

**Scottish Government**

**Malawi Development Programme 2015-2018**

**End of Year Report 2017-18– Part 1 of 3**

This narrative report should be submitted together with your updated logframe and financial report.

**PLEASE READ ATTACHED GUIDELINES BEFORE COMPLETING THE FORM**

<b>1. Basic Project Information</b>	
Complete the information below for management purposes. Please indicate in the relevant section whether any changes to your basic project information (e.g. partners, geography, project dates or budget) have occurred during this reporting year. Explanations should be provided in section 3.	
1.1	<b>Project Reference Number</b> M/15/CFC/013
1.2	<b>Reporting Year</b> From: 01/04/2017 To: 31/03/2018
1.3	<b>Project Year</b> (e.g. Year 1) Year 3
1.4	<b>Name of Lead Organisation (Grant Holder)*</b> Chance For Change
1.5	<b>Name of Partner(s)*</b>
1.6	<b>Name of Project*</b> Routes For Change – Inc. Project Extension
1.7	<b>Project Description*</b> Chance for Change's "Routes for Change" is a programme designed to build capacity within the Malawian criminal justice system to move towards a fair and humane system of dealing with children in conflict with the law. Routes For Change aims to ease pressure on an overburdened child Justice system and give the judiciary genuine alternatives to custodial detention.
1.8	<b>Project Country/ Region*</b> Malawi, National
1.9	<b>Project Start &amp; End Date*</b> Start: 01/04/2015 End: 31/03/2018
1.10	<b>Total Project Budget*</b> £522,727
1.11	<b>Total Funding from IDF*</b> £500,727
1.12	<b>IDF Development Priorities</b> Please tick the box next to the development priority/priorities that your block grant aims to address <input checked="" type="checkbox"/> Health <input checked="" type="checkbox"/> Education <input checked="" type="checkbox"/> Civic Governance <input checked="" type="checkbox"/> Sustainable Economic Development <input type="checkbox"/> Renewable Energy
1.13	<b>Supporting Documentation</b> Check box to confirm key documents have been submitted with this report <b>Up-to-Date Logical Framework (LF)</b> summarising progress against relevant milestones for project activities, outputs, outcomes and impact. <input checked="" type="checkbox"/> Please indicate (check box) if you have proposed amendments to your LF since your last report. If <input type="checkbox"/>

**1. Basic Project Information**

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		so, please detail any changes in Q3.2 <input type="checkbox"/>	
		Please indicate (check box) if the LF submitted has been approved by the Scottish Government.	
		<b>End of Year Financial Report</b> <input checked="" type="checkbox"/>	
		<b>Proposed Revised Budget (if applicable)</b> <input type="checkbox"/>	
	Please list any further supporting documentation that has been submitted	Case studies	
1.14	<b>Response to Previous Progress Reviews</b>	<b>Scottish Government's comments on previous reports (State which):</b>	<b>Action taken since received:</b>
1.15	<b>Date report produced</b>	N/A	
1.16	<b>Name and position of person(s) who compiled this report</b>	[REDACTED] Director of Operations [REDACTED] Project Manager	
1.17	<b>Main contact details for project, if changed</b>	[REDACTED] 8 Glenorchy Terrace, Edinburgh EH9 2DQ	

Signed by \_\_\_\_\_ Date \_\_\_\_\_

Designation on the Project \_\_\_\_\_

**2. Project Relevance**

2.1	<p><b>Project Beneficiaries</b> Does the project remain relevant to the context and the beneficiaries with whom you are working? Please justify this in a short paragraph below.</p> <p>The project still remains relevant. During the past three years we have established without dispute, a sound basis for community sentencing and diversion from formal prosecution, and are running a successful rehabilitation centre. There is still however, much to do in terms of establishing the Child Care Protection and Justice Act (2010).</p> <p>Similarly, our direct beneficiaries are serving their sentences in humane, healthy, and rehabilitative conditions, which of course is of utmost relevance to them; the greatest impact nevertheless, remains with the indirect beneficiaries; families, communities, victims, the judiciary and the Prison Services. The benefit to these groups, of the restorative and positive reintegration of fully reformed individuals into their society is very impactful, compared to the alternatives available.</p> <p>The Malawi Prison Service continues to fail to adequately perform their statutory responsibilities for housing, feeding, rehabilitating, and taking responsibility for the health and wellbeing of prisoners. This of course means that the project is growing in</p>
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	<p>relevance as the situation further deteriorates.</p> <p>The first full year of the project extension (support for the Child Case Review Board), has demonstrated the effectiveness of taking a multi-pronged approach to the problems of a dysfunctional system. In terms of results, this has been a high-impact investment by the Scottish Government.</p> <p>The legal team have facilitated (proportionately) large numbers of prisoners released, discovered a significant number of children incarcerated in adult prisons (and suffering abuse as a result), and have facilitated referrals to our reformatory centre for boys that would otherwise be in prison. The combination of the legal team and our core project has demonstrated how a functioning judiciary and community-sentencing can combine to relieve pressure on overburdened government services and achieve very impressive results.</p>
2.2	<p><b>Gender and social inclusion</b></p> <p>Please describe how your project has worked to ensure that women and girls, and other vulnerable groups (as appropriate) benefit from the project. Describe any challenges experienced in reaching vulnerable people and how these have been overcome.</p> <p>This project was always intended to work with boys, as boys and young men form the greatest proportion of the prison population. This is still the major focus of our project although we have had one girl inmate during the past year, which we housed for her own safety. There has been some pressure from within the Malawi Judiciary to provide a similar service for girls. At the moment we have no plans to provide this. We are using the legal team to audit services for women and girls to try to assess the level of need. Providing a place of safety (although often delegated to justice services) is nevertheless currently the responsibility of social services.</p> <p>Something that continues to be an issue is health care. We didn't forecast the level of both physical and mental healthcare that we would be faced with providing. We have been faced with significant hospital bills to provide care for many sick patients, a number of whom have been terminally ill. Healthcare is lacking in prisons and many of our boys have been weakened by malnutrition and lack of drugs such as ARTs for HIV, antibiotics for TB, and anti-malarials, this has resulted in treatable conditions becoming much more serious than necessary.</p> <p>We have also had a number of residents that have experienced mental health problems due to the trauma of their experiences in prison, or the trauma of being subject to mob justice prior to their arrest. Many of our residents have been subjected to regular and repeated sexual abuse for considerable periods of time in prison and have also become infected with HIV or other STDs. This puts a burden on us for treatment and often means much lengthier stays with us.</p>
2.3	<p><b>Accountability to stakeholders</b></p> <p>How does the project ensure that beneficiaries and wider stakeholders are engaged with and can provide feedback to the project? What influence has this had on the project? What challenges have been experienced in collecting and acting on beneficiary feedback?</p> <p>Our accountability to stakeholders is subject to constant monitoring by the CCRB.</p>

	<p>They are responsible for oversight of referrals, inspection of our reformatory centre, the issuing of court orders, the supervision of orders, and release orders when rehabilitation is complete.</p> <p>Other stakeholders such as community leaders, victims, and families must accept their responsibilities before our participants are released into their care. This is a mandatory part of our process and we are accountable to our inmates to negotiate satisfactory terms before reintegration can take place.</p> <p>We also have accountabilities to the police with regards to diverted young people. If they do not comply with police requirements under the Diversion legislation as set out in the CCPJA, we have a responsibility to inform police prosecutors and return them for consideration, as they will have already admitted responsibility for an offence and been discharged to our programmes conditionally. Non-compliance usually means returning them to police custody pending a decision.</p> <p>We also accept voluntary accountabilities for prisoners who are participants in the outreach programme, to the Malawi Prison authorities. We accept responsibility to uphold our basic minimum standards of reintegration for prisoners who have completed their sentences but taken part in our pre-release programme whilst in the final six months of their sentence.</p>
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### 3. Progress and Results

This narrative report on project performance and results will be reviewed together with your revised and updated Logical Framework (or if not yet approved your original Logical Framework). See Guidelines (Annex 1) for details.

#### 3.1 Changes to Project Status

Has the focus or delivery of your project changed significantly over the last financial year? If so, please explain how and why, and attach copies of all relevant correspondence with the Scottish Government.

There has been some change to the project focus in the past year. We still have quality rehabilitation programmes in place at the reformatory centre, in Lilongwe, and are still carrying out diversion activities, diverting young offenders from formal court proceedings and into community based programmes, but the change has been that due to the project extension, we now have a much more coordinated approach.

The number, flow, and quality of referrals are now much improved. Because the legal team is embedded in the CCRB, we now have much more control over all of this, and we are also in charge of data collection (and interpretation) nationwide. The clearance of case files at the confirmation stage has resulted in a much less chaotic judiciary and all of this has given us a much more stable platform for our work with young offenders.

These developments are increasing the effectiveness of our intended function of relieving pressure on courts and prisons at the input side. We have also taken a significant number of children from adult prisons, and the legal team have been instrumental in finding them and securing court orders to have them released into our custody.

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Our record as far as reoffending rates is concerned, continues to be very encouraging. Our performance is significantly better than the Malawi Government centres in this regard; of course this is partly due to the resources we have available, but is also due to the rehabilitative, and needs-centred approach we take. So far 4 of our participants have returned to the courts out of 227 in total.

The vocational/ enterprise training has also been successful with the vast majority of our boys generating sufficient income to live, and many others managing successful businesses. This we believe is the primary contributing factor to the low reoffending rates, since most of the juvenile crime is poverty driven. We are also currently also employing four ex-participants within this project.

The counselling and mediation that takes place prior to reintegration, continues to be effective, particularly with regard to reintegrating traumatised boys in difficult placements, in home communities. It must be considered though, that the poor mental health of boys who have been sexually abused (particularly those who have spent time in adult prisons) makes them slow to respond to counselling and cognitive behavioural work. This has had an effect on throughput as a number of our residents are with us for a longer than anticipated period of time.

On a qualitative basis, we are very happy with progress; on a quantitative basis, some of our targets have been difficult to attain. Notwithstanding that, our legal team has been effective in bringing a measure of control over the flow and quality of referrals. We expect this to improve over the next six months.

**3.2 Changes to the Logical Framework**  
 If changes have been made to the logframe since the previous financial year please describe these below. Please also provide evidence (e.g. copies of correspondence) that these changes have been agreed with the Scottish Government. If you would like to make changes to your logframe, but these have not yet been approved by the Scottish Government, please describe and justify in detail the requested changes below – and highlight the proposed changes in the revised logframe.

Result Area/ Indicator	Proposed/ Approved Change (please clarify and evidence below)	Reason for Change

**3.3 Gaps in Monitoring Data**  
 If baseline or monitoring information is not available, please provide an explanation below. Where monitoring data has been delayed (since previous report), please provide an indication of when and how it will be made available to the Scottish Government.

We have few gaps in data apart from where the Government agencies have been unable to provide court files or social enquiry reports. Our legal team has been tasked by the CCRB to improve the collection and availability of data and that work is in progress.

We also intend to establish a monitoring and evaluation team in the coming April to

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help with the management of this data, as well as the data from our sister project Rites of Passage. We have a specialist from U.K. coming out for a month to help us set it all up.

**3.4 Project Outputs**

In the table below, please list each of your project outputs, and provide further detail on your progress and results over this reporting period. Describe any delays or other challenges that you have experienced and how these have been addressed, and provide information about any unexpected results. Progress should be supported with evidence (such as links to monitoring data in line with logical framework, case studies, web-based information, reports etc) where possible.

**Output 1:** Young offenders diverted from custody. Offenders awarded community-based alternatives to detention

**Output Indicator**

**Progress against Planned Milestone/ Target**

1.1 Young offenders diverted from custody

**Target [Milestone 3] 192; Actuals 235**

We have managed to catch up on this target in year 3, although it has been no easy process. As in all of our outputs, we are largely at the mercy of our referrers. In PY3, we had a number of occasions when larger numbers than ideal for us were referred in bulk cohorts. This has caused pressure at times, but has enabled us to catch up on time that we lost due to our differences with the Malawi Prison Service in year 1.

We have taken measures to smooth out the flow of referrals during the project extension period, but the logistics of that are yet to be tested. We have negotiated a more controlled referral process with the President Judge, but how effective this will be, will be affected greatly by the numbers of children in adult prisons we find, as these are our number 1 priority.

The PJ, [REDACTED] has agreed to a “waiting list” for lower priority referrals, but our high priority referrals will continue as they do at present. Our legal team will continue to be on standby to take children out of adult prisons at short notice. As this report is being produced, we are in the process of processing reports of 37 children in adult prisons in the south. Two of these prisons are notorious within the prison estate and these cases are of the utmost priority.

This performance indicator continues to be a struggle also in terms of throughput. We continue to have throughput affected by children who have been incarcerated in adult prisons taking a longer time than anticipated to move through the system. We continue to have a larger number of referrals with longer (above 8 years) sentences, which simply stay with us longer. These referrals take much longer to stabilise psychologically due to

### 3. Progress and Results

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		<p>abuse related trauma, and also because of their significantly longer sentences require longer supervision orders before courts will dismiss their sentences.</p> <p>Notwithstanding that, we are very happy to have caught up after a difficult start.</p>
	<p>1.2 young offenders engaged in one of C4C's community rehabilitation programmes</p>	<p><b>Target [Milestone 3] 384; Actuals 427</b></p> <p>Output indicator 1.2 as explained above is to a large degree dependent on referrals and was affected by our problems in the first year. Due to the hold-ups we experienced with MPS in the first PY, rather than fall behind in the programme development, we concentrated our efforts on the outreach programmes. This has resulted in slightly higher numbers on this PI.</p> <p>Demand for the outreach programme has increased over the past year, although our capacity to deliver is currently at maximum. We are hoping to increase our capacity during the coming PY as we are planning to deploy two staff from our partners in Kenya to service the increased demand.</p> <p>The numbers in this PI are also vulnerable to police prosecutors referring in the Diversion provision. This is a complicated interface, and one that we are taking steps to improve. It is not affecting our overall performance currently, but it has the potential to improve or deteriorate as personalities of individual police officers emerge.</p> <p>Overall we feel that we are broadly performing to plan in this output and are comfortable with the pace of progress.</p>
	<p><b>Output 2</b></p>	<p>Young offenders are up skilled and are re-integrated into their communities with skills</p>
	<p>Output indicator 2.1 Successfully completing one of our Community Rehabilitation Programmes</p>	<p><b>Target [Milestone 3] 160; Actuals 285</b></p> <p>Once again this number is artificially boosted by the effect of Malawi's anti-congestion measures on our outreach programme in this PY. Ordinarily, we work on lists submitted to us by MPS of prisoners who are entering the last six months of their sentence. This is normally a fairly stable number and can be reasonably well predicted. This enables us to prepare for reintegration of offenders over a period of six months. It also allows us to reintegrate regionally, making efficiency savings on transport/ accommodation etc.</p> <p>The anti congestion measures, and in particular the Presidential Pardons, severely complicates this output. The period we have</p>

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		<p>to work with these prisoners is condensed, and we have a large and sudden increase in participants. This stresses our systems and our staff.</p> <p>In total, the number of this category of prisoners has been 104. We have no reason to believe that the anti-congestion measures will stop anytime soon, close liaison with Officers in Charge of the prisons should help us however to plan in advance for the numbers they intend to submit and to group them by region. This is very possible, and with the new personnel in place at the regional headquarters, we have a high confidence that programming for these events, in advance, will ease pressure on staff.</p>
	Output indicator 2.2 Undergoing enterprise training programme	<p><b>Target [Milestone 2] 544; Actuals 397</b></p> <p>This target was anomalous with the other outputs. When we revised the logframe in PY2, we were reluctant to revise this figure down, but were aware that the time needed to cover the whole curriculum for the enterprise component would make this target a challenge. We could have shortened the programme, but thought it best to maintain the programme to give us a clear idea for future planning. The full curriculum gives us more meaningful measures of how effectively our participants use the training to sustain economic activity in their communities after reintegration. A diluted curriculum would adversely affect these outcomes, so we have stuck with the original plan but in doing so, have not managed to achieve this target.</p> <p>Consequently, we have only included those participants who have completed full enterprise training; not those who have had shortened training. This means that all income generating activity is measured against this and is consistent.</p> <p>As you can see we are down on this target by <b>27%</b>. We would most likely choose to revise this figure down in the future. This is not because of our capacity to deliver, which will increase after April, but simply because it is linked directly to throughput, which is unlikely to increase by any significant margin unless we can find a way to increase occupancy of the centre.</p> <p>We are currently considering ways to increase occupancy to cope with increased demand as the courts are referring in greater numbers.</p>
	Output indicator 2.3 Successfully reintegrated	<p><b>Target [Milestone 3] 544; Actuals 521</b></p> <p>This indicator is so close as to be on target. The reintegration numbers are really difficult to forecast (and really difficult to</p>



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		<p>control). We have had inmates at our centre that have been with us for as little as four months, and some that have been with us for two years and counting.</p> <p>Readiness for reintegration is crucial to reoffending rates and so far, our careful approach to reintegration has to date paid dividends with negligible setbacks for our leavers, some of whom have been back in their communities for close on one and a half years.</p> <p>It is also worth mentioning the contribution that our minimum reintegration standards have made. By having a recognised structure and a minimum standard for reintegration, we have been able to demonstrate conclusively that this is a crucial area of offender management and worthy of treating seriously. In the past, reintegration has been so loosely interpreted it has been worthless as a measure of rehabilitation. Giving bus fare is no longer considered to be reintegration (as a result of the standards). We see this as a considerable movement forward and fully expect more rigorous standards to be included in the forthcoming Prison Bill.</p> <p>Considering time slippage in PY1 and 2 (some early referrals who didn't complete sentences until the end of PY2), we are delighted by this output. The target was ambitious and also largely outside our control; it is very good to get close and it makes sense to continue to be ambitious with this target.</p>
	<p><b>Output 3</b></p>	<p>Alleviating pressure on MPS &amp; Government reformatory facilities through community justice options</p>
	<p>Output indicator 3.1 Alleviating pressure on the Malawian Prison Service by reducing the prison population</p>	<p><b>Target [Milestone 3] 182; Actuals 188</b></p> <p>As with the output above, we are broadly on target with this indicator.</p> <p>We had a slight slump in referrals in late PY2/ early PY3. This was in part due to a change of leadership in the Child Case Review Board. There was a significant period of lost momentum during the transition; this was followed closely by the Chair of the CCRB going on maternity leave. To a degree, this loss of momentum meant that our primary source of referrals dried up for a period of time.</p> <p>As a measure to catch up, we directly approached the High Court and moved the referral process along. We no longer have problems with referrals, and in fact are currently discussing measures to increase capacity in the centre as demand has now heated up. As it stands, the prison population has been reduced by just over <b>500</b> inmates by us during this grant period</p>

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	<p>not including the legal team.</p> <p>The use of Section 25 of the Penal Code to convert custodial sentences to Community Supervision Orders is undoubtedly a landmark legal precedent for Malawi. Previous to this, judges and magistrates had only two courses of action; incarceration or admonishment. Now it is possible to serve sentences as Community Supervision Orders providing there is a supervising authority. This enables the judiciary to further alleviate pressure by enabling prisoners to exit the prison estate.</p> <p>As previously stated, we can consider ourselves to have recovered well from early setbacks and we are very happy to have achieved this target. It does further highlight however, the need for us to increase our capacity to cope with the high levels of demand for our programme.</p>
<p>Output indicator 4.1 Diverted from custody</p>	<p><b>Target [Milestone 3] 180; Actuals 192</b></p> <p>We have found ourselves challenged unexpectedly on this indicator during this grant period. We have experienced reluctance on behalf of the police prosecutors to refer. There are many reasons for this, and we are working hard behind the scenes to make this work. Diversion by police is largely a question of incentive.</p> <p>That said, we have managed to achieve the target, but in a piecemeal way and also as a result in part of the project extension. The project extension legal team have been responsible for a large number of young people being diverted from custody, and we have undoubtedly benefitted greatly from their efforts. This has relieved much pressure on both the courts and the prison services.</p> <p>We are in currently in discussions with other agencies involved in Diversion to review the past year and to come up with a strategy for the coming year.</p>

**3.5 Project Outcomes**  
In the table below, please list your project outcome, and provide further detail on your progress and results over this reporting period. Please describe any delays or other challenges that you have experienced and how these have been addressed, and provide information about any unexpected results. Progress should be supported with evidence (such as links to monitoring data, case studies, web-based information, reports etc) where possible.

Chance for Change's "Routes for Change" programme is designed to build capacity

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within the Malawian criminal justice system to develop a fair and humane system of dealing with juvenile petty crime. It aims to ease pressure on an overburdened juvenile reformatory system and afford the judiciary a genuine alternative to custodial sentencing.

As a result of this programme, the judiciary will have a genuine alternative to custodial sentencing. The Malawi Prison service will have reduced pressure on their resources, and young offenders will benefit from genuine rehabilitation programmes. Their communities in turn will benefit from them re-integrating into their communities as skilled and productive young people.

Outcome Indicator	Progress against Planned Milestone/ Target
1. Referrals to our programme	<p><b>Target [Milestone 3] 192; Actuals; 227</b></p> <p>Once again, we are broadly on target for this milestone. At just <b>19%</b> over our forecast, and being dependent on external actors, this is about as accurate as we could ever hope to be.</p> <p>Our main objective for this outcome was for us to be the catalyst in establishing community based sentencing for children in conflict with the law. We have certainly achieved that in a broad enough way for demand to exceed capacity.</p> <p>Unlike many of the other performance indicators, this outcome was unaffected by the delays experienced as a result of difficulties with the MPS in year 1. During this period we had to write a legal basis for our reformatory centre, establish referral routes, get approval from the CCRB and Ministry of Gender for our centre to be licensed to operate; negotiate with the courts, and achieve the precedent of using Section 25 as a basis for transfers of custody.</p> <p>All of this was able to continue unhindered by any factors within our failed negotiations with the MPS. In fact, in some ways, it enabled us to focus on the administrative and legal necessities, and pushed us firmly towards the CCRB as our primary Government partner. We are fortunate to have achieved all of this at such an early stage. What this meant was that when we did open the centre for business, all of the regulatory pieces were in place and we could hit the ground running.</p> <p>It is worth mentioning that in this milestone, although it states that we are counting referrals, we have not counted referrals that were not accepted on to the programme. When we get batches of referrals, we would normally expect to reject 20-25% for various reasons. For the purposes of this report, we felt that it would be anomalous to have a much larger number of referrals against inmates/ programme participants (around <b>276</b>).</p>

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		<p>This situation is particularly prevalent where a magistrate who is not fully aware of our process sentences somebody to serve a period at the centre, but doesn't take into account our selection process. If the person is found not suitable at interview, then they are referred back to the court. This is also the case often where a referral has mental health issues. Although these are genuine referrals, we have not included them.</p> <p>One thing we are working on in this outcome is smoothing out surges and slowdowns in referrals. We think that we have come to a possible solution with the support of the President Judge, [REDACTED], and we will be trialling that immediately during the extension period.</p>
	<p>2. Completed a programme</p>	<p><b>Target [Milestone 3] 160; Actuals 230</b></p> <p>This figure seems somewhat higher than expected, but this is mostly due to us stepping up community-based programmes on an outreach basis while the centre became fully operational.</p> <p>The rate of completion has remained steady during the grant period, notwithstanding the slow start. Although in some ways, especially considering some of our longer-term residents, we may do better in the future to calculate this indicator in a different way. It might make more sense to count people rehabilitated according to our minimum standards, and conversely, count offenders reintegrated into communities with its respective minimum standard. We could then consider rehabilitation as competence in the curriculum taught at the centre, or on an outreach basis.</p> <p>So far over <b>500</b> young offenders have returned to their communities rehabilitated and with increased skill levels, but out of them over <b>230</b> have completed the full training programme in its entirety including counselling. The more that we can access young offenders on a residential basis, the more a solid and long-term reduction in reoffending can be achieved.</p> <p>It is also worth mentioning that at the moment we are continuing to track all of our past participants. This is a growing commitment as we reintegrate more participants. We will review this as we continue with the extension period.</p>

Please add additional indicators as required

**3.6 Project Impact**  
In the table below, please list each of your project outcomes, and provide further

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detail on your progress and results over this reporting period. Please describe any delays or other challenges that you have experienced and how these have been addressed, and provide information about any unexpected results. Progress should be supported with evidence (such as links to monitoring data, case studies, web-based information, reports etc) where possible.

**Project Impact:** “Routes for Change’s” purpose; to build capacity within the Malawian criminal justice system; to move towards a fair and humane system of dealing with children in conflict with the law; to ease pressure on the child Justice system; give the judiciary genuine alternatives to custodial detention.

Impact Indicator	Progress against Planned Milestone/ Target
<p>1. Judiciary taking up community-justice options for juvenile offenders.</p>	<p>As this grant period comes to a close, we think that it is safe to consider this impact indicator achieved. The judiciary have taken up opportunities for community-based disposals in excess of our capacity to deliver. Notwithstanding the surges and slowdowns we experience in line with the ebb and flow of the judiciary’s rhythm, we are firmly established as the default rehabilitation option.</p> <p>We believe that this puts us in an ideal position to further advocate for adherence to the Child Care Protection and Justice Act 2010. Senior figures in the judiciary trust us and with a few key figures, we enjoy a good relationship and a sort of symbiosis of problem solving. In many ways a collaboration of real mutual benefit.</p> <p>We hardly have a week without giving tours of our reformatory centre to various interested parties, members of the justice community, foreign visitors, volunteers and other various civic leaders. Interest is high and there is an increasing belief that there is a different way of dealing with criminality than prison.</p> <p>Community justice is topical, and is being taken seriously. Familiarising people with the combination of residential CJ provision in RFC, and with our sister project, ROP, based in the heart of the community it serves, we are able to demonstrate a coordinated and powerful approach to child justice in the community – and more importantly; an approach to child justice that takes place outside the prison walls.</p>
<p>2. Juvenile offenders avoiding health risks posed by unnecessary incarceration; are completing</p>	<p>It is reasonable to say that 100% of the young offenders we take from prisons are suffering from communicable diseases, skin problems, and malnutrition. Some also have significant psychological issues, not to mention STD’s, and HIV.</p> <p>When they serve their sentences (orders) with us, they are</p>

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sentences in the community;  
developing skills including income-generating skills.

screened; they get access to necessary medical treatment, and are immediately started on a programme of therapeutic nutrition. Their bodyweight, BMI, and vital signs are monitored and usually within a month or so, the majority are back to good health. Unfortunately some are more seriously ill and require longer-term treatment to reduce permanent damage. It is also not unusual for us to have seriously ill or terminally ill inmates transferred to us from prison.

We provide counselling, trauma counselling and mediation with families. This is an important factor in sustaining a life free from crime long-term, as there are often significant issues within families or communities that can threaten the stability that a reintegrated offender needs as a foundation for his new life.

In terms of impact, the impact we have on all individuals, their families, their communities, and their victims is substantial. We help our participants back to health, teach them the skills they will need to sustain a life free from crime, and we place them in a safe space with people to support them. After completing the mediation necessary to meet the needs of their families, their victims, and their societies, they have the stability they need to provide a solid foundation for them to build on.

We would feel justified in reporting impact indicator 2 achieved over this grant period.

#### 3.7 Risk Management

If progress towards delivering activities and outcomes is slower than planned or there have been delays in the delivery of the project, please explain: a) What the issues have been and whether they were highlighted on your risk register? b) What actions have been taken in response to these issues?

Issue/ Risk	On risk register?	Action Taken	Outcome
The fall in value of the Pound against the Dollar	No	We have mitigated by efficiency savings. Over the grant period, the instabilities have evened out	We are still within budget
Malawi Government instability affecting support for the programme	Yes	Working with cross-Ministry bodies such as CCRB, WOJAM, and individual Principals and Officers in Charge of Reformatory	We have consolidated in PY3 and are comfortable with our current position. Our relationship with the MPS remains

### 3. Progress and Results

This narrative report on project performance and results will be reviewed together with your revised and updated Logical Framework (or if not yet approved your original Logical Framework). See Guidelines (Annex 1) for details.

			Centres and Prisons. Our track record insulates us against becoming too embroiled in partisan cross-Ministry squabbling.	difficult, but manageable.
	Delays in delivery year 1. Negotiations with the MPS for a site for our centre on their land broke down with a change of leadership. There was a total of six months where we had to make alternative arrangements for our work. This slowed the implementation.	No	We identified an alternative site and established the current reformatory centre. The remainder of the implementation has been completed and has settled into a normal operation.	Our centre is operating fully and our throughput is progressing at a comfortable rate. The leadership of the MPS have seemed philosophically opposed to justice services sitting outside their jurisdiction. There is however new leadership and we expect the relationship to improve.
Please add additional issues as required				

### 4. Sustainability

4.1

#### Partnerships

Provide a brief description of the roles and responsibilities of all partners, including in M&E. Have roles and responsibilities changed or evolved? Please provide a brief assessment of your partnership, including its strengths, areas for improvement and how this will be addressed. This section should be completed by lead partners based in Scotland and Malawi.

**Music Crossroads Malawi**; we continue to enjoy a close working relationship with MCM, although they are no longer working in the Prisons due to their Young in Prison project failing to renew their funding. They have received funding from alternative sources in the past FY, but this takes their work in a direction that is diverging slightly from ours. It is unlikely that the partnership will continue in the same way as opportunities for collaboration decrease and activities diverge.

**Irish Rule of Law International**; our relationship with IRLI is a strong and collaborative one and has been getting stronger due to changes in key personnel. However staff turnover throughout the organisation is proving problematic for us as continuity suffers and interpretations of roles change. We are assured that their board is in the process of "professionalising" the staff team and will be offering longer

	<p>contracts. This is very good news as they are a major influence when they are functioning well. Although continuity has been an issue, we continue to work together in principal on the CJ Stakeholders Forum and we also assist them with their “Mwai Wosinthika” Diversion programme. We are hoping to carry out a joint training of judges and magistrates with them in the near future. Our area will be concentrated around Defilement sentencing in cases of under-age consensual sex.</p> <p><b>Organization For Career Guidance:</b> They continue to give career guidance to our participants. Their Director, a qualified lawyer has great energy and commitment and our partnership is strengthening. Our participants have benefitted from OCG greatly, particularly when they arrange presentations by local entrepreneurs, businessmen, and employers who have themselves been in prison. These sessions are inspirational to our boys.</p> <p><b>Children of Hope:</b> our relationship with CoH is growing. They are specialists in trauma counselling, and since many of our participants have been in prison for a long time and a significant number have been traumatised, they help us in technical areas where we need a greater level of expertise. They also occasionally provide a neutral element when we have difficult news to break to families or our participants themselves. They also provide relief for our counselling staff when things get too stressful.</p> <p><b>Child Case Review Board:</b> They continue to be our lead partner, and our relationship is strengthening. Most of our referrals come from the Board, and our legal team providing secretariat services to the Board and working closely with the Chair, only helps us to be more effective in identifying miscarriages of justice and better meeting our aims of getting children out of prisons.</p> <p><b>Nafisika Trust;</b> our relationship with Nafisika has been so far very successful and we are increasing our levels of collaboration in 2018/19. In our joint project, ‘Ubuntu’ with one of our exchange staff has taken Chance For Change programmes into prisons in Kenya. FK Norway is funding the partnership, and as a result of the project, we are also benefitting from being part of a wider network of CJ partners across Kenya, Uganda, and Zambia. We expect both organisations will benefit considerably from being part of this programme. As a result of this collaboration, Chance For Change has established a version of our programme in a women’s prison in Nairobi.</p> <p><b>Chisomo Children’s Club;</b> because of the changes in IRLI, who fund the Mwai Wosinthika programme for diverted children, Chisomo have been slightly less active of late. For this reason our joint activities have slowed down. Chisomo have also recently lost their Executive Director, a charismatic and talented leader. This has caused a slowdown as new leadership beds in. They are however, still a major influence in the development of reintegration practice and we expect activity to increase as IRLI and Chisomo reorganise.</p>
4.2	<p><b>Exit Strategy</b> Describe the key components of your exit strategy and outline progress towards achieving it. Provide any other achievements or progress towards ensuring that your project remains sustainable in the longer term (including in relation to local ownership and capacity, and resourcing). Describe any challenges and how these will be addressed.</p> <p>In many ways, there is little new to report in the sustainability of child justice in</p>



Malawi. Nothing has changed significantly, apart from our activities giving the judiciary and the police an alternative to imprisoning their children unlawfully.

Poverty-related crime continues to increase, the Malawi Prison Service is still unable to fulfil their statutory functions, and although we are reducing it appreciably (reduction of 500 out of a population of circa 3, 000 youth prisoners), there is still a significant backlog in case confirmations and file submissions. The deficit in the prison budget and the lack of competence in Magistrates and District Courts results in the criminal justice system in Malawi creaking under the pressure of its own lack of effectiveness.

The Ministry of Gender (ultimately responsible for child justice) continues to be underfunded and seems mired in inefficiency and stubbornness. The Government Reformatory are becoming more dilapidated as time goes on, and investment is still not forthcoming.

We continue to be the only organisation doing this type of work (with children in prisons and in the community) in Malawi and we see no ethical way to exit the project at this time. Although there were many discussions with the authorities on handing our project over to them when fully operational, it seems that they were unrealistic in their ability or motivation to resource such a programme of rehabilitation.

In this current position, we have reconsidered our plans to hand over our reformatory centre to Government control. They unable to take over the running of our PRC within the period of this funding round. Encouraged by our progress we intend to seek funding to continue the project and further develop the successful elements of our programme.

Further to this we believe that it will be more beneficial to the child justice system in Malawi if we can sustain a long-term programme of activities to lead the way, advocate for, and demonstrate how, we can facilitate full implementation of the Child Care Protection and Justice Act; thus establishing a child welfare centred approach to rehabilitating children in conflict with the law.

We believe this is achievable. In the last three years we have established a private reformatory centre as set out in the CCPJA, we have established a minimum standard for rehabilitation of young offenders, we have established a minimum standard of reintegration of offenders back into communities, we have reduced the numbers of children incarcerated in adult prisons, we have reduced the backlog of child cases for confirmation of sentences (further reducing the prison population), we have increased the efficiency of the Child Case Review Board, and we have diverted many children away from prison.

Considering what has already been achieved and established as normal practice within child justice; we believe that if we can continue this work in establishing the CCPJA (which has been law since 2010), we can significantly influence the way children in conflict with the law in Malawi are treated. We can improve their access to justice, and establish the acceptance of human rights for children in conflict with the law in Malawi. This can only happen if we are able to continue; an exit would not further that aim.

**5. Learning and Dissemination**

5.1

**Lessons Learned**

Describe briefly any lessons learned during this reporting period, and how it will influence the project and your work moving forward.

Of course since starting the project from a fresh concept three years ago, we are learning all the time. At the start of a project with a new concept, one would expect reality to prove to be different to that which we forecast, but we have managed to stay very close to the original concept without too much drift. This has been a pleasant surprise.

What we have learned most is how to work within the machinery of the child justice system. The difference between how it is supposed to work and how it does, can only be experienced. This experience has enabled us to learn a lot about how to get the best out of the system. As in many spheres of operation, it is less about what you know and more about who you know; our networks and contacts have developed to such a degree now that we are able to solve problems in a much more effective way.

We have learned a lot about bridging the gap between what is well thought out, child-centred legislation and policy, and the lack of implementation and enforcement in practice. This learning will stand us in good stead for the next stage in the development of the concept; working towards full implementation of the CCPJA.

We believe that by providing services that align with policy and legislation and raising standards of what is acceptable in the treatment of children, we are advocating for judges and magistrates to exercise their choices to make lawful and humane judgements that will recognise children's welfare and basic rights.

We have already established the use of previously unused legislation such as Section 25 of the Malawi Penal Code; and established use of Community Supervision Orders, which have not been previously handed down due to a lack of competent people to supervise court orders.

Another lesson we have learned, is that time slippage is unavoidable in Malawi and setting targets that take this into account is important, so as not to put undue pressure on project staff. The time it takes to carry out the most basic transactions must be taken into account when planning. Even though we, as an organisation, move very quickly and are many times more productive than our government counterparts, we still have to manage our frustration at the pace that things move, at times.

As a result of this learning, when planning, we carefully measure what is within our control, and what we are dependent on other people for. We minimise our dependence on others and try to be in control as much as we can to maintain momentum. The territorial nature of the Ministries makes this strategy essential.

In summary; our process of internal reviewing makes it relatively easy to take learning forward. We think we are getting much better at navigating our way around a complex criminal justice system, and we are using our experience to good effect when designing and developing new project ideas.

Finally in terms of dissemination, as our reputation grows, we are becoming respected in our field and our views are increasingly being sought.

<b>5.</b>	<b>Learning and Dissemination</b>
5.2	<p data-bbox="276 241 1417 376"><b>Innovation and Best Practice</b> Summarise briefly any examples of innovations/ innovative approaches or best practice demonstrated by your project during this reporting period. Please explain why these are innovative or best practice, and detail any plans to share these with others.</p> <p data-bbox="276 416 1417 712">In some senses, our concept is based on innovation; bringing a focus on rehabilitation rather than punishment. Providing a personal rehabilitation and reintegration plan based on the needs of the individual, combined with the needs of his community is an approach that will take some time to become universally accepted. The cognitive behavioural programme is the first of its kind in Malawi and enables residents to focus on their rehabilitation, between the vocational training and daily duties. We have seen evidence that it is the cognitive behavioural programme in particular that has helped our participants deal with setbacks and problems when they are back in their communities.</p> <p data-bbox="276 752 1417 887">We have extended our innovative approach to the vocational training. The skills we teach do not form part of a syllabus or a curriculum, or a certification programme; they are aimed simply at providing a source of income for the individual back in his community.</p> <p data-bbox="276 927 1417 1120">Another difference in our approach is that individuals get to work on all of the trades before they specialise. This means that even the mechanics or hairdressers are able to manage building a basic house; the builders will have the knowledge and skills to repair their bicycle or motorcycle, the hairdressers will know how to cook and grow foodstuffs in their gardens. All of the above skills can be used to generate income over and above their chosen business.</p> <p data-bbox="276 1160 1417 1321">Another innovation is that all of our participants receive enterprise training on how to set up and manage a business, how to invest profits, and how to carry out basic business admin such as producing business plans and basic bookkeeping. This also puts them at a commercial advantage when they are operating in their home communities and many now run successful businesses.</p> <p data-bbox="276 1361 1417 1523">In terms of best practice, we have produced, in conjunction with UNICEF, a code of practice for reformatory centres, which included basic minimum standards for rehabilitation, and a set of basic minimum standards for reintegration post sentence. We have also produced a screening tool to provide a rehabilitation baseline. This also forms the basis of our reporting to the courts.</p>
5.3	<p data-bbox="276 1556 1417 1691"><b>Dissemination</b> Summarise briefly your efforts to communicate project lessons and approaches to others (e.g. local and national stakeholders in Scotland and Malawi, academic peers etc). Please provide links to any learning outputs.</p> <p data-bbox="276 1731 1417 1892">We mainly communicate our work through conferences/ presentations or through the Child Justice Stakeholders Forums. We have developed a solid theory of change and plan to communicate some of this to the judiciary in the future through a programme of trainings organised in conjunction with the Child Case Review Board, and the Women Judges of Malawi.</p> <p data-bbox="276 1933 1417 1995">We believe that our opinion is valued and we are often consulted on child justice or gender issues, particularly regarding our experiences at community level.</p>

## 5. Learning and Dissemination

5.4

### Wider Influence

Briefly describe any intended or unintended influence on development outcomes beyond your project. For example influence on local and national policy, contribution to debate on key development issues, uptake by other projects etc.

As we have previously mentioned, our Standard Operating procedures for Private Reformatory centres and Code of Practice are in draft form and have been approved as a voluntary Code of Practice as we write.

We were initially requested by the CCRB to work with UNICEF to draft the Standards, as we are the first PRC to be approved since the law came into force in 2010. As the first PRC, we have been visited frequently by senior Government officials, members of the judiciary, prison and police services, plus an assortment of other community and international organisations. Our work has been well received, and feedback has been very positive.

During this grant period, further to the minimum standards for rehabilitation, we have also produced a basic minimum standard for reintegration. In this reporting period, the standards checklist has proved to be extremely successful, with all of our ex-participants currently sustaining a life free of reoffending.

We also continue to Chair the National Prison Steering Committee Technical Working Group on Rehabilitation. Part of the duties of this group is to oversee publication of minimum standards for Rehabilitation and Reintegration. When the new Prison Act is approved, there will be new wide-ranging legislation on Parole, Rehabilitation, and Supervision in the community and oversight of these new functions will need to be detailed and enforcement measures agreed.

We were recently co-opted onto the Law Commission working group tasked with producing the new Draft of The Prison Bill; work has been completed, but the Bill has yet to become law. Invitation to this prestigious and important Law Commission group has come about as a result of the judiciary and the Ministry of Justice recognising how we are driving standards forward in our Private Reformatory Centre.

At the request of Women Judges Association of Malawi, we have been requested to give presentations to judges and magistrates on the effectiveness of rehabilitation in reducing re-offending. We have been tasked with examining deeply entrenched views on the value of punishment as a deterrent, and discussing rehabilitation-based alternatives based on our experiences with young people and our success rate with reintegration and the prevention of re-offending.

One of the topics we have been working on in the past year is decriminalisation of young people engaged in consensual under age sexual relationships. We have hosted several discussions around this and have the support of some prominent members of the judiciary. There are currently many boys incarcerated for very long periods in adult prisons as a result of this legislation, where they undergo horrific abuses. So far we have managed to find and arrange an exit for **29** of these boys with a further **47** cases reported. All will be dealt with shortly.

During this grant period we have also managed several “forgiveness” campaigns, designed to challenge views on rehabilitated prisoners. We have taken these campaigns to village and community levels and have enjoyed much success.

**5. Learning and Dissemination**

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**6. Financial Report**

The narrative report below should be provided in conjunction with the Budget Spreadsheet report (see Annex 2). Please fill in the Budget Spreadsheet to: (a) confirm actual spend for the year and justify any significant disparities between programmed expenditure and actual expenditure within the financial year, (b) detail programmed spend for next year.

Please note that any carry-over of funds to the next financial year should have been agreed with the Scottish Government by January 31<sup>st</sup> of the current financial year.

**6.1 Project Underspend**  
Please note whether the project has reported a significant underspend, and whether the Scottish Government has agreed to this being carried forward. If this has been agreed, please provide copies of or links to relevant correspondence. Please indicate whether the underspend is the result of currency fluctuations or other issues with project delivery.

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**6.2 Cost Effectiveness and Efficiency**  
Please detail any efforts by the project to reduce project costs, whilst maintaining the quality of the project – for example through managing projects costs, efficient resourcing, working with and learning from others etc.

We are able to make efficiency savings by sharing services and costs with our sister project Rites of Passage. Administrative services (payroll, bookkeeping etc.) can be shared and we can include staff from both projects on training courses etc.

By also combining certain events such as sports events, talent shows etc. we can not only get the benefits of providing a richer social milieu, but we can also ensure maximum efficiency from staff/transport etc.

We have also managed to combine some of the project activities of our building team to help with our sister project in Kawale, further saving costs on building maintenance etc.

**6.2 Co-finance and Leverage**  
Please provide details of any co-finance or leverage that has been obtained for the project during the reporting period, including how the funds/ resources will contribute to delivering more and/or better development outcomes.

The Routes for Change project has attracted support from a number of quarters, mainly supporting our vocational training capacity. Examples of donations include a mechanics workshop donated by a local business, a large set of professional workshop tools from a donor in Scotland, donations for tool sets for business start-ups, bicycle tools, free training programmes etc.

Examples of partnerships that yield finance; include our knowledge transfer partnership with a prison-based charity in Kenya, sponsored by the Norwegian Government, and a partnership with a U.K. based Charity, Jole Rider, who supply second hand bicycles to schools in Africa.

The project has also attracted a large number of volunteers and interns from third parties in both Malawi, Europe and USA.

	We expect further success with support for this project.
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<b>7. IDF Programme Monitoring</b>					
The list of IDF programme indicators are listed below. With reference to Q46 on your application form, please report on progress for the IDF programme indicators that you have committed to tracking in your original proposal, including the 'Poverty and Vulnerability Indicators', which are obligatory for all Scottish Government funded projects.					
<b>1. IDF Programme – Poverty and Vulnerability (compulsory)</b>					
1.1	<b>Indicator 1.1 Total number of people directly benefitting from the project</b>				
	Baseline	Female	Male	Total	Brief description (e.g. small-holders)
			759	759	759 male young offenders have undergone Cognitive behavioural training, enterprise training and preparation for reintegration to communities at C4C A2C Centre and in Kachere and Bzyanzi  (20 Prison officers have also undergone training in the same program)
	State the evidence that supports the progress described				
	Internal C4C M&E systems, participant tracking, and follow-up				
1.2	<b>Indicator 1.2 Total number of people indirectly benefitting from the project</b>				
	Baseline	Female	Male	Total	Brief description (e.g. small-holders)
		3313	2000	5313	These are community-based groups, victims, and families; we have worked within communities sensitising and training in our reintegration and forgiveness package.
	State the evidence that supports the progress described				
	Internal C4C M&E systems, participant tracking, and follow-up				
<b>2. IDF Programme – Civic Governance and Society (optional)</b>					
2.1	<b>Indicator 2.1 Number of formal legal institutions supported to improve citizens' access to justice and human rights</b>				
	Baseline		Total		Brief description (e.g. paralegal service)
			4		We have worked with the CCRB, MoJ, MoG, and the High Court of Malawi, building capacity to improve access to justice for children in conflict with the law
	State the evidence that supports the progress described				

## 7. IDF Programme Monitoring

The list of IDF programme indicators are listed below. With reference to Q46 on your application form, please report on progress for the IDF programme indicators that you have committed to tracking in your original proposal, including the 'Poverty and Vulnerability Indicators', which are obligatory for all Scottish Government funded projects.

	Internal C4C M&E systems, participant tracking, and follow-up			
2.2	<b>Indicator 2.2 Number of people who have directly benefitted from improved access to judicial and paralegal services</b>			
	Child Female (< 18 yrs)	Child Male (< 18 yrs)	Total	Brief description (e.g. widows)
	5	230	235	Children in conflict with the law who have been awarded community based disposals by the High court.  These were from Mzuzu prison, Chitipa prison, Maula prison, Kasungu prison, Zomba prison, Kachere prison, Bzyanzi prison, and Nkhata Bay prison. Also includes those released by magistrate courts, and diverted by police prosecutors.
	State the evidence that supports the progress described			
	Internal C4C M&E systems, participant tracking, and follow-up			
2.4	<b>Indicator 2.4 Number of people with increased awareness of good governance and human rights</b>			
	Female	Male	Total	Brief description (e.g. small-holders)
	4,082 (est)	5,678	9,760	Global Forgiveness Week, Community meetings with traditional authorities, families, victims etc., MoG (best practice guidelines)
	State the evidence that supports the progress described			
	Internal C4C M&E systems, participant tracking, and follow-up			
2.5	<b>Indicator 2.5 Number of people who are engaged in advocacy for improving citizens' rights</b>			
	Female	Male	Total	Brief description (e.g. small-holders)
		77	77	Ex-participants involved in advocacy for citizens' rights, including ex participants who advocate in schools across the country.
	State the evidence that supports the progress described			
	Internal C4C M&E systems, participant tracking, and follow-up			
<b>3. IDF Programme – Education (optional)</b>				
<b>4. IDF Programme – Health (optional)</b>				
4.7	<b>Indicator 4.7 Number of people with increased awareness of determinants of health</b>			
	Child Female (< 18 yrs)	Child Male (< 18 yrs)	Total	Brief description (e.g. malaria prevention)
		759	759	Health components to the programmes accessed by all

## 7. IDF Programme Monitoring

The list of IDF programme indicators are listed below. With reference to Q46 on your application form, please report on progress for the IDF programme indicators that you have committed to tracking in your original proposal, including the 'Poverty and Vulnerability Indicators', which are obligatory for all Scottish Government funded projects.

				participants. Also includes health, nutrition, SRH, and first aid training.	
	State the evidence that supports the progress described				
	Internal C4C M&E systems, participant tracking, and follow-up				
<b>5. IDF Programme – Sustainable Economic Development (optional)</b>					
5.1	<b>Indicator 5.1 Number of people supported to establish or improve business/ economic activities</b>				
	Baseline	Female	Male	Total	Brief description (e.g. agriculture marketing)
			453	453	Participants who have accessed business training, of those 143 are currently generating income independently
	State the evidence that supports the progress described				
	Internal C4C M&E systems, participant tracking, and follow-up				
5.2	<b>Indicator 5.2 Number of people accessing credit</b>				
	Baseline	Female	Male	Total	Brief description (e.g. widows)
			6	6	Numbers who have so far accessed VSLs to start-up businesses
	State the evidence that supports the progress described				
	Internal C4C M&E systems, participant tracking, and follow-up				
<b>6. IDF Programme – Renewable Energy (optional)</b>					
6.2	<b>Indicator 6.2 Number of households accessing renewable energy</b>				
	Baseline	Female	Male	Total	Brief description (e.g. solar)
			33	33	Ex-participants who are currently running businesses dependent on solar power; hair clippers, solar chargers for phones etc.
	State the evidence that supports the progress described				
	Internal C4C M&E systems, participant tracking, and follow-up				



## **Annex 1: Project Extension**

The Legal Team (Project Extension) has been an unqualified success in terms of achieving what it set out to do. It has also met with some challenges during this PY that we have moved quickly to solve. Detailed below are the statistics and general summary of the activities carried out by the Legal Team and an outline plan for the extension period April to October.

Firstly though, it would be helpful to give an update on the general situation. The original concept was very simple. As a result of a ministerial visit, we were tasked with delivering a simple solution to the chaotic administrative situation that was prevailing in child justice at the point of his visit. It was felt that having a legal team in place dealing with the huge backlog of case files awaiting confirmation would help us to identify, and react immediately to; miscarriages of justice, children incarcerated in adult prisons, magistrates sentencing out of remit, age-inappropriate sentencing, and otherwise unsafe verdicts.

The concept was that the team would work closely with and support the CCRB and in particular Justice [REDACTED]. This was working extremely well when Justice [REDACTED] was suddenly replaced as the Chair of the CCRB. This caused difficulties as our team began to struggle to access files since files were being withheld by certain jurisdictions. This was further exacerbated by the new Chair of the CCRB subsequently taking maternity leave. This left us in a weak negotiating position.

After a short period of time, a drop in performance of the team was noticed and it became apparent we needed to act quickly. We arranged a meeting with the President Judge (who effectively line manages all parties within the child justice system) and agreed a strategy. After a series of meetings, we now have full access to the areas we need to access and performance is back on track. Also as a result of these meetings, we discovered that our policy of hiring newly qualified lawyers had some disadvantages. The young lawyers were inexperienced in the machinery that makes the court system work, and as a result were easily fobbed off when presenting themselves to collect files, do prison inspections etc. Likewise they didn't have the networks to enable them to make calls and contact key people who could facilitate access. This is a big factor, as the chaotic administrative systems are very capable of camouflaging corrupt practices and incompetence.

As a result, we have changed the structure of our legal team; added two more experienced and capable practitioners, and now have them headed directly (and more actively supervised) by [REDACTED] our project manager (who is himself an experienced public prosecutor ex of the DPP's dept.). In addition to this, we have housed them in a new office at the reformatory centre and use the office at the courts for appointments only. This gives us complete control over access to them and their deployment.

We are already seeing the results of these measures and are happy to report that full access is now restored and momentum fully re-established. We feel that this was a good time for us to deal with these issues at an early stage; it will mean that we are in a very strong position to further develop this project strand for our new application.

### **Activities**

This is a brief report on activities undertaken by the Legal Team on behalf of the Chair of the Child Case Review Board (CCRB) for the last six months

## Confirmations and Legal Opinions

So far **79** legal opinions on child matters and **134** confirmation orders have been issued. These consist of cases dating from 2015 to 2018. Of the 134 confirmations orders there has been:

- **18 Orders substituting custodial prison sentences with Community Supervision orders** (to be supervised by Chance For Change). These were children incarcerated in adult prisons, specifically Maula, Kasungu, Nkhata Bay, and Mzuzu who are now serving their orders at the C4C reformatory centre.
- **47 Children removed from adult prisons** these are children who have had sentences suspended unconditionally
- **65 Confirmations suspending sentences conditionally**. These were case files returned to the High Court for review.
- **33 Reduction of Sentence Orders** children who were wrongfully sentenced
- **9 Enhancement Orders** where sentences have increased
- **15 Retrial Orders** where the legal team has presented new evidence that has prompted the court to start over with the trial
- **24 Release orders** these are orders ordering immediate release

This represents **187** children being removed from the prison estate by this team *in this project year*.

## Visits to Reformatory Centres and Juvenile Detention Centres

We have been regularly visiting government reformatory centres and juvenile detention centres with the purposes of

- Collecting data of all children incarcerated in detention centres; and
- Compiling a list of all outstanding unconfirmed child cases.

## Visits to District Courts

We have been visiting district courts with the aim of tracing and collecting court files relating to children and bringing them back to the Central High Court for confirmation

Currently, circa 1100 cases of children found responsible for crimes have not been confirmed by the High Court as required by law. These files will remain the focus of the Legal Team in the coming months. In the first place, the files will be traced, and they will be examined and brought to the attention of the High Court with legal opinions attached. The High Court will then follow up with the orders.

## Summary

Despite experiencing some difficulties with the political changes to the child justice governing bodies, we have had a considerable effect within the first year of the initiative. There have been **187** children removed from prisons, most of them have been children incarcerated in adult prisons where most have been abused and many have contracted HIV or other STDs. Many of these children were serving long sentences, some in excess of ten years.

Although there are many case files yet to be confirmed, and yet more are added to the pile all the time, we believe that we have now found an efficient way of operating, and are optimistic that the files can be reduced by a meaningful amount going forward. We are still discovering children in adult prisons, but are now very effective at getting them out and into our reformatory centre, where they can begin the process of recovery.

In the future, we would aspire to increase the size of the team. This will enable us to give team members a regional responsibility; helping to nullify resistance experienced in some of the district courts. We think that by adding team members, we can similarly have a greater presence in the prisons, thus quickly identifying anomalous children; we also think that we could build enough momentum to achieve a sort of critical mass that will enable us to clear the backlog of cases and to ensure that confirmations are compliant with the law.

This concept, originally initiated by **[REDACTED]**, has had a very powerful effect and has placed Chance For Change at the heart of the child justice system, and in a position to provide real solutions to the chaotic lottery that many children in conflict with the law experience.

## Annex 2: Sample Case Studies

### 1. [REDACTED]

When [REDACTED] was referred to Chance For Change, although a child, he was serving a 5-year sentence in an adult prison; convicted of receiving stolen property.

[REDACTED] is one of 8 children and the only member of his family who is not infected with HIV. At the time we found him, he had already served 2 years of his sentence. When he arrived at the reformatory centre, he enjoyed bricklaying and specialised in general building. Soon after settling in at the centre, he lost both of his parents to HIV. This presented us with some problems for reintegration.

When we came to reintegrate him, we discovered that the rest of his family were sleeping in a church because their house had been destroyed by severe rains and they had no money to have another home built. [REDACTED] immediately mobilised his siblings and started the family moulding bricks. Within a month he was able to build a 3-bedroom house, where he now stays with his brothers and sisters. Since his home is close to Mozambique, he has secured contracts to build houses both in his home community and also across the border in Mozambique. With this work he has become able to support his family. His two younger sisters have gone back to school, and he has funded his elder brother to start a small business of selling and buying crops. Despite very challenging circumstances, [REDACTED] has managed to recover from his experiences in prison and has a stable life back in his community.

### 2. [REDACTED]

When we took [REDACTED] referral, he was reported to us as a child in an adult prison. He was in Mzuzu prison serving a 3-year sentence for causing death of 2 people by reckless driving. His parents failed to pay the MKW 600,000 fine that is required in such cases and he was sent to prison.

In Mzuzu prison he was treated terribly; repeatedly gang raped, where he contracted STIs. These STIs were untreated, and he needed immediate concerted medical help upon his arrival at the centre. He was very sick. He also required counselling in order to move past his experiences.

When choosing his vocation, he decided to specialise in motor mechanics. [REDACTED] proved to be a capable mechanic and he now works at a garage, back in the North.

Driven by his experiences in prison, [REDACTED] decided to start an advocacy group that visits prison and speaks against the abuse that young people face in adult prisons in the Northern Region. He speaks to young prisoners about the importance of young people speaking out when they are abused and contract STIs, and to get immediate treatment to prevent serious health risks. With [REDACTED] support many of them have come forward to seek treatment. [REDACTED] also uses his advocacy group to speak to children in schools of the benefits for young people in living crime-free lives; he is able to share the harsh realities of being a child in prison. [REDACTED] is now 19.

### 3. [REDACTED]

When we transferred [REDACTED] from Chilwa, he was 17 years old and, was convicted of theft. He was from a large family, his father has 7 wives; he is one of 29 brothers and sisters and he is the first-born.

He was convicted of stealing MKW 150, 000 from the village headman. He used the money to buy fertilizer for his 4 mothers, and the rest was used to buy clothes for himself and his brothers.

[REDACTED] was sent to the centre for assessment of rehabilitation and to be prepared for reintegration. Once settled in to the centre routine he tried building, but although capable, was not inspired. His real idea for a business was hair cutting. We sourced tuition and he proved to be both skilled and motivated.

When it came to his reintegration it became problematic. His home was in the far north of the country, close to Tanzania; this made communication with the family near impossible. When we arrived in his village, we found his birth mother dying of cancer. His 4 younger brothers were begging for food; their father was not able to support them.

We assessed the home situation, and adapted our original plan. [REDACTED] started cutting hair immediately, the day he arrived home. He was able to earn enough money to feed his brothers. [REDACTED] has now established a barbershop, he has taught two of his brothers to cut hair and they now have barbershops of their own. Together they are able to take care of each other and ensure that the two youngest brothers are now attending school. Although their mother passed away just a month after his arrival, his family are no longer begging and they have enough money to live.

### 4. [REDACTED]

[REDACTED] was sent to Maula adult prison at aged 17. He came to us after serving 2 years of his 5-year sentence; he was accused of consensual sex with his girlfriend. When he came to the reformatory centre, it took him a while to settle down. He was still angry and this took some time to work through. Once he became stable, he proved himself to be very capable and a quick learner. He specialised in motor mechanics and it became apparent that his maturity and personality made him respected among the other boys in the centre; he gradually assumed a leadership role, mentoring new admissions, and the younger boys.

He showed such an aptitude for teaching others that although he is still technically under sentence we have been able to offer him a position as an assistant trainer. He now lives outside the centre, and comes in each morning to work. He assists the tutor in training new participants, and also supervises small projects. He also takes part in the outreach programmes in prisons where he helps others team members presenting cognitive behaviour programmes, and talks to the other prisoners about his experiences.

We will shortly be approaching the high court on his behalf to recommend his sentence be lifted.

## 5. [REDACTED]

[REDACTED] was 14 when he was referred by the magistrate court to C4C. He was the youngest of all of our participants at the time. He was abandoned in the street by his uncle after the death of his father. Alex was taken away from his mother because according to the local culture, he was assumed to be the property of the father's side of the family, and so it was forbidden for him to live with his mother, who was stripped of her possessions.

[REDACTED] was found liable for the crime of theft and the presiding magistrate felt that he needed guidance rather than punishment. At this age, [REDACTED] was too young for vocational training, which involved physical work. He was both small and slight for his age and also, because of his age and his background on the streets, he was challenged by our cognitive behavioural programme. He simply struggled with some of the concepts. As a result of all of this, he spent more time in the kitchen where was directly looked after by the chefs and the boys on kitchen details. He showed some aptitude for catering, and the experience and stability of the kitchen environment was good for him.

During this process, we searched for his mother, and also quite bluntly informed the uncle of the consequences of taking him away from his mother. When we found his mother, she was begging in town. Since her husband died, as according to custom, the husband's relations took away all the property that they owned, leaving her destitute.

When [REDACTED] was ready to go home, we discussed with him plans for what he could do to support himself and his mother. We suggested that the knowledge and experience he gained in the kitchen could help him to open a small restaurant.

With his mother doing nothing to generate income, we helped her to get a small village loan of K50 000 and we released [REDACTED] to her custody. Together they are currently running a small restaurant and are able to support themselves. In the meantime, they have been able to employ two more people in order to help them grow the business. [REDACTED] has remained free from offending up to this point.

## 6. [REDACTED]

[REDACTED] came to C4C from Kachere prison when he was 19. He was convicted of theft and grievous bodily harm at the age of 16 years old. The circumstances of his case were that he was employed by his uncle to work as a salesman in his grocery store. He was the eldest of 4 siblings, and when their parents passed away, this left him responsible for providing for the rest of his family.

For a year his uncle did not pay him and he struggled to look after his brothers and sisters. He was owed a lot of money. One night he broke into the grocery store and stole items that amounted to MKW 90,000. During the robbery, he injured his cousin who was sleeping in the store. At trial, he was sentenced to 6 years in prison.

After he had served 3 years, his sentence was converted to a Community Supervision Order and he was referred to Chance For Change reformatory centre for rehabilitation. At the centre he learnt bricklaying and focused on building as a vocational area.

After his reintegration, he was able to build his own house where he lives with his three siblings, and he has secured contracts to build residential houses in his local area. In

addition, he builds and sells fuel-efficient rocket stoves that he learned how to build whilst at the centre. He also runs a small shop where he sells groceries. [REDACTED] is enthusiastic about what he learned at Chance For Change, and is keen to pass on these skills. To this end, he has started a youth club called "Tikwere" (Rise), where he teaches his peers the entrepreneurship skills that he learnt whilst at the centre.

### **Annex 3: Budget Report**

Overall there is an underspend of £3,052 on the main project, and an overspend of £377 on the Project extension. The underspend is almost entirely due to tax and other staff on-costs which are due in April.

We have found the travel budget to be very tight this year, largely due to the volume of reintegrations back into the community that we have had to carry out at short notice during the presidential pardons. Also there were a larger than anticipated volume of children in adult prisons, a very costly process due to the fact that their pickups are unplanned and always done at short notice. We have managed to bear this cost by reducing overheads. We have reduced overheads by making efficiency savings such as buying food in bulk at periods when maize and rice are cheap, and by making arrangements with other suppliers to buy in bulk, on account.