

Supporting Security, Justice, and Development:
Lessons for a New Era

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Introduction

In developing countries, insecurity and poverty are linked. As the linkages become better understood, they increasingly inform the ways in which both national governments and multilateral institutions provide development assistance.

The UK government is recognized within the development community as a leader in supporting the reform and growth of institutions responsible for safety and justice. Indeed, work on safety and justice is a significant part of the poverty reduction program at the Department for International Development (DFID) which defines poverty broadly as encompassing insecurity, inequity, and exclusion. Today, the UK government provides a wide range of safety and justice assistance around the globe, primarily through DFID, but also through the Foreign and Commonwealth Office (FCO), and the interdepartmental funding mechanisms known as the “Conflict Prevention Pools.”

This paper is part of a larger study commissioned by the UK government to review existing work in the areas of safety and justice, to draw lessons from past and current programs, and to make recommendations to improve future practice. Specifically, this paper draws together lessons from the experiences of recent UK-funded policing and justice programs in seven countries: Afghanistan, India, Jamaica, Malawi, Nepal, Nigeria, and Sierra Leone. We then draw on these lessons to recommend how assistance with policing and justice might be strengthened. While the paper was originally written for the UK government, we hope that the findings and recommendations will be useful to others concerned with these issues in national and multilateral institutions, as well as to students of development assistance in any setting.

The projects we reviewed for this paper were designed to contribute to police reform, police training, police operations, and security provided by non-state institutions. They were all components of one or the other of two large UK assistance programs—**Safety, Security and Access to Justice (SSAJ)** and **Security Sector Reform (SSR)**—and were implemented by a wide variety of institutions: government departments, non-governmental organizations (NGOs), academic institutions, and the private sector. We have also reviewed some multilateral programs where the UK contribution was specifically focused on policing or justice. More detailed descriptions of the projects can be found in DFID’s seven country case studies (on file with DFID’s Security & Development Team). We also draw on interviews we conducted with officials in the United States and Canadian development agencies, the World Bank, and the European Commission.

The UK government’s reputation in this sector is grounded in its clear and coordinated set of policies that understand security as “central to effective and durable development.”¹ As more national and international efforts come to a similar understanding, there is growing interest in the practical ways that security and development can be pursued together. For this new era of development assistance, the UK experience provides a rich source of useful lessons.

¹ Security Sector Reform Policy Brief, November 2003, page 3.

The UK's SSR and SSAJ strategies both focus attention on police institutions, but the two programs have some differences. SSR embraces military and intelligence along with police and other security agencies, while SSAJ includes criminal courts, penal regimes, civil justice, and alternative dispute resolution. More important than these differences in institutional coverage, there is substantial overlap in the approach they bring to their work. The SSR program aims to align security assistance with national planning priorities, democratic policies and principles, and sound legislative frameworks. It seeks to help national governments acquire adequate capacity and resources, to assure an acceptable degree of civilian oversight, and to strengthen civil society institutions.² Similarly, DFID's SSAJ work seeks to strengthen the safety and justice sector as a whole rather than focusing on individual institutions such as police, courts, or prisons in isolation. It proceeds from an understanding that ownership by the recipient government is crucial for long-term success. At the same time, SSAJ programs assess problems in the sector from the user's perspective, "particularly from the point of view of poor people and vulnerable groups including women, children, the elderly, and minorities."³

These are daunting ambitions. Pursuing security policies on a sector-wide basis, assuring civilian oversight of uniformed services, and advancing the security and justice concerns of poor people and other vulnerable groups are difficult tasks in all societies—rich and poor. But they are especially so in developing countries.

The commitment to holistic, sector-wide strategies is also relatively recent. For example, although UK government departments have been providing assistance to the police of Jamaica and Sierra Leone for decades, only since the 1990s has this support shifted from ad hoc provision of training and equipment to strategic assistance with institutional development of police organizations. And only in the last decade have SSAJ and SSR policies embraced a sector-wide or holistic approach connecting police reform to the strategic development of institutions in the rest of the sector.

The challenges are probably greatest, and progress toward greater safety and justice slowest, in countries experiencing continuing internal armed conflict (such as Nepal) and those recently emerging from conflict (such as Sierra Leone). We therefore consider these recent-conflict countries separately. We focus first—in **Section One** of this paper—on the lessons from work in Jamaica, Malawi, Nigeria, and India. Although these countries, too, must cope with internal violence and civil unrest, the projects here allow us to draw lessons about the more sophisticated aspects of UK policy, including its efforts to address poverty, human rights, and gender.

Then, in **Section Two**, we consider experiences with policing and justice programs in Nepal, Afghanistan, and Sierra Leone. We describe some especially impressive programs implemented in the midst of conflict in these countries, but we also draw out lessons on the difficulty of implementing holistic SSR programs in these contexts. Finally, in **Section Three**, we make a series of recommendations that flow from these experiences.

² Ann M. Fitzgerald, *Security Sector Reform in Sierra Leone*, GFN-SSR, 2004.

³ SSR Policy Brief, pages 12-13.

1. Lessons from Police and Justice Reform

We confine our attention here to efforts in only four of the many countries where SSR and SSAJ programs have provided assistance in recent years: Nigeria, Jamaica, Malawi, and India. Although these countries are more stable than those we consider in the next section, they nonetheless present challenging environments for police and justice reform, as their governments continue to deal with organized violence and unrest. Indeed, levels of communal violence in some parts of Nigeria are high enough that the country is often classed as “conflict-affected.”

Jamaica

Jamaica presents a particularly challenging environment for security and justice reform. The depressed economy has contributed to growing civil unrest, including gang violence fuelled by the drug trade. Homicide reached a new height in 2004, with 1450 murders in a population of 2.6 million. In many inner-city areas high levels of violent crime have frustrated social and economic development. A 1995 study of urban violence indicated that the public often perceive the police as a major contributor to the problem.⁴

At the same time, the Jamaican government is driving forward a National Security Strategy (NSS) that is aligned with the holistic and sector-wide policy objectives of SSR and SSAJ initiatives. The government strategy pulls together the army, the police, the Ministry of Justice, and many other security and justice institutions, as well as multiple donors in a long-term reform agenda. Although the Minister of National Security originally asked for help from the UK to reform only the Jamaican Defense Force, he and the Jamaican Cabinet endorsed the UK Defense Advisory Team’s recommendation to extend the NSS to the whole of the security sector and to adopt a participatory process. Indeed, the NSS emerged from years of collaboration between the Jamaican government and UK, US, and Canadian advisors. (At this writing in June 2005, the draft National Security Strategy is awaiting approval by the cabinet.) It contains nine goals, including reducing corruption, reducing violent crime and disorder, eliminating organized crime, strengthening the criminal justice system and respect for the rule of law, and improving the protection and control of Jamaica’s territory.

In the area of policing and criminal justice, the principal vehicle for UK-Jamaican collaboration has been DFID’s Jamaican Constabulary Reform and Modernization Project (JCRMP), which began in 2001 and is scheduled to run through March 2006. This was itself the product of a Strategic Review of the Jamaican Constabulary Force (JCF) requested by the Government of Jamaica in 1997. Among the goals of JCRMP is to develop community policing in Jamaica, and today four pilot community policing divisions have been established.

The reform and modernization project has provided training in customer service, helped establish intelligence units, provided equipment, and funded the refurbishment of public reception areas in police stations to make them more appealing to civilians.

⁴ World Bank and The University of the West Indies: *A Study of Urban Violence and Poverty*, 1995.

Police in the pilot districts say they are getting more information from the public. Perhaps more important, local citizens attending police stations have commented during reviews that they have experienced improved service and have noticed a difference in police attitudes. Anecdotal evidence suggests, in particular, that police are showing a greater awareness of the needs of women. As a women community representative said during a review of the JCRMP, “they [the Jamaican constabulary] now treat us like humans not like criminals.”

Alongside DFID’s work, the FCO has provided support for crucial efforts to improve respect for human rights in the police. In response to public and political concerns over the number of deaths involving the use of firearms by members of the JCF, and following a request from the Minister of National Security, the FCO established an ongoing project of support to the JCF to examine firearms use, implement appropriate firearms policy, train firearms trainers, and strengthen the capacity of the JCF unit that investigates police use of firearms as well as the Police Public Complaints Department. Encouragingly, shooting deaths caused by JCF officers have been reduced by 18 percent, and according to both the Jamaican Director of Public Prosecutions and the NGO Jamaicans for Justice, the JCF is now in a better position to effectively investigate and prosecute shooting incidents and other alleged human rights abuses by police.

The new draft security sector strategy is also built on a history of good operational relations with the UK police, specifically the Metropolitan Police and the UK National Crime Intelligence Service. Many UK police officers have visited Jamaica on operational enquiries, and the Metropolitan Police have provided development advice to the JCF, mainly in relation to the investigation of serious crime that affects both countries. These visits tend to be short-term and have been funded variously by the Metropolitan Police, the FCO, and the Home Office. There is consensus that, despite these visits being driven primarily by UK needs, they complement the longer-term development objectives of the Jamaican constabulary and the JCRMP. Recently the Metropolitan Police developed a Memorandum of Understanding with the JCF to structure assistance, joint operations, and secondments.

Malawi

Malawi also provides a good example of what UK police and justice projects have accomplished. Since 1995, DFID has been supporting the development of the Malawi Police Service, including reform within its management and experiments with community policing. In 2001 this effort was transformed into a program of sector-wide reform known as the Malawi Safety, Security and Access to Justice Programme (MaSSAJ). This is an ambitious, complex, and long-term development program: it was the first SSAJ program funded solely by DFID.

The MaSSAJ program makes three distinct types of interventions in the sector, each of which reinforces the others:

- providing traditional logistical resources (cars, computers, training) to institutions such as the police, judiciary, and prison department;
- working across the sector with processes to clear bottlenecks in the administration of justice and increase communication, co-ordination, and co-operation;

- mounting pilot initiatives and policy experiments in limited geographic areas that can later be expanded countrywide with modifications to suit specific needs.

One particularly promising result of this effort has been the first-ever National Crime and Victimization Survey, giving voice to poor people throughout the country in the process of setting security priorities and providing a baseline against which to measure future progress. Another has been the implementation of a series of Primary Justice Pilots that engage state, traditional, and non-traditional institutions to deliver effective dispute resolution at village level and in poor urban settlements. Both illustrate the long-term investments being made, as the benefits of the survey and the pilots will not be fully realized for years. Still, it is a significant accomplishment that the Malawi National Statistics Office (Crime and Justice Unit) was able to conduct the survey. MaSSAJ is now helping to disseminate the findings—“Crimes of Need”—widely to both officials and poor communities. Similarly, even at this early stage, the Primary Justice Pilots have impressed the Output to Purpose Review (OPR) team who see it as a model for other countries in the region.

Nigeria

Nigeria offers further good examples of what has been possible to accomplish in the safety and justice sectors in a situation where “conflict and violence in various forms are a fact of life.”⁵ The Access to Justice Program in Nigeria is currently DFID’s most significant security and justice undertaking, designed as a seven-year sector-wide program with a budget of £37 million. It was originally designed to work with the federal government and four “focal states” with which DFID’s Abuja office was already engaged. The original design contemplated broad support for Nigerian-led reform with a long inception phase to allow relationships between the contractors, DFID, and the government and civil society participants to develop. The program began on this basis in March 2002, but has recently been redesigned based on a reassessment by DFID of the “Drivers of Change” in Nigeria.⁶ The newly designed program, known as Security, Justice and Growth, continues to take a sector-wide approach but includes states beyond the original four, with larger concentrations of poor people. The revised program includes a clearer focus on conflict prevention and the linkages between security and growth. The redesign is closely aligned with the Nigerian Government’s National Economic Empowerment and Development Strategy (NEEDS) and the equivalent strategies at the state level (SEEDS).

Research by DFID indicates that most Nigerians have no confidence in the national police (the NPF). They would like to have a professional police service, but today they mostly rely on informal policing systems whose members often behave as vigilantes. The program therefore encompasses informal as well as formal policing structures. For similar reasons, the program emphasizes work with traditional justice, alternative dispute resolution, and lower courts, on all of which poor people depend. At the same time, the program aims to improve formal policing, largely by encouraging a community-based approach to law enforcement and police oversight.

⁵ *Joint DFID and FCO Synthesis and Review of UK Funded Safety and Security Programmes: Nigeria Case Study*, November 2004, paragraph 1.6.

⁶ *Drivers of Pro-Poor Change in Nigeria: Report to DFID Nigeria*, Oxford Policy Management, May 2003.

Seven senior Nigerian police officers visited the UK in 2003 and had a chance to examine UK examples of community policing. On their return to Nigeria, these officers were formed into a Community Policing Project Team with the full support of the then Inspector General of Police (IGP). The IGP and the Permanent Secretary to the Federal Government formally launched a Community Policing Project in Enugu in April 2004 and the change of IGP in early 2005 has not apparently resulted in any diminution of support for this effort. Indeed, the new IGP approved an extension of the community policing pilot to six more states. The Project Team has commenced a program of multi-rank sensitization workshops for police personnel at Federal and State levels (1300 have attended) and trained more than 50 Community Policing Developers. These officers have been deployed to targeted divisions in Enugu to launch a program geared to change attitudes and behaviors within both police stations and communities.

According to those involved in the implementation of community policing, support from the Enugu State Governor is one of several examples of increasing government support at the State and Federal levels for police reform. Advocates for the Community Policing Project include the President, Minister of Police Affairs, Police Council, Police Service Commission, Senate Committee on Police Affairs, Police Affairs Committee of the House of Representatives and the Nigerian Bar Association. Interest is also being heightened by increasing media attention, with regular feature stories on police reform and community policing. DFID's Police Adviser has obtained the agreement of the Minister of Police Affairs for a legislative framework to enshrine community policing as a statutory requirement of the NPF and a supplementary budget to support the Project Team.

India

In India, DFID operates its biggest bilateral program. With a population of a billion people, India has substantially reduced levels of poverty in the last 20 years, yet 350 million people remain below the US\$1/day international poverty line. Like other countries where the UK government has provided security and justice assistance, there has been a focus on policing, including an ambitious Training Development Programme for the Indian Police that began in 1998, concentrated in Andhra Pradesh and Madhya Pradesh. That program aimed to build the strategic leadership ability of key groups of senior police managers. A report on the completed project issued in March 2004 documents a noticeable improvement in the service ethic of police working throughout these two states, including the poorest urban communities.

DFID's police reform efforts in India focus particular attention on improving safety and access to justice for women and girls. With support from DFID, the first national conference of women in police took place in February 2002. That ground-breaking meeting provided a forum for the relatively small number of women within the police service to share knowledge and develop skills, form a network that would continue beyond the conference, and set an agenda for the professional development of women within the police. DFID also supported a project to improve law enforcement's response to domestic violence by educating and sensitizing those who train new recruits, as well as by strengthening the legal response to domestic violence and the capacity of NGOs to participate. In addition, a project in Punjab established a child

protection unit and a broad community-based coalition (including police, doctors, activists, and young people) to prevent and respond to crimes against girls.⁷

DFID's work in India suggests how issues of gender might in future be mainstreamed in realistic and sustainable ways, both in India and elsewhere. In particular, the national conference for women in police was an important step toward developing a police service that is more sensitive and responsive to women and girls.

Lessons Learned

The programs in Jamaica, Malawi, Nigeria, and India are far more complex than these quick summaries convey, and they have accomplished much more. However, for the purposes of this study, we identify a set of 10 lessons learned: some from one or two countries, others evident in all of them. It is from these lessons that our recommendations in Section 3 will flow.

Ten Lessons Learned from Police and Justice Reform

1. Design and implementation should integrate short-term work on community safety with long-term organizational and institutional change;
2. Design and coordination processes should anticipate tensions within the security sector, particularly between the army and the police;
3. Civil society involvement should be stronger in order to balance the focus on the *supply* of security and justice with appropriate focus on the *demand*;
4. Improvements in safety and access to justice are assumed to contribute to poverty reduction, but both the logic models created at the design stage and the assessments conducted during implementation should be improved so that they demonstrate those links explicitly;
5. Beyond the current attention to human rights issues in most individual projects, actual progress on human rights should be accelerated so that programs are less likely to be set back by human rights abuses;
6. Gender issues are given some attention in some programs, but should be mainstreamed within all police and justice reform activities;
7. Sector-wide co-ordination led by the partner government is a key intermediate outcome, but the strategy for achieving this co-ordination should be reconceived so that it develops more quickly and is less easily set back;
8. As part of UK programs, strong Whitehall co-ordination should be encouraged, as it has helped improve impact on the ground;
9. Similarly, co-ordination of UK departments and managers in-country should be strengthened with more attention to coordination of strategy in addition to regular exchange of information; and
10. Recruitment, deployment and retention of experts and managers who are skilled in development and sector-wide strategies for security and justice reform should receive greater attention and investment, as failures here have been the sources of many of the problems encountered.

⁷ *Joint DFID and FCO Synthesis and Review of UK Funded Safety and Security Programmes: Case Study India*, November 2004.

First, the cases of Jamaica and Nigeria underscore the importance of blending short-term work on community safety with long-term organizational change. In Jamaica, an over-emphasis on long-term development to the exclusion of work on immediate problems of criminal violence may have led to a loss of senior level support for DFID's initial reform program. In early 2004, the DFID Project Team and colleagues in the UK High Commission concluded that the program should broaden its focus from organizational reform of the constabulary to community safety, an approach that will be consistent with the National Security Strategy and the constabulary's own Corporate Plan for 2004-2007.⁸ This reflects the lessons the Project Team has learned from its own experience. For example, pairing JCF officers with officers from the UK to investigate specific crimes improved the effectiveness and performance of the JCF and also complemented development activity taking place in the JCRMP. Exposure to the way UK officers deal with crime scenes and prepare cases for prosecution has influenced local procedures and lifted the morale of local officers.⁹

In Nigeria, a similar opportunity to watch the effect of close relations between the Nigeria Police Force and UK officers engaged in active investigations has had the same result. Here, international fraud and drug trafficking linking England and Nigeria have brought UK police into close partnership with their Nigerian counterparts. The professionalism of UK officers and their investigative techniques and expertise has reportedly enthused Nigerian police officers, improved co-operation, and spurred interest among Nigerian officers in improving their own investigative capacity. Good working relations with the Metropolitan Police also led the Inspector General of the NPF to visit the UK on a study tour that was later linked to the work of the Access to Justice Programme and his growing support for community policing.¹⁰

Second, in both Jamaica and Nigeria, there is tension within the security sector, particularly between the army and the police. A similar tension is common in conflict and post-conflict contexts, as will be seen when we consider Sierra Leone, but the Jamaican example in particular underscores that this tension is not merely a problem that occurs during the transition from military to a civilian rule. In Jamaica, a 3,500 strong Jamaican Defence Force, which includes an Air Wing and Coast Guard Unit, considers itself superior to the 8,500-strong Jamaican Constabulary Force (JCF). According to the case study, "the JDF, who have been portrayed as a proud and disciplined force, consider the JCF as corrupt, undisciplined, and ineffective."¹¹ This has consequences for coordination. For example, each organization has its own intelligence system, but the mistrust they hold for each other means they rarely share information. In response, sector-wide programs need to understand, manage, and attempt to diffuse the tension that can result by recognizing from the start the difficulties that the two services may face. Close collaboration and mutual respect

⁸ Jamaica Case Study, paragraph 8.13.

⁹ Ibid, paragraph 9.8.

¹⁰ Nigeria Case Study, paragraph 3.14. The case study also notes that "The Nigerian experience shows that a balance needs to be maintained between achieving direct impact and transformational impact" (paragraph 12.3).

¹¹ *Joint DFID and FCO Synthesis and Review of UK Funded Safety and Security Programmes: Jamaica Case Study*, November 2004, paragraph 2.4.

between international advisors to the police and advisors to the army may help to model more effective collaboration in these circumstances.

Third, in all of the countries studied, civil society is rarely a full partner and the programs remain more focused on supply of security and justice than demand for them. The importance of civil society participation in safety and justice provision is not only firmly established in DFID and FCO policy, but it is widely understood in the development field. For example, when asked, “What makes a good security advisor?” a senior staff member of the World Bank listed as a key attribute the ability to “involve communities and not just governments.”

On the ground, civil society groups are present in discrete roles within some DFID-supported programs. Within the JCRMP in Jamaica, for example, there has been limited involvement with NGOs and other community-based organizations in the implementation of community policing and to some extent the wider reform of the constabulary, and there are NGOs who monitor police action in relation to human rights standards. However, until the recent security sector development strategy process, “there was little evidence of there being direct involvement of civil society in security sector reform.”¹²

In the case of Malawi, the MaSSAJ secretariat engaged civil society organizations with the introduction of paralegal services, Juvenile Justice Fora, Court Users Committees, Community Policing, and Lay Visitors Schemes. But a recent review stressed the need to engage these groups as more central actors, noting the link between boosting civil society involvement and strengthening demand for security and justice among the poor. The Review Team underscored the “need to balance this supply-driven institutional/organization building approach with program activities that identify, recognize and address the needs and demands of the poor, the vulnerable, victims and those at risk. This will not only entail identifying the needs of the poor but will require more activity aimed at strengthening actors and organizations in society that have the will and capacity to hold institutions and state organizations to account.”¹³

Civil society involvement in the security and criminal justice sector in Nigeria is even weaker than in the other two examples, but the case study points out an important reason that is widely applicable: security and criminal justice organizations in government are “very suspicious of civil society organizations and have been reluctant to engage with them.”¹⁴ In Nigeria, a prominent exception is the willingness of both the Inspector General of Police and the Chairman of the Police Service Commission (a principal police oversight body) to work closely with the CLEEN Foundation, which has been made a member of the Inspector General’s community policing steering committee.¹⁵ NGOs that demonstrate this level of skill in building

¹² Jamaica Case Study, paragraph 5.10.

¹³ OPR Report 2003, page 23-26. See also report of Jon Lunn – Human Rights Adviser – Southern Africa; Visit to Malawi 4-9 September 2003.

¹⁴ Nigeria Case Study, paragraph 5.7.

¹⁵ The CLEEN Foundation was formed in 1998 as the Center for Law Enforcement Education of Nigeria. In 2004 it broadened its mission to promote public safety, security and justice through empirical research, advocacy, demonstration programs and publications in partnership with government and civil society, changing its name to CLEEN Foundation. See www.cleen.org.

trust with government institutions might be usefully deployed to build capacity in other NGOs.

Fourth, DFID’s SSAJ programs, if successful, should contribute to poverty reduction but the mechanisms by which that effect will be felt are not yet clear.

The contribution of SSAJ programs to poverty reduction follows from its orientation towards the needs of the poorest residents in these countries, dealing directly with issues of their insecurity, unequal treatment, and exclusion. Yet the contribution to poverty reduction is usually stated as an assumption rather than as a focus of management attention. The Jamaica case study prepared for this report is typical in this regard, concluding that by achieving their objectives, the projects “will facilitate a more secure and stable environment that will support economic growth and reduce poverty.”¹⁶ But the mechanisms that link a secure and stable environment to economic growth and poverty reduction are only now beginning to be specified more closely and tested.

In both Malawi and Nigeria, we see efforts to more tightly manage the mechanisms that should link security to poverty reduction. In Malawi, after a Review Team in 2003 questioned if goals for poverty reduction were actually informing the strategies and priorities of MaSSAJ, the SSAJ program became more closely linked to the Government’s Poverty Reduction Strategy Process and the PRSP indicators.

A different management approach has informed the redesign of the new Nigerian Security, Justice and Growth program, which will contain a specific set of economic growth outputs. “The focus in the redesigned A2J program on growth,” according to the case study, “will contribute at both macro and micro levels of economic development and reduction of poverty.”¹⁷ The program will now include a focus on removing safety and justice obstacles to the sustainability of small and medium-sized enterprises in the private sector.

Fifth, there is frequent attention to human rights issues across individual projects, but actual progress on human rights remains difficult to document and human rights problems can undermine the programs. The difficulties here are not always the product of inattention. In Jamaica, we have already described the interlocking effects of DFID’s community policing work with the FCO’s projects on police use of firearms. These are supplemented with human rights training in both national and regional contexts. Similarly, in India, the case study reports “synergy” between DFID India, UK High Commission and UK Council in the area of human rights.¹⁸

The focus on human rights is often usefully subtle and discrete, avoiding direct criticism of the government. As a Review Team in Malawi wrote in 2003: “It is evident that a rights perspective informs much of what the MaSSAJ program is doing, and that particular efforts have been made to utilize human rights as a means of setting standards across the justice sector (e.g. with regard to the treatment of detainees). At the same time, care has been taken to avoid an overt approach to rights

¹⁶ Jamaica Case Study, paragraph 6.8.

¹⁷ Nigeria Case Study, paragraph 7.3.

¹⁸ India Case Study, paragraph 7.3.

where this might be inappropriate, or even counter-productive. The Review Team supports this approach, and agrees with the need for sensitivity in this area of work.”¹⁹

This is not to say that human rights issues have been eliminated nor abuses necessarily reduced. In Nigeria, for example, the case study reports that “the reform of government SSR organizations and institutions that are the main abusers of human rights has been slow.... real change is a long way off and will require government commitment and action....”²⁰ And in Malawi, there has been repeated criticisms in the local media and in parliament, including by the former Vice President, of the donor-funded police reform program, because the police are still seen as unaccountable when they use excessive force.²¹ In Jamaica, too, international NGOs and media continue to point out tolerance for police violence even within police oversight bodies.²²

Sixth, issues of gender are the subject of many individual initiatives in these countries, but they do not yet appear to be mainstreamed. It is clear from the case studies that in every country there are individual efforts that focus particularly on women and girls, usually as victims of crime or participants in disputes, but also at times as prisoners suffering in even worse conditions than male prisoners. In Malawi, for example, the recent Review Team commended a project on victim support that promises to produce guidance on police handling of victims of rape. But the same report concludes that, while many individual projects are apparent, “the mainstreaming of gender is less obvious” and recommends that greater efforts be made on this score.²³ Indeed, some reviewers have commented that as long as programs remain weighted toward the supply side of safety and justice, where men predominate, the voices, needs, and engagement of women—not only as victims when dealing with police, but in multiple roles across the entire sector—will receive too little attention. The new SSAJ program planned for India may provide an important opportunity to take this work to a new level, and we return to this when we offer recommendations in Section 3 of this paper.

Seventh, sector-wide coordination led by the partner government is an important intermediate goal, but experience shows that it takes time to develop and is easily set back. For example, in Jamaica until the recent start of a process to develop a security sector development strategy, co-ordination within the Jamaican security sector was described as poor. Not only was there distrust between the army and the police, there was little co-ordination between justice sector institutions, two of which—the police and the prisons—fall under two separate ministries. In general, police, courts, and prisons have not been viewed in Jamaica as an integrated system or sector, and this takes time to change.²⁴

The experience in Malawi shows how fragile such coordination can be even when it develops. MaSSAJ provides a secretariat to two coordinating bodies: the National Council on Safety and Justice (NCSJ) and the Coordination Group on Access to

¹⁹ Malawi OPR Report, 2003, page 22.

²⁰ Nigeria Case Study, paragraph 7.5.

²¹ Malawi Case Study Notes, page 5.

²² “AIDS and homophobia in Jamaica,” *The Economist*, November 25, 2004.

²³ Malawi OPR Report, page 16.

²⁴ Jamaica Case Study, paragraph 5.9.

Justice (CGAJ). The NCSJ is chaired by the Vice President and is responsible for providing policy direction to the program.²⁵ When the NCJS was formed, the Vice President played a key role in ensuring that Ministers attended NCSJ meetings. Gradually, however, attendance became an issue, in part because the MaSSAJ Secretariat would often put largely settled proposals before the group for ratification, and more recently because of the Vice President has been distracted by other concerns. The result is a much weakened coordinating council.

In Nigeria, too, changes in senior officials have set back national government coordination. Just as the Access to Justice Programme was being redesigned, a new Justice Minister sidetracked the previously agreed National Action Plan for Justice Reform and substituted his own 19 point action plan: Reforming the Justice Sector in Nigeria. Unfortunately, this plan is not seen as focused or effectively implementing the government's own NEEDS and SEEDS agendas.²⁶

Eighth, strong Whitehall coordination has appeared to help the UK programs on the ground. This is particularly evident in UK support for safety and justice in Jamaica. A Jamaica Forward Strategy Group meets quarterly in London to consider progress against the common Whitehall strategy for Jamaica, focusing in particular on issues where action by more than one Whitehall department is required.

Individuals interviewed for the case study on Jamaica viewed this approach, born of the UK government's strong commitment to stability and security in Jamaica, as particularly effective. Development agencies in other countries, such as Canada, have also found that this kind of central government coordination has been helpful. "Canada recognized that it was high-time *all* of the government pay attention to this [safety and justice assistance] and not just CIDA," one official told us. "[Now] activities are coordinated so it furthers the agenda."

Ninth, in-country coordination needs to go beyond regular exchange of information to focus on strategy. For example, the coordination in Jamaica of UK government activities is achieved through a twice monthly meeting chaired by the Deputy High Commissioner, bringing together all in-country working groups, one of which is Law Enforcement.²⁷ The Law Enforcement Group holds monthly meetings in Kingston, attended by representatives from the Ministry of Defence, the intelligence services, police, customs and excise, and Chancery. While the group is concerned with day-to-day security and operational issues, it also provides a forum in which longer development strategies and issues of co-ordination can be discussed.

The general view of interviewees and reviews is that the Law Enforcement Group is effective. This was illustrated in the early days of the JCRMP, when the group helped resolve tensions between the long-term development approach being pursued by DFID and short-term operational inputs (e.g. investigations) funded by FCO, the Home Office, and the Metropolitan Police that required immediate action. The

²⁵ The NCSJ includes the Ministers and Principal Secretaries from Home Affairs, Gender and Community Services, Finance, Justice, and Local Government, the Chief Justice, the IG of Police, the Chief Commissioner of Prisons, the Attorney General, Paramount Chiefs, the accountability agencies, and civil society including faith-based organizations. The two key donors—DFID and the EU—are also members.

²⁶ Nigeria Case Study, paragraph 5.4.

²⁷ The others are Media and Development.

project implementers on some early occasions had seen the Metropolitan Police presence and advice as disruptive to the longer-term reform process, but once the Metropolitan Police recognized the need for improved co-ordination of operational and development activities, all of the UK government departments came to view these short-term contacts with UK police in active investigations as benefiting the development effort.²⁸

Similar structures operate in Nigeria and Malawi. In Nigeria, a UK Conflict Prevention Group is chaired by the Deputy Head of Mission, and includes all SSR departments. In addition, there are links between programs maintained among DFID advisors.²⁹ In Malawi, the UK High Commission and DFID attend monthly meetings of the MaSSAJ Secretariat to stay abreast of developments. The BHC, DFID, and MaSSAJ all benefited, for example, when it was agreed that MaSSAJ's influence would be useful to push for police accountability before and after the recent elections.³⁰

Nevertheless, the case studies provided other examples where these kinds of meetings remained mere reporting vehicles, never delving deeper into strategic discussions. In Malawi, a Review Team recently encouraged building a stronger relationship between the MaSSAJ Secretariat and the DFID Malawi main office—particularly with relevant DFID advisers and other DFID programs. All parties agreed that it would be helpful at a strategic level to link MaSSAJ more closely with other efforts on poverty reduction and improved public sector governance generally.

Finally, the difficulties of recruiting and retaining experts and managers skilled in developmental and sector-wide strategies for security and justice reform have proved a continuing challenge. In Jamaica, for example, the main DFID project is being delivered by a commercial service provider. The provider is responsible for the management of the project and the supply of technical assistance, which in the main comes from retired police officers acting as consultants. In this case, the post of project manager became vacant without appropriate succession planning and remained vacant for two months with a negative effect on the program.³¹ Nor had the initial project manager been able to develop a good relationship with the Commissioner of Police and his management board. Equally significant, “some international experts took time to realise they had to be sensitive to cultural and capacity issues before they could gain the trust and co-operation of the people they worked with.”³² All of this contributed to a loss of momentum early in the project and a loss of enthusiasm among Jamaican government partners.

Similarly in both Malawi and Nigeria, recruiting consultants or experts who took responsibility for linking poverty reduction and security proved to be difficult. The people available are generally expert in only one institution, such as police or courts, and their experience lies in security rather than in poverty reduction. This poses a double risk. First, there is a danger that a consultant's narrow expertise in one institution can lead to focus only there, which can undercut an integrated approach

²⁸ Jamaica Case Study, paragraphs 5.1 through 5.6.

²⁹ Nigeria Case Study, paragraphs 5.1 through 5.3.

³⁰ Geoff Bredemear, Malawi Case Study Notes, pages 4-5.

³¹ Jamaica Case Study, paragraphs 4.9 and 4.10.

³² Ibid, paragraphs 8.5 through 8.7.

across the sector. Second, an in-country expert in security and justice reform can be tempted to treat links with poverty reduction as merely a set of hypotheses by policy makers rather than as a consideration to be applied in setting priorities on the ground. In response to these concerns, DFID two years ago recruited and trained a core team of SSAJ consultants, but we were unable to determine how effectively these specially trained consultants were deployed or performed in the countries subject to the review. At least in some reports, even these experts seem to lack sufficient training, or they were not available, particularly for longer assignments.

The hope and expectation is that the managers and experts recruited for these projects will be skilled at navigating politically-charged environments, will work from a development perspective, and will be highly creative and able to respond to local conditions and opportunities. As a senior staff member from the World Bank emphasizes, “I think the prime characteristic needed is to be able to transfer and adapt good practices, not just copy them.” Unfortunately, however, as an official from the European Commission told us, “replication is the way they do things.” This development official lamented that aid advisors often act like “paratroopers imposing a model from their country,” despite their better intentions.³³

³³ The European Commission is currently developing a handbook for good governance that the senior staff member we interviewed hopes will be useful to other donors and will advance collaboration among donors. A working draft of that document can be viewed online at http://europa.eu.int/comm/europeaid/projects/eidhr/themes-governance_en.htm

2. The Special Cases of Conflict and Post-Conflict Environments

Some of the most challenging obstacles to security and justice reforms are encountered in countries dealing with sporadic internal armed conflict, such as Nepal, Afghanistan, and, until recently, Sierra Leone. In such environments, as one official of the European Commission explained to us, the risk of doing harm is great. For example, a development project could inadvertently benefit one ethnic group over another, and thereby create or fuel a security problem. It is particularly impressive, therefore, that the UK government has made real gains in all three of these countries.

Nepal

In Nepal, a Maoist uprising has been simmering since 1995 and escalating since 1998. More than 11,000 people have died in a conflict that is largely “low tech” but increasingly affecting whole swathes of the country. Certain areas have become no-go zones for the government, particularly in the mid-west, which is not only poor but has not benefited from government economic policies of the past. Poverty—closely linked to other forms of exclusion, including caste, gender, and ethnicity—and economic stagnation have undermined the legitimacy of successive governments, as have widespread human rights abuses by the police.³⁴

Yet in three districts of the country, the DFID-supported Community Mediation Project is successfully linking grassroots activities with policy making processes nationally to promote community mediation and make justice accessible for poor rural people, especially women and members of marginalized groups. The project has trained community representatives, mediators and women leaders on human rights, legal issues and mediation skills to support the development of community mediation forums. The mediation they promote is increasingly being recognized by local governance institutions and even the formal court system at the local level.

The project, managed by the Centre for Victims of Torture (CVICT) Nepal, began by training and supporting members of the Village Development Committees (VDCs), which were empowered by the Local Self-government Act 1998 to act as courts of first instance for the settlement of civil disputes through arbitration or mediation. A review in 2003 documented the impressive energy and enthusiasm of CVICT, the powerful way that the communities had embraced the project, and the demand for mediation that it had tapped. The Review Team concluded that the project had largely achieved its objectives (a score of 2 on a scale of 1-to-5, where 1 is full achievement), having created:

- 45 village-level community mediation committees
- 43 village-level women's group community mediation committees
- 405 ward-level community mediation committees.

³⁴ Jonathan Goodhand, *A Synthesis Report: Kyrgyzstan, Moldova, Nepal and Sri Lanka*, 2001, produced for the Conflict and Humanitarian Affairs Department (CHAD) of DFID.

Before this project, most VDC representatives had no training in mediation/arbitration. There had been no systematic attempt to develop culturally appropriate training modules for the regionally, ethnically, and socially diverse communities in Nepal. Also, VDCs did not have enough legal and human rights resource materials. Record keeping was usually poor or totally absent. The project not only remedied those deficiencies, but it did so in ways that proved more sustainable than the VDCs themselves. When the VDCs were dissolved in 2002, the project continued, providing human rights and legal education directly to women, the poor, and other marginalized communities to help them use other local forums to settle their disputes, assert their rights and to use the police and formal courts to settle their disputes when appropriate.

A second, larger phase project of this impressive project is now under consideration. This would be implemented by a consortium of three or four NGOs. At the same time, DFID has made progress in agreeing on a common set of community mediation principles with other donors implementing similar projects to improve coherence.

Afghanistan

In the even more difficult context of Afghanistan, security sector reform is a high priority. As the UK Ambassador told a 2003 review: “We’ve all come to understand that security is the main issue and it’s stopping us from doing the things we want to do.” Here, the Global Conflict Prevention Pool supports a range of activities which contribute towards improvements in the security environment. According to that same 2003 review, it is likely to have the most direct impact on two specific sources of insecurity: factionalism (in which citizens look to separate factional leaders for security, rather than to the national state) and criminalization of the economy (most notably narcotics production and distribution).

The lack of a strong state with a monopoly of force has been both a cause and a consequence of the Afghan conflict. The emergence of a viable and accountable security sector is a precondition for future stability, as factionalism and the narcotics economy would thrive in the space left by a failing state. The review concluded that the prioritization of SSR makes a great deal of sense, given the UK government’s expertise in this area, the evident needs on the ground, and the obvious gaps in funding and analysis. In a sense it is the foundation for all other work and it is also an area in which donors are perhaps weakest conceptually and where there is a need for more joined-up thinking and policy.³⁵

The challenges of even basic police training in this context are potentially overwhelming. Though figures are uncertain, there are estimated to be about 50,000 men working as police, but they are generally untrained, ill-equipped, illiterate (70-90 percent), and may owe their allegiance to local warlords and militia commanders and not to the central government. Many of those serving as police are former Mujahedeen who have experienced a lifetime of armed conflict and are accustomed to acting with impunity. A few professional police officers remain from the Afghan National Police of the Soviet period, but these officers have little understanding of the role of police in a democratic society. The Afghan police also suffer from a lack of

³⁵ Jonathan Goodhand with Paul Bergne, *Evaluation of the Conflict Prevention Pools: Country Case Study #2: Afghanistan Study*, December 2003, pages 9-11.

uniforms, inadequate equipment and transportation, dilapidated facilities, and little or no pay.³⁶

Among international donors in Afghanistan, the German government leads on police training, with the United States also playing a leading role; but the UK government has built a specialized role for itself in developing curriculum and managing one of the new regional police training centers. For their part, the Germans have been concentrating on a training program at the National Police Academy in Kabul for newly recruited officers (a five-year, residential course) and newly recruited non-commissioned officers (a three-month course); while the Americans, to meet more immediate needs for training, initiated their own, two-week courses of in-service training for active officers and NCOs in Kabul, importing a curriculum that they had offered in Kosovo. In addition, the United States is building seven regional training centers, using the center in Kabul as a model.

The UK government took up an invitation to staff one of the regional training centers as well as adapt the Kosovo curriculum to the Afghan context. The re-designed course consists of 31 lessons, with a review and examination process at its conclusion. The objectives of the course are human rights awareness, democratic policing, and operational police skills. The UK trainers have had a significant impact on the approach to training methodology and delivery styles. They have also added extra-curricular activities to improve the general well-being of the recruits. The training is basic and aims to produce rank-and-file police men and women—including courses for police who are functionally illiterate. An ambitious target to train 20,000 police in time for the elections was achieved.

At the same time, three additional experienced UK police trainers (known as “mentors”) are guiding and supervising the training at the Regional Training Center in Mazar-e Sharif. The approach in Mazar-e Sharif and the central Police Training School in Kabul recognizes the comparative advantage the UK enjoys in the technical aspects of police training design and curriculum development. These are areas of future opportunity for the UK. Additional training might encompass themes relating to institutional development as well as capacity building. Such matters could include training policy and strategy development.

Sierra Leone

The UK government is the major donor in Sierra Leone. After democratic elections in 1996, President Kabbah requested DFID’s help to completely transform the Sierra Leone Police (SLP). Working with the Commonwealth Secretariat, DFID began appraisal of the project in 1997. Initial work by a Commonwealth Police Development Taskforce, largely staffed by the UK and funded by DFID, was twice interrupted over the next two years by the resurgence of armed conflict. By the time the civil war was declared over and President Kabbah reelected in May 2002, 50,000 Sierra Leonians had been killed and thousands more had been tortured and mutilated. Half of the country’s 4.5 million people had fled their homes. The economy was devastated. Much of the police, courts, and prison infrastructure was destroyed. Today, while

³⁶ *Joint DFID and FCO Synthesis and Review of UK Funded Safety and Security Programmes: Case Study Afghanistan*, November 2004, paragraphs 2.11 and 2.12, quoting *Establishing the Rule of Law in Afghanistan*, Special Report 117, US Institute of Peace, March 2004.

humanitarian relief has alleviated the most serious suffering, many of the causes of the civil war are still evident (e.g. poverty, corruption, poor governance, injustice). Sierra Leone is ranked as one of the least developed countries in the world.³⁷

In such a context, the modest but real success of the police reform program is impressive. In November 1999, at the request of President Kabbah, a senior UK police officer was appointed Inspector General of Police, funded by DFID. The hope was that a British IGP would create space in which to develop a new generation of un-corrupt, untainted Sierra Leone police leaders. President Kabbah apparently believed that a break was required—both in practice and in image—so that the SLP could recover credibility and habits of honesty. Indeed, many at that time regarded the Sierra Leone police as an un-disciplined, corrupt, poorly trained, poorly organized, poorly managed, and poorly equipped political tool that was more concerned with looking out for itself than providing security and service to the people of Sierra Leone.

Shortly after this appointment, the UK became the major backers of a structured reform program referred to as the Commonwealth Community Safety and Security Project (CCSSP).³⁸ The initial emphasis of the CCSSP was on basics: re-establishing a visible policing presence in the Freetown Peninsular and strengthening the capacity of the SLP to provide security during the 2002 election. The bulk of early UK assistance supplied the police with uniforms, vehicles, communications, and basic necessities (medicines, water, and sanitation). The results were greater SLP visibility in the capital, greater capacity to respond to the public, and improved morale. In 2003, the UK Inspector General of Police returned home, replaced by a Sierra Leonian.³⁹

Beyond the basics, the SLP has adopted a strategy of Local Needs Policing, created audit and inspection systems, begun systematic complaints investigation, introduced a shift system, reduced absenteeism and fraud, and reduced the inappropriate treatment of suspects and crime victims. For many citizens traumatized by the conflict, the reform of the SLP was the first sign of a return to normality and the police have become a source of advice and assistance. For example, for some people the SLP represent the only hope of transport to hospital in cases of medical emergency. DFID have provided special training in public order management to the Operational Support Group—the paramilitary wing of the police—and the fact that the OSG has now dealt with many public order situations without use of lethal force is powerful testimony to the change that has been achieved.⁴⁰

A particularly successful intervention with the Sierra Leone police has been the establishment of Family Support Units. These units provide improved service to victims of sexual and domestic abuse and also begin to prevent such crimes by raising their profile. The units are staffed jointly by police officers and social workers who together deal with family issues and child protection. Their work is also closely linked to the DFID-funded project to establish Sexual Assault Referral Centres. In its first year, the Freetown Centre dealt with over 500 cases, the majority of which concerned girls between the ages of 11 and 15.

³⁷ United Nations Index of Human Development 2003.

³⁸ Although initially referred to as a “Commonwealth Project,” the funds have come from DFID or the joint UK African Conflict Pool.

³⁹ *Joint DFID and FCO Synthesis and Review of UK Funded Safety and Security Programmes: Sierra Leone Case Study*, November 2004, paragraph 7.2.

⁴⁰ Sierra Leone Case Study, paragraph 7.22.

Significantly in the last year, forums for coordinating activities across the sector have begun to take hold in Sierra Leone. A consistent theme of many of the early reviews was the poor co-ordination between DFID programs, and there was no evidence of any co-ordination on the Sierra Leone side before late 2002. Today, in contrast, the High Commissioner convenes UK departments in Sierra Leone to discuss security matters.⁴¹ And on the Sierra Leone side, the National Security Council Coordinating Group convenes representatives from the armed forces, the police, the Office of National Security, and two international military teams, to predict sources of threats and co-ordinate responses. The District Security Committees have been reinstated under the auspices of the National Security Adviser in the Office of the President, but including representatives of all agencies in the security sector. A new Justice Sector Task Force made up from representatives of sector institutions and civil society now meets on a regular basis and has been influential in the design of the next phase of DFID's support to the sector. And finally, the Sierra Leone Inspector General of Police has now begun to convene a monthly steering meeting attended by the Commissioner of UNCIVPOL and the project manager of the CCSSP. The group now looks jointly at the SLP's development priorities and decides how best these can be addressed.

Much of this progress has come as DFID have prepared a major new program of SSAJ support in Sierra Leone. The planning process may have helped crystallize lessons learned within the country and from elsewhere over the last year.

Lessons Learned from Police and Justice Reform in Conflict and Post-Conflict Environments

In all three of these conflict and post-conflict contexts—Nepal, Afghanistan, and Sierra Leone—the UK has successfully implemented programs designed to strengthen the long-term development of certain institutions while providing tangible, short-term benefits in security. These are significant accomplishments. Yet the successes with community mediation in Nepal, the police mentors in Afghanistan, and the Sierra Leone police management have been exceptions within these countries, where many more projects have failed to realize the ambitions with which they were launched. The lessons learned in these countries are drawn mostly from these frustrated ambitions and the gaps they have revealed between sound policy and ad hoc practice.

In these conflict and post-conflict contexts, the guidance on the pursuit of sector-wide reform, so clearly articulated in SSR and SSAJ policies, has been difficult to follow on the ground. Nevertheless, real opportunities for more effective implementation have been missed. The cost of missing those opportunities may be particularly great precisely because, in the consensus view, effective security has such a pivotal role to play in these environments.

⁴¹ DFID: Evaluation of Conflict Prevention Pools, March 2004, page 23.

Three Obstacles to Sector-Wide Reform in Post-Conflict Situations

1. Funding arrangements in post-conflict situations are more frequently short-term and poorly integrated with each other;
2. Civilian leadership in post-conflict situations is more tightly confined in separate silos and pre-occupied with ending active conflict;
3. The project managers and advisors deployed by development agencies in post-conflict contexts have less training and expertise in sector-wide, development approaches to security and justice sector reform.

The principal lesson is that holistic, sector-wide approaches to SSR and SSAJ programs in these conflict and post-conflict contexts have not yet proved possible. UK policy is clear on this point: “Any SSR program must be looked at holistically.”⁴² Similarly, DFID’s SSAJ policy “encourages a sector approach.”⁴³ These policies reflect experience across many countries that projects pursued in isolation often fail on their own terms, create other problems as bad or worse, or prove unsustainable. But in the three conflict and post-conflict environments studied for this paper, most police and justice reform projects were not joined up in this way.

Police reform in Nepal provides a good example. DFID have been supporting the Nepal police since the mid 1990s, at first with basic training and institutional development, and then with help to implement community policing and support women and children. A new, more ambitious Police Development Project began in July 2003, intended to be the first stage in a longer-term program of support for police reform. The purpose of this first stage was to establish, and make operational, mechanisms to ensure that the Nepal police is more responsive and more accountable to the community. Specific outputs were to include adopting a community policing policy, creating an Inspectorate and a Police Complaints Board, and linking the budget processes to strategic planning. The target completion date for this first stage was extended from July to November 2004, but even so the project has made only minimal progress. For example, construction of the Inspectorate office and training centers was delayed mostly because consultants were slow to agree on designs and locations, ministers changed frequently, and planned legislation was not adopted. By the time of the OPR in August 2004, the purposes were clearly “not achieved” with only the approval of the community policing policy accomplished.

What is striking about the Nepal Police Development Programme is not the specific sources of delay but the complete absence of a holistic approach in its execution. As the case study commissioned for this paper explains, “The project is not located within a wider public sector or civil service reform program. It is not explicitly linked

⁴² SSR programs are to be conceived “holistically” because “no one actor or institution can conduct its activities independently of the other if a fully accountable and transparent security sector, under the control of civil authorities and adhering to the rule of law, is to be established.” As a result, the UK has adopted a “joined-up” approach for managing these programs, recognizing the “integral linkages between areas such as police reform, judicial reform and penal reform—each of which, if approached in a fragmented way, would not be sustainable.” The joining up is intended to take place at three levels: across UK government departments (FCO, DFID, MOD, and on some occasions the Home Office); across the safety and justice sector in the country receiving assistance; and across donor and development agencies. SSR Policy Brief, November 2003, page 4 and *passim*.

⁴³ Safety, Security, and Accessible Justice: Putting Policy into Practice, July 2002, page 14 and *passim*.

to a programmatic approach to reforming the safety, security and justice sector.”⁴⁴ In some countries, DFID seeks to implement a joined-up approach by finding a champion for change in government who is in a position to exercise authority across multiple institutions in the security and justice sector, but here, as the case study bluntly explains, “There is no apparent ‘champion’ for the reforms either within or outside the Service.”⁴⁵

The immediate obstacles to a holistic, joined-up approach are different in each context. In Afghanistan, for example, different countries took the lead for different institutions within the sector: Germany leading work on the police and Italy leading work in justice, including prisons. In neither case was an overall strategy for institutional reform developed, let alone one that linked police reform to judicial and prison reform. As the case study explains, “an opportunity has been missed to adopt an integrated approach, with no attempt made to match sequencing of interventions in the justice sector...” despite the division of responsibilities.⁴⁶ “In the Justice Sector no strategy has been agreed upon for the reform and rebuilding process. Donors have left this task to the lead nation, Italy, whose performance and approach is seen by the other donors and Afghan officials and other observers as more narrowly focused—mainly on the implementation of its own projects, rather than co-ordination of broader efforts”. When asked about the “international system” generally, the USAID official we interviewed said: “Every group has different limitations and authorities, so there is a danger that we will continue to do the same as in the past: one-off projects instead of collective engagements.” As a thorough review of SSR in Afghanistan concluded in 2003, “a more comprehensive and joined-up approach to security is required.”⁴⁷

The costs in Afghanistan have been real. For example, the first large UK contribution to police reform here was the Afghanistan Policing Project—Crime Scene Investigation Teams. This was originally approved by the GCPP Steering Committee as a three-year project to train police officers within Kabul and surrounding areas to form Crime Scene Support Teams. It began in June 2003 with a budget of approximately £6.7 million. “The UK agreed to address the issue of crime scene management and investigations after a request came from the UK Embassy in Kabul... although it was acknowledged from the outset that no overall strategy existed for police development in Afghanistan.”⁴⁸ The project was implemented with a very narrow vision, and problems arose almost immediately. According to the case study, “There was no attempt to engage in broader institutional development activities, and a more holistic approach. The project was being delivered in an environment in which there was no overall national strategy for police development. The project was not completed, and was brought to an early conclusion in October 2004.”⁴⁹

Even in Sierra Leone, where police reform has come the farthest of any of these three countries, there is longstanding concern that progress has been impeded by the absence of a holistic approach. Assessments conducted in Sierra Leone by DFID

⁴⁴ Chris Gale, Nepal Case Study, page 5.

⁴⁵ Ibid.

⁴⁶ Afghanistan Case Study, page 8.

⁴⁷ Goodhand and Bergne, page 7.

⁴⁸ Case study reference

⁴⁹ Afghanistan Case Study, pages 6-7.

repeatedly point out that “security sector development needs to be viewed as a complete entity, not as isolated ‘projects,’” and that only a “holistic approach” can overcome “the current ‘silo’ effect where individual projects and individuals within projects compete for resources.” A more holistic approach is the guiding principle of a new Justice Sector Development Programme to commence in early 2005, but, as the case study on Sierra Leone commissioned for this paper points out, “the need to look at the justice sector as an integrated system was recognized over two years ago.”

Why has a holistic approach—so clearly established as policy in security sector reform—proved so elusive in these conflict and post-conflict situations? Why do these projects remain ad hoc or in separate silos? The case studies suggest at least three separate explanations.

One explanation traces the lack of a holistic, strategic approach to the Conflict Prevention Pools funding arrangement. In Afghanistan, for example, the case study concludes that “HMG’s process of funding activities through the GCPP is very similar to the Small Grants Scheme operated by embassies – it is ad hoc and not strategic. Funding is not being used to lever change or reflect the demand side of policing services, but rather to respond to donor driven initiatives. There has been a tendency to provide a quick response to pick up projects which will have a quick impact and in the process ignore longer term thinking.”⁵⁰ An earlier review of GCPP in Afghanistan reached much the same conclusion: “Although the GCPP has a clear strategic focus, the foundations of this strategy consists of a disparate collection of projects that to an extent are less than the sum of their parts. This is the result of external constraints—namely the difficult political environment and the lack of strategic coordination within the wider SSR process—and internal deficiencies, including the legacy of ad hoc project identification and the lack of strategic oversight in Kabul.”⁵¹

A second explanation for the confinement of projects to their separate silos is the difficulty of engaging senior civilian leadership preoccupied with conflict. In Nepal, “the Ministry of Home Affairs, whilst apparently quietly supportive of the Police Service’s reform efforts, is not demanding or driving through change.” In Sierra Leone, “in relation to the police and the other elements of the justice sector, there is no evidence of any form of co-ordination before the formation in late 2002 of the Way Forward Committee which brought together the heads of the various justice sector ministries and organizations with a view to addressing emerging problems across the sector. The Committee does not meet on a regular basis...”⁵² More importantly, the Ministry of Internal Affairs, which might have played an overarching institutional role, has not taken up its potential authority. As the case study reports, “One area that has made no progress is the strengthening of the Ministry of Internal Affairs and their responsibility for police performance and standards. A lack of continuity of post holders has meant it has been difficult to engage with the Ministry...”⁵³ On a wider level in the security sector, there has recently been progress in the completion of a Security Sector Review led by the Office of National

⁵⁰ Afghanistan Case Study, page 8.

⁵¹ Goodhand and Bergne, page 14.

⁵² Sierra Leone Case Study, page 13.

⁵³ Sierra Leone Case Study, page 20.

Security, but this has focused more on threats to national security than on human security, ordinary policing, and access to justice.⁵⁴

In Afghanistan, the central government coordinating institution is being created by donors. The National Security Council (NSC) Support Programme, initiated in September 2002, grew out of the recognition that “the security sector required a lead body at the highest level of government within the Afghanistan Transitional Authority. This would provide Afghan ownership over security sector issues particularly the formulation of a single National Security Policy and management of SSR.” But ownership within the NSC is not yet evident. In the context of active conflict, “newly-created organisations like the NSC...cannot generate the necessary authority and do not curb the raw power of the different political factions. Power is exercised through channels other than the formal bodies created by donors.... Power is highly personalized, draws on informal networks and ultimately is based upon access to the means of violence.”⁵⁵

In short, in neither Afghanistan nor Nepal is there yet a local structure that can guide a joined-up reform strategy. Only recently in Sierra Leone, and so far only with respect to broader issues of national security is there a sign of effective national capacity.

A third explanation for the absence of a holistic approach that emerges from the case studies concerns a lack of capacity among the people deployed as project managers, consultants, trainers, and other experts to guide such an approach on the ground. Regardless of what policy says, unless the people delivering assistance on the ground take a developmental approach to their reform projects, it is unlikely that the individual projects will relate effectively to each other or that the SSR effort will add up to more than the sum of its parts.

This theme emerged powerfully in all three of these case studies and echoes lessons that appeared in the earlier case studies. In some cases, key posts simply remained unfilled for long periods, such as the FCO’s Human Rights Specialist in Nepal, who is considered “essential to the achievement of our objectives on GCPP,” including effective operation of the Human Rights Commission in its oversight of the police.⁵⁶ In other cases, the managers or experts deployed had little experience or facility with training from a developmental approach, such as was the case with the Afghanistan Policing Project—Crime Scene Investigation Teams described above. Problems appear to have arisen at the implementation stage where, according to the case study, “weaknesses in management” were combined with “inability of some of the original team of Centrex trainers to function in a post-conflict environment. The providers did not take a developmental approach, and rather tried to transplant European standards and state of the art ideas (‘Preaching a Counsel of Perfection’) into the context of Afghanistan. There was no attempt to engage in broader institutional development activities, and a more holistic approach.”⁵⁷ All of these were among the problems that led to its early termination.

⁵⁴ Ann M. Fitzgerald, SSR in Sierra Leone, page 6.

⁵⁵ Goodhand and Bergne, page 15.

⁵⁶ Nepal Case Study, page 6.

⁵⁷ Afghanistan Case Study, pages 6-7.

Dependence on managers and consultants unprepared to take a developmental approach was also a problem in Sierra Leone. Here, as the case study commissioned by DFID for this paper explains, “some advisers, although expert in their own fields, are not experienced in or do not understand their role as developers. The consequence is that they find it easier to do the work themselves or do not trust their counterparts. In essence the problem points to the need for improved selection and the need to ensure post holders that they understand their role and the environment they are moving into.”⁵⁸ As that author goes on to explain, “Project personnel need to understand the situation on the ground and the political and social factors that will influence reform progress. ... They need to be able to transfer skills and be able to facilitate local solutions rather than just import models based on their own experience.”⁵⁹

Many advisors and experts without development training do not take a holistic approach because they do not have experience with holistic security and justice practice in their own countries. Even in the UK, the rest of Europe, and North America, many police, judicial, and penal operations are often confined to silos, operating without effective national coordination. As a result, many of the retired police officers, prosecutors, and judges employed as experts by contractors do not have experience managing or participating in joined-up efforts in their domestic careers, and will not immediately grasp the importance in these more stressful contexts. This is a lesson that suggests a series of specific steps to strengthen the human resources available to SSR and SSAJ programs: a topic to which we return in the following section.

⁵⁸ Sierra Leone Case Study, page 21.

⁵⁹ Ibid, pages 25-26.

3. Recommendations for Future Security & Justice Development Efforts

We present our recommendations in three groups. First, we consider the overall structure of the UK's SSR and SSAJ programs. These recommendations will be of

Summary of Recommendations

Implications for the Design of SSR and SSAJ Programs

1. SSR and SSAJ should remain distinct programs at this time, but with improved co-ordination at policy and program levels.
2. Projects funded through the Conflict Prevention Pools should be longer term and developed jointly by DFID / FCO / MoD in more cases.

Implications for the Implementation of SSR and SSAJ Programs

3. Police and military advisors should develop and model more trusting and collaborative relationships in order to encourage the same in the institutions of partner governments.
4. Whitehall coordination groups should be formed routinely at country level where SSR and SSAJ activities are both underway.
5. A fully staffed SSAJ team should be established within DFID; this should represent SSAJ within a central policy coordination group on SSR and SSAJ.
6. In-country coordination structures led by partner governments and focusing on strategic issues should be agreed upon during the design phase and established with protocols during the inception phases of all programs.
7. A repository of good practice with civil society organizations should be established centrally. Civil society organizations adept at working with partner governments should be deployed as trainers and consultants to civil society organizations in other countries.
8. All security and justice sector projects should seek to achieve short-term progress on community safety problems in ways designed to support long-term organizational development across the sector.
9. SSR and SSAJ should collaborate on a comprehensive program of recruitment, training, and formal certification for project managers and consultants to achieve higher standards of expertise in an expanded pool of available experts.
10. Trained experts from abroad should be paired with local experts and future managers in order to assist in the development of talent and smooth the transfer of skill and responsibility to local management.
11. SSAJ programs should specify more precisely the ways in which increased safety and access to justice should reduce the various dimensions of poverty.
12. DFID and FCO should establish a collaborative critical incident review process to examine events leading up to and following any serious violation of human rights.
13. DFID should use the planned SSAJ program in India, or other suitable programs, to test the mainstreaming of gender issues.

Overarching Implications of the Study

14. The UK should commit to work on SSAJ and SSR in Middle Income Countries that could serve as anchors of security—as well as proponents of justice and stimulators of economic growth—regionally and globally.
15. DFID should develop, test, and promote strategic and institutional indicators that are appealing and useful to local governments in their efforts to show progress on improving security and access to justice and reducing poverty.

most interest to those who work with the UK government in its own programs of justice and safety sector assistance. Second, we consider the implications for project implementation and management. These recommendations should be useful to all those involved in the delivery of international development assistance in the justice and security sector. Finally, we make two overarching recommendations on the use of indicators and on the importance of regional strategies that should be useful to those involved either with international assistance or domestic reform in this sector.

Although the recommendations are presented individually, they have potential to reinforce each other. For example, successful Whitehall coordination should be particularly valuable when connected to strong in-country coordination.

Overall Relationship Between SSR and SSAJ. Improved coordination between SSR and SSAJ would benefit both programs, but combining the programs at this time would likely do more harm than good. Formally merging the programs would risk distracting program managers just as the most promising projects are getting underway. It would also expand too widely the range of government departments that every program would have to join up, given that most programs have barely begun to approach the narrower list of departments holistically. Merging the programs would also be premature so long as, the funding and planning cycles of the two programs are not aligned. SSR and SSAJ already overlap substantially.

Both have concerns not shared by the other. SSAJ includes important work on civil justice and a wide range of local dispute resolution that defies the division of criminal and civil justice. This work, as in the case of Nepal, may provide an entry point for a more formal security sector reform, such as the introduction of community policing, but there is no suggestion that it could be strengthened by providing a different formal management structure. SSR includes work on reform of defense forces and intelligence services. In short, both SSR and SSAJ are difficult enough to implement as they stand, and both programs could use more evidence of success before they are further burdened with additional changes in management and scope.

Recommendation #1: *SSR and SSAJ should remain distinct programs at this time, but with improved coordination at policy and program levels.*

There are several steps that could be taken to bring SSR and SSAJ programs into closer alignment. For example, the two-year limit on projects funded by the Conflict Prevention Pools should be greatly expanded to fit the longer-term horizon of the SSAJ programs. Partners in the pools should be encouraged to submit more robust, joint proposals, rather than agreeing to fund each other's individual projects. And new SSR and SSAJ programs should consider opportunities to involve government departments usually associated only with the other program.

Recommendation #2: *Projects funded through the Conflict Prevention Pools should be longer term and developed jointly by DFID / FCO / MoD in more cases.*

Tension within the Sector. Several of the cases reviewed here pointed out tensions dividing separate institutions in the security and justice sector, particularly between armed forces and police institutions. Where coordination between these parts of the sector is particularly important, such as in countries where the military plays

substantial roles in domestic police operations, closer communication and collaboration between UK military and police advisors may help to encourage greater trust and co-operation between these institutions.

***Recommendation #3:** Police and military advisors should develop and model more trusting and collaborative relationships in order to encourage the same in the institutions of partner governments.*

Whitehall Coordination. Where there are strong Whitehall country coordination groups, as in the case of Jamaica, they appear to make a substantial contribution to the clarity of purpose and collaboration on the ground. We therefore recommend that Whitehall coordination groups be implemented more routinely where SSR and SSAJ activities are both underway, and that these be closely connected to in-country coordination structures. Some techniques that might be used to enhance these groups include co-location of relevant staff in Whitehall, organization of thematic SSR meetings that go more deeply into specific strategies, joint budgeting and planning of projects, secondments, and jointly structured communications with in-country personnel. We further recommend that a fully staffed SSAJ team within DFID be created to represent SSAJ within the central policy coordination structures.

***Recommendation #4:** Whitehall coordination groups should be formed routinely at country level where SSR and SSAJ activities are both underway.*

***Recommendation #5:** A fully staffed SSAJ team should be established within DFID; this should represent SSAJ within a central policy coordination group on SSR and SSAJ.*

In-Country Coordination. There is substantial evidence that in-country coordination can be improved by maintaining a strategic, rather than reporting, focus. Coordination structures linking UK programs should be discussed and agreed upon during the project design phase. The quality of these meetings should be a priority throughout inception phases, during which protocols should be established to maintain a strategic focus in these meetings.

Coordination and Leadership by Partner Governments. Both SSR and SSAJ programs emphasize the need for ownership of programs by partner governments, yet this has repeatedly proved difficult to catalyze and sustain. It requires UK program managers to encourage leadership from recipient government officials and yet not permit the programs to become overly dependent on the individual talents of ministers or other senior officials who will inevitably rotate out of office. We recommend that these co-ordination structures also be discussed and agreed upon during the design phase of projects but that changes in leadership provide an occasion to review the functioning and composition of these structures. It is particularly important that recipient governments lead on the issue of donor co-ordination, and this also should be agreed from the design phase.

***Recommendation #6:** In-country coordination structures led by partner governments and focusing on strategic issues should be agreed upon during the design phase and established with protocols during the inception phases of all programs.*

Civil Society. It is clear that the participation of civil society in SSR and SSAJ programs can be substantially improved, particularly regarding policy formation and service delivery. Civil society should not be confined to the demand side of the equation. At the same time, SSR and SSAJ managers must deal with government institutions that have come to distrust some civil society organizations, just as many civil society organizations will be wary of co-operating with government. Building trust between these institutions must be a gradual but deliberate process. Creating small working groups and commissions that blend membership from civil society and partner governments on discrete topics can help. Experience shows that issues of gender equity and media coverage of the security sector are effective starting points.

We endorse a recommendation reported in the case studies that a repository of good practice with civil society organizations be established so that innovative processes applied in one country can be adapted elsewhere. Moreover, civil society organizations that prove particularly adept at working constructively in robust roles with security sector institutions—such as the CLEEN Foundation in Nigeria—should be encouraged to provide technical assistance to their counterparts in other countries. We further recommend that civil society organizations be specifically engaged in the assessment process.

***Recommendation #7:** A repository of good practice with civil society organizations should be established centrally. Civil society organizations adept at working with partner governments should be deployed as trainers and consultants to civil society organizations in other countries.*

Blending short-term work on community safety with long-term organizational change. Long-term strategies must also produce short-term benefits to be sustainable. In some programs, the purchase of cars and other equipment have been used to induce government officials to co-operate in long-term projects. A better approach would be to integrate the work on long-term organizational reform with short-term results, as has now been done in Jamaica. The choice of short-term targets is crucial, as these must be strategically connected to long-term goals for institutional development. In some cases, there may be opportunities for synchronicity with short-term goals in the region or in the UK as well, as there were in Jamaica with improvements in the investigation of serious crimes and in the reduction of shootings by the police. To maintain the strategic value of the short-term targets, managers must not defer to the initial requests of partner governments.

***Recommendation #8:** All security and justice sector projects should seek to achieve short-term progress on community safety problems in ways designed to support long-term organizational development across the sector.*

Recruitment, Training, and Retention of Experts and Managers. The need for more expert consultants and project managers with cross-sector experience and a development approach is clear in virtually all of the case studies. DFID's experience with the specialist consultants whom it has recruited and trained over the last three years shows that more consultants must be trained, that the training must be more extensive, and that trained consultants must be available for longer assignments. A comprehensive effort to greatly expand the pool of available consultants with expertise in both security practices and development approaches will require a larger program to recruit, train, and certify experts in these techniques who would then be

available not only to DFID but to other donor organizations and to private contractors. A review of training provided by other donors, such as CIDA, may surface some good practices. Moreover, when trained experts and managers are deployed as part of a program—whether on consultancies or as project managers—we recommend that local experts or future managers be paired with them to assist in the process of talent development and succession planning to local management. Although this will involve some duplication of costs, it will reduce costs in the long term and contribute to the successful transition of program ownership. This leads to two recommendations:

Recommendation #9: *SSR and SSAJ should collaborate on a comprehensive program of recruitment, training, and formal certification for project managers and consultants to achieve higher standards of expertise in an expanded pool of available experts. The use of certification of training programs and financial support for such programs rather than direct training grants should be encouraged where possible.*

Recommendation #10: *Trained experts from abroad should be paired with local experts and future managers in order to assist in the development of talent and smooth the transfer of skill and responsibility to local management.*

Poverty Reduction. The contribution of SSAJ programs to poverty reduction is among their principal distinctive features, but the mechanisms by which that contribution is realized should be better understood and integrated into program management. We recommend that DFID review the adequacy of the current SSAJ log frames and program design tools on this issue and compile a catalogue of management tools, including the use of indicators, to further specify how this contribution is delivered and demonstrated on the ground.

Recommendation #11: *SSAJ programs should specify more precisely the ways in which increased safety and access to justice should reduce the various dimensions of poverty. Policy staff should develop management tools—including performance indicators—that UK agencies can use to achieve and document the desired reduction.*

Human Rights. The case studies clearly reveal the gap between integrating human rights issues and achieving actual improvements in respect for human rights within the security and justice sector. Where notorious violations of human rights occur in the midst of SSR and SSAJ program activity, we recommend that these events become the subject of a critical incident review both in-country and by any Whitehall coordination group. Such reviews reconstruct the steps that led up to the critical incident to identify decisions that could have been taken differently, assess the immediate reaction of staff to the incident itself, and then assess how the downstream events might have been better handled to recover from the incident and avoid its recurrence.

Recommendation #12: *DFID and FCO should establish a collaborative critical incident review process to examine events leading up to and following any serious violation of human rights. This strategy will help to prevent similar abuses in the future and also to demonstrate government commitment to achieving actual improvements in respect for human rights.*

Gender. The case studies show several examples of good program work addressing the needs of women and girls, but there is little confidence that gender issues have been mainstreamed. We recommend that DFID take advantage of its planned SSAJ collaboration with UNDP in India as a laboratory for the mainstreaming of gender issues.

Recommendation #13: *DFID should use the planned SSAJ program in India, or other suitable programs, to test the mainstreaming of gender issues.*

Regional Issues. Closer coordination of SSR and SSAJ programs provides an opportunity for SSAJ to have a broader impact and value in the world. In Nigeria, for example, SSAJ is focused at national and state levels, but many SSR activities in Nigeria are being pursued to strengthen Nigeria's role in the region. Similarly, in Jamaica, SSR programs are encouraging senior officers in the security sector to play a leading role in the Caribbean region, while SSAJ programs are developing their domestic capacity. These countries have the potential to serve as anchors of security regionally and globally. We recommend, therefore, that countries identified by FCO or MoD as potential anchors of security be prioritized for continued SSAJ development, even if their status as Middle Income Countries (MICs) might otherwise give them a lower priority. "The fact that funding MICs leads to creating regional co-operation and bodies [shows their] influence and impact [on] Lower Income Countries," said a senior staff member from the European Commission. This is a strategy that a senior staff member from CIDA also endorses, albeit with a focus on coalitions rather than single nations: "Developed countries will increasingly have limited resources, and the public is [also] questioning the utility of foreign assistance," he said. "We need to build up the leadership of regional and sub-regional organizations throughout the world, such as ASEAN and the African Union. Both have the potential to be more active."

Recommendation #14: *The UK should commit to work on SSAJ and SSR in Middle Income Countries that could serve as anchors of security—as well as proponents of justice and stimulators of economic growth—regionally and globally.*

Indicators. Clear and objective signs of progress are crucial to building and sustaining broad support for successful interventions and are equally important to the task of modifying or abandoning activities that fail to deliver. The basics of performance measurement are well understood by DFID at a policy level.⁶⁰ They include defining indicators of performance "up front," around the start of a project, even if some of the measures are refined or changed as the project matures, developing output *and* outcome indicators, and measuring progress early and often so that problems can be addressed and successes reinforced as the project unfolds.

Yet all of the case studies revealed the absence of concrete, practical, and robust indicators to manage the programs and demonstrate achievement. In some cases, the indicators in the log frame were too process-oriented; in other cases the indicators were too ambitious and were ignored. Integrating a few key principles of performance measurement into the OPR process would strengthen the monitoring of UK-funded development projects and the hand of project managers. But to substantially advance practice in this area, we recommend that a fully staffed SSAJ team in DFID London

⁶⁰ SSAJ: Putting Policy into Practice.

closely monitor a process in each country program for developing, testing, and promoting strategic and institutional indicators that local governments embrace and can use to monitor progress on security and access to justice as well as poverty reduction. The indicators must be developed for each country separately and must be readily transferred to partner governments, but the insistence on the development of these indicators from the start must come from London. These indicators can be constructed from data that is relatively accessible, and thus not prohibitively expensive to collect, and the data need not come from formal administrative sources if these are not present.⁶¹

Recommendation #15: *DFID should develop, test, and promote strategic and institutional indicators that are appealing and useful to local governments in their efforts to show progress on improving security and access to justice and reducing poverty.*

These recommendations, taken together, would make these strong programs even stronger. Implementing these recommendations would integrate back into the programs the lessons learned and hopes carried by hundreds of dedicated people who have worked to make these efforts succeed. There will always be challenges in this difficult work and there will always be room for improvement, but we hope that this moment provides an opportunity to make specific improvements in the effective delivery of safety and justice in some of the most troubled parts of the world.

⁶¹ Vera Institute of Justice: *Measuring Progress toward Safety and Justice: A Global Guide to the Design of Performance Indicators across the Justice Sector*, 2003.