to build consensus among all stakeholders before embarking into project implementation.

6. Appendices

Appendix 1: Terms of Reference

Midterm Evaluation of the Legal Sector Reform Strategy for Zanzibar

Summary of Engagement

The title of Strategy:	Midterm evaluation of the Legal Sector Reform Strategy for Zanzibar
Implementing Organization	President's Office Constitutional Legal Affairs, Public Service and Good Governance.
Duration of Evaluation	22 working days
Geographical coverage of Evolution	Zanzibar

Introduction

This document represents the Terms of Reference (ToR) for the mid-term evaluation of the Legal Sector Reform Strategy for Zanzibar. For President's Office, Constitutional Legal Affairs, Public Service and Good Governance, evaluation is the systematic assessment of the design, implementation and the results of this strategy, to consider its relevance, effectiveness, efficiency, impact and sustainability. Below are the background, objectives, scope and methodological approach, evaluation team, schedule, logistics and deliverables, evaluation responsibilities and management arrangements, dissemination strategy, the process of the selection of the evaluator or evaluation team and expectations for evaluation proposal.

Background and goal/objective of strategy

In May 2014, the Legal Sector Reform Strategy 2014 – 2018 was developed and finalized with support from the Legal Sector Reform Programme (LSRP) which is implemented by the President's Office Constitutional Legal, Public Service and Good Governance and with funding from United Nations Development Programme (UNDP) and the European Union (EU). The strategy was developed in pursuit of Output One of the LSRP with the aim of assessing the progress of implementation, relevance, effectiveness, efficiency, impact and sustainability of the Legal Sector Reform Strategy in Zanzibar.

The overall goal of the ZLSRS is *ensuring timely accessible justice and the rule of law for all*. This strategy intends to achieve the following specific objectives: -

- To improve criminal justice system that guarantees security and safety for the people of Zanzibar;
- To improve the civil justice system that makes civil litigation more efficient and accessible;

- To enhance equal access to justice and legal services;
- To strengthen child justice system that guarantees realisation of rights and welfare for the children of Zanzibar;
- To improve the Zanzibar National Legal Framework to deliver justice efficiently and effectively; and
- To manage and coordinate the implementation of the Strategy.

In order to ensure that the overall goal is achieved, the following principles have guided the preparation of this Strategy:

- Lessons from other reforms currently being implemented in Zanzibar have been taken into account after due consultation with government departments or agencies, the general public and civil society organisations with similar undertakings.
- Since the implementation of the long-term strategy may be severely constrained regarding resources to achieve the Legal Sector objectives in the long term; this Strategy adopts a medium-term perspective in its implementation.

Purpose of the Evaluation

The proposed mid-term evaluation has an important timing for the LSRP which will be ending in December 2017. The outcome of the evaluation shall contribute to the development of a follow-up programme and in particular to reflect on the outcomes and to develop the learning and best practices. The mid-term evaluation shall make recommendations for the improvement of upcoming activities, as well as for the identification of potential strategies for the sustainability, especially the sustainability of the developed networks/alliances of among justice sector institutions. The evaluation should build upon the baseline and monitoring data, providing an opportunity for more in-depth analysis and understanding of why certain intended or unintended outcomes are/are not occurring. Moreover, this mid-term evaluation will provide the opportunity for accountability towards the stakeholders of the Strategy, as well as significant learning for the concerned institutions in the justice and the rule of law institutions.

The results of the mid-term evaluation will give the possibility to *use the findings* for:

1. Assessing the contribution towards the outcomes of the Legal Sector Reform Strategy so far;
2. Provide recommendations on focal areas such as legal reform, inter-institutional coordination and interconnection, private sector engagement, access to justice, relevance, sustainability of the outcomes and gender.
3. Accountability towards stakeholders at large (government, donor, civil society and the private sector, in identifying key lessons in order to improve the current and future strategies and programs);
4. Assessing the sustainability of networks and linkages and developing the strategies for transition;

PRODUCTS EXPECTED FROM THE EVALUATION

The consultant shall provide UNDP and the Ministry with a comprehensive draft report for review and comments. The report shall include:

- Executive summary.
- Purpose of the evaluation and the methodology
- The main findings on the Legal Sector Reform Strategy: relevance, efficiency, effectiveness, the impact of activities, sustainability with recommendations for improvement.
- Lessons learned: Assessment of attainment of indicators, operational and developmental lessons.
- Conclusions and recommendations
- Annexes: TOR, Itinerary, List of people met, List of documents reviewed

METHODOLOGY OF EVALUATION

The evaluation will be based on the findings and factual statements identified from a review of relevant documents including the project document, quarterly reports, Annual

Project Reports, in addition to the technical reports produced by the project and the different products and materials. A list of the above reports will be shared with the consultants before the beginning of the mission. The mission will also undertake field visits and interview the stakeholders including the target beneficiaries, government officials. Participation of stakeholders in the evaluation should be maintained at all the times, reflecting opinions, expectations and vision about the contribution of the strategy towards the achievement of its objectives.

REQUIREMENTS OF THE EVALUATION TEAM

Education

Relevant Master's degree in Law, Social Sciences, Public Administration, Law or any related technical field.

Skills and Experience:

- At least 5-10 years' experience in conducting studies in law and the establishment of legal or tertiary institutions.
- Demonstrate expertise and experience on conducting a similar study.
- Excellent analytical, oral and written communication skills in English.
- Experience in monitoring, evaluation, and reporting.
- Proven experience in conducting assignments in complex environments
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.
- Demonstrated experience in report writing.

Appendix 2: Time line of the assignment

The following shall be the timeline of the assignment

NO	Key Activity	Timeline in Days
1	Arrival in Zanzibar and debriefing including meetings with officials of the UNDP and the Ministry. Finalisation of logistical arrangements for the consultant.	Day 1
2	Submission and discussing of inception report.	Day 2 – 4
3	Desk review of the relevant document including enacted and drafted legislations, policies, project results framework, action plans and quarterly and annual reports and all other related available documents.	Day 5 – 6
4	Carry out consultations with the main institutions, groups, and individuals.	Day 8 – 10
5	Preparation, submission, and discussion of the first draft of the report of the study to the Judiciary	Day 10 – 17
6	Present the findings of the study to stakeholder’s validation and feedback meeting.	Day 18
7	Submission of final draft of report of the study	Day 19 – 22

ESTIMATED DURATION OF THE CONTRACT

The contract of the assignment should be for a minimum of fourteen (14) working days.

Appendix 3: List of persons interviewed

1. Directorate of Public Prosecution

2. Deputy Principal Secretary- President's Office Constitution, Legal Affairs, Public Service and Good Governance
3. Chairman ZLRC
4. Registrar of Land
5. Zanzibar Institute of Education for Offenders
6. President Zanzibar Law Society
7. Directorate of Criminal Investigation
8. Director ZLSC
9. Registrar High Court
10. Ministry of Labour, Empowerment, Elders, Youth, Women and Children
11. LSRP- Technical Team

Appendix 4: List of reviewed documents

1. Zanzibar Legal Sector Reform Strategy (ZLSRS) 2014/15-2018/19
2. ZLSRS Annual Report
3. ZLSRS Quarter Reports
4. A Bill For an Act to Repeal the Legal Practitioners Decree Cap. 28 And Notary Public Decree and Enact. The Legal Practitioners Act
5. A Bill for an Act to Enact the Alternative Dispute Resolution Act
6. A Bill to review of Evidence Decree Cap 5 of 1917
7. A Bill to repeal the Criminal Procedure Act No. 7 of 2004
8. A Bill for an Act to Provide for Provisions to Regulate the Delivery of Legal Aid Services, To Facilitate Access to Justice and to provide for Other Related Matters
9. A Bill for an Act to Establish a New Penal Act and Matters Connected Therewith and To Repeal the Penal Act No. 6 Of 2004
10. A Bill of an Act to Repeal and replace the Probation of Offenders Decree and Enact the Probation of Offenders Act and Provide for Other Matters Incidental Thereto

Appendix 5: Stakeholders' interview questions

1. What is your job function and in what way are you involved in ZLSRS?
2. What is your expectation from the ZLSRS project?
3. Please give your views of the benefit of ZLSRS (based on your involvement in the project)
4. Are the objectives of the ZLSRS reasonable and will they lead to the expected benefits? If not, why?
5. Is the ZLSRS meeting your anticipated needs? If not, in what way is it failing?
6. Do you have contact with other stakeholders involved in the project? If yes who and for what purpose?
7. Are the Key Result Areas of ZLSRS clear? Will the outcome of this project be sustainable? Can you suggest how this sustainability will be achieved?
8. Do you have sufficient contact with the ZLSRS team and does this meet your needs? If not, please indicate how often you have contact with project team)?
9. Is the information coming from the ZLSRS of sufficient clarity to enable you to monitor the progress of the project? If not how could this be improved?
10. Do you think ZLSRS is interacting satisfactorily with other national projects? If not please explain.
11. Is the information provided by the project to the general public of benefit? If not how could this be improved?
12. Please provide any suggestions that would enhance the benefit of ZLSRS to your institution or other stakeholders?
13. Any other comments?

Appendix 6: ZLSRS Staff Questions

1. When did the ZLSRS started and its duration?
2. What is the ZLSRS implementation status?
3. What Problems that the ZLSRS seeks to address?
4. What are the immediate and development objectives of ZLSRS?
5. Who are the main stakeholders?
6. What are the results expected?
7. ZLSRS Project delivery
 - a. Progress of the project as a whole in achieving its stated objectives
 - b. Effectiveness, efficiency and timeliness of project implementation
 - c. Stakeholder (steering committee/benefiting institutions) participation, partnerships
8. Project implementation
 - a. Project oversight
 - b. Project execution
 - c. Project implementation
 - d. Project administration
 - e. Project planning
 - f. Monitoring and evaluation
 - g. Risk management
9. Project finances

- a. Financial planning
- b. Budget procedures
- c. Disbursements
- d. Effectiveness of funding mechanism
- e. Risks

10. Monitoring and evaluation

- a. Has there been a Monitoring and Evaluation framework for the project, is it efficient?
- b. Is the reporting framework effective/appropriate?
- c. Is this framework suitable for replication/continuation for any future project support?

11. Risk Management

- a. Identify problems/constraints which have impacted or might have impact on the successful delivery of the Project
- b. Are they likely to repeat or occur in next phase?

Appendix 7: Profile of Consultant

Dr. William Amos Pallangyo combines administration, academia and consultant roles. He is currently working as a Deputy Principal-Planning Finance and Administration-The Law School of Tanzania and Senior Lecturer. He is a Consultant with expertise in reforms, public policies, community development and governance. He is also a Researcher and Author in public administration, research, public policies, development and management issues. He has published books on The Impacts of Local Government Reforms on Human Resource Capacity a case of local authorities in Tanzania, Research Skills in ODL application (including Policy Research) for SADC Secretariat, 'Managing Consultancy Services: A Tanzanian Perspective and Training of Trainers: A Concise Handbook.

Dr. Pallangyo has also published several articles on governance and leadership development in Tanzania. Furthermore, he is teaching several courses on research methodology and policy, Public Administration, Local Government, Public Policy, Governance, Human Resource Management, Decision Making, Reward Management, Organizational Management, Training of Trainers and Development related Courses. Last but not least, he has participated in undertaking over twenty eight consultancy assignments.