

Workshop Report for the National Community Service Programme December 2001

1.0 Introduction:

A workshop to review the National Community Service Project document covering the pilot phase was held on December 17-18, 2001 at the Jokas Hotel near Kampala. The workshop was organised by the National Community Service Secretariat (NCSS) and was attended by members of the District and National Community Service Committees and representatives from the different Criminal Justice agencies in the pilot districts of Masaka, Mpigi and Mukono. (See list of participants – annex 1). The objective of bringing all these people together was to enable them review the project document of the National Community Service Programme and obtain a clearer understanding of the goal, objectives, activities and monitoring mechanisms.

An act of Parliament enacting Community Service as a penal sanction in Uganda was passed in 2001 and a pilot programme (2000-2002) initiated. Subsequently, a National Community Service Committee and District Community Service Committees responsible for supervising and implementing the programme were established. A Project proposal to guide the implementation of the National Community Service Programme was developed in November 2000. However the members of the National/ District Community Service Committees had hitherto not had the opportunity to study and internalise this document.

Nordic Consulting Group (U) Limited was contracted to facilitate this process and used the Logical Framework Approach (LFA).

1.1 Aims of the Workshop:

The aims of the workshop were:

- ?? To review the Project Proposal document for the pilot phase of the programme
- ?? Modify and make additional proposals on the direction the National Community Service Programme should take over the next five years

1.2 Workshop Programme:

The programme included:

- ?? Introductions
- ?? Presentation on the implementation status of the Community Service Programme (Pilot phase)

- ?? Introduction of the LFA
- ?? Review of the project document and group exercises on the different project elements

- ?? Next steps
- ?? Wrap-up

See annex 11 for workshop programme.

2.0 Implementation Status of the Community Service Programme:

In her opening remarks, the National Co-ordinator, National Community Service Programme, Ms. Robinah Namusisi welcomed all those present to the two-day workshop that had been organised to facilitate their advisory/supervisory role in the implementation of the programme. The National Co-ordinator therefore hoped that the members would in the course of the workshop, review /discuss the salient issues pertaining to the project document and establish a consensus position on the direction the programme should take.

On the current status of the programme, the workshop was informed that the programme is being implemented in phases in the following pilot districts: Mukono, Masindi and Masaka. The main activities have so far revolved around the sensitisation and training of personnel within the key partner institutions: Police, Prisons and Courts.

The programme has also conducted sensitisation and awareness campaigns within the communities in which offenders are serving community service sentences. So far 11 prisoners have been enlisted and are serving their sentences within institutions where they are engaged in menial tasks i.e kitchen work, garden maintenance e.t.c.

3.0 The Logical Framework Approach:

Prior to the project document review process, the workshop participants were introduced to the key concepts of the Logical Framework Approach and equipped with basic skills on how to apply it to the National Community Service Programme in a process facilitated by Dr. Edward Kirumira and Ms. Stella Mukasa of Nordic Consulting Group (U) Ltd. The rapporteur was Ms. Anne Nkutu from the same organisation.

For summary of the presentation see annex 111:

3.1 Goal of the National Community Service Programme

Having understood the underlying principles behind the LFA, the group engaged in a brainstorming exercise on some of the benefits that could be anticipated from the Community Service Programme so as to determine the programme goal.

3.1.1 Expected benefits from the National Community Service Programme:

The discussion on benefits reflected that these could be perceived at three main levels: the individual, the community and the institution i.e. justice system.

| Individual benefits | Community benefits | Justice System benefits |
|-------------------------------|--|---|
| ?? Promotion of human dignity | ?? Community participation in justice system | ?? Reduction of magistrates workload |
| ?? Rehabilitative intent | ?? Deterrent to other community members | ?? Improvement of administration of justice |
| ?? Reconciliation | ?? Stability of homes | ?? Reduction of mob justice |
| ?? Individual self-esteem | | |
| ?? Stability of homes | | |

| | |
|--|------------------------|
| | ?? Poverty alleviation |
|--|------------------------|

From the above groupings, it is obvious that:

1. The benefits under individuals emanate from the rights-based approach and emphasise the rights of the individual (offender) even when they have wronged society. The main focus in this approach is the rehabilitation and moulding of the offender into a better, useful and law-abiding member of society.
2. The community benefits focus on empowerment and some socio-economic gains for the community i.e. stability, involvement of ordinary community members in the administration of justice and free labour for community projects.
3. The justice system benefits focus on efficiency and effectiveness in the administration of justice.

3.1.2 Proposed Goal statement (s):

From the above list of benefits, the workshop participants were divided into three groups and asked to derive a goal statement and programme purposes. (See annex 1V for group assignment)

| Group | Proposed Goal Statement |
|---------|--|
| Group 1 | <i>To promote the humane treatment and rehabilitation of offenders in Uganda</i> |
| Group 2 | <i>Treatment and rehabilitation of offenders and stability in society improved</i> <i>Use of non-custodial sentences and improved</i> |
| Group 3 | <i>To contribute to sustainable development through reduction of crime</i> |

Group discussion:

1. The goal should be beneficial (of a development nature) to the whole society and not just restrict itself to the rights of the offenders.
2. The goal should be determined from the philosophy of community service which really aims at improvement of administration of justice.
3. The goal should be linked to that of the Justice, Law and Order Sector i.e. effective administration of justice.

From the foregoing, it was agreed that the final goal should encompass the rights-based and developmental concerns of the various stakeholders.

3.2

GOAL
“HUMAN RIGHTS AND EFFECTIVE ADMINISTRATION OF JUSTICE PROMOTED IN UGANDA”.

Programme Purpose:

3.2.1 Proposed Programme Purposes:

| Group 1 | Group 2 | Group 3 |
|---|---|--|
| ?? Involvement of the public in the administration of justice | ?? Community service implemented in the four pilot districts | ?? Building public confidence in the justice system |
| ?? Reduce the costs of administration of justice | ?? Use of non-custodial sentences/measures improved and increased | ?? Encouraging community participation in the administration of justice |
| ?? Deter crime | | ?? Contributing to crime prevention through deterrence and realisation of recidivism |
| ?? Promote the rights of the accused | | ?? Contributing to poverty eradication through community projects |
| ?? Promote stability within families and community | | |
| ?? Reduce over-crowding in prisons | | |

Group discussion;

1. Savings obtained from introduction of CSP will be fairly insignificant and shouldn't be emphasised
2. Community service may not have such a big impact on congestion within the prisons since the majority of prisoners are remandees while the programme is now only optional to convicts.
3. The rehabilitative aspect of CS as a positive benefit should be emphasised over and above others i.e. reduction of costs and decongestion of prisons.
4. The programme purpose should be long term and must go beyond the pilot phase.

About the purpose, it was noted that there was a need to encompass the multiple aspects of community service i.e. the individual, the community and the justice system, hence the proposed programme statements below:

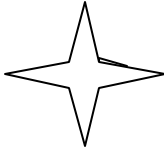
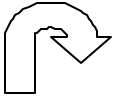
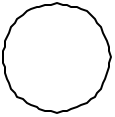
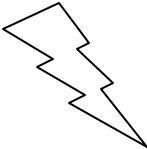
PROGRAMME PURPOSE

1. **THE HUMANE TREATMENT AND REHABILITATION OF OFFENDERS REALISED.**
2. **USE OF NON-CUSTODIAL SENTENCES AND INVOLVMENT OF THE PUBLIC IN THE ADMINISTRATION OF JUSTICE IMPROVED AND INCREASED.**

4.0 Results:

Before deriving results, a SWOT analysis of the pilot phase of the programme was done so as to ensure that the anticipated results for the longer term programme would be realistic and achievable within the current framework.

4.1 SWOT analysis of the National Community Service Programme:

| | | |
|-------------------|---|---|
| S (strengths) |  | Financial commitment from donors Political will |
| W (weaknesses) |  | Weak operational/ implementation structure Limited appreciation of the concept |
| O (opportunities) |  | Community service based on existing and established structures Government commitment to continued allocation of resources Reform of Justice, Law and Order sector |
| T (threats) |  | Transition from pilot - Integration within the system Resistance of players to implement programme Corruption Over reliance on public acceptance of community service Operational constraints Red tape delays in law and decision making process Political interference |

4.2 S.M.A.R.T Concept:

The participants were also taken through the S.M.A.R.T concept to guide the process of determining the various project elements: results; activities; indicators and means of verification:

| | |
|---|---|
| S | ?? <u>Specific</u> - clear and unambiguous statements should be used |
| M | ?? <u>Measurable</u> - the quantity, quality and location of elements should be specified |

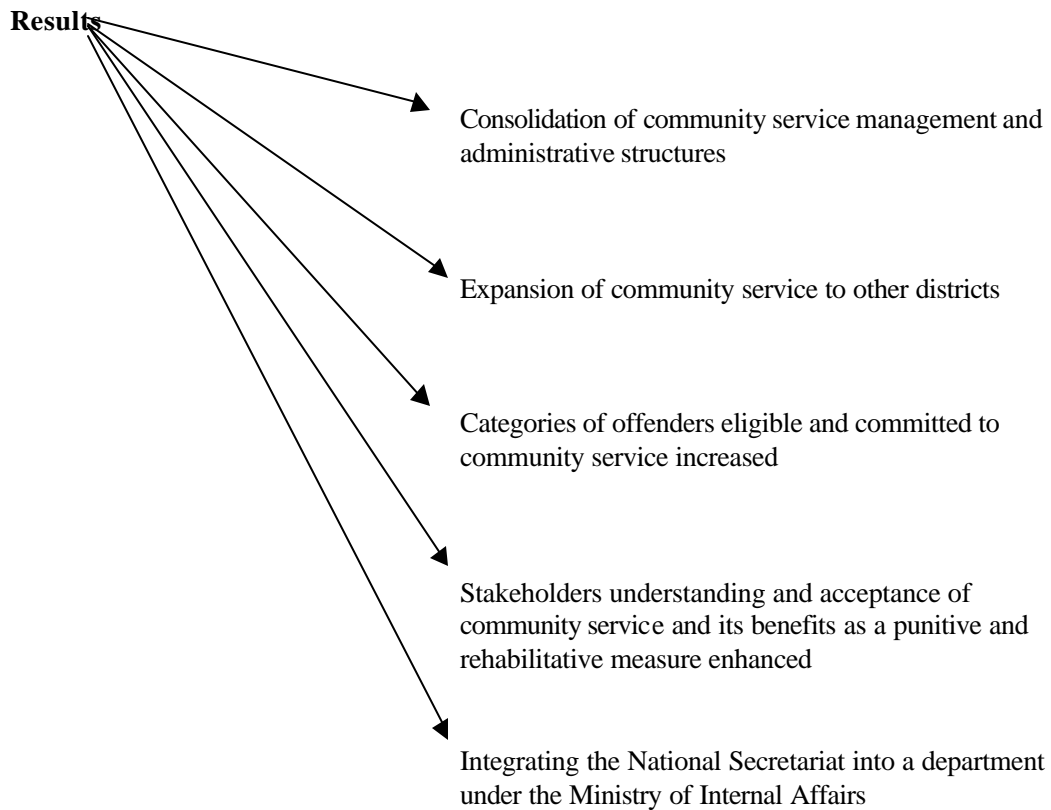
| | |
|----------|---|
| | wherever possible |
| A | ? ? <u>Achievable</u> - realistic and achievable elements should be used |
| R | ? ? <u>Realistic</u> - elements should be based on reliable records and other forms of evidence |
| T | ? ? <u>Timed</u> - the time frame within which elements take place should be spelt out |

4.3 Anticipated results:

Following an overview of the strengths, weaknesses, opportunities and threats to the National Community Service programme as well as an introduction to the S.M.A.R.T concept, the workshop participants were divided into groups and asked to identify the key results (outputs) of the programme over the next five years.

The groups were also asked to identify the verifiable indicators (direct/indirect measures to demonstrate the extent to which the results are achieved) and the means of verification (how and where information will be obtained to verify the results).

Below is a list of the key results:



Following the identification of the key results, the groups also generated a list of verifiable indicators and means of verification. These are reflected in the logical framework on the following page.

The National Community Service Programme

| | Objectively verifiable indicators | Means of verification | Assumptions/risks |
|--|--|---|---|
| Overall Goal: “Human rights and effective administration of justice promoted in Uganda”. | | | ?? GOU ‘s willingness a ability to sustain community service |
| Purpose: The humane treatment and rehabilitation of offenders promoted Use of non-custodial sentences and involvement of the public in the administration of justice improved and increased | ?? Increase by x% of number of petty offenders committed to community service ?? Reduction by x% of congestion in the prisons ?? Extension of community service nationwide by 2005 | ?? Court records ?? Prison records ?? Policy documents | |
| Results: 1. Consolidation of community service management and administrative structures. | ?? Full coverage of the four pilot districts by May 2003 ?? Policy document developed and operational by 2002 ?? Clear systems and uniform performance standards established by 2002 | ?? Management reports ?? Minutes of meetings ?? Register of placement institutions ?? Court records ?? CS placement orders | ?? Public acceptance of community service ?? Availability of funds |
| 2. Expansion of community service to other districts. | ?? More districts gazetted for community service by 2005 | ?? Gazette records ?? Government Policy Statement | ?? Availability of extra funding from donors |
| 3. Categories of offenders eligible and committed to community service increased. | ?? Increased number of petty offenders committed to community service ?? Reduced congestion within prisons ?? Successful completion of CSO by atleast 75% | ?? Court records ?? CS Placement orders ?? Prisons records | ?? Satisfactory performance and co-operation of offenders |
| 4. Stakeholders’ understanding and acceptance of community service and its benefits as a punitive and rehabilitative measure enhanced. | ?? Evident acceptance of community service by key stakeholders by 2005 ?? Increased number of offenders committed to CS ?? Establishment of administrative structures and recruitment of qualified staff to implement the programme by end of 2002 | ?? M& E reports ?? Management reports ?? Training records ?? Court records ?? Inventory & inspection records ?? Job descriptions | |
| 5. Integrating the National Secretariat into a department under the Ministry of Internal Affairs | ?? Establishment of a department within the Ministry of Internal Affairs directly responsible for Community | ?? Ministry Policy Statement ?? Budget papers | |

| | | | |
|--|--|-----------------------|--|
| | Service ?? Recruitment of a Commissioner to head the department | ?? Management reports | |
|--|--|-----------------------|--|

4.3 Activities:

- R1.1 Evaluate the Community Service programme management and administrative structures
- R1.2 Provide the district structures with the necessary infrastructure, qualified staff and equipment
- R1.3 Strengthen communication and co-ordination mechanism between the different stakeholders
- R1.4 Develop clear T.O.Rs for all stakeholders and key players.
- R1.5 Develop effective resource management systems to guide the administration of Community Service orders
- R1.6 Develop monitoring and evaluation policy
- R1.7 Conduct regular meetings between management and administrative staff

- R2.1 Conduct sensitisation/ training programmes for the key players and implementors
- R2.2 Establish and equip the districts with the necessary infrastructure
- R2.3 Develop by-laws and guidelines to facilitate gazetting of additional districts
- R2.4 Mobilise funds and other resources to facilitate implementation of the programme
- R2.5 Identify and compile a list of approved placement institutions

- R3.1 Lobby for the revision of the Community Service Act and other related laws to increase the number of offenders eligible for Community Service
- R3.2 Identify and recruit qualified staff to implement the programme
- R3.3 Develop training materials and conduct staff development programmes for the supervisors and implementing officers
- R3.4 Identify suitable placement institutions

- R4.1 Develop a public education strategy
- R4.2 Develop strategic linkages and alliances with relevant partners in the implementation of Community Service
- R4.3 Adopt and adapt existing guidelines and make them available to the various stakeholders and members of the public
- R4.4 Undertake training/ sensitisation programmes for the main implementors
- R4.5 Establish structures for monitoring, evaluation and dissemination of information

- R5.1 Lobby for the creation of a department within the Ministry of Internal Affairs
- R5.2 Recruit qualified and suitable staff for the department
- R5.3 Conduct staff capacity building programmes for the staff

4.3 Assumptions/Risks:

The group identified the following as the key assumptions/risks for the successful implementation of the National Community Service Programme:

- ?? Government of Uganda 's willingness and ability to sustain the Community Service programme
- ?? Availability of funding from both the government and donors
- ?? Public acceptance of Community Service as an alternative penal sanction
- ?? Satisfactory performance and co-operation of offenders committed to Community Service

5.0 Next Steps:

Following the conclusion of the review process and identification of the key project elements, it was agreed that the revised project matrix for the National Community Service Programme would be completed by Nordic Consulting Group in consultation with the National Community Service Secretariat. Copies of the completed matrix would later be circulated among the various national/district community service committee members.

List of Participants

| | | | |
|-----|---------------------------|---------------------------|--------------|
| 1. | Ms. Bashekana Sanyu | Chairperson | Judiciary |
| 2. | Mr. Kakaire Apollo | Member/NCSS | FHRI |
| 3. | Ms. Tibulya Margaret | D.Chair/ Masaka | Judiciary |
| 4. | Mr. Kasingye Asan | Member NCS | Police |
| 5. | Ms. Katusiime Grace | DPRO/Masaka | Masaka |
| 6. | Mr. Kabanda E.K | Chief Magistrate | Mpigi |
| 7. | Ms. Namatovu Immaculate | Secretary | Mpigi |
| 8. | Mr. Kikonyogo Joseph | C/S Secretariat | Kampala |
| 9. | Mr. Ntege James | Secretary | Mukono |
| 10. | Mr. Okwanga James | Member NCS | DPP |
| 11. | Mr. Sewanyana Livingstone | Member NCS | FHRI |
| 12. | Prof. Kakooza Joseph | Member NCS | ULRC |
| 13. | Mr. Muhumuza Eli | Researcher | UPS |
| 14. | Mr. Taitiiga David | Co-opt Member | Police |
| 15. | Mr. Aisu Sam | Programme Officer | EU/Danida |
| 16. | Mr. Gote Fox | Ex.Officio Member/Adviser | Int. Affairs |
| 17. | Mr. Ivo Kodal | Adviser (Sect) | DED |
| 18. | Ms. Alividsa Elizabeth | Chief Magistrate | Judiciary |
| 19. | Ms. Namusisi Robinah | Co-ordinator | CSP |
| 20. | Ms. Mugisa. M | Probation Officer | Masaka |
| 21. | Ms. Mukasa Stella | Facilitator | NCG (U) |
| 22. | Dr. Kirumira Edward | Facilitator | NCG (U) |
| 23. | Ms. Nkutu Anne | Rapporteur | NCG (U) |

Group Exercise

Group Assignment on Goal and Purpose

1. Using the current project proposal reflect and come up with a statement of the overall goal for the Community Service Programme.
2. Derive a statement(s) for Community Service Purposes which enable the realisation of the goal.

Please note:

- ?? Community Service is contributing with other actors to the goal
- ?? The purposes are immediately relevant to community service programmes
- ?? The pilot phase is ending and a new phase is to commence