EVALUATION OF THE PILOT PROJECT ON NON-CUSTODIAL MEASURES, REINTEGRATION AND SUPPORT SERVICES TO JUVENILES IN CONFLICT WITH THE LAW IN HAIPHONG, VIETNAM.

An evaluation conducted jointly by MOLISA and UNICEF

2008
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MOLISA please complete

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**ACRONYMS**

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>CPFC</td>
<td>Committee for Population, family and children</td>
</tr>
<tr>
<td>FGD</td>
<td>Focus group discussion</td>
</tr>
<tr>
<td>JICWL</td>
<td>Juveniles in conflict with the law</td>
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<tr>
<td>MOJ</td>
<td>Ministry of Justice</td>
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<td>MOLISA</td>
<td></td>
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<tr>
<td>PC</td>
<td>Peoples’ Committee</td>
</tr>
<tr>
<td>RS</td>
<td>Reform School</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<tr>
<td>UNODC</td>
<td>United Nations Officer for Drugs and Crime Prevention</td>
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EXECUTIVE SUMMARY

Context of the project
A Situational Analysis of Juvenile Justice in Vietnam was undertaken by the Ministry of Justice and UNICEF in 2005. The report sketched the nature and extent of juvenile offending in Hai Phong. It was identified that although the first time offenders and non serious crimes received community based education; more than 10,000 juveniles in conflict with the Law (hereafter referred to as ‘JICWL’) had been sent to reform schools by both the administrative and criminal justice systems between 1995-2005.

The picture of a steady increase in the number of JICWL, the high number of children dealt with via the administrative sanction process and the over-utilisation of reform schools as a sanction were the reasons that motivated the setting up of the project. Noting the trend towards the use of community – based education for JICWL, and in line with the commitment of Vietnam in complying with international law and policy, the Vietnamese government, together with UNICEF, established a pilot project on non-custodial measures, reintegration and support services to JICWL in Hai Phong.

The choice of Hai Phong was motivated on several grounds. First, as one of the largest cities in Vietnam, Hai Phong has the third largest number of juveniles charged with criminal offences, after Ho Chi Minh City and Hanoi. Although the majority of juvenile law violations in Hai Phong are administrative rather than criminal, the percentage of criminal violations is higher than the national average, and the number is rising.

The reason was the fact that work on Juvenile Justice had been done there previously (by the Vietnam government in collaboration with UNICEF), including a participatory psychosocial assessment on JICWL in 2004 and capacity building through workshops, multi-sectoral training on Juvenile Justice and the development of training manuals on juvenile justice adapted to Hai Phong in 2006; a protocol on child friendly investigation, a draft inter-agency circular on child friendly investigation, prosecution and court proceedings, training on the use of a case management approach, and training on psychosocial assessments and supports on juvenile justice.
Brief description of the project

The Pilot Project was a joint initiative of the CPFC and UNICEF. Following discussions from the multi-sectoral training on juvenile justice in Hai Phong (April 2006) a joint recommendation was made

a. To implement one integrated pilot on support services and psychosocial supports for JICWL to improve the services of juveniles subject to commune level education and for those informally sanctioned; and

b. To strengthen the co-ordination mechanism at the central, city and local levels.

The CPFC was discontinued in March 2008, and the relevant services for JICWL were transferred to MOLISA, which then became the major government implementing agency for the pilot project.

A Steering Committee for the pilot project was established in January 2007. It is composed of 14 staff at city and district levels (PC; CPFC; police; MOLISA; MoJ; Court; Procuracy; mass organizations). Regular meetings were held to discuss project implementation and constraints since January 2007.

Design of the pilot project was incorporated in an inter-agency protocol which was approved by the PC of Hai Phong (December 2006). This defined several issues such as the coordination mechanism; beneficiaries; objectives and service outcomes and indicators of the pilot; districts where the pilot would take place; roles and responsibilities of key agencies, including coordination, referral mechanism and case management; proposed list and description of the programs/services to be implemented from 2006-2010; as well as a monitoring and evaluation system.

The project’s objectives were described in the protocol document. They were reflected as follows:

1. Increased skills of staff dealing with JICWL and those at risk, especially those involved in the pilot project (social work and case management, counselling
training focusing on JICWL; monitoring training for the pilot project; and income generation activities.

2. Increased knowledge of restorative programs and services to be offered by the staff involved in the pilot project for JICWL sanctioned to community level education, those being dealt informally and being sent back by the reform schools to the selected district(s) of the pilot and those being investigated.

3. Prevented juvenile crime and further repeat offences in the pilot area.

4. Served as a model of social reintegration of JICWL, and if positive outcomes, it can be replicated in other districts of Hai Phong and other provinces and cities.

5. Response and psychosocial support and other support services to JICWL and those at risk to commit crimes improved.

The activities of the project, drawn from the inter-agency protocol, were as follows:

- To train relevant staff on a range of issues so they can provide adequate services to JICWL.
- To encourage the application of community based education as an administrative measure and a criminal sanction as opposed to institutionalisation of juveniles whenever possible, except for serious cases.
- Key role players to identify suitable cases and refer them to the pilot project or to mediation or some other informal resolution instead of imposing administrative or criminal sanctions.
- Social workers and collaborators to advocate and support JICWL and their families in the community, and to provide community based information, resources and networks as required.
- To strengthen the new Counseling centre at Ninh Binh Reform school through upgrade training for relevant staff acting as counselors, and upgrading of the IEC materials on child protection issues relevant for JICWL.
- To pilot individual release plans for each JICWL leaving Reform Schools, in consultation with juvenile’s family and local authorities in particular CPFC.
- To make referrals from reform school back to trained case managers/social workers for reintegration into the community.
- To support JICWL from the three districts of Hai Phong in the preparation of JICWL Pre release Plan into the community - this includes Social Workers to visit JICWL at Ninh Binh reform school at least once or twice a month during at least the last three last months of their placement in the reform school.
- Reform School to strengthen their partnership with Department of Education, to support JICWL as a means to preventing and reducing delinquency and to reconsider educational curriculum on offer in reform schools.
- To encourage and support positive collaborative relationships with all implementing partners.
To encourage juveniles, their parents and the victim be actively involved in the decision-making meeting.

To pilot Mediation/ Family Group Conference Model (Group Mediation) based on the guidelines to be developed at the national level in 2008.

To consider the amendment of Administrative laws to eliminate the use of Reform Schools as an Administrative sanction and use the existing Reform Schools for the detention of juveniles sanctioned to reform school imprisonment by the Courts.

The service outcomes for the Hai Phong Pilot project were stated in the inter-agency protocol as follows: (i) To improve the positive, social integration and contributions of JICWL; and (ii) to improve the well-being, self-worth and efficacy of JICWL.

The service indicators for JICWL were stated as follows: (i) No repeat offending within a 12 month period; (ii) Maintenance and functioning of a community support network (iii) Reintegration of JICWL, into schools and employment.

The scope and purpose of the evaluation

In early 2008 MOLISA, CPFC Hai Phong & UNICEF agreed to conduct an evaluation of the pilot project. MOLISA requested technical assistance from UNICEF with both the formulation and implementation of the evaluation. The evaluation takes place two years into the operation of the project. It is therefore a mid-term evaluation, as the project period was intended to be from 2006 to 2010. The aim of this evaluation is to assess both the implementation progress to date, and the impact of the pilot project, using data from a desk review of existing reports; a qualitative survey and a field survey. This evaluation aims to gain an understanding of project operation, and to document project impact, relevance and effectiveness. It further aims to examine the strengths and weaknesses of the pilot project, to make appropriate recommendations to improve the implementation and impact of the project, to assess sustainability and make recommendations regarding replication.

Objectives of the evaluation

The objectives of the evaluation articulated by MOLISA and UNICEF were to:

1) Assess the process of the design and implementation of the pilot project;
2) Assess its impact; effectiveness; relevance; sustainability; efficiency, etc; to date against the stated project objectives, key results, and services outcomes and indicators

3) Identify lessons learnt, problems and constraints encountered by the project

4) Provide recommendations on how to improve pilot project implementation and effectiveness

5) Provide recommendations to the government (MOLISA, legislator, policy makers) on if and how to scale up this pilot project (with and indication of whether that may require law amendment).

Methodology of the Evaluation

The methodology of the evaluation consisted of three components. The first was a desk review compiled by the international consultant. The second component was a qualitative data analysis, based on questionnaires completed by various project partners. The third component was field research, undertaken by the team of consultants at the three pilot sites. The main purpose of this was to gauge the views of people working on the project at ground level, as well as the views of the beneficiaries of the project, including parents and JICWL.

Findings Analysis

Qualitative data analysis and field research

- The Responses of JICWLs

Interviews and FGDs with a total of 40 JICWL (30 beneficiary and 10 non-beneficiary) revealed that the majority of JICWL were under the administrative system, and a small number were “children at risk”. The majority of them were exposed to a short period of temporary detention, and in a few cases their parents were not notified. 59 out of the 60 JICWLs interviewed said that they were visited by collaborators, whilst only 29 out of 60 had received training on life skills. All the beneficiary JICWLs interviewed felt that they had benefited from the project, and they could see the benefits of community based
education and/or support with reintegration. All the non-beneficiary JICWLs in the reform school were referred by the administrative system. They had mixed responses to the reform school, but definitely felt that they would have been much better off if they had had the support of the collaborators, the increased contact with their families which the project provides.

- The Responses of Parents and Guardians

A total of 50 parents and guardians participated in the evaluation. The majority felt they had benefited from the project, through training on psychological support and education for juveniles and on parenting skills, and also from being assisted to visit their children in reform schools, as well as being visited and supported by the collaborators. Some were critical of the vocational training programmes for the JICWL and also of the income generation skills offered to the parents themselves. They made practical suggestions for improvements to the project (such as increasing the number of collaborators), and felt that it should be continued and extended.

- The Responses of Steering Committee Members, Social workers and Collaborators.

The questionnaires for the qualitative data analysis as well as individual interviews and FGDs with staff and collaborators were analysed together. The majority (33/47) of those who participated rated the project as being "good", whilst some (13/47) felt that it was "very good". The project was considered to be relevant and effective by the majority of participants in the evaluation. 64% said that the objectives had been achieved at a high level, whilst 34% felt that they had been achieved at a moderate level. With regard to efficiency, some small problems with delay were revealed, but the majority felt that project management had been generally efficient. With regard to sustainability of the project, the majority felt that the government was aware that the project would only be sustainable in the long run if it was not dependent on donor funding and that a gradual handover of full financial responsibility was needed. There was a widely held opinion that the project scope should be extended to include "children at risk". The majority (89%) felt there was a need to increase the number of collaborators. There was a feeling on the part of the majority that there was scope to adjust the law on the issue of administrative transfers of children to reform school.
Achievements

The evaluation enumerates a number of achievements. These include various trainings held resulting in skills development of staff, collaborators, parents and guardians and JICWL, the fact that the number of JICWL in reform schools has dropped, the project has impacted on the confidence and self esteem of JICWL which helped them to reintegrate back into their families and communities and avoid being drawn back into crime. Parents and guardians felt more empowered and were handling their parenting tasks better. Staff and collaborators also felt more empowered to help the JICWL and their parents and guardians.

Strengths

The project is practical and relevant. Training has generally been useful to the beneficiaries. Project management systems are fairly strong and monitoring processes have worked quite well. Staff and collaborators have a clear sense of their roles and the objectives and activities. The commitment and enthusiasm of staff, especially the collaborators, is a clearly identified strength.

Weaknesses

There are some weaknesses related to badly planned scheduling (especially in relation to reform school visits). The shortfall in support to collaborators (and their heavy case loads) is a weakness which could pose a threat to the project if not corrected, because their role is so pivotal to the success of the project. Other project weaknesses relate to the programmes for income generation (for parents and guardians) and community based vocational training (for JICWL), neither of which are properly targeted for relevance to the beneficiaries. The education offered at the reform schools also poses an impediment, but improving that system was never one of the project’s objectives, so it cannot be described as a project weakness.

Compliance with objectives and indicators

Some weaknesses in the original project design were identified during the course of the evaluation. These related to the lack of specificity of certain objectives. It was also determined that there were only 3 proposed indicators, and these were not linked to
specific activities. Objective 5 refers broadly to improvement of the responses to JICWL, but also includes reference to “those at risk to commit crimes”. It was felt by most of those who participated in the evaluation that it was wrong to have left these children beyond the reach of the project.

**Compliance with international law**

The project was found to be clearly relevant to the international law on juvenile justice. The project's focus on community based education measures, reintegration and a reduction in the number of JICWL to reform school all accord well with international standards. The legal framework is also broadly harmonious with the international law, with certain exceptions such as the administrative system (especially the referrals by the administrative system of children to reform school).

**Key Recommendations**

**Recommendations to improve the project**

- Extend the scope of the project to include “children at risk”
- Develop better and different opportunities for JICWL in the community, to link them with educational, vocational training and employment opportunities
  - The restorative justice aspect of the original project objectives should be considered for inclusion in the project
  - A new protocol document should be developed in which activities should be linked to objectives and better indicators should be developed to measure the activities of the project.

**Recommendations regarding the replication of the project**

Due to the need to provide further evidence of the effectiveness of this project it is necessary to replicate the project, or a modified version of the project. It is recommended that UNICEF and MOLISA should urgently hold discussions regarding the replication of the pilot project. These discussions should aim for agreement on:
• the model to be replicated (including broadening of scope to include children at risk, the improvements to be made, as well as the need to incorporate the community based child protection system);
• the sites where the replication will occur;
• the responsibilities to be taken by each of the partners

It is recommended that there should be no roll out of the project at this stage, as the objectives have been only partially achieved. The improvements and broadening of scope should be added to the Hai Phong project first, and if successful, then the full model can be rolled out after following 2012, which is when the final evaluation of the pilot project will take place. The roll out should take the form of a change to the entire system in the country, and not a piece-meal replication of additional pilot projects.

Recommendations regarding possible reform of law and policy

The following areas of the law should be revised:

• The power of the peoples’ committee to refer children who are in the administrative system;
• The fact children who are 12 years or older but under the age of 14 years are also given sanctions, whereas they are legally below the age of criminal capacity.
1. A detailed description of the project

1.1 The context leading to the establishment of the project

An assessment of juvenile justice was undertaken in 2005, which sketched the nature and extent of juvenile offending in Hai Phong. National figures\(^1\) indicated that the following number of juveniles were alleged to have committed criminal and administrative violations nation-wide:

<table>
<thead>
<tr>
<th>Year</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11538</td>
<td>11376</td>
<td>13801</td>
<td>13809</td>
<td>13885</td>
</tr>
</tbody>
</table>

It was identified that although the first time offenders and non serious crimes received community based education; more than 10,000 juveniles in conflict with the Law (hereafter referred to as ‘JICWL’) have been sent to reform schools by both administrative and criminal systems between 1995-2005.\(^2\) The rate of repeat offending by JICWL was reflected as 35%.\(^3\)

The picture of a steady increase in the number of JICWL was one of the reasons why it was decided that the pilot project should be established. The number of children dealt with via the administrative sanction process was also a concern motivating the project.

The over-utilisation of reform schools as a sanction was also a serious concern that underpinned the commitment of government and UNICEF in setting up the project. Rates of imprisonment were also on the rise.

A 2005 report commissioned by UNICEF provided the following table:\(^4\)

<table>
<thead>
<tr>
<th>Year</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entering Reform</td>
<td>1419</td>
<td>1467</td>
<td>1591</td>
<td>2055</td>
<td>2208</td>
</tr>
</tbody>
</table>

\(^1\) These figures were sourced from the Situational Analysis of Juvenile Justice in Vietnam (MOJ/UNICEF June 2005) and from the Ministry of Public Security.


\(^4\) Psychosocial assessments and supports on juvenile justice in Haiphong (April 2005), p14. The information for the table was sourced from the Ministry of Security.
### 1.2 Reasons why Hai Phong was selected for the pilot project sites

The relatively high number of JICWL in Hai Phong\(^5\) was one of the reasons for situating the pilot project there.

The figures for Haiphong for the period 2000-2004 were captured as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Administrative Sanction</th>
<th>Criminal Prosecutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>123</td>
<td>60</td>
</tr>
<tr>
<td>2001</td>
<td>78</td>
<td>28</td>
</tr>
<tr>
<td>2002</td>
<td>124</td>
<td>59</td>
</tr>
<tr>
<td>2003</td>
<td>83</td>
<td>80</td>
</tr>
<tr>
<td>2004</td>
<td>73</td>
<td>70</td>
</tr>
</tbody>
</table>

As one of the largest cities in Vietnam, Hai Phong has the third largest number of juveniles charged with criminal offences, after Ho Chi Minh City and Hanoi. Statistics from the People’s Court of Hai Phong City reveal that the majority of the crimes committed by juveniles in Hai Phong is theft. There was also a steady increase in the number of juveniles adjudicated for robbery between 2000 and 2004. However, the statistics do not indicate any trend with respect to increase in murder, rape, drug-related offences, or other crimes of violence. Although the majority of juvenile law violations in Hai Phong are also administrative rather than criminal, the percentage of criminal violations are higher than the national. In addition, statistics show a steady increase in the number of juveniles adjudicated for criminal offences in Hai Phong between 2000 and 2004.

Another reason for the choice of Hai Phong as the project site was the fact that work on Juvenile Justice had been done there previously (by UNICEF in collaboration with government), especially with participatory psychosocial assessment on JICWL in 2004. UNICEF had also undertaken capacity building with various counterparts in the area of

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\(^5\) Hai Phong has the 3rd highest number of CITWL after Ho Chi Minh City and Hanoi.
Juvenile Justice in Hai Phong. Relevant staff had attended national workshops, assisted in the development of training manuals on juvenile justice adapted to Hai Phong in 2006 and participated in the multi-sectoral training on Juvenile Justice in Hai Phong in 2006.

1.3 Establishment of the project

The Pilot Project was a joint initiative of the CPFC and UNICEF. Following discussions from the multi-sectoral training on juvenile justice in Hai Phong (April 2006) a joint recommendation was made:

- To implement one integrated pilot on support services and psychosocial supports for JICWL to improve the services of juveniles subject to commune level education and for those informally sanctioned; and
- To strengthen the co-ordination mechanism at the central, city and local levels.

The CPFC was discontinued in March 2008, and the relevant services for JICWL were transferred to MOLISA, which then became the major government implementing agency for the pilot project.

A Steering Committee for juvenile justice and the pilot project was established in January 2007. It is composed of 14 staff at city and district levels (PC; CPFC; police; MOLISA; MoJ; Court; Procuracy; mass organizations) Regular meetings were held to discuss project implementation and constraints since January 2007.

Design of the pilot project was incorporated in an inter-agency protocol which was approved by the PC of Hai Phong (December 2006). This defined several issues such as the coordination mechanism; beneficiaries; objectives and service outcomes and indicators of the pilot; districts where the pilot would take place; roles and responsibilities of key agencies, including coordination, referral mechanism and case management; proposed list and description of the programs/services to be implemented from 2006-2010; as well as a monitoring and evaluation system.

32 social workers / collaborators from the 3 pilot districts, and at city level were selected through a fair process which was based on the competency criteria that had been developed (October 2006). There was skills improvement for 32 city workers, district
workers and collaborators on case management, social work, counseling, cognitive behavior therapy. This was undertaken through trainings; in-service coaching; and meetings to share experiences (last quarter of 2006, 2007).

There was also skills improvement of selected parents of JICWL in the three districts; and key selected social workers and collaborators on parenting skills, through training sessions and in-service coaching (2007). JICWL from the three pilot districts were equipped with skills to overcome their problems, through training on life skills (2007).

JICWL (and some at risk) from Hai Phong were provided with necessary knowledge on the rights of juveniles, legal consequences of unlawful acts, and legal aids services available in their community including the role of social workers and collaborators.

1.4 The project’s beneficiaries

The project’s end-user beneficiaries were JICWL and their parents. It is important to understand something about these two groups of beneficiaries. A JICWL is a child who has officially designated as such by the administrative and criminal systems. Thus the “conflict with the law” may be contact with either the administrative justice system or the criminal justice system.

According to the Desk Review, the JICWL were found to be almost all male (only 2% female), and the majority of offences were committed by those in the age group 16-18. The over-representation of males served by the project is reflective of the over-representation of males in the criminal justice/administrative system, and is a pattern that is fairly typical throughout the world, where the average rates of offending by girls is usually around 10% of the total number of child offenders. The percentage of female JICWL in Vietnam appears to be lower than the international average, and this may be due to differences in the socialisation of girls and boys. No information was provided to the evaluation team regarding the percentage of children from ethnic minorities served by the project. The majority of the JICWL were found to be from poor households, often with both parents working long hours, or one of the parents absent or in prison. A large
proportion of the JICWL had dropped out of school, and there appeared to be a lack of constructive ways for the children to spend their free time. In addition to these family and societal causal features, other identity-related causal factors have been identified: the juveniles have a lack of access to valued social roles, they have poor self identity and low aspirations (or a sense that they are unlikely to achieve their aspirations); and many of them lack positive social support networks.

The types of crimes being committed by JICWL were most commonly theft, snatching, disturbing public order, intentional injury, drug addiction and robbery (the latter apparently being on the increase).6 On the positive side, the number of serious or violent crimes such as murder and rape being committed by JICWL was recorded as very low.

The other group of beneficiaries of this project were the staff members working on the project. A key objective of the project was to increase the skills of the staff dealing with JICWL and those at risk, especially those involved in the pilot project. These included social workers and collaborators at city, district and commune levels, and other relevant implementing partners who provide services to JICWL after referral by social workers, collaborators or reform schools.

1.5 The project’s objectives

The overall vision to be achieved by 2010 was “to establish and implement a restorative justice service delivery model which promotes the recovery and social integration of JICWL, with the support from a comprehensive psycho-social network within the Hai Phong province”.

The project’s objectives were described in the protocol document. They were reflected as follows:

6 The kinds of offences being committed by JICWL seems to have remained fairly constant, with the procuracy observing (in 2008) that the most common crimes committed by children were drug related crimes, cutting telephone wires and causing injuries. The rate of drug use is also repeatedly mentioned as a concern in the desk review materials.
6. Increased skills of staff dealing with JICWL and those at risk, especially those involved in the pilot project (social work and case management, counselling training focusing on JICWL; monitoring training for the pilot project; and income generation activities)

7. Increased knowledge of restorative programs and services to be offered by the staff involved in the pilot project for JICWL sanctioned to community level education, those being dealt informally and being sent back by the reform schools to the selected district(s) of the pilot and those being investigated.

8. Prevented juvenile crime and further repeat offences in the pilot area

9. Served as a model of social reintegration of JICWL, and if positive outcomes, it can be replicated in other districts of Hai Phong and other provinces and cities

10. Response and psychosocial support and other support services to JICWL and those at risk to commit crimes improved.

1.6 The project’s activities

The project was not introduced into a vacuum. The existing context in Hai Phong was one where other projects had already been initiated. Included in these were a protocol on child friendly investigation, a draft inter-agency circular on child friendly investigation, prosecution and court proceedings, training on the use of a case management approach, and training on psychosocial assessments and supports on juvenile justice.

It was stated in the inter-agency protocol that the intention was to implement one integrated pilot on support services and psychosocial supports for JICWL to improve the services of juveniles subject to commune level education and for those informally sanctioned, as well as to strengthen the co-ordination mechanism at the central, city and local levels.

The inter-agency protocol sets out detailed lists of project tasks for the following: People’s Committee; Vice Chairperson of the District and Commune People’s Committee; Police (P14, 13 and V26); the Procuracy; the Department of Justice; Hai Phong City; The Districts of Le Chan, Ngo Quyen and Thuy Nguyen; Village/Commune; DOLISA; Department of Education, Department of Health; and Mass Organisations.
Due to all the detail, it is difficult to ascertain a clear list of activities to underpin the objectives of the project. However, by sifting through the detailed tasks of each of the inter-agency partners it is possible to discern certain key activities that underpin the project:

- To train relevant staff on a range of issues so they can provide adequate services to JICWL.
- To encourage the application of community based education as an administrative measure and a criminal sanction as opposed to institutionalisation of juveniles whenever possible, except for serious cases.
- Key role players to identify suitable cases and refer them to the pilot project or to mediation or some other informal resolution instead of imposing administrative or criminal sanctions.
- Social workers and collaborators to advocate and support JICWL and their families in the community, and to provide community based information, resources and networks as required.
- To strengthen the new Counseling centre at Ninh Binh Reform school through upgrade training for relevant staff acting as counselors, and upgrading of the IEC materials on child protection issues relevant for JICWL
- To pilot individual release plans for each JICWL leaving Reform Schools, in consultation with juvenile’s family and local authorities in particular CPFC.
- To make referrals from reform school back to trained case managers/social workers for reintegration into the community.
- To support JICWL from the three districts of Hai Phong in the preparation of JICWL Pre release Plan into the community - this includes Social Workers to visit...
JICWL at Ninh Binh reform school at least once or twice a month during at least the last three last months of their placement in the reform school.

- Reform School to strengthen their partnership with Department of Education, to support JICWL as a means to preventing and reducing delinquency and to reconsider educational curriculum on offer in reform schools.

- To encourage and support positive collaborative relationships with all implementing partners.

- To encourage juveniles, their parents and the victim be actively involved in the decision-making meeting.

- To pilot Mediation/ Family Group Conference Model (Group Mediation) based on the guidelines to be developed at the national level in 2008.

- To consider the amendment of Administrative laws to eliminate the use of Reform Schools as an Administrative sanction and use the existing Reform Schools for the detention of juveniles sanctioned to reform school imprisonment by the Courts.

1.7 The service outcomes and indicators

The service outcomes for the Hai Phong Pilot project were stated in the inter-agency protocol as follows-

i. To improve the positive, social integration and contributions of JICWL.

ii. Improve the well-being, self worth and efficacy of JICWL.

The service indicators for JICWL were stated as follows-

i. No repeat offending within a 12 month period.

ii. Maintenance and functioning of a community support network.

iii. Reintegration of JICWL, into schools and employment.
2. **The scope and purpose of the evaluation**

In early 2008 MOLISA, CPFC Hai Phong & UNICEF agreed to conduct an evaluation of the pilot project. MOLISA requested technical assistance from UNICEF with both the formulation and implementation of the evaluation. The evaluation takes place two years into the operation of the project. It is therefore a mid-term evaluation, as the project period was intended to be from 2006 to 2010. The aim of this evaluation is to assess both the implementation progress to date, and the impact of the pilot project, using data from a desk review of existing reports; a qualitative survey and a field survey. This evaluation aims to gain an understanding of project operation, and to document project impact, relevance and effectiveness. It further aims to examine the strengths and weaknesses of the pilot project, to make appropriate recommendations to improve the implementation and impact of the project, to assess sustainability and make recommendations regarding replication.

3. **The objectives of the evaluation**

The objectives of the evaluation articulated by MOLISA and UNICEF were to:

6) Assess the process of the design and implementation of the pilot project;

7) Assess its impact; effectiveness; relevance; sustainability; efficiency, etc; to date against the stated project objectives, key results, and services outcomes and indicators

8) Identify lesson learnt, problems and constraints encountered by the project

9) Provide recommendations on how to improve pilot project implementation and effectiveness

10) Provide recommendations to the government (MOLISA, legislator, policy makers) on if and how to scale up this pilot project (with and indication of whether that may require law amendment).
4. The methodology of the evaluation

The methodology of the evaluation consisted of three components. The first was a desk review compiled by the international consultant. The second component was a qualitative data analysis, based on questionnaires completed by various project partners. The third component was field research, undertaken by the team of consultants at the three pilot sites. The main purpose of this was to gauge the views of people working on the project at ground level, as well as the views of the beneficiaries of the project, including parents and JICWL. Some non-beneficiaries were also interviewed. Care was taken to ensure that girls as well as boys were interviewed and participated in the group focus discussions.

The national consultant ran a two day training session for the national evaluation team which included the international law context relating to juvenile justice, UNICEF evaluation report guidelines, research methodology, guidelines for interviews and group discussions and ethical considerations when interviewing children.

The composite tools developed for the evaluation, are attached to this report as Annexure A. The field research plan is attached as Annexure B.

4.1 A Desk Review

A comprehensive desk review was undertaken by the international consultant. The purpose of the desk review was to provide a context for the evaluation and to synthesize internal reports and trip reports regarding what had already been achieved and identifying gaps. The desk review thus provided pointers on what to look for in the evaluation, and identified certain data gaps.

This desk review included the following:

- An assessment of the situation of juvenile justice in Vietnam (with a focus on Hai Phong) prior to the establishment of the pilot project. This included the incidence and profile of children in the system for JICWL, as well as the law and practice regarding those children.
• An assessment of the implementation and achievements of the project thus far. This was based on detailed reports from the three pilot sites, and detailed reports from the steering committee on implementation of the project.

• An assessment of the need for adjustments to or further development of the project. Included in this section were the following issues: diversion and restorative justice; need for attitude change; the steering committee’s assessment of gaps, challenges and lessons learned during project; recommendation of a national consultant; observations arising from earlier field trips. This assessment resulted in a list of issues to be considered during the evaluation process for improvements or additions to the project.

• An assessment of the sustainability of the project and the possibility of replication

• An assessment of the need for further law reform

• A consideration of international best practice on diversion, reintegration and law reform

• Conclusions about what further information was needed to complete the evaluation, including an enumeration of data gaps; programme information gaps; staff issues and management issues.

The Legal Framework

Although the desk review included a brief description of the legal framework, the national team undertook the writing of thorough description of the legal framework for JICWL in Vietnam. This is attached to this report as annexure C.

4.2 Qualitative data analysis: through questionnaires

The qualitative data analysis was undertaken by means of completed questionnaires. Questionnaires were designed for the following persons:

(1) members of the steering committee at city and district levels in Hai Phong and the reform school no.2;

7 The blank questionnaire forms are attached to the Evaluation Plan, which is attached to this report as Annexure I.
(2) social workers / collaborators who have provided the services, and/or referred the juveniles to support services; and
(3) the central level partners in particular MOLISA, policy makers (e.g. MoJ) the legislator (National Assembly).

The questionnaires included questions that related to the project regarding the following: Impact, relevance, effectiveness and quality, efficiency, innovativeness, sustainability, specific gaps identified.

The total number of questionnaires was 47, 29 were distributed to the steering committee and 18 to the collaborators and social workers. All questionnaires were retrieved, and the results were then compiled. As the people who responded to the questionnaires were all staff members or personnel involved in the management or oversight of the project the national evaluation team included the results of the qualitative data survey together in the report on staff and collaborators, and these results are set out at para 5.3 below.

4.3 Field Study: Qualitative data analysis through individual interviews and focus group discussions

The field survey research methods were designed by the international consultant, with input by the national evaluation team. Tools were designed including questionnaires for individual interviews and guides for group discussions. The interviewees were selected using a random process which was clearly set out in the field research plan.

The interviews were carried out and group sessions were facilitated by members of the national team of consultants. The international consultant was present for the first week of the field study, and several de-briefing meetings were held during that week.

The field survey aimed to obtain the views of the following persons:
Beneficiary and non-beneficiary JICWL;
Beneficiary and non-beneficiary parents;
Social workers, collaborators and members of mass organisations;
Members of steering committee members at city and district level.
4.4 Analysis of research results: Findings and recommendations

The research results from all three components set out above were considered. The composite set of results were then analysed in relation to the following: Achievements; Strengths; Weaknesses; Findings measured against original project objectives and indicators; Findings measured against international obligations; Findings measured against restorative justice principles. The findings and analysis are set out below in section 5 of this report.

5. Findings Analysis

5.1 Beneficiary and non-beneficiary JICWL

The two methods used for the field survey were individual interviews (with both beneficiary and non-beneficiary JICWL) and FGDs with both groups of JICWL. A total of 40 children (30 beneficiary, 10 non beneficiary) were involved, which was very close to the original field survey plan.

Summary of findings

The national consultancy team responsible for the interviews and FGDs provided a comprehensive and detailed report. A summary of their findings and analysis is set out at annexure 3. The key findings and analysis are set out below,

Survey findings in the three districts of Hai Phong and in the reformatory school #2

The two methods used for the field survey were individual interviews (with both beneficiary and non-beneficiary JICWL) and FGDs with both groups of JICWL. A total of 40
27 children (30 beneficiary, 10 non beneficiary) were involved, which was very close to the original field survey plan.

5.1.1 Background information about JICWL

It is evident that the majority of cases fall within the administrative system, rather than the criminal justice system but this pattern is generalised across the beneficiary and non-beneficiary juveniles. Although the sample was small, the survey revealed some children from the “at risk” group who were not in either the administrative or criminal systems but were referred to the programme due to misbehaviour such as dropping out of school, staying out late or leaving home.

Pre-trial detention is still utilised (for both beneficiary and non-beneficiary children) and although the detention periods are generally not longer than a few days, the project should aim to eliminate unnecessary detentions in line with international standards. The majority of parents are informed promptly about their children coming into the system. According to the beneficiary JICWL interviewed the project added value through visits by collaborators and community activities. Non-beneficiaries reported that they do not have access to any such assistance, demonstrating that the project is providing much needed access to services which are not obtainable through other means.

5.1.2 Effectiveness of the pilot project in view of the JICWL

- The findings from the interviews and FGDs show that most of the beneficiary JICWL in the three pilot districts of Hai Phong and RS#2 were aware of the pilot project; there were some who needed explanation before understanding that they had been supported by the project. This is because the collaborators did not properly introduce the project and elaborate on the reasons that they were doing the job. This should be improved by the collaborators.

- The findings of individual interviews and FGD with JICWL in the three pilot districts of Hai Phong show that most of interviewed juveniles provided positive feedback on the support provided by the project. They also confirmed that they had benefited from the project: they had been trained on life skills, skills to manage anger, juvenile psychology; they were also visited by collaborators who supported them reduced any self-stigma and increased re-integration, and introduced juveniles to vocational training and job
placement. The juveniles also confirmed that the collaborators were very supportive and enthusiastic.

### 5.1.3 Recommendations to improve the project

Most of beneficiary JICWL in the three pilot districts and RS#2 expressed that they wanted to see the project continued so that they could have continuous support from collaborators, training on life skills, schooling and vocational training which help them improve their behavior. They also expected that the project would continue the support for JICWL and extend its support to juveniles at risks so that they could avoid offendings or recidivism. Some of them wanted the project to continue the support for their parents through training on parenting skills. The non-beneficiary juveniles interviewed felt that they would benefit from the support of collaborators.

### 5.1.4 Comments on the advantages of community-based education

The majority of the JICWL (both beneficiary and non-beneficiary) who were interviewed were clear that community-based education was very beneficial, particularly when compared with placement in a reform school or detention centre.

### 5.2 Parents and Guardians

19 individual interviews were held with beneficiary parents and guardians, 3 group discussions were held with a total of 31 parents and guardians. This amounted to a total of 50 beneficiary participants. A total of 8 non-beneficiary parents were also interviewed.

#### 5.2.1 Background information about the JICWL

The parents independently confirmed much that the JICWLs had said regarding background issues such as the fact that the majority of the juveniles were in the administrative system, some said that they had been referred to the project due to "at risk behaviour. They also confirmed that the majority of the JICWLs were detained for a
period of time, most were informed promptly. 2 parents indicated that they had referred their own children to the project.

5.2.2 Project effectiveness

The interviewees said that there were various project activities for parents, including:
- Training on income generation such as cultivation and farming
- Training on psychological support and education for juveniles
- Training on parenting skills
- Going to visit their children in the RS
- Being visited and counselled by collaborators
- Assistance with applications for reduction of school fees.

The support provided to children in RS was very much appreciated. Some enjoyed the experience of going to training and meeting others who were struggling with their children. 15 out of the 18 interviewed felt that the parenting and psychological support training was very useful and had helped them be better parents, no longer quarrelling or using corporal punishment as they had before. The response to the income generation projects was less enthusiastic. Some who were interviewed said that they were urban dwellers and that learning about farming was not useful to them. Some (especially those in Thuy Nguyen) said that the training venue was too far away and the incentives paid to them did not cover the costs of attending, but they had attended because it was important for their child.

With regard to the support offered by the project to their children, the parents highlighted the support of the collaborators as being very helpful. Their responses showed their trust in and respect for the work of the collaborators who visited often and also spent time waiting to see the JICWL when he or she came home. However, there were one or two complaints about collaborators rarely visiting because their house was too far away, or sending a report to school late, causing the child not to be readmitted. Some parents also mentioned that the project provided help for JICWL to obtain vocational training and jobs.

Among the parents attending the interviews 9 parents have children in RS or who have returned from RS. The responses from them were mixed. Some felt the school had had a positive effect, that the teachers were strict and provided a good education, and that now the child had returned and was behaving well. Others felt that the RS was not good, the facilities were poor and the education was bad, children learned bad things. Children fought with one another. One parent even hinted that staff take payments to allow a parent to visit their child for a longer time. Some parents expressed a preference for community education. The survey revealed that none of the parents were involved with the development of a reintegration plan for their children, which is one of the project objectives.

5.2.3 Recommendations for improvement of support services
The parents interviewed provided very practical suggestions for the improvement of the project:
- The project should provide vocational training for the JICWL customised to individual needs and expectations, and assist with employment placement for those who complete the training
- Support children to continue with schooling after release from RS
- Increase the number of collaborators so that they can provide better support for JICWL ("there should be a collaborator in each hamlet who can come when we are having problems")
- Provide further training on psychology of children
- Collaborators should also be involved in the handling of children by the system, and should collaborate with the police
- The project should be continued
- The project should be extended.

5.2.4 Non-beneficiary parents and guardians

The replies to questions by the non-beneficiary parents and guardians demonstrate that they have less insight into their children’s needs than the beneficiary parents and guardians. This is in all probability due to the exposure to training that the beneficiary group has had. Nevertheless, the non-beneficiary parents and guardians recommended that support should be strengthened for JICWL, that there should assistance for the JICWL in finding employment, and that RS should only be used in cases where JICWL are very disobedient. These recommendations show that the JICWLs and their parents would have benefited from the project if the services had been available to them.

5.3 Steering committee members, social workers and collaborators.

The two methods used for the field survey were individual interviews and FGDs. Individual interviews were conducted for 29 members of the steering committees and collaborators ad social workers. Focus group discussions: 7 FGDs were conducted, 4 of which were conducted with members of the steering committees and 3 FGDs with collaborators and social workers. With regard to the qualitative questionnaires: the 47 interviewees targeted were instructed to complete the questionnaires individually, which were then reviewed by the national consultants.
5.3.1 Project impact

Of the 47 interviewed 13 confirmed that the project had a “very good impact” whilst 33 stated that it had produced a “good impact” for the beneficiaries. Steering Committee members observed that the project had helped to reduce discrimination towards JICWL, had assisted with their reintegration, and that JICWLs had gained insight into their own behaviour. The collaborators charted the initial difficulties due to isolation and stigma attaching to JICWLs and their families, but that the effect of the project is that the JICWLs are now more open and their parents are actively seeking advice.

5.3.2 Relevance of the project

The reasons for the pilot project being established in the Hai Phong area were confirmed by the participants. They observed that fast development of industry and tourism had affected the juveniles living there, and that this had probably contributed to the rise in the number of JICWLs in this city. The nature of the district is such that it is suitable for the project and there are available services in the area to provide social-psychological support. All interviewees agreed that the project was relevant in Vietnam and that it could be scaled up to other provinces in the country. The interviewees also observed that the project is relevant to international instruments and to the Vietnamese law which applies the principle of “the best interests of the child” when dealing with minors. The project has also strengthened the involvement of agencies and individuals involved with JICWL. The majority of those interviewed felt that the project’s activities are relevant to the project’s objectives and indicators.

All 47 interviewees agreed that the project objectives and initial achievements can address the needs of the practical situation, and 44 of those interviewed stated that the project management and M&E system were relevant to the needs of the situation. Of those interviewed, 35 found that the communication activities, training and support services of the project were suitable.

The interviewees described the benefits provided to the beneficiaries as follows: The beneficiaries were paid attention and felt a reduction in the discrimination they felt. They became more active in the community and now have a better understanding of their
problems. The JICWL in the Reform Schools found they could keep in contact with their families and were paid attention by teachers. The parents became more aware of their responsibilities and began to apply new teaching methodology. An additional benefit not foreseen by the project is that it has helped to improve the communities’ attitude towards JICWL and discrimination has been reduced. Many other districts now want the pilot project to be rolled out to their areas.

Members of the steering committee were of the view that the project activities had been implemented according to the project design. They felt that generally the project management had been good, but recommended increased monitoring of collaborators by social workers in order to fully achieve the project objectives.

5.3.3 Project effectiveness

The replies to questionnaires indicated that since the project was piloted, the awareness and understanding of the project counterparts has improved regarding the situation of JICWL. It was also observed that the awareness and understanding of the situation of JICWL had contributed to the development of programs and plans in relation to combating crimes committed by juveniles in the city.

Through the project meetings and documents developed by the members of steering committees, the responsibilities of agencies, organizations, members of steering committees and collaborators/social workers have been clearly identified. The majority felt that the monitoring and evaluation of the project had been effective – but the steering committee members said it still needed to be strengthened, and that it was the responsibility of all role players to ensure that they did their part to strengthen it.

45 of the 47 respondents said that the collaborators provided effective and prompt support for JICWL in the three districts and in RS. With regard to the effectiveness of social workers, 44/47 interviewees agreed that the social workers effectively implemented the role of monitoring and technical support for collaborators. However, interviews and
FGDs with collaborators revealed a sense that social workers could do more to support the activities of collaborators. Arrangements for visits to reform schools, being given short notice and having to travel there and back on the same day were examples given about the challenges.

With regard to the effectiveness of supports provided to beneficiaries, the majority (43 out of 47) of respondents believed that the services provided for the beneficiaries were effective (only 1 felt that they were “very effective”). Views were expressed that it was difficult to prove the effectiveness of the support as there was not really clear data to show that the number of children getting into trouble had been reduced. With regard to support for JICWLs in RS, 77% of the respondents said that the supports were effective. Some pointed out that it was possible to see the effectiveness of the programme in reforms schools because you could easily compare them with the non-beneficiary group.

With regard to case management the interviewees agreed that the mechanism of cooperation was effective for implementation and for monitoring case management. For example, police detected and initiated the case and then referred it to the steering committees. The steering committees identified the issues and location of the case and then referred it to the collaborators who looked after the locations. The collaborators then developed a plan of case management.

The respondents were asked if any of the target groups had been missed by the project. 29/47 interviewees (62 %) said that the project had missed the groups of juveniles who were in temporary detention or under the investigation of police (as the officials must observe strictly the procedure set out in the Penal Code).

In response to a question about the degree to which the project achieved its objectives, the feedback indicates that the interviewees were aware that not all the objectives are being fully achieved, with as many as one third describing achievement of objectives as only “moderate”, 64% as “at a high level” and only 2% as “at a very high level.”
5.3.4 Project efficiency

The respondents were asked whether the project progress had been significantly delayed in any respect. Of the 47 interviewees, 09 (19 %) said that the project progress was sometimes delayed, therefore, the visits RS were not well scheduled and that had caused inconvenience to collaborators and parents. However, the majority of interviewees (75 %) said that the project progress was not significantly delayed. Specific delays mentioned by participants in the FGDs were that allowances paid for collaborators were usually delayed (paid at the end of the quarter) and the working schedule was not always adhered to which caused inconvenience for collaborators – for example, the schedule of visits to RS.

The majority of the respondents were of the view that the project planning, management and monitoring was effective at provincial and local levels.

The feedback regarding a question about how to make the project more efficient included the following:

- The financial plans should be implemented openly and on time.
- Increase the number of collaborators for the time being, one collaborator has to look after two or three communes which resulted in logistical difficulties.
- Increase the incentives for collaborators as they are the key supporters for JICWL and will decide the success of the project.
- Provide collaborators some basic equipment such as telephones, rain coats etc.

The majority of respondents felt that the cost of the project was equivalent to the benefits of the project. 66% were satisfied that the expenditure was implemented as scheduled.

5.3.5 The sustainability of the project
In order to establish sustainability of the project, the survey considered the Integration of project objectives into the partner's programs: 24 of the 29 interviewed felt that the objectives of the project had been partially incorporated into the programmes of the implementing partners. An example given was that since the project was embarked on free legal aid has been provided to JICWL.

The majority of the those interviewed (72 %) were of the view that the government agencies have been aware that the implementation of the project is their own responsibility rather than being viable only when support of foreign organizations is available. Only 2 out of the 29 felt that government was insufficiently aware of this.

The interviewees were asked whether, If the project is handed over to local government who is expected to fund the project activities, can the project be sustained in the existing pilot districts?

22/29 (76 %) commented that if the project gradually switched to using the budget of the local government it would be sustainable;

06/29 (21 %) commented that if the project gradually switched to using the budget of the local government it would not be sustainable;

The interviews were also asked: If the project is handed over to the Vietnam government, can it be possible to replicate it nationwide?

05/29 (17 %) agreed that if the project gradually switched to using national budget it could be replicated nationwide;

19/29 (66 %) commented that if the project gradually switched to using the national budget, the project could be replicated in some province/ cities.

01/29 (3 %) commented that if the project gradually switched to using the national budget it would nevertheless be impossible to be replicated nationwide; the reason is lack of finances;

04/29(14 %) had no comment.
Many respondents were of the view that the pilot project should be replicated in some provinces or cities as a next phase.

5.3.6 Adjustments for the improvement of the project

The interviewees made the following recommendations to adjust, re-design and implement the project from now to 2010:

- Extend groups of beneficiaries, such as groups at high risk (94% agreed with this);
- Enhance information communication;
- There should be more preventive work; The support activities organized for juveniles at risk should be implemented through increased community activities, life-skills education, more relevant vocational training etc.
- Strengthen collaborators both in quantity and quality (training service) as well as financial support.

The desk review uncovered that fact that in RS, there is a lack of appropriate educational programs and vocational training. However, improvement of these programmes was never part of the project design. The questionnaire posed the following question: Do you think that we should improve such programs in RS or set them up as community-based programs for JICWL?

15/47 (32 %) agreed to enhance programs of education and vocation training in RS; 18/47 (38 %) commented that they should develop community based programs; 11/47 (23 %) had other comments unifying both options: we need to enhance the programs of cultural education and vocational training in RS and to develop community based programs for JICWL; and 03/47 (6 %) had no comment.

The questionnaire also posed a question regarding concerns about the administrative sanctions which include the referral of JICWL to RS as Juveniles are not consulted and
their rights are not properly protected. Participants were asked whether they think the mechanism can be changed.

The vast majority of respondents, 41/47 (87%), commented that the issue **could be changed and needs to be changed**, especially for the application of referral of JICWL to RS. In addition 70% of respondents felt that it was necessary to change the laws relating to juvenile justice for the best interests of juveniles – but this feedback was not detailed and may have been linked to the fact that the majority felt that the administrative system needed to be changed, which would entail law reform.

Given the heavy workloads of collaborators, questions were posed about the effectiveness of collaborators. 15/18 (83%) commented that with current workload, collaborators could not be fully effective, and 89% of respondents felt that it was necessary to increase the number of collaborators. Of course, if the scope of the beneficiaries is extended to include children at risk, then there would be an increased need for additional collaborators.

With regard to changes required in relation to travelling of collaborators, the following detailed feedback was received.

- At present, collaborators encounter many difficulties when traveling, normally each collaborator is responsible for 2 areas, some even for 3 areas, the communes are so large that collaborators must travel 30-40 km from this area to other areas;
- Travel to support children and their families is often made during overtime, even in the evening, in some areas the security order is complex causing many dangers;
- There should be an increase in travel fees for collaborators.

### 5.4 Analysis of achievements, strengths and weaknesses of the project

#### 5.4.1 Achievements
Since 2005, the following key results have been achieved by the project, as indicated by the Report on the Results of the Implementation of the Pilot Project 2006-2008, prepared by the Hai Phong City People’s Committee (DOLISA):

- The comprehensive assessment on juvenile offending in Hai Phong, including psychosocial needs developed and results shared and discussed.

- Training manual on key juvenile justice concepts developed, which was used to train 30 different welfare and justice actors as well as para-professionals from Hai Phong, and for developing the plan to establish the pilot project. The plan highlights the need to develop a case management system and support/referral services for juveniles in conflict with the law who are sanctioned to community education; and reformatory school.

- Steering Committee composed of 14 staff at city and district levels (PC; CPFC; police; MOLISA; MoJ; Court; Procuracy; mass organizations) on juvenile justice and for the pilot project established and meetings held to discuss about the project implementation and constraints since January 2007

- Design of the pilot project has been incorporated in an inter-agency protocol (November 2006) and approved by the PC of Hai Phong (December 2006). This defines several issues such as coordination mechanism; beneficiaries; objectives and service outcomes and indicators of the pilot; districts where the pilot will take place; roles and responsibilities of key agencies, including coordination, referral mechanism and case management; proposed list and description of the programs/services to be implemented from 2006-2010; and monitoring and evaluation system.

- 32 social workers/collaborators from the 3 pilot districts, and at city level selected through fair process which was based on the competency criteria developed (October 2006).

- Improved skills of city, 32 city; district workers and collaborators on case management, social work, counseling, cognitive behavior therapy, through trainings; in-service coaching; meetings to share experience; etc (last quarter of 2006, 2007).
• Improved skills of selected parents of JICWL in the three districts; and key selected social workers and collaborators on parenting skills, through trainings and in-service coaching (2007).

• JICWL from the three pilot districts equipped with skills to overcome their problems, through training on life skills (2007).

• JICWL and those at risk from Hai Phong are provided with necessary knowledge on the rights of juveniles, legal consequences of unlawful acts, and legal aids services available in their community; and on the necessity of the pilot including roles of social workers.

Communication achievements

The objectives of the pilot project have been communicated to the agencies, sectors and organizations at city levels, in three districts and communes and wards in the three districts. Some of the mechanisms used to spread the word were as follows:

- Four workshops to introduce the project and strengthen inter-agency cooperation mechanism to implement the objectives of the project.
- A workshop at city level on “Referral mechanism for JICWL in Hai Phong” A forum on “The roles of lawyers in supporting JICWL”
- An exchange “Friendship circle” for 500 juveniles in the Reform school and from the community in Hai Phong.
- The forum “Listen to the children!” with the participation of 70 JICWL.
- 2 training courses on juvenile justice, project management and implementation for key actors at city level and from three pilot districts
- 3 training courses on social work and counselling skills for social collaborators of the three pilot districts
- Two training course on case management, case supervision, methods for handling JICWL, and referral of JICWL to appropriate services were provided for social collaborators.
- Five training courses on parental skills and income generation were organized for social workers, collaborators and juvenile’s families.
- Four training courses for 120 juveniles on life skills were held.

Counselling and psychological support for JICWL

The report details the following information:
- After being appointed and trained the collaborators started to develop case management plans for the juveniles. Thirty two collaborators were assigned to provide supervision, counselling and other psycho-social support services for 166 juveniles, 130 of whom were in the community and the other 36 were in the Reform school.
- The collaborators grappled with the issue of confidentiality, trying to link juveniles to appropriate services whilst protecting privacy.
- Collaborators found the approaches they were using were at odds with many of the family approaches, where shame and punishment were common. Some families continued to be involved in gambling and drug dealing.
- Collaborators noticed that a general lack of social services for families hampered efforts to support the JICWL.
- courses were also conducted for 28 key collaborators in the three districts which led to six training courses for 90 juveniles in three districts.

The report evaluates the training as having assisted people involved in the project to build knowledge and skills base on social work, counselling, parenting skills, income generation skills and life skills. This is assessed to have had a positive effect on the target group of JICWL and their families.

Achievements from the three pilot site reports

The three pilot sites have produced progress reports. The consolidated reports for the periods March-Nov 2007, Dec 2007-Feb 2008, March – June 2008 were studied as part of the evaluation process, and the major achievements arising from each may be summarised as follows:
The statistical data

The table below has been developed in an attempt to summarise the figures from the reports showing how many JICWL have received services.

<table>
<thead>
<tr>
<th>Project site</th>
<th>No of JICWL Supported in Reform Schools</th>
<th>No of JICWL supported in community</th>
<th>No of collaborators for RS support</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>March – Nov 2007</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ngo Quyen</td>
<td>23</td>
<td>45</td>
<td>6</td>
</tr>
<tr>
<td>Thuy Nguyen</td>
<td>19</td>
<td>39</td>
<td>8</td>
</tr>
<tr>
<td>Le Chan</td>
<td>7</td>
<td>42</td>
<td>6</td>
</tr>
<tr>
<td><strong>Dec 2007 – Feb 2008</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ngo Quyen</td>
<td>15</td>
<td>45</td>
<td>6</td>
</tr>
<tr>
<td>Thuy Nguyen</td>
<td>13</td>
<td>39</td>
<td>8</td>
</tr>
<tr>
<td>Le Chan</td>
<td>5</td>
<td>46</td>
<td>6</td>
</tr>
<tr>
<td><strong>March – June 2008</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ngo Quyen</td>
<td>10</td>
<td>49</td>
<td>6</td>
</tr>
<tr>
<td>Thuy Nguyen</td>
<td>7</td>
<td>33</td>
<td>8</td>
</tr>
<tr>
<td>Le Chan</td>
<td>3</td>
<td>50</td>
<td>6</td>
</tr>
</tbody>
</table>

Presumably the figures in the above table cannot be added together to create a total, as some children will be counted twice if they are still receiving services over two reporting periods. What the table reliably shows is the case loads of the collaborators. In this regard we can observe that Ngo Quyen is (at face value) the most efficient because it carries a heavier case load per collaborator with the other two sites.

A positive development that is evident from the statistics is the fact that the number of children receiving support services in reform school is dropping. This is presumably linked to the lower number of referrals to reform schools from the project sites, perhaps coupled with earlier release for some of the JICWL. According to the report of a National Consultant, the current number of JICWL from the 3 supported districts in reform school has decreased dramatically (In 2007, Ngo Quyen had 20 juveniles in reform school, now decreased to 7; Le Chan had 7 juveniles now 4; and Thuy Nguyen had 18 cases in 2007, now 12 (including 5 new cases who were sent to the school in May 2008)).

The number of children being supported in the community has remained fairly steady. Besides providing the overall figures set out in the tables above, the quarterly reports are
also useful for gathering data about the services to JIWCL. In the reports relating to JICWL being supported in reform schools the reports show that more children are being visited by their parents with the assistance of their parents, more had regular counselling, some were allowed to go home for the holidays as a reward for good behaviour, many of them have received training and have been assisted to reintegrate back into the community.

The project has had considerable impact. The field research revealed that it has reached a substantial number of JICWL and their parents and guardians in the three districts of Hai Phong, and in Reform School number 2. The comparison with non-beneficiary JICWLS and parents and guardians demonstrates that the beneficiary JICWL have increased confidence, improved self esteem, and are more likely to be successfully reintegrated. Those beneficiaries who were in the reform school had more contact with their families, and several were released earlier than scheduled. They were supported to reintegrate successfully back into their families and communities.

The parents and guardians have experienced a positive impact from the project. The majority of them have attended training and found that they were empowered by it. They understand their children better, and are more able to cope. A comparison of the beneficiary parents with the non-beneficiary parents demonstrates that the beneficiary parents have more insight and are more able to plan and think clearly about how to assist their children.

The staff and collaborators have gained knowledge and experience about how to work with JICWL. The skills transfer that has occurred has borne positive results, and the JICWLS and parents have trust in and respect for the staff and collaborators as a result. The fact that the staff and collaborators interact with other staff in agencies has spread a more positive attitude about JICWLS and has opened opportunities for them, such as the provision of free legal aid.

### 5.4.2 Strengths
The project's activities are practical and grounded in the reality of Vietnamese life. The training and support that has been delivered seems generally to have been useful to the targeted beneficiaries, with the possible exception of some of the income generating activities, which do not seem to be sufficiently geared to meet the needs of the beneficiaries.

The establishment and maintenance of project management systems is an area where the project is fairly strong. The evaluation processes have worked well so far – information gathered for the desk review was of a high quality and revealed a great deal about how the project was working.

The staff and collaborators have a clear sense of their roles and what the objectives and activities of the project are all about. The commitment and enthusiasm of the staff, particularly the collaborators, is a major strength of the project. It was clear from the interviews and FGDs with both JICWL and with their parents and guardians that the one-on-one support provided by collaborators is a key ingredient of the success of the project. This is so despite the fact that collaborators did have certain complaints, and in some districts are carrying heavy case loads which may negatively affect their efficacy.

The legal framework in which the project operates is generally positive and it is a strength of the project design that the project is framed within the existing legal framework. Although some interviewees expressed the view that there may be a need for law reform, the most pressing need appears to be in relation to the administrative system, in regard to which 94% of respondents were clear that there is a need for reform – particularly the referral of children to RS by that system.

### 5.4.3 Weaknesses

Certain weaknesses of the project arise from the original project design, and these will be dealt with below under the next heading. Specific weaknesses in the delivery of the project have emerged from the evaluation process. The first of these is that certain delays occurred due to the late allocation of funding.
Collaborators raised concerns about unclear scheduling which hampered them in their work, particularly in relation to visits to reform school. In this regard they were given short notice and had to travel to the reform school and back again on the same day.

As the collaborators’ work is pivotal to the success of the project, any shortfall in support by the project to these workers must be identified as project weaknesses. Their concerns range from not being fully supervised, being subjected to poor planning and arrangements, having to travel long distances – sometimes late in the day, having to dip into their own pockets to pay for phone calls and travelling expenses. They are also carrying fairly heavy workloads which may prevent them from being fully effective.

Under the project guidelines, the duration of service provision for a JICWL is regulated as from three to six months after their release but in reality, the duration of service depended largely on the progress made by the juveniles and in the majority of cases, the support lasted from six months to one year, with exceptional cases who needed two years support.

Other weaknesses relate to the programmes for income generation (for parents and guardians) and vocational training (for juveniles). The programmes on offer were criticised by some as not being sufficiently targeted to suit individual beneficiaries – For example, farming income generation projects are not useful to parents living in urban areas. Vocational training for JICWL does not seem to effectively link them with good job opportunities.

A serious weakness emerges in the training that is on offer in the reform schools as it clearly does not meet the abilities of some of the JICWL, prevents them from furthering their studies whilst being detained, and leaves them ill-equipped to find work once they leave the reform school. It also frustrates them in their aspirations, and some who are described as “lazy” or “not wanting to work” are perhaps expressing their frustration at being led towards work such as “being a watchman” when the child perhaps had much higher aspirations – for example to work with computers. As the project did not set out to improve the training at reform schools, it is perhaps not correct to describe this problem as a project weakness. However, the impediments that it presents means that either the project should include the improvement of this training as an objective or alternatively try
to reduce the number of children in reform schools further, and invest in better training opportunities in the community.

5.5 Findings measured against original project objectives and indicators

The project objectives are stated in “vision” language, reflecting what it is hoped will be achieved by the end of the project. The project objectives have remained the same throughout the project thus far—no new objectives have been added. Although it was not clearly stated in the project objectives, the timelines for all the activities were not necessarily the same. For example, the restorative justice aspects of the project (objective 2) have not advanced very far in the project, but it is clear from the protocol document that it was only intended that this work would commence from 2008.

Objective 1: Increased skills of staff dealing with JICWL and those at risk, especially those involved in the pilot project (social work and case management, counselling training focusing on JICWL; monitoring training for the pilot project; and income generation activities)

Objectives 1 focuses on increasing knowledge, and it is therefore quite measurable through considering outputs such as training sessions and other forms of skills development. It is evident that the project has achieved objective 1 to a satisfactory level. The list of training activities listed above under “achievements” demonstrates that there has been an effort to increase the skills of staff. Feedback from collaborators and others was positive regarding the increase in skills.

Objective 2: Increased knowledge of restorative programs and services to be offered by the staff involved in the pilot project for JICWL sanctioned to community level education, those being dealt informally and being sent back by the reform schools to the selected district(s) of the pilot and those being investigated.

The use of the term ‘restorative programs’ in this objective appears to link to one of the activities listed in the protocol: To pilot Mediation/ Family Group Conference Model (Group Mediation)
based on the guidelines to be developed at the national level in 2008. It is clear from the wording of the activity that it was linked to guidelines to be developed in 2008, and was therefore not intended to start at the outset of the project. This aspect of objective 2 has therefore not been achieved. There is little awareness of restorative justice amongst the staff working on the project. However, the evaluation revealed increased knowledge of services offered by the staff involved in the pilot project to children in sanctioned in the community, those being dealt with informally, and those being sent back to reform schools. This objective has therefore been partially achieved.

Objective 3: Prevented juvenile crime and further repeat offences in the pilot area
Objective 3 is more difficult to measure than objectives 1 and 2. To determine whether there has been any impact on primary prevention of juvenile offending is a difficult endeavour – and none of the project’s activities really focus on primary crime prevention. If the project target beneficiary group is extended to include children at risk then primary prevention will also be addressed. The project’s activities do, however, directly address the issue of re-offending, by assisting with reintegration and by linking the JICWL with community resources and skills training. Some of the reports from the districts do indicate that a record is being kept of whether children who have received the services are refraining from committing repeat offences, and the results of that have been positive. This objective can therefore be said to have been partially achieved.

Objective 4: Served as a model of social reintegration of JICWL, and if positive outcomes, it can be replicated in other districts of Hai Phong and other provinces and cities.

Objective 4 aims to ensure that the project "serves as a model" of reintegration – and includes – as an objective, the idea of replication beyond the 3 pilot sites if the model has positive outcomes. The evaluation has shown that the project has served as a model of social reintegration. Some of the positive outcomes revealed by this evaluation is that fewer children are going to reform school, many are released earlier, and they are provided with services in the community which they have found helpful and which is said to have increased their self esteem and confidence. This means that the first part of the objective – serving as a model – has been achieved to a satisfactory degree.
Objective 5: Response and psychosocial support and other support services to JICWL and those at risk to commit crimes improved.

Objective five is rather broad. It seeks “improvement” in the response to and support provided for JICWL. However, it goes even broader and includes, together with JICWL “those at risk to commit crimes”. This second part of the objective lacks specificity. It can be easily established that responses and services to JICWL have been improved by the project. This evaluation has revealed that the psychosocial support and other services to JICWL has been improved. However, “those at risk to commit crimes” is not defined, no procedure or activities were designed to define or identify these children. Nevertheless the project evaluation demonstrates a widespread clamour for the services to be extended to children “at risk”. This objective has therefore been only partially achieved.

The service outcomes for the Hai Phong Pilot project were stated in the inter-agency protocol as follows:
- To improve the positive, social integration and contributions of JICWL.
- To improve the well-being, self worth and efficacy of JICWL.

The service indicators for JICWL were stated as follows:
- No repeat offending within a 12 month period.
- Maintenance and functioning of a community support network.
- Reintegration of JICWL, into schools and employment.

The list of indicators is too short and does not fully reflect the objectives and activities of the project. Ideally each of the objectives should have had specific activities linked to each of the objectives and there should be also be indicators linked to the objectives. The activities tell us how the objective is to be achieved, and the indicators allow us to measure whether the objective has been achieved. A weakness of the project design is that the activities were simply included in a long list in the protocol, not linked to objectives, and the there are only 3 indicators which are not properly linked to either the objectives or the activities.
Indicator (i) should be linked to objective 3 – prevention of crime and reoffending by JICWL. However, the indicator only measures one part of the objective, in that it does not tell us anything about primary prevention, but focuses instead on the prevention of reoffending.

Indicator (ii) is vague and not easy to measure – what does a functioning community support network actually mean? Which objective/activities does this link to?

Indicator (iii) deals with reintegration, which means that it should be linked with objective 4, but it is too vague – a more precise indicator linked to reintegration would have been something like indicator (i) eg: How many children enrolled back in school? How many children referred to skills training? How many children employed?

It is evident from the internal monitoring and evaluation that the people working in and monitoring the project were also looking at indicators beyond the brief 3 indicators set out in the protocol. A key activity of the project was to encourage the use of community based education measures, and to reduce the reliance on reform schools. In fact, reports indicate that staff kept detailed figures about the numbers of children being referred and that a clear indicator of the success of the project is linked to the reduction in the number of referrals to reform school, as well as JICWL being released back into the community earlier. Therefore it is noted that those implementing the project understood that the initial indicators set did not capture the effectiveness of the outputs of the project very well, and that they therefore came up with their own indicators. This is positive, but also points to the fact that better defined indicators will assist with the monitoring of the project.

5.6 Findings measured against international obligations

The project is clearly relevant to the international law on juvenile justice. The fact that it has focused on the promotion of community based education responses for JICWLs and a reduction in the use of referrals to reform school is fully in line with the UN Convention on the Rights of the Child and other related juvenile justice instruments. The project is also relevant within the context of the Vietnamese legal system. It utilises positive features of the system to channel children to the programme. The legal framework for JICWL in Vietnam is broadly harmonious with international law principles (with the exception of certain aspects of the administrative system), but in practice the system falls short in certain ways. The pilot project operates as an effective mechanism to “put the law
into practice”. For example, the law gives the indication that the overall approach to juvenile offending should be educative and generally non-punitive, focusing on rehabilitation and reintegration. The activities of the pilot project provide practical measures to achieve these goals. The project protects JICWL from the negative effects of the system, promotes their positive development and encourages their participation.

The evaluation revealed that children are still exposed to temporary pre-trial detention for relatively minor offences, including in cases where the decision is administrative, so there is no court oversight. The project does not seem to be effective in preventing this, perhaps because the intervention is not targeted at the early stages of JICWLs contact with the system. This is an aspect which falls short of the international obligation to ensure that detention is used as a measure of last resort.

UNICEF has, in recent years, begun to move towards a systems based approach of providing services to children. From this perspective, work on juvenile justice should be integrated into broader frameworks for support. The widespread call for this project to be broadened to include a preventive element by including “children at risk” is in keeping with this broader, more integrated approach. It will, however, require some careful consideration about how to define children “at risk”, as well as a mechanism for linking this project with other projects relating to children.

6. Recommendations

6.1 Recommendations for improvements to the project

A number of recommendations for improvements to the project emerge from this evaluation. They are set out below:

6.1.2 Strengthen the project’s support to the collaborators

The collaborators are very important role players in the successful functioning of this project. They play a key role in the provision of support to both JICWLs undergoing
community education and those in reform school, as well as to the parents of both groups of JICWLs. The concerns raised by the collaborators (and by others) during the course of this evaluation indicate that the project’s work will be greatly enhanced if the following improvements are made:

- The incentives to collaborators should be improved;
- The scheduling and planning of visits to reform schools should be done in consultation with the collaborators, well in advance
- The work loads of collaborators should be reconsidered, and
- additional collaborators should be appointed to assist with the project

The evaluation revealed that there may be insufficient staff members (social workers) to effectively supervise the collaborators. Increasing the number of collaborators must be done with due regard for the effect this will have on the thinly spread supervision capacity, and may require an increase in the number of those staff members as well.

6.1.3 Extend the scope of the project to include “children at risk”

There was an almost universal call for the scope of the project to be broadened to include children at risk. In fact, this is in keeping with the original objective 5: “Response and psychosocial support and other support services to JICWL and those at risk to commit crimes improved”. However caution must be raised about extending the reach of the project so wide that it is no longer efficient or effective. The key is to decide how to identify “children at risk to commit crimes”. Criteria must be developed to identify such children.-- Once the criteria have been developed, there need to be a mechanisms for identifying the children and for referring them to the project. This may require stronger linkages with educators and community structures. The programmes on offer may need to be adjusted to meet their specific needs. In broadening the scope of the project in this way, thought should be given to a broader systems approach, as promoted by UNICEF, to see how this project can link with other services to children community based child protection services.

6.1.4 Develop better and different opportunities for JICWL in the community, to link them with educational, vocational training and employment opportunities.
Due to the problems with the education in reform schools a question was raised during the evaluation as to whether the project should invest time and effort to improve those education programmes, or rather invest in better community based education. The respondents had mixed views on the issue. Given that there were also concerns about the current educational and vocational opportunities in the community, it is recommended that the project should not broaden its scope to improving the educational programmes at reform schools, but rather improve and expand on what is currently being offered in the community.

6.1.5 The restorative justice aspect of the original project objectives should be considered for inclusion in the project.

It is apparent that the restorative justice aspects of the project were intended to be introduced about half way through the project. The project is now well established, and provides a solid enough basis to train consult with the staff and collaborators thoroughly, before embarking on a family group conference pilot project, the restorative justice aspects of the project objectives. It may be advisable to introduce the family group conference restorative justice pilot project in only one district initially, in order to iron out difficulties and make adjustments to the model before deciding on replication of that aspect to the other two project sites in Hai Phong. In the process of preparing for the addition of the restorative justice aspects, consideration should be given to Vietnam’s own mediation system to see if a culturally appropriate model can be developed.

6.1.6 A new protocol document should be developed, in which activities should be linked to objectives, and better indicators should be developed to measure the activities of the project

The project protocol document includes a list of activities that are not linked clearly to objectives and are difficult to identify. In order for the project to move forward into the second phase a new protocol document should be developed, which may also deal with the improvements of the project, incorporation of the community based child protection...
system, as well as the replication of this project or any revised model of the project. The activities should be clearly identified and linked to objectives. The project originally only set 3 indicators, which makes it difficult to evaluate the ongoing progress of the project. A more comprehensive set of indicators must be developed, linked to the project objectives and activities. There should be at least one indicator per activity. Future monitoring and evaluation of the project by the management structures must then measure the achievements of the project against the new indicators.

6.2 Recommendations regarding the replication of the project

It is difficult to recommend both improvements to a project and the replication of a project at the same time. Whilst there was much support from those interviewed for the idea of replication, there is also merit in ensuring that the model is fully effective before rolling out to other areas.

Another issue that must be considered in this regard is the sustainability of the rolled out projects. It is apparent that the funding for such roll out should be provided by the government, in order to ensure long term sustainability. Eventually, the way the project operates should simply be seen as the way that work is undertaken with JICWL, and not as a special pilot project.

Nevertheless, due to the need to provide further evidence of the effectiveness of this project it is necessary to replicate the project, or a modified version of the project. It is recommended that UNICEF and MOLISA should urgently hold discussions regarding the replication of the pilot project. These discussions should aim for agreement on:

- the model to be replicated (including broadening of scope to include children at risk, the improvements to be made, as well as the need to incorporate the community based child protection system);
- the sites where the replication will occur;
- the responsibilities to be taken by each of the partners

It is recommended that there should be no roll out of the project at this stage, as the objectives have been only partially achieved. The improvements and broadening of scope
should be added to the Hai Phong project first, and if successful, then the full model can be rolled out after following 2012, which is when the final evaluation of the pilot project will take place.

The agreements made should be set out in a new protocol document.

The roll-out should take the form of a change to the entire system in the country, and not a piece-meal replication of additional pilot projects.

The advantage of this approach is that government can use the time from now until the end of 2012 to do the following:

1. Enhance and perfect the model
2. Allocate a budget to support the roll-out of the project
3. Establish a plan for the roll-out, which could be phased in over a period of a few years
4. Undertake training and preparation of role-players for the roll-out.

6.3. Recommendations regarding possible reform of policy and law

The legal framework for JICWL in Vietnam is comprehensive, and is generally compliant with international standards. However, a serious problem (clearly revealed by this evaluation) is the power (now at the level of the local level of the People’s Committee) to refer children who are in the administrative system to reform school. **It is recommended that this aspect of the law be revised.** The fact that children who are 12 years or older but under the age of 14 years are sometimes given sanctions also requires consideration for law reform as these children are legally below the age of criminal capacity.

7. Learning from the project that may be relevant in the region and internationally

The project is innovative in the way that it uses existing mass organisations and collaborators to support the services delivered to children. Improvement of the system is therefore possible without the establishment of entirely new agencies, and the cost of the project is therefore kept reasonable.
The project is aimed to assist children with reintegration when they return from reform school whilst at the same time trying to reduce the number of children who are referred to reform school, and assist in the early release of JICWL. At the same time, the project is building support for community based education as an alternative. This multi-pronged approach is positive, and as referrals to reform schools become fewer the reintegration workload will lessen, whilst more energy can be put into developing the community based education model.