

FINAL EVALUATION REPORT

INDEPENDENT EVALUATION OF 10 YEAR *JUSTICE FOR CHILDREN* PROGRAMMING IN SUDAN 2007-2017 WITH FOCUS ON THE FAMILY AND CHILD PROTECTION UNITS

For
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EXECUTIVE SUMMARY

Introduction

The *Justice for Children* programme in Sudan has been ongoing over the past 10 years, during which the authorities with the support of UNICEF (United Nations Children's Fund) have been putting in place laws, policies, procedures, institutions, and services to address the justice needs of children in contact with the law as victims, alleged offenders or witnesses of crimes. The principal national bodies responsible for the implementation of the are the National Council for Child Welfare (NCCW) which has the responsibility of following up enforcement of the Child Act, the multi-sectoral National Mechanism (NM) responsible for the Family and Child Protection Units (FCPU) designed to bring together essential justice services for children in contact with the law, as well as other justice actors (police, prosecution, judiciary) and ministries

This is the first evaluation taking stock of the performance of the programme as a whole. The evaluation findings, conclusions and recommendations are intended to be used by the Sudanese government, donors, United Nations (UN) agencies, Civil Society Organisations (CSOs) and state authorities to enhance *Justice for Children* systems in general; and child-friendly services for children in contact with the law in particular. The evaluation is further expected to inform the programmatic shift UNICEF envisages for its new country programme. Regionally, the evaluation contributes to informing the strengthening of child protection systems through the regional initiative *Justice for Children*, which Sudan is part of.

Purpose of the evaluation

The purpose of this evaluation was to assess the extent to which the *Justice for Children* system reform in Sudan, during the period 2007-2017, has contributed to:

- Protection of children in contact with the law as victims, witnesses and alleged offenders.
- Reduction in the deprivation of liberty for children in conflict with the law.
- Increase in the use of diversion from the judicial process.
- Enhanced national legislation, regulations and procedures, as well as the enhanced application of relevant legal standards for children.
- Increased awareness of children and communities of child rights and related legislation.
- Sustainability of services for children in contact with the law.

Methodology

The evaluation is based on information collected through literature review and field data collection. The literature review was based on available data provided by UNICEF, the NM and independent research. For the fieldwork, the sample locations were Khartoum (federal-level), Khartoum, Central Darfur, South Kordofan, Blue Nile, Kassala, River and Gazira states. The evaluation team consulted with 569 respondents through structured Key Informant Interviews (KIIs), Focus Group Discussions (FGDs), observation and unstructured interviews. Key informants included all actors implementing and overseeing the *Justice for Children* programme at national, state and locality levels. Clients from FCPU were also interviewed, including children and their parents. The evaluation took place from March to November 2018.

A major challenge for the evaluation was that this programme did not develop a Theory of Change (TOC), no results framework with indicators and no risks and assumptions. To address this situation and make

the programme evaluable, TI designed an evaluation framework and indicators (ex-post) for the purpose of this evaluation, which were approved by UNICEF and the evaluation-steering committee. Connected with this challenge is that various governmental actors, NGOs and UNICEF are implementing the programme without a centralised data management system. As a result, information was scattered among multiple sources and difficult to collect. With the exception of statistics on the number of children benefiting from FCPUs integrated services, the number of children diverted outside the judicial system and the children in detention, there has been no systematic monitoring of the programme's outcomes, and little or no baseline existed for many of the indicators, making the evaluability of this programme relatively low. While this obviously influences the viability of this evaluation, TI is of the opinion that the evaluation provides a fair picture of the achievements and the challenges.

Main findings

Improved protection of children and access to justice, but coverage and service provision can still be improved

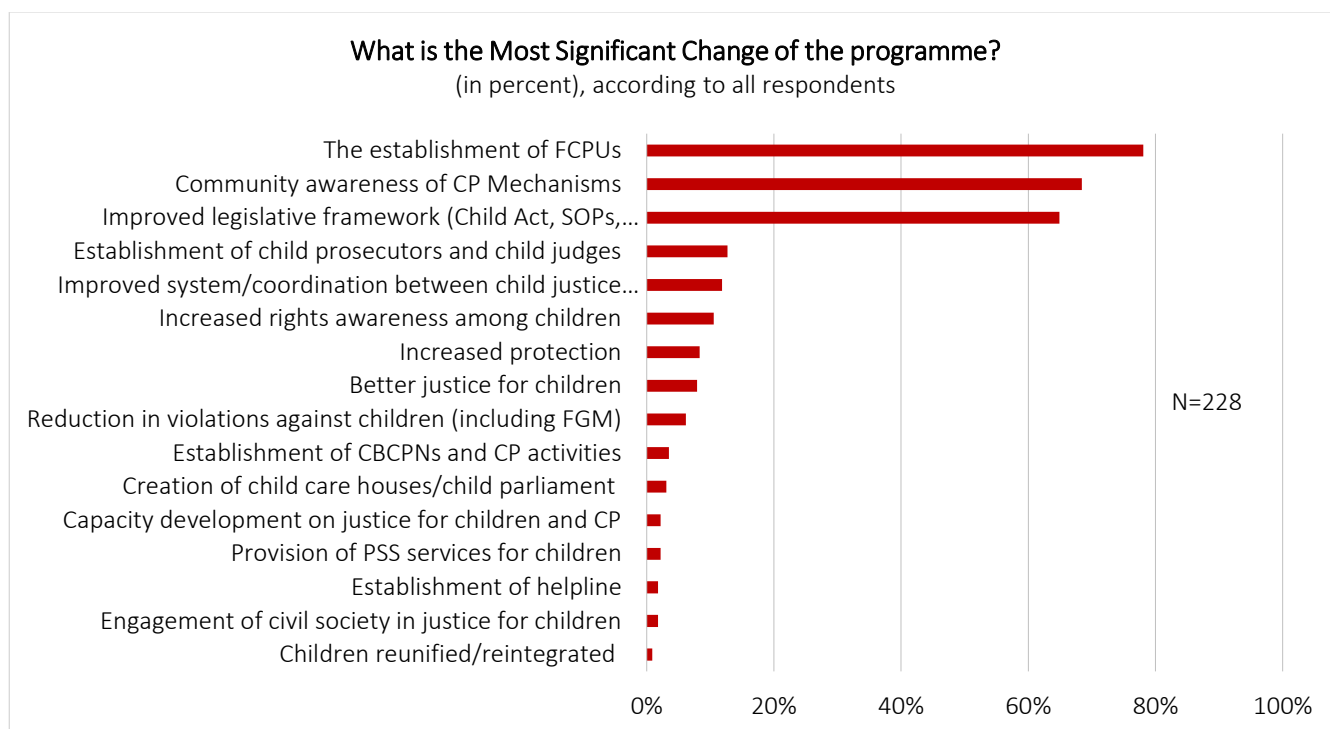
With an average of 89%, the views of children, community members and programme implementers are that children are better protected from violence than ten years ago. The principal reason given for the perceived increase in protection of children from violence is the establishment of FCPUs and that they treat children well (74%), improved legislative framework (35%) and increased public awareness of children's rights (27%). Thus, the overall perception is that the *Justice for Children* programme has contributed to government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse.

Since 2007, 62 FCPUs have been established across the 18 states but great differences in coverage can be observed between states. According to child clients of FCPUs interviewed, most feel that they were protected and treated in privacy when their case was open, while 15% say they did not enjoy this protection, with important differences per location. Further, more than 1 in 3 of the child clients rate the social and psycho-social support (PSS) they received as not effective or relevant. Waiting rooms in FCPUs are found lacking, particularly separate waiting rooms for girls. While successful in some locations, there are instances where the one-stop-shop concept is not implemented as social workers or other *Justice for Children* actors than the police are not operating within the FCPU.

Linked to the existence of FCPUs, almost half (46%) of all programme implementers believe that children have increased access to child-friendly mechanism to report the violations of their rights. Respondents refer specifically to 'reporting and investigation of cases', followed by 'legal aid and services' and 'the judiciary' including child judges. However, when asked if the increased access applies equally to all children (girls, boys of different ethnic groups, age groups, rural and urban areas) half of judiciary, ministries, attorneys, CSO and IOs are of the view that access is not equal. The principal reasons given is that children in conflict and remote areas cannot access justice services. It aggravates the situation that there are many street children, and especially in South Kordofan, Blue Nile and Central Darfur the conflict makes children more vulnerable to child rights violations.

When asked about the effectiveness of the services, most children are positive, while the majority of the community adults and programme implementers state that the justice services are only partially effective. Respondents explain that there is still an overall lack of capacity and related a frequently mentioned problem is the turnover of police to and from FCPUs, resulting in loss of knowledge and experience.

Using the Most Significant Change methodology, this evaluation found that the establishment of FCPUs, increased awareness on Child Protection (CP) mechanism, and the improved legislative frameworks in place are the most frequently mentioned changes fostered by the programme, as presented in the graph below.



In terms of **Do no Harm**, the programme has created a number of negative effects as well. The most frequently cited is the stigma of being associated with a crime or of having been treated by the criminal justice system (29%). Second is that with increased awareness that children should not be held criminally liable, children are being used to commit criminal acts (25%) and children themselves could be encouraged to commit crimes (7%). The psychological impact (14%) of being processed through the system and the absence of follow-up support (14%) are also mentioned as disappointments of the programme. In addition, judges explain that the FCPUs' police officers are faster to arrest children and put them in the waiting rooms, which are now available, leading to more, instead of less, children being deprived of their freedom.¹

Reduction in deprivation of liberty and increase in the use of diversion, but challenges due to lack of viable alternatives and inadequate follow-up capacity

The number of children in detention has substantially reduced, by 40% (238 per 100,000 child population). Half of the programme implementers agree that fewer child offenders spend time deprived of liberty, for less period of time, and in child-appropriate facilities. This result was achieved through a combination of rights established by the 2010 Child Act, the efficiency of FCPUs reducing the time children are detained, fairer sentencing due to a change in mindset to more victim-centred judicial decisions and substantial increase in the use of diversion (80% increase considering the number of cases in 2015 and 2017). Main challenges with diversion are lack of viable alternatives and inadequate follow-up capacities at local levels. There are instances where deprivation of liberty has increased, notably due

¹ Group discussion with 6 Judges, during inception mission, Khartoum.

to enhanced capacity of the police, delays in investigation and confusion about the seven-day limit imposed by the Child Act on the length of detention.

Enhanced national legislation, but gaps and inconsistencies remain and more efforts required to adopt and generate awareness of legislation.

The Child Act (2010) provides a solid foundation for the FCPUs and other institutions delivering services for children in contact with the law and is considered in line with international standards. The Child Act benefitted from wide participatory processes and is today well known among the general population and even children. There are, however, gaps in the legislation, most notably in respect of the criminalization of Female Genital Mutilation / Cutting (FGM/C), child marriage and contradiction in respect of the age of criminal responsibility.

Further, only 39% of the respondents believe that legal instruments are in line with international standards. The evaluation found some confusion in respect of the implementation of the law and important regulations that could clarify the confusion in respect of diversion and community services, has not yet been adopted. There is limited awareness among justice practitioners of regulations in force.

Increased awareness but variations between social status and locations

Increased awareness is one of the successes of the programme, with more than half of respondents stating that the *Justice for Children programme* has created greater awareness, resulting in fewer violations of children's rights. The majority of child clients, community adults and community children know where to look up their rights and how to seek protection and justice. In practical terms, this means that they see themselves as aware of relevant legislation and know how to access the FCPUs and other child protection actors implementing the programme. However, rights awareness varies with those in remote locations, the less educated and socially disadvantaged being less aware than those living in urban areas, the better educated and socially well-established. There are also variations between states which could be linked to how present and active CSOs and international organisations are in those states.

Coordination insufficient and sustainability of the programme requires more focus

It is the prevalent view of programme implementers that the effectiveness of the coordination mechanism at national, state and local level is insufficient, and that this affects considerably the effectiveness of the programme. The (although limited) information the evaluation team obtained about the government's budget support, shows an increase in the government's contribution to the FCPUs, making its services more sustainable in the long run. However, while most programme implementers believe that the results obtained will be sustainable, most of them (average of 80%) think that the programme activities are not likely to continue without external support.

Conclusions

This evaluation shows that the programme has achieved significant results and brought together a broad range of actors to enhance the protection of children in contact with the law, notwithstanding the harsh economic realities of Sudan and the detrimental effects of the armed conflicts. This demonstrates the commitment and capacity of the programme implementers to work for the benefit of children. The development of the programme should be seen as an ongoing process, and through this evaluation, the programme implementers have identified the areas that need strengthening for the next phase of the programme.

Efforts are needed to address persistent issues of limited capacity, problems associated with deprivation of liberty and use of diversion, gaps in the legal framework and its implementation, unequal awareness and access of children, lack of sustainability and importantly weak coordination capacity which undermines all aspects of the programme. A comprehensive programme and results framework, followed up with robust monitoring and evaluation (M&E), is required to achieve synergies between the various components of the programme and to monitor system wide changes.

To summarise, the most important Strengths, Weaknesses, Opportunities, and Threats (SWOT) identified by the evaluation are presented below. The recommendations resulting from this analysis are summarized below and explained in more detail in chapter 6, with immediate concrete recommendations per State in Chapter 7.

 STRENGTHS	WEAKNESSES 
☐ Development and enhancement of the Child Act 2010 and by-laws ☐ Inter-disciplinary approach in handling children in contact with the law (legal, medical, social and PSS) ☐ Scaling up of FCPUs from 1 to 62 in all states ☐ Establishment of Child Judges and Prosecutors ☐ Training and capacity developed within all service providers ☐ Programme is led by Ministry of Interior (MOI) which has resources and political weight ☐ Broad awareness of children's rights and recognition of FCPUs role ☐ Programme largely runs on governmental budgets ☐ <i>Justice for Children</i> is part of mandatory training for police, prosecutors and judges. ☐ Increase in the implementation of diversion outside the judicial system and alternative measures to detention ☐ Establishment of coordination mechanisms NCCW, State Council for Child Welfare (SCCWs), NM for FCPUs, FCPU Administration, State national <i>Justice for Children</i> mechanisms ☐ Existence of supporting mechanisms like community-based mechanisms ☐ Establishment of the help line in seven states	☐ Gaps in legislation, enforcement instruments and their application ☐ Fragmented structure of the programme. Lack of baseline, TOC and systematic monitoring and data collection with decision making not adequately based on data and evidence ☐ Low coordination capacity of the NM (NM) and within FCPUs ☐ Unequal access and inadequate coverage of FCPUs. Very little awareness of the helpline. Many respondents feel that access to justice has only partially increased. ☐ FCPUs not adequately equipped: lack of separate waiting rooms for girls and recreational equipment for children, limited capacity to provide PSS and medical services, and age verification ☐ Lack of legal aid and limited participation of lawyers in the programme ☐ Challenges in using diversion due to lack of viable alternatives to the judicial process and inadequate follow-up ☐ Community-based Child Protection Committees and Networks (CBCPN) have little capacity and tenuous connection with governmental actors



OPPORTUNITIES

- ☐ Child Act 2010 provides a solid legal basis for the programme
- ☐ Actors committed to strengthening the programme further. Openness to innovation and change
- ☐ Number of ministries already engaged in implementation and coordination, but ownership can be expanded
- ☐ Long term engagement of UNICEF and involvement of external donors is evidence of the programme's appeal
- ☐ The programme yields successes that is possible to build upon
- ☐ Strengthening of capacities of social workers and CCPNs might increase diversion and alternative sentencing, further reducing deprivation of liberty of children
- ☐ Finalising legislation and enforcement instruments and wide dissemination and training on these



THREATS

- ☐ Loss of experience due to staff rotation
- ☐ Ongoing humanitarian crisis limiting access to affected areas, increasing the vulnerability of children and tapping resources
- ☐ Withdrawal of external support, in particular from UNICEF, would undermine continuation and the quality of programme delivery
- ☐ Increase in arrest of children due to increased capacity of FCPUs
- ☐ FCPU recognition and visibility leads to overwhelming demands for FCPU services in respect of children needs beyond the FCPUs mandate (such as Children Associated with Armed Groups (CAAFAG), Internally Displaced Persons (IDP) children etc.)
- ☐ Lack of monitoring on response to 'do no harm'

Key Recommendations

Strengthen overall approach and coordination

1. The NM, NCCW, supported by UNICEF should ensure a holistic approach through the development of a comprehensive programme based on a theory of change, a results framework with clear outcomes, outputs, and a budget. The implementation of the programme should be monitored and evaluated on a regular basis against the agreed indicators.
2. Enhance coordination by strengthening the capacity of the NM, in the short term, by providing it with adequate support in terms of funding, staffing and capacity. In the mid and long term, the NM should be re-established with a decree by the Prime Minister, making the NM more representative and strengthening its coordinating authority over *Justice for Children* tasks of relevant ministries. The reconstructed NM should be given a supervisory role, function as an administrative body with a dedicated budget that is provided by all participating ministries and the states.
At the state level, the NM should establish NM coordination mechanism that reports to the central NM. The coordination bodies should be composed of all *Justice for Children* actors within the state to ensure they effectively share information and collaborate. The funding for the NM coordination bodies should be secured at the level of the state.
3. The NM supported by UNICEF, should improve existing data systems to manage, follow-up and monitor individual cases involving children in contact with the law and captures statistics to detect trends and patterns relating to the protection of children.

Revise Legislation

1. In respect of legislation, amend inconsistencies between the 2010 Child Act and the Criminal Law of 1991 and Personal Law Act of 1991.
2. Address gaps in legislation, notably by adopting national law banning FGM/C and child marriage.

3. The NCCW should push for rapid adoption of rules and regulations including but not limited to diversion outside the judicial system, community service and regulation of instruction homes. NCCW, MOI and NM should also ensure that all regulations are adequately disseminated and trained on.

Enhance service delivery of FCPUs

1. Address the rotation of police officers, in the short-term, through the recommendation from the NM requiring state police authorities to keep FCPU police officers for a fixed term and move them within the FCPU system. Also, ensure adequate handover and coaching of FCPU directors. In the mid-term, ensure minimum knowledge within the police force by providing basic training on children rights and child-sensitive police procedures and disseminating the SOPs. For a long-term remedy, establish a specific administration under general administration of the Police for Family and Child Protection to move the authority to rotate police officers to the central authority.
2. The MOI should strengthen coherence, management and overall direction within the FCPU by providing the director with training, resources and the mandate to efficiently manage the FCPU, without interfering with the independence of the prosecutor and the judge. For the same objectives, the NM should identify and address challenges in establishing the one-stop-shop concept and implement a uniform framework for FCPUs in Sudan.
3. The NM, MOSD and CBCPN's supported by UNICEF should use different media channels and outreach activities to generate awareness of FCPUs and the helpline.
4. The MOI should continue scaling up the number of FCPUs to ensure adequate coverage on the territory of Sudan
5. The MOI should improve the conditions within the FCPUs, in particular, the waiting rooms, nutrition, protection and recreation for detained children.
6. The NM should enhance the delivery of psycho-social services by ensuring the presence of social workers in FCPUs.

Enhance delivery of other service providers

1. The NM, Ministry of Justice and relevant professional associations of lawyers should design a nationwide legal aid system, specifically addressing the need of children for competent legal representation.
2. Ministry of health should make the Medical Commission responsible for age verification, ensure there is adequate capacity to conduct the verification and make it free.
3. The NCCW and UNICEF (and partners) should build the capacity, sustainability and organizational structure of CBCPN. Map and scale up best practices in ensuring the financial viability, legitimacy and linkages to state actors, without affecting their independence. Enhance their capacity to implement and monitor diversion and alternative measures to detention in collaboration with FCPUs
4. The NCCW and UNICEF should establish and train on guidelines clarifying which criminal cases informal courts can address.

ACRONYMS

CAAFAG	Children Associated with Armed Groups
CAAC	Children Affected by Armed Conflict
CBCPN	Community-Based Child Protection Committees and Networks
CBO	Community-Based Organisations
CDF	Child Development Foundation
COR	Commissioner of Refugees
CP	Child Protection
CPAP	Country Programme Action Plan
CPD	Country Programme Document
CRC	Convention on the Rights of the Child
CRVS	Civil Registration and Vital Statistics
CSO	Civil Society Organisations
CVE	Counter Violent Extremism
DDR	Disarmament, Demobilisation and Reintegration
FCPU	Family and Child Protection Unit
FGD	Focus Group Discussions
FGM/C	Female Genital Mutilation/ Cutting
GBV	Gender Based Violence
GDP	Gross Domestic Product
GoS	Government of Sudan
ICRC	International Committee of the Red Cross
IDLO	International Development Law Organization
IDPs	Internally Displaced Persons
ILO	International Labour Organisation
IOs	International Organisations
JAICA	Japan International Cooperation Agency
KII	Key Informant Interview
MICS	Sudan Multiple Indicators Cluster Survey
MOE	Ministry of Education
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOH	Ministry of Health
MOSD	Ministry of Social Development
MOWSS	Ministry of Welfare and Social Security
MOSW	Ministry of Social Welfare
MSC	Most Significant Change
NCCW	National Council for Child Welfare
NGO	Non-Governmental Organisation
NM	National Mechanism
PSS	Psycho-Social Support
RAM	Results Assessment Module
RLA	Regional initiative on <i>Justice for Children</i>
RoL	Rule of Law
RWP	Rolling Working Plan
SAM	Severely Acute Malnutrition
SCCW	State Council for Child Welfare
SGBV	Sexual and Gender-Based Violence
SMQ	Strategic Monitoring Question

SOP	Standard Operating Procedures
SPLM-N	Sudan People's Liberation Movement-North
TI	Transition International
ToC	Theory of Change
TOR	Terms of Reference
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs

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1. INTRODUCTION

1.1 BACKGROUND

Since 2006, UNICEF has supported the Government of Sudan (GoS) to work on *Justice for Children* and to prevent and respond to the abuse, exploitation and neglect of children particularly in the context of poverty, conflicts and displacement. With a view to enhance *Justice for Children*, UNICEF advocated and supported several initiatives for legal reform and the child protection system, including the establishment of specialised police, court, prosecution units and social workers applying child and gender-sensitive procedures. Among the major achievements of these initiatives is the establishment of the Federal Child Act in 2010.

Under the umbrella of the broad *Justice for Children* programme, 10 years of effort have resulted in the introduction and reform of institutions specifically addressing children in contact with the law. In 2007, the first so-called Family and Child Protection Unit (FCPU) was established in Khartoum state as a pilot project implemented jointly by Sudan Police Forces and UNICEF. The scope and importance of FCPUs has rapidly grown. In 2017 a total of 37,346 children (27,340 boys, 10,006 girls) in 18 states had benefited from child-friendly legal, social, psychosocial and medical services provided by FCPUs.² While there is no data available with detailed breakdown of the recipients of services, figure 50 presents the number of children coming into contact with the law as victims of crimes (non-sexual), victims of sexual violence and offenders that same year. This information is broken down by state, gender and into age groups of 0-10 and 10-18. Further, Table 66 below provides breakdown by sex and state of those who received social and PSS services.

The administration of justice lies in the hands of child prosecutors, child judges and FCPUs of the police. These actors are to benefit from training on child-friendly procedures and work together with social workers from the Ministry of Social Development (MoSD), under the umbrella of the FCPU, to provide one-stop-shop services for children in contact with the law (witness – victim – alleged offenders) and children in need of care and protection who are in contact with the FCPUs. The FCPUs are under the overall supervision of a multi-sectoral NM, co-chaired by the NCCW and the MOI. The FCPUs and other justice actors collaborate with *Justice for Children* actors, government service providers, non-governmental organisations (NGOs) and other non-state actors such as attorneys, doctors, psychologists, lawyers and Community-based Child Protection Committees and Networks (CPCBN) which operate at the community level and thus provide the ultimate layer of support for children in conflict with the law.

Another component of the programme is to raise awareness of child rights and the *Justice for Children* mechanisms among children and adults in the community. The team had however no information on available breakdown of activities and budget, except in Figure 99 which gives the number of media meetings and exhibitions from 2015 to mid-2018.

The key stakeholders in the *Justice for Children* system are presented in the table below, which is an outcome of the stakeholder mapping that was carried out during the inception phase, verified and completed during the inception workshop.

² FCPU data for 2017, provided by UNICEF.

Federal	State	Locality-community
Core actors Ministry of Interior Ministry of Justice Ministry of Health Ministry of Social Security and Development NM (FCPU) NCCW Attorney-child prosecutors Judiciary -child courts and family courts UNICEF National Assembly	Core actors SCCW FCPU Child courts Child prosecutors Legal aid services and lawyers Police director Social workers of MOSD Schools State legislative Councils UNICEF Plan International	Core actors FCPU Social workers (MOSD) Community-Based Child Protection Networks Legal aid services and lawyers Community members Schools Health clinics Rural and Town Courts
Other actors Ministry of Education Ministry of Endowments (religion) Legislative council and Parliament Lawyers organisations and volunteers National NGOs International Organisations Media Commissions of Refugees, Counter Violent Extremism (CVE), Trafficking Training Providers	Other actors State Governor Instruction Home, Remand Home, Youth Home, Social Probation Officers Ministry of Health Ministry of Education Social centres (MOSD) NGOs Media	Other actors Locality Governor Media Native administration NGOs/ Community-Based Organisations (CBOs) Local leaders

Figure 1: Key Stakeholders

There was never a Theory of Change (ToC) nor a logical framework developed for this programme and notwithstanding the important achievements of the *Justice for Children* programme in Sudan, there has been no independent evaluation taking stock of the performance of the FCPU or the *Justice for Children* system in the last 10 years. Therefore, the government, namely the NM and the NCCW, asked UNICEF to conduct such an evaluation to inform next phase of programming. At the same time, UNICEF received requests from donors who contributed to the *Justice for Children* Programme, including the FCPU, to assess progress and the impact of the programme.

UNICEF contracted TI to conduct the evaluation.³ The TI evaluation team consisted of a team leader, a senior international consultant, one national fieldwork coordinator and two enumerators. The evaluation steering committee further seconded one national consultant to the team, a former FCPU director⁴.

The evaluation took place from March to November 2018. Secondary programme data collection was continuous throughout the whole period. Primary data collection took place during field visits by the team leader between 29 April and 7 May 2017 in Khartoum and the actual data collection in the selected seven states was conducted between 17 June and 28 August.

Ownership of the evaluation was ensured through the participation of the **evaluation steering committee**, set-up for this purpose, reflecting all core stakeholders. The members were:

³ See the Terms of References (ToR) in Annex D for further details.

⁴ See challenges and mitigation section below

Number	Name	Organisation
1	Major General Nabil Motasim (Chair)	NM
2	D.Samia Sir Algatim	MOSSD
3	Colonel Hamida Fadol	MOI
4	Prosecutor Abd Alazim Elzaki	Attorney General
5	Tahani Elmobasher	UNICEF
6	Judge Ahmed Elnatig	Judiciary
7	Omema Abd Alwahab	NCCW
8	Fath Elrahman Babikir	NCCW
9	Colonel Gorashi Elsir	FCPU
10	D.Motasim Hasan	NM
11	Amal Harbi (rapporteur)	NM

Figure 20: Evaluation Steering Committee

The steering committee provided the needed technical guidance throughout the assignment. A meeting was organised with stakeholders during the reporting phase to disseminate findings and gather feedback. The TI team was also ready to assist in the organisation and implementation of the dissemination event envisaged after the completion of the evaluation. In addition, the additional national consultant provided by the steering committee has played a key role in getting the relevant information from the different stakeholders and in organising meetings.

1.2 OBJECTIVES AND DELIVERABLES

Objectives

The purpose of this evaluation was to assess the extent to which the *Justice for Children* system reform in Sudan, during the period 2007-2017, has contributed to:

- Protection of children in contact with the law as victims, witnesses and alleged offenders.
- Reduction in the deprivation of liberty for children in conflict with the law.
- Increase in the use of diversion from the judicial process.
- Enhanced national legislation, regulations and procedures, as well as the enhanced application of relevant legal standards for children.
- Increased awareness of children and communities of child rights and related legislation.
- Sustainability of services for children in contact with the law.

More specifically, the evaluation:

- Assessed the relevance, effectiveness, efficiency, coverage, impact and sustainability of the holistic approach adopted by the GoS, with the support of UNICEF. While all these evaluation criteria are relevant, the emphasis of the evaluation is on the **coverage** and **effectiveness** of the FCPU system, child courts, child prosecutors, coordination mechanisms, the legislation and the community child protection network and/or community mechanisms to whom children in conflict with the law are diverted, and on the identification of strengths and gaps in the system.
- Assessed the roles of stakeholders and the adequacy and quality of the **mechanisms and coordinating bodies** that address children in contact with the law at the national, state and local levels.
- Provides **recommendations**, identifies lessons learned, highlights good practices, and generates knowledge to inform the refinement of the programme model and approach, as well as the shape of future programming on *Justice for Children* and related programme initiatives.

- Examine **UNICEF's support** to system-level changes and assesses the extent to which its support contributed to the above-mentioned results.

The evaluation findings, conclusions and recommendations are intended to be used by the Sudanese Government, donors, UN agencies, CSOs and state authorities to enhance *Justice for Children* systems in general; and child-friendly services for children in contact with the law in particular. In addition, the evaluation findings and recommendations will inform the strengthening of child protection systems in the region through the regional initiative *Justice for Children*, which Sudan is part of. The evaluation is furthermore expected to inform the programmatic shift UNICEF envisages for its new country programme.

Deliverables

The following deliverables are produced by the evaluation team:

- 1) Facilitation of a consultative workshop during the inception phase and report on the workshop.
- 2) Inception report and evaluation tools (with detailed work plan and timeline).
- 3) Report on completion of field data collection and database.
- 4) First draft of comprehensive evaluation report available for review/consultations and comments.
- 5) Validation workshop for the steering committee.
- 6) Workshop for key stakeholders to discuss the recommendations of the evaluation. This deliverable was added by UNICEF and the NM when the evaluation team presented its initial preliminary findings to them in August 2018. The objective of this workshop was to give key stakeholders an in-depth understanding of the recommendations and to secure the institutional buy-in.
- 7) Final revised evaluation report.

1.3 CHALLENGES AND MITIGATION IN THE EVALUATION PROCESSES

This programme did not develop a ToC, results framework with indicators and no risks and assumptions. With the exception of statistics on the number of children benefiting from FCPUs integrated services, the number of children diverted outside the judicial system and the children in detention, there has been no systematic monitoring against indicators. To partly address this situation found during the inception phase, the evaluation team designed an evaluation framework (see figure 3 and 4) and indicators (ex-post) for the purpose of this evaluation (see figure 5), based on documentation and consultations on the 10 years *Justice for Children* programme in Sudan. UNICEF and the evaluation-steering committee have approved these as a basis for the evaluation which thus formed the basis for this evaluation. Findings are reported against these in chapter three. However, little or no baseline existed for most of the indicators, and no evaluation of the changed context, the validity of risks and assumptions could be undertaken. Therefore, the evaluability of this programme was relatively low.

After designing the below presented evaluation framework and indicators, TI approached UNICEF and national stakeholders to obtain information on the baseline, midline and current status for each of the indicators. Although the actors strove to collect this information, little was systematically available and thus important statistics and other secondary information are missing to understand the progress and impact of *Justice for Children* in Sudan. This is also because there is no programmatic structure for the programme in place, and therefore no entity has the responsibility to collect programme-wide information and keeping track of the progress and impact.

All stakeholders, including those in each state, welcomed the team and supported the evaluation process. The team did not experience interference with its data collection and observed that both governmental and non-governmental interlocutors strove to be transparent and honest in their engagement with the team. This was demonstrative of the importance stakeholders place on *Justice for Children* and their eagerness to learn and improve the programme's performance for the future. The participation of a senior representative from the NM helped addressing bureaucratic challenges and UNICEF also provided vital logistical support and assistance to ensure the effective execution of the evaluation.

Despite the bias created by the above, TI is relatively confident on the validity of the findings, conclusions and recommendations, due to an extended effort to construct the framework in a highly participatory manner, while remaining impartial and critical.

The table below presents an overview of the principal challenges the evaluation faced and the measures applied to mitigate them.

Challenges	Mitigation measures
As outlined above, although there are indicators for certain aspects of the <i>Justice for Children</i> programme, it does not have a complete results framework with a full set of indicators, no ToC and no baseline. This prevented systematic monitoring and limited the evaluability of this programme.	TI designed a set of indicators for the programme that was adopted by the main stakeholders in the programme. The framework includes broader UNICEF indicators relevant to this programme. The evaluation took place against these indicators. TI recommended that this framework will lead to the design of a broad results framework, for future programming, monitoring and evaluations
While TI prepared an indicator tracking tool against which UNICEF and <i>Justice for Children</i> implementers could fill the baseline, mid-line and end-line data that they had available, it proved extremely hard to obtain the data, which was scattered over different documents, organisations, or simply not available	TI prepared tools for UNICEF and the NM to acquire the required data. Both entities made efforts to collect the data but as it was not available centrally the NM needed to contact FCPUs and other relevant actors to get the information. While useful information was provided, it was largely incomplete.
The lack of baseline could have been (partially) established through an intense process and time-consuming methodology of ex-post baseline reconstruction. However, when discussed it became evident that the time and resources available for this evaluation did not allow for this	Most of the information collected during this evaluation therefore relates to the last few years of the evaluation period, making it impossible to systematically measure progress and change, except on the basis of anecdotal evidence. For few indicators baseline and midline data was found, such as on financial contributions, nr. of children diverted/ in detention. The findings against those indicators are therefore less biased.
The original plan was to provide the research team with the questionnaires in English. However, the training revealed that the research team interpreted the questions in different manner	During the training, mock interviews were conducted with the team. The tools were then translated into Arabic to ensure they were used in a uniform way
Many children could not be approached directly and had to be met over consecutive days before conducting the interview, but this was difficult to do due to the limited time spent in each state per round	The primary responsibility of talking to children in contact with the law was given to a dedicated (female) team member. This freed her from other tasks and gave her an opportunity to develop a degree of relationship with the children interviewed
As identified in the inception report to this evaluation, the TOR suggests that the evaluation should include a control group, by selecting localities and communities with no FCPU services, and compare with the localities and communities who have FCPUs services	While TI is in favour for such undertaking, the resources made available for this evaluation were insufficient to do a control group analyses, without compromising the minimum sample size required for meaningful analyses. The evaluation did therefore not include a control group, as agreed with UNICEF in the inception phase
An electronic survey (Survey Monkey) was circulated to key respondents as identified by the NM and TI. However, due to limited access to internet and IT capabilities, no responses were received	Printed versions of the survey were handed out and collected later and more face to face interviews were conducted
The evaluation steering committee seconded one national consultant to the team, a former FCPU director ⁵ .	His role was reduced to facilitate meetings with governmental counterparts and address protocol and procedural obstacles as they arose in the conduct of the evaluation. To maximize the independence of the evaluation, when the national consultant participated in interviews, it was only with the senior international consultant present and the interviews were always led by the international consultant.

Figure 3: Principal Challenges and Mitigation Measures

⁵ See challenges and mitigation section below

1.4 EVALUATION FRAMEWORK AND SCOPE

The following graph presents the evaluation framework designed during the inception phase (see Annex E for the final inception report), with three levels of interventions that summarise the 10 years of *Justice for Children* holistic programming of the GoS, supported by UNICEF.

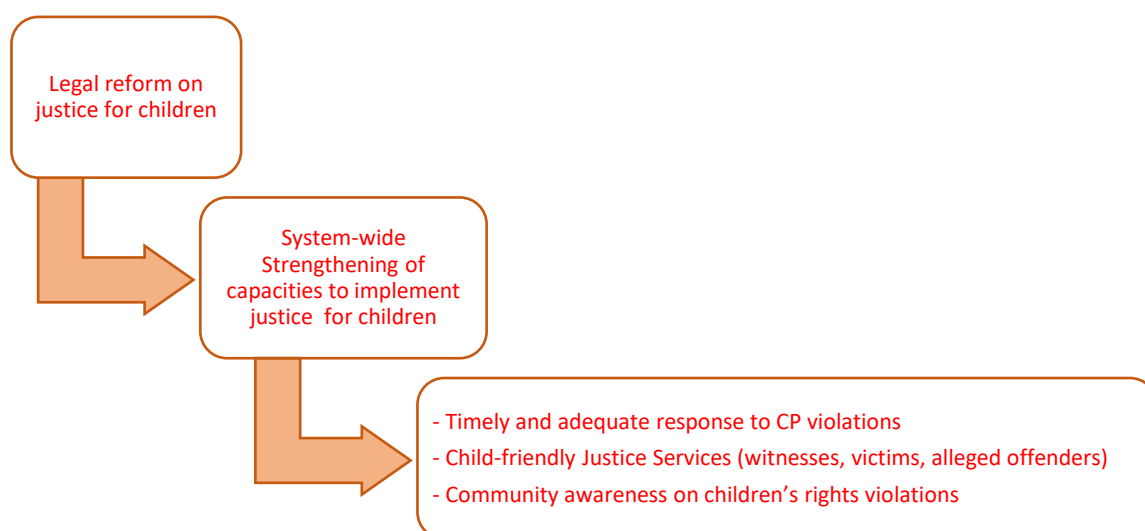


Figure 4: Evaluation Framework

The table below presents the scope of the evaluation in terms of content.

Thematically	Children in contact with the law (witness – victim –alleged offenders) Children in need of care and protection who are in contact with the FCPUs Community children and adults
Focus	The relevance of the programme in the context of Sudan The factors that support or hinder the effectiveness of the programme Change in the lives of the direct beneficiaries and the children of Sudan
Evaluation criteria	Particular focus on relevance, coverage and effectiveness of the system to implement the applicable legal framework and to ensure access to justice of all children The factors that enhance the effectiveness of the system The impact and sustainability of the system-wide changes obtained, and the services created/strengthened The value for money (efficiency) of the programme

Figure 5: Scope of Evaluation

Sample locations

The sample locations were Khartoum (federal-level stakeholders) and the following seven states: Khartoum, Central Darfur, South Kordofan, Blue Nile, Kassala, River Nile and Gazira states. Initially, the evaluation was planned to take place in 5 states. However, during the inception mission the steering committee expressed the need for wider coverage based on the following criteria:

- Regional and cultural representation.
- Programmatic differences such the degree to which diversion is applied, one-stop-shop functioning or not, older and more recently established FCPUs, etc.

- Conflict versus stable more stable context.

The scope of the evaluation was thus increased to seven states, and the sample provides a good representation of the *Justice for Children* programme efforts undertaken in Sudan from 2007 to 2017. The sample of the respondents reached is presented in the methodology section below.

Figure 5 below presents the indicators designed for this evaluation at goal, outcome and output level.

A	Goal-level	Criteria
A1	% of children (boys, girls), parents and community members that state that children are better protected from violence	Impact
A2	% of respondents that attribute this to a functioning <i>Justice for Children</i> system	Impact, Relevance
A3	Community and child perceptions (boy, girls) on access to, and effectiveness of, child justice services	Impact
A4	Unexpected negative impacts of the intervention (do no Harm)	Impact
A5	Contribution of the programme to UNICEF's core commitments for children have been fully attained (referring to output 9.1 of the 2014-2015 Rolling Working Plan (RWP): In humanitarian settings, government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse are strengthened)	Impact, Sustainability
1	Outcome level: Legislation, legal instruments, policies and regulations for children in place and enforced	Effectiveness, Impact
Output indicators		
1.1	Perceptions of Government, Judiciary, Attorney, International Organisations (IOs) and CSOs on the completeness and effectiveness of legislation on children and enforcement instruments	Effectiveness, Relevance
1.2	Legislation, legal instruments, regulations and services are aligned with international standards	Effectiveness
1.3	# of regulations and procedures to implement the new legislation finalized, adopted and implemented	Effectiveness, Sustainability
1.4	Perceptions on the levels of participation and consultative processes of child related legislation and policy reform	Coordination, Coverage
1.5	Number of states with laws prohibiting female genital mutilation/cutting (FGM/C)	Effectiveness, Coverage Sustainability
2	Outcome level: All boys and girls have increased access to child-friendly mechanism to report violations of their rights, as per the revised legal framework, and obtain justice.	Effectiveness, Impact Coverage
Output indicators		
2.1	# of FCPUs (per state) established and operational	Effectiveness, Coverage
2.2	The extent to which FCPUs apply child-sensitive procedures and ensure continuum of care, protection and reintegration support	Effectiveness, Coordination
	# of boys and girls supported by FCPUs per state (victims, alleged offenders and witnesses)	Coverage
2.3	Children are treated in accordance with norms and regulations outlined in legislation and FCPU SOP	Effectiveness
2.4	# of Female Genital Mutilation (FGM), sexual violence, child marriage cases reported to FCPUs and the results	Effectiveness, Coverage
2.5	# of children that called helpline in 2017 (per state)	Effectiveness, Coverage
2.6	Client satisfaction with helpline and follow-up	Effectiveness, Coordination
2.7	Client satisfaction with outcome of the cases reported through child prosecutors and child judges (children and families)	Effectiveness

2.8	# of children in contact with the law supported with legal aid in FCPU	Effectiveness, Coverage
2.9	# of boys and girls provided with Psychosocial Support (PSS) and social services during and after their cases	Effectiveness, Coverage
2.10	Client satisfaction of FCPU services and treatment (children and parents)	Effectiveness
2.11	Community (adults and children) perceptions on effectiveness and accessibility of FCPUs	Effectiveness, Coverage
2.12	Client satisfaction of Child prosecutors and Child Judges (children and parents)	Effectiveness
2.13	Perceptions of Judiciary, Attorney and FCPU staff on the functioning and effectiveness of FCPUs	Effectiveness, Coordination
3	Outcome level: Fewer child offenders spend time deprived of liberty, for fewer periods of time, in child-appropriate facilities	Impact
Output indicators		
3.1	Children deprived of their liberty per 100,000 child population	Effectiveness
3.2	% of boy and girl offenders provided with alternative measures to detention	Effectiveness, Coverage
3.3	Quality, quantity and gender responsiveness of “waiting rooms” in FCPUs	Effectiveness, Coverage
3.4	# of children arrested and held in “waiting rooms” per year	Effectiveness
3.5	% of children at pre-trial held for longer than 3 and 7 days (per state)	Effectiveness
3.6	# and types of alleged child offenders deprived of their liberty in other facilities than FCPUs (CAAFAG, Children accused of related to violent extremism etc.)	Coverage
3.7	Capacities of institutions to implement and monitor alternative measures to detention (such as community service)	Effectives
4	Outcome level: Increase in the use of diversion from the judicial process results in fewer children being subjected to formal court procedures	Impact
Output indicators		
4.1	% of FCPU cases diverted outside the judicial system	Effectiveness
4.2	# of community conferencing implemented as a diversion to judicial proceeding	Effectiveness, Coverage
4.3	Perceptions on effectiveness of diversion follow-up (parents, judiciary) by MOSD, Community CP networks etc.	Effectiveness, Coverage
5	Outcome level: Greater awareness and fewer violations of children’s rights	Impact, Relevance
5.1	Awareness among local communities and children about the roles of and services provided by the FCPUs and the CBCPNs (Community-based Child Protection Committees and Networks) and how to reach out to those services (community leaders, teachers, boys and girls)	Coverage, Effectiveness
5.2	% of the community members and children that have knowledge of the Child Act (2010)	Coverage, Effectiveness
5.3	# and type of awareness-raising activities rolled out for community children on their rights, the Child Act and services (FCPU, Helpline etc.)	Effectiveness, Coverage Impact
5.4	Number of media products and cross-sector public advocacy initiatives on <i>Justice for Children</i>	Coverage
6	Outcome level:	Impact, Effectiveness

	Increased capacity of actors in the <i>Justice for Children</i> system to deliver coordinated, timely and effective <i>Justice for Children</i> services	
Output indicators		
6.1	# of child judges and prosecutors in place per state	Coverage
6.2	# of social service workers per state trained in <i>Justice for Children</i> and operational	Coverage
6.3	# of police officers, prosecutors and judges trained on procedures and regulations on children in contact with the law	Coverage
6.4	Effectiveness of training and post-training support	Effectiveness
6.5	Adequacy of human resource capacity in place in to support the implementation of the programme (all institutions)	Effectiveness, Sustainability
6.6	# of active community-based child protection networks established, trained on <i>Justice for Children</i> , and functioning	Coverage, Effectiveness
6.7	Increased capacity of <i>Justice for Children</i> actors in reception and interim care establishment, age verification, case management/ documentation, referral to PSS and other social services	Effectiveness
6.8	Availability of a functional information system to follow-up and monitor children in contact with the law	Effectiveness, Coordination
6.9	Perceptions of effectiveness, relevance and efficiency of UNICEF support	Efficiency, Effectiveness Relevance
6.10	Effectiveness of one-stop-shop concept, with multiple services provided in one place, including psycho-social support, social work services, legal aid, opening of cases, health investigations of victims, and forensic investigation	Coordination, Effectiveness
6.11	# and type of referrals to and from FCPUs (e.g. to specialised services)	Coordination, effectiveness
6.12	# of children in contact with the law supported (per state) with: - Social services (and by who) - Health services (and by who) - Psycho social services (and by who)	Coordination, Effectiveness
6.13	% of children in conflict or contact with the law that perceive they are protected and treated in privacy	Effectiveness
6.14	% of children in conflict or contact with the law (and their mothers) that perceive they are and supported with effective and relevant social and psycho-social support	Effectiveness, Relevance
6.15	Perceptions of actors in the <i>Justice for Children</i> system on effectiveness of coordination mechanism and oversight at national, state and locality levels	Coordination
7	Outcome level: Services for children in contact with the law are sustainable	Impact, Sustainability
Output indicators		
7.1	Amount of funds raised for <i>Justice for Children</i> programming from UNICEF, NGOs, Donors, Government and private sector (amounts and percentages of total)	Efficiency, Sustainability
7.2	Government budget allocations to <i>Justice for Children</i> programs as percentage of total government budget allocations for justice and RoL	Efficiency, Effectiveness
7.3	% of people trained who are still in their positions	Sustainability

7.4	Perceived likelihood and challenges of the continuation of programme activities without external support at community, provincial and central levels	Sustainability
7.5	The extent to which the programme as a whole, and UNICEFs contribution, is regarded as value for money	Efficiency

Figure 6: Evaluation indicators developed by Transition International

The following research questions were designed and validated by the steering committee during the inception phase. Evaluation results against these are presented in chapter 4 of this report.

1. Relevance: The extent to which the objectives of the <i>Justice for Children</i>/FCPU are consistent with national needs (in particular vulnerable group needs) and are aligned with programme country government priorities as well as with UNICEF policies and strategies • The relevance of the programme in the context of Sudan • What strategies were used and how appropriate are the strategies promoted and used by the <i>Justice for Children</i>/FCPU? • To what extent have the strategies and interventions been contextualized at the federal level through local-level consultation, national needs (including country government priorities) consideration and capacity assessment? • Did the objectives and methods articulate changes in children's life and wellbeing and that of their families and communities? • Were the potential right-holders (children and their families) involved in developing programming? • Is the programme response relevant to identified needs?
2. Effectiveness: The degree of achievement of the outputs and the extent to which outputs have contributed, or are likely to contribute, to the achievement of the outcomes of the <i>Justice for Children</i>/FCPU • Have outputs been achieved? • What difference did the interventions make for right-holders (children and their families) in terms of life skills, knowledge, and psychosocial wellbeing? • What factors contributed to the success or failures with regard to the targeted changes (enablers and bottlenecks)? • To what extent have the justice actors effectively implemented the new laws and regulations and what are the major challenges • The factors that support or hinder the effectiveness of the programme
3. Efficiency: The extent to which the outputs of the <i>Justice for Children</i>/FCPU have been achieved or are likely to be achieved with the appropriate amount of resources/inputs (funds, expertise, time, administrative costs, etc.) • What are the institutional, financial, operational capacities of FCPU at national, state, locality and community levels, both compared to the resources input from Government and UN Agencies (UNICEF), including detailed analysis of the costing of the services provided by FCPU? • The extent to which the total inputs during the last 10 years resulted in the outputs targeted? • To what extent were the resources available adequate to achieve the expected outputs? • To what extent has the programme been able to complement implementation with related interventions, initiatives and resources at the country level from other partners, regional and global levels to maximize its contribution to the <i>Justice for Children</i>/FCPU? • To what extent has effective coordination led to the reduction of transaction costs and potential added value?
4. Coverage: The extent the programme reached the geographical site, targeted population and have the need capacities to reach the targeted and served children by the <i>Justice for Children</i>/FCPU • Has the programme reached the planned targeted population? • Have potentially targeted children in contact with the law been reached and supported effectively? • Have the needs and capacities of different age and gender groups been addressed appropriately? • Does the project contribute to the protection of children in contact with the law by strengthening the child protection mechanisms, like legislation, services, community norms, etc.?
5. Coordination: Have agencies and institutions worked well together toward the common goal to strengthen the <i>Justice for Children</i> System/FCPU • How effective was programme coordination between UNICEF and relevant stakeholders including clarity of roles and accountabilities; use of data/evidence for decision making; monitoring and reporting • How effective was the NM in coordinating the overall national and state programme? • How adequate and responsive has the NM and the NCCW been in supporting and providing necessary guidance? • What is the current nature of the representation of all justice actors and the coordination between these actors in the protection and support to children in contact with the law?

How effective is coordination between local, state and national level in the <i>Justice for Children</i> system?
6. Impacts: The extent to which the benefits from the <i>Justice for Children</i>/ FCPUs are likely to continue after it has been completed
- The extent to which the overall goal of the programme – the needs that provided the rationale for the intervention- has been met? - What are the recognized changes attributed to the programme that can be identified in the lives of children, families, communities and overall protective environment? - The change in the lives of the direct beneficiaries and the children of Sudan - Did any negative changes results from the programming? If so, how did the programme respond to this? - Are lasting capacities created and reinforced? At which level?
7. Sustainability The extent to which the benefits from the <i>Justice for Children</i>/ FCPUs are likely to continue after it has been completed
- Sustainability of the budget for FCPUs: analysis of the state budget and future allocation to the FCPUs - Likelihood of the continuation of programme activities without external support at the community, provincial and central levels

Figure 7: Research Questions Designed and Validated

1.5 METHODOLOGY APPLIED

Mixed method

The evaluation applied a mixed-methods approach, as summarised in figure 7 below.

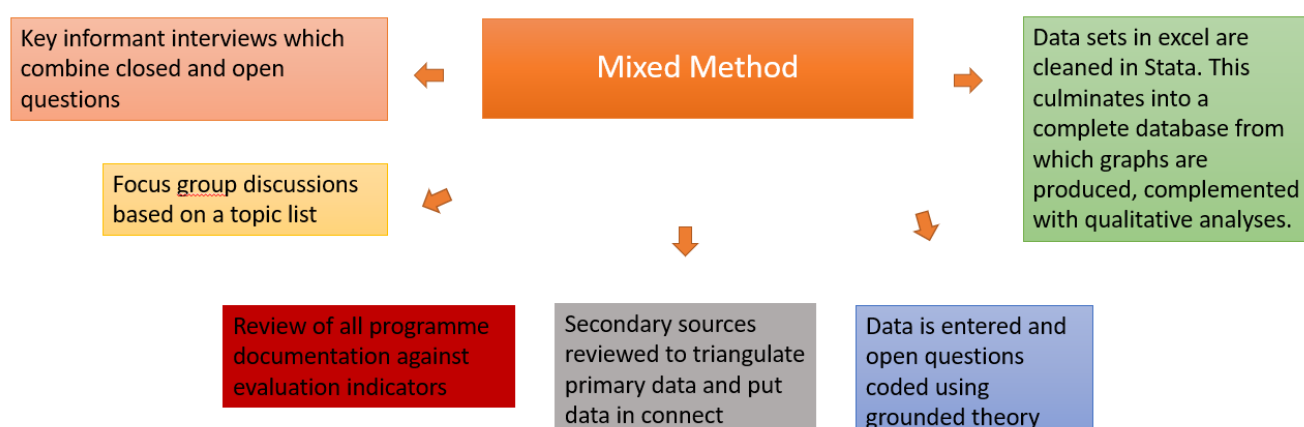


Figure 8: Mixed Methods Applied in Evaluation

The evaluation is based on information collected through a literature review and field data collection. The **literature review** was based on available data provided by UNICEF, the NM and independent research. This information was systematically assessed against the framework of indicators. An additional external source was used to contextualise results.

The interviews were supplemented with the **Most Significant Change (MSC) tool**, an existing tool adapted by TI which is designed to collect stories from all stakeholders on the biggest impact (positive and negative) and biggest disappointments of the interventions, as well as on the perceived level of attribution of change to the programme. Information was also collected through **Focus Group Discussions (FGDs)** with groups of community members (boys, girls, men and women separately), which allowed the harvesting a broad range of information from a larger number of informants. The FGDs focused on testing the effects of the awareness-raising activities of the programme, as well as the knowledge and satisfaction of community members with the FCPUs. Further, an electronic survey (using the software Survey Monkey) was distributed as an additional source to obtain data. **Direct**

observations from the team enabled the team to put the data into context and provided additional information such as on the physical conditions of FCPUs and other services.

Specific ethical guidance was developed for this evaluation, in light of the sensitivity of the topics and specific child protection concerns, as presented in Annex A of this report.

Tools, sample size and composition

In total, 14 tools were developed, tested and adapted. See Annex F for the master list of questions and Annex E for the full tools in the inception report.

The team consulted with a total of 569 respondents. This figure is broken down to 374 individuals in structured interviews (F:127, M:247), 129 participants in FGDs, and 66 individuals in unstructured interviews. Key informants included all actors implementing and overseeing the *Justice for Children* programme at national, state and locality levels. Clients from FCPUs were interviewed, including children and their mothers and fathers. Finally, boys, girls, men and women in the communities were also consulted, especially to assess the relevance, effectiveness and impact of awareness-raising and prevention-activities conducted.

The tables below present the total number and types of respondents reached, per tool applied.

Overview of Key Informant Interviews conducted			
Tool number	Tool name	Total reached	Comments
1	Most Significant Change	231	These were not additional interviews, but a tool used among most respondents. Children had difficulties in understanding the questions, and it was therefore decided to stop using this tool with children.
2	Community members – adult	34	Mostly approached in public spaces, e.g. at community centers and markets.
3	Community members – children	45	Some were identified by CBCPN. Some street children and children accompanied by their parents were approached directly.
4	Children - client of FCPU (in addition, one group was done through an FDG)	79	These were principally children who had ongoing processes before the FCPU. It was both difficult to locate children whose cases had been concluded and of those who were contacted many were reluctant to speak about their case.
5	Parents of children - client of FCPU	19	Mothers: 12 Fathers: 7
6	Social workers	58	In State Council for Child Welfare (SCCW,) Ministry of Social Welfare MOSW, MOSD (federal level) and FCPUs.
7	International organization	3	Save the Children, Plan, UNICEF
8	NM\NCCW	8	SCCW and NCCW (Federal level and state level).
9	FCPU	51	At state and locality level in states where there are more than one FCPU. The data collection included all officials within the FCPU.
10	Ministries	18	Ministry of Interior (MOI), Ministry of Education (MOE), MOSW, MOSD
11	Civil society	23	At state and locality level: World Vision, Child Development Foundation (CDF), CBCPNs, Community Radio, orphanages, Riyada organization for women and child, Child Protection network, Attbara Khalwa for teaching Koran, a centre for people with disabilities, a voluntary aid organization, the Legislative Council, Commissioner of Refugees (COR), Blue Nile Civil Authority.

12	Judiciary	12	At federal, state and locality levels. Focus on child judiciary.
13	Attorney	12	At state and locality levels, including legal aid providers.
14	Training providers	12	CDF, MOE, SCCW, El Fadila organization for childhood, Sudan General Prosecution
Total KIIs⁶		374	

Figure 9: Overview of Key Informant Interviews conducted

Overview of Focus Group Discussions conducted		
Type of respondents	Number of Participants	Number of FGD
Community school children:	40 (25 boys 14 girls)	4 FGDs
Community Adults	67 (38 male 29 female)	4 FGDs
Child client boys	5	1 FGD
Judiciary	3 men	1 FGD
NM/NCCW	15 (7 male 8 female)	2 FGDs
Total (details on remaining FGDs are forthcoming)	129	

Figure 10: Overview of Focus Group Discussions conducted

Overview of Unstructured Interviews	
Total	Type of respondents and number by type
66	NM of FCPU (2), Evaluation Steering Committee(1), NCCW (9), NCCW/JAICA (1), MoDSS (1), Ministry of Interior (1), Ministry of Social Development (1), Prosecutor (4), Agent of Prosecutor (1), Judiciary (8), Head of FCPU (2), FCPU (2), UNICEF (4), Steering Committee (1), Judicial and Legal Science Institute (11), NGOs (2), INGOs (1), MOI (1), MOH (1), Ministry of Justice (1), Head of Khartoum FCPU (1), Community-based network (2), governmental DDR authority in Central Darfur (1), Deputy Wali and Minister of Social Welfare in Central Darfur (1), Director of Central Darfur Criminal Department of the Police (1), Safe house in Kassala (1), Refugee reception house (1), Tribal leader (1), Khartoum reformatory (2)

Figure 11: Number and types of respondents

Phased approach

The evaluation was executed in three phases: I) Inception Phase; II) Data Collection phase and III) Consultative workshops and dissemination phase, as detailed below.

Phase I: Inception phase

During the inception phase, TI engaged in an extensive review of over 50 reports and other literature to provide a description of the situation of children in contact with the law in Sudan as well as the legal, policy and institutional framework providing *Justice for Children*.

TI finalised the evaluation framework, the questionnaires, and the scope and sampling strategy of the data collection. TI also detailed the methodology for synthesizing and analysing the collected data. As there were no indicators for the programme, TI developed the indicators against which the results of the programme could be measured. UNICEF and the steering committee for the evaluation approved these indicators during the inception phase. An indicator tracking tool was developed for the stakeholders to collect in a systematic manner secondary data at baseline, midline and end-line of the evaluation period.

⁶ To avoid double counting, the total does not include the number of informants responding to the MSC tool, as that was used for respondents who had participated in KIIs.

The team leader conducted a workshop in Khartoum with key stakeholders, including the NM, the NCCW, UNICEF and justice providers to discuss and present the upcoming evaluation. The meetings and the workshop yielded inputs from key stakeholders to the design of the evaluation, the stakeholder of the *Justice for Children* programme and the structure of the final report.

The results of this work were presented in a detailed inception report, which was submitted to UNICEF and the evaluation steering committee in June 2018.

Phase II: Data collection phase

The team collected **primary data** through two rounds of visits to the selected states (Khartoum, Central Darfur, South Kordofan, Blue Nile, Kassala, River Nile and Gazira states). The first round of data collection took place between 17 June and 9 July 2018 and benefitted from the participation of the senior international consultant on the team. This enabled him to meet with key interlocutors in each of the seven states and to conduct an initial round of interviews together with the local data collection team. The second round of data collection was conducted from 12 July to 28 August 2018 with the national team travelling back to the seven states to conduct additional interviews in order to meet the interview targets. For both data collection rounds, quality control of data was provided by the international consultant (on-site and remotely), as well as a data analyst at TI's headquarter in the Netherlands.

In addition, TI sent an electronic survey to key interlocutors as identified in collaboration with the NM via email. Given limited access to email and IT skills of the informants, no responses were received from that survey.

TI collected available **secondary data and information**, against the agreed evaluation framework indicators to get a picture of the situation, at three points in time during the evaluation period and its development throughout:

- 2006/2007 baseline value.
- Around 2010 midline values.
- 2017 data for the current situation.

TI approached UNICEF for the above-mentioned secondary data and worked together with the representative of the NM on the team in collecting programme information from the NM, the FCPU Directors, the Prosecutor's Office, the judiciary, the Attorney General, the NCCW, the Ministry of Justice, the Ministry of Interior and training providers.

As the programme did not collect baseline data and given the fact that the programme is implemented by several state and non-state institutions, information was scattered and largely unavailable. The team, therefore, faced considerable challenges obtaining programme data.

Phase III: Analysis, reporting and dissemination phase

Collected data was disaggregated by sex, age (children vs. adults), state and type of respondent. The type of respondents encompassed 13 different categories of persons: community adults, community children, children clients of FCPUs, parents of children clients, social workers, international organisations, members of the NM and the NCCW, FCPU staff, ministries, CSOs, Judiciary, attorneys and training providers.

Following the principles of grounded theory, the data collected from different respondents were post-categorized, processed in excel and cleaned in STATA. This resulted in a database that was used for the final analysis for the evaluation and the production of graphs for this report.

The results of this evaluation were presented in a validation workshop for the steering committee in November 2018, where the main stakeholders had the opportunity to provide substantive feedback. To ensure that the recommendations of the evaluation had the support of key national stakeholders, they were validated in a workshop held in Khartoum together with relevant governmental and non-governmental representatives.

Ethical guidelines

Due to the complex and sensitive nature of the evaluation, the data collection respected strict rules of confidentiality and ethical guidelines for conducting research involving children.⁷⁸ The researchers were trained and instructed to take as many precautions as possible in order to be in line with the ethical considerations below:

- The questions asked were appropriate and adapted to age, level of education and culture of the participants.
- The questions took into account the sensitive nature of this topic in Sudan.
- Sampling was both systematic but also flexible and organic due to access and security concerns.
- The evaluation included girls, boys, men and women as respondents and their meaningful participation was made of great importance.
- The evaluation made use of tools and formats that were proven to be successful.
- TI ensured triangulation of data by collecting all the different points of view of respondents.
- The evaluation was developed in consultation with informants.
- Confidentiality (anonymity) and informed consent was guaranteed

See Annex G for details on ethical standards applied and consent forms in Annex E – the inception report.

⁷ UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis; Document Number: CF/PD/DRP/2015-001. Effective Date: 01 April 2015. UNICEF, and UNICEF procedures for Ethical Research Involving Children

⁸ UNEG, 2008. UNEG Ethical Guidelines for Evaluation.

2. THE CONTEXT

2.1 CHILDREN IN SUDAN

General

The population of Sudan is 40.8 million,⁹ with children below the age of 18 estimated to be 48.5% of the population.¹⁰ About one-third of the children under five years old are not registered at birth in Sudan (2014), a situation that has somewhat improved since 2010.¹¹ Children who do not have birth certificates face difficulties if they come into contact with the law since their age is not certain, they face similar difficulties registering for school, retracing family if separated and in determining their age for marriage.

Children in Sudan are affected by the harsh economic realities of the country. According to estimates in 2010, 47% of the population are living beneath the poverty line.¹² Poverty is largely rural with a rate of 58% compared to 27% in urban areas. Moreover, the great majority of the Sudanese population cannot access adequate drinking water and sanitation.¹³ Malnutrition persists with acute malnutrition being reported at 16% in 1987 and 2014.¹⁴ In 2015, a United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) bulletin quoted data from a 2013 UNICEF survey which found that two million under-five year olds were chronically malnourished. UNICEF points out that that high poverty rates, increasing food prices, and ongoing conflict are among the core factors in slow improvements in Sudan's nutritional status.¹⁵

According to the Child Notice Sudan 2016, there has been progress in addressing child mortality in Sudan with more children surviving their first years of life than at any other time over the last 10 years.¹⁶ Progress was, however, uneven across the country. Children under the age of five continue to be most likely to die in the parts of Sudan that are poorest and conflict-affected.¹⁷ The Child Notice noted that the density of health-related facilities to population had increased over time.¹⁸ Sudan's per capita health care expenditure was 157 USD (United States dollars) in 2014.¹⁹

Basic education is available in all states. The net attendance rate climbed by an average of 1% per year between 2006 and 2014 from 68% to 76%. Child Notice Sudan 2016 found the situation less encouraging when viewed by gender and geographically. Around 3.1 million children aged 5-13 years are out of school, of whom 52% are girls. These children are mainly living in conflict-affected or rural areas, as well as among nomadic populations and from poor families.²⁰ The cost of education is also known to have

⁹ UN Office for the Coordination of Humanitarian Affairs, 13 March 2018; <https://reliefweb.int/report/sudan/sudan-2018-humanitarian-needs-overview> <website accessed on 7 May 2018>.

¹⁰ According to UNICEF Child Notice of 2016, the 2008 census estimated that children constituted 48.5% of the total population and this proportion does not seem to have changed.

¹¹ MICS 2014 reported that "the percentage of children under age five whose births are reported registered has increased from 59% in 2010 to 67% in 2014".

UNICEF & Ministry of Cabinet Central Bureau of Statistics, 2014. *Multiple Indicator Cluster Survey in Sudan 2014: Key Messages*. UNICEF & Ministry of Cabinet Central Bureau of Statistics, pg. 2.

¹² Ministry of Finance and National Economy & Central Bureau of Statistics *National Baseline Household Survey*, Khartoum, (2010) pp. 14 & 37; Cited in Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M. Pg. 19.

¹³ UNICEF & Ministry of Cabinet Central Bureau of Statistics. *Multiple Indicator Cluster Survey in Sudan 2014: Key Messages*, pg. 2.

¹⁴ UNICEF Sudan, 17 July 2017, Country programme document (E/ICEF/2017/P/L.21) Page 3.

¹⁵ The National Council for Child Welfare & UNICEF, 2011. *State of Sudanese Children 2011*. NCCW & UNICEF p. 10; cited in: Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., 2016. *Child Notice Sudan*. UNICEF. Pg. 50.

¹⁶ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M. Pg. 51.

¹⁷ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 51.

¹⁸ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 51.

¹⁹ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 52.

²⁰ UNICEF Sudan, CPAP 2018-2021. Pg. 9.

prevented many children from attending schools.²¹ Most states lacked trained teachers, and face other problems such as schools with inadequate health and sanitation facilities or in need of repair or total replacement, and moreover a lack of physical and educational materials needed to make schools safe and child-friendly.²²

Internal displacement and refugee flow

Sudan faces protracted humanitarian difficulties as a result of conflicts in the region, as well as climatic conditions and development challenges.²³ According to the 2018 Humanitarian Needs Overview, the conflict in Darfur, South Kordofan, and Blue Nile has led to widespread displacement. The trend is however positive, according to government estimates from November 2017, the number of Internally Displaced Persons (IDPs) has reduced from 2.3 million to 1.997 million.²⁴ The Humanitarian Needs Overview reported 1.2 million refugees in the country.²⁵ Of this number, 65% are children (approximately 780,000) and 61% of IDPs in camps are children.²⁶ Girls represent 30% of the displaced population; the percentage of girls is higher in situations of new displacement.²⁷

The Humanitarian Country Team noted that in addition to being traumatised, these children are more prone to risk-taking; and being in an unfamiliar and less protective environment subjects them to greater risk from abuse and exploitation including Gender Based Violence (GBV).²⁸ The Humanitarian Country Team identified a broad range of risks refugee children are exposed to, including family separation, destitution, lack of access to assistance and other services, being sent to beg by their families to generate income, inadequate living conditions, lack of privacy, abuses and violence, exploitation, GBV and gaps in specialised GBV services, lack of education opportunity, weakened community safety net, overstretched social institutions, and unavailable or limited social services.²⁹

Family environment

Some children in Sudan are not living with their families. This is mainly due to armed conflict, displacement and poverty. Only 82% of children aged 0–17 are living in a family environment, 3% of children live with neither parent.³⁰ Abandonment of children born out of wedlock represents a significant challenge.

Referencing the Sudan Multi-Indicators Cluster Survey (MICS) Key Findings 2014, the Child Notice 2016 pointed out that the average respondent household was composed of nearly six family members of whom about half were children under 18 years old and that 22% of women aged between 15 and 49 years were in a polygynous marriage.³¹

2.2 CHILDREN IN CONTACT WITH THE LAW

The 2018-2021 Country Programme Action Plan (CPAP) reported that in 2016 more than 32,407 children across all 18 states (19,224 boys, 13,183 girls) were in contact with the law as victims, witnesses and

²¹ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 61.

²² Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 61.

²³ UNICEF, CPAP 2018-2021. Pg. 8.

²⁴ Humanitarian Country Team, Feb 2018, *Humanitarian Needs Overview: Sudan*. Pg 7.

²⁵ Humanitarian Country Team, Feb 2018 *Humanitarian Needs Overview: Sudan*. Pg. 6.

²⁶ Humanitarian Country Team, *Humanitarian Needs Overview: Sudan* Pg. 15.

²⁷ Humanitarian Country Team, *Humanitarian Needs Overview: Sudan* Pg. 23.

²⁸ Humanitarian Country Team, *Humanitarian Needs Overview: Sudan*, Pp. 23-24.

²⁹ Humanitarian Country Team, *Humanitarian Needs Overview: Sudan*, Pp. 23-24.

³⁰ Ministry of Cabinet Central Bureau of Statistics *Multiple Indicator Cluster Survey*. Ministry of Cabinet Central Bureau of Statistics. p. 222.

³¹ Ministry of Cabinet Central Bureau of Statistics *MICS Key Findings 2014*, p. 14; cited in Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M. Pg. 64.

alleged offenders.³² Compared to the 16,622 children that came into contact with FCPUs in 2013,³³ the number has almost doubled in a short time. A Child Protection System Mapping conducted by the Federal Ministry of Welfare and Social Security (MoWSS), NCCW and UNICEF in 2015 detected a similar escalation since 2007. They attributed this increase to the presence of medical experts, forensic investigators and skilled police officers in the FCPUs who managed to scale up evidence gathering on abuse, exploitation and violence against children. The enhanced capacity of FCPUs combined with increased knowledge of the mechanism within communities led to more legal action within the courts, as well as a good working relationship between the police and the judiciary which improved the presentation of cases.³⁴

In Sudan, the circumstances in which children risk coming into conflict with the law are often of a serious nature including child trafficking, armed conflict, FGM/C, child marriage, violence including sexual violence and child labour. The situation in respect to these crimes and human rights violations is described briefly below.

Child trafficking

The Child Notice finds that standard procedures to identify and protect child trafficking victims do not appear to exist in Sudan and cited UNHCR's concerns about the lack of protection and psychosocial and other support services for trafficking victims.³⁵ This concern is stressed again in the 2018 Trafficking in Persons report which states that Sudan lacks standard operating procedures to identify or refer victims to care.³⁶ The Child Notice pointed out that when an unaccompanied child registers through general procedures in IDP or refugee camps, they are referred to the local FCPU if it turns out they are trafficking victims.³⁷ This was confirmed in interviews with FCPU staff. Other efforts include a government-supported safehouse in Kassala state, FCPU specialist services to child trafficking victims in Kassala and Gedarif, training on child trafficking to police officers, child prosecutors, social workers and judges.³⁸ Importantly, the Sudan Training Manual for Care and Protection of Trafficked Persons has now been finalized and rolled out in Khartoum, Gadarif and Kassala states. The authorities have also established seven one-stop centres to deal with trafficked children, four in Kassala State, two in Red Sea State and one in Gadarif.³⁹

Armed conflict and displacement

Although Sudan has recently witnessed a significant reduction in armed conflict with the governmental unilateral ceasefires holding in almost all the country, sporadic fighting including inter-tribal conflicts and abuses continue in Darfur, Southern Kordofan and Blue Nile.⁴⁰ Children in those areas risk being

³² UNICEF Sudan, The 2018-2021 Country Programme Action Plan (CPAP) between the Government of the Republic of Sudan the United Nations Children's Fund (UNICEF), pg. 10.

³³ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 77.

³⁴ NCCW, MOSSD and UNICEF, 2015. Mapping/Assessment of the Child Protection System in Sudan (Focus on Social Welfare System). Pg. 23.

³⁵ UN High Commissioner for Refugees, p. 15; cited in Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., Pg. 78.

³⁶ U.S. Department of State, 2018 Trafficking in Persons Report, <https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282755.htm> <accessed 22 February 2019>.

³⁷ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 77.

³⁸ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 78.

³⁹ Information provided by UNICEF in comments of 18 February and 11 March 2019 to a draft of this evaluation report.

⁴⁰ Human Rights Watch, 2018, Country Report Sudan events of 2017, <https://www.hrw.org/world-report/2018/country-chapters/sudan> <accessed 24 May 2018>.

subjected to increased violence and other human rights violations including being forcibly recruited to join armed groups or feeling that they have no other option but to join because of poverty.⁴¹

Recent developments have somewhat mitigated the effects of armed conflict on children. A ceasefire is being worked out in Darfur and other conflict-prone regions⁴² and there are ongoing government-UNICEF efforts in reintegrating children released from armed groups.⁴³ Child soldiers who have been captured by the military have received psychological support and been sent to rehabilitation centres to enable their reintegration into the community.⁴⁴ The UN has supported the government in providing these services as well as services related to psychosocial, medical, family tracing, and educational support in the overall framework of community-based reintegration approach.⁴⁵

Chapter VIII Article 43(1) of the Child Act prohibits “the recruitment of Children in the armed forces, or in armed groups, or employment thereof to participate in war actions”.⁴⁶ According to the Child Act, the exact offences are to be determined by relevant military laws and regulations.⁴⁷

Since 2007 the Sudanese government has signed several action plans to end the recruitment and use of children in armed conflict.⁴⁸ In March 2016 the Sudanese government signed the National Action Plan to Protect Children from Violations in Armed Conflict. It lays out a series of measures to enhance the overall protection of children affected by armed conflict, including the cessation and prevention of child recruitment, and the release of children from national security forces.⁴⁹ In a report issued on 1 March 2018, the UN Special Representative of the Secretary General for Children and Armed Conflict expressed her satisfaction at the progress made in the implementation of the action plan.

Following the signature of the action plan, the governments of Canada and Sweden teamed up with UNICEF to establish the Group of Friends of CAAC in Sudan. This informal platform allows the 23 members of the local diplomatic community to place issues facing conflict-affected children in Sudan on the agenda and to develop collective advocacy efforts to enhance the protection of children in Sudan.

Female Genital Mutilation

According to the 2016 Child Notice, reasons for practising FGM/C include: assuring the cleanliness, hygiene and purity of the female; increasing a woman’s marriage chances; increasing male desire; and

⁴¹ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 82.

⁴² UNICEF Sudan, *The 2018-2021 Country Programme Action Plan (CPAP) between the Government of the Republic of Sudan the United Nations Children’s Fund (UNICEF)*.

⁴³ “In 2018 alone, the National Council for Child Welfare, UNICEF Sudan and the child protection sub-sector has supported 428 children be reunified with their families”. This is on top of the 2,000 children who had been reintegrated with their families over the past 9 years. [online] Office of the Special Representative of the Secretary General for Children and Armed Conflict, 2018, *Freed From War: The Road to Reintegration for Ex-Child Soldiers in Sudan*. United Nations. Accessed on 31st May, 2018. <https://childrenandarmedconflict.un.org/freed-from-war-the-road-to-reintegration-for-ex-child-soldiers-in-sudan/>.

⁴⁴ Meeting with FCPU in Khartoum, May 2015.

⁴⁵ “In 2018 alone, the National Council for Child Welfare, UNICEF Sudan and the child protection sub-sector has supported 428 children in being reunified with their families”. This is in addition to the 2,000 children who had been reintegrated with their families over the past 9 years. Office of the Special Representative of the Secretary General for Children and Armed Conflict, 2018, *Freed From War: The Road to Reintegration for Ex-Child Soldiers in Sudan*. United Nations. Accessed on 31st May, 2018. <https://childrenandarmedconflict.un.org/freed-from-war-the-road-to-reintegration-for-ex-child-soldiers-in-sudan/>.

⁴⁶ The Child Act 2010. (chapter VIII, Article 43(1)). Khartoum: National Assembly.

⁴⁷ *The Child Act 2010*. (chapter VIII, Article 43(2)). Khartoum: National Assembly.

⁴⁸ These include plans made with Sudan Liberation Army/ Minni Minnawi (11 June 2007 *Under implementation); Sudan People’s Liberation Army (SPLA)(2 November 2009 – Signed as an armed group before South Sudan’s Independence); Sudan Liberation Army /Free Will (June 2010); Sudan Liberation Army /Abu Gasim (August 2010); Justice and Equality Movement (25 September 2012 *Under implementation); Sudan Government security forces, including the Sudanese Armed Forces, the Popular Defence Forces and the Sudan Police Forces (27 March 2016 *Under implementation); Sudan People’s Liberation Movement-North (SPLM-N) (23 November 2016 *Under implementation).⁴⁸

⁴⁹ Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Sudan Signs Action Plan to Protect Children from Violations in Armed Conflict*. United Nations. Accessed on 29 May, 2018 <https://childrenandarmedconflict.un.org/sudan-signs-action-plan-to-protect-children-from-violations-in-armed-conflict/> (accessed 30 May 2018).

religious motives. Traditional birth attendants and some nurse midwives are the main circumcisers. FGM/C is also being done secretly carried out outside of clinics. The majority of FGM/C is by infibulation (or 'pharaonic' circumcision) and takes place between the ages of 5-11 years.

To date, Sudan has taken several initiatives to address FGM/C. In 2008 the NCCW in collaboration with UNICEF launched the Saleema Initiative. "Saleema" meaning in Arabic "whole, pristine and perfect in God-given condition", has had prominent success in positive messaging and mass abandonment of female circumcision.⁵⁰ The Government also adopted The National Strategy for FGM/C Abandonment in One Generation.

The criminalisation of FGM/C is an ongoing process. While the Child Act does not criminalize FGM/C, it is prosecuted as assault / causing injuries under criminal law. The act of FGM/C has been criminalized in six State Acts namely, South Kordofan, Gedarif, Red Sea Child Act Prohibiting FGM/C (2011), North Kordofan, Northern State and South Darfur. Currently, there is national law being prepared that will completely ban FGM/C. At the timing of drafting this report, the draft bill had been submitted to the spokesperson of the National Assembly.⁵¹ The Religious Advisory Council has clarified the issue from a religious perspective which may help to generate acceptance of the new law's prohibition.

These efforts have resulted in the collective abandonment of the practice in 1,085 communities and in a reduction in women's intention to cut their daughters, from 56% in 2006 to 48% in 2010 and with a reduction to 40.9 % in 2014.⁵²

Forced and child marriage

Child marriage is widespread in Sudan with more than one in ten girls getting married before 15 years of age, and one in three before reaching 18 years.⁵³ The Personal Law of Muslims Act of 1991 allows a guardian to marry a child at the age of ten with the permission of a judge and authorizes the marriage of a child once it reaches puberty, regardless of the child's age.⁵⁴ As Sudanese law does not criminalize child marriage there is limited reporting of its scope.⁵⁵ Data suggests child marriage is higher in conflict-affected states, with an average of 53% of women aged 20-49 married before their 18th birthday in Darfur, South Kordofan and Blue Nile.⁵⁶ The government has developed a national plan/strategy to address child marriage, but its impact has been limited as it has not been costed.⁵⁷ Moreover, efforts to use the Child Act as a platform to advocate for the reforms to the minimum age of marriage have been met with resistance from religious conservative groups.⁵⁸

Violence, including violent discipline and sexual violence

In 2017 FCPUs reported approximately 15,000 cases of child victims of crimes, including violence and sexual violence, with the latter constituting approximately 20% of the victim cases treated by the FCPUs that year. As of May 2018, there are 3,407 cases of child victims, of which 30% were cases of sexual

⁵⁰ Saleema Initiative, *What is Saleema*. Saleema Initiative. Accessed on 29 May, 2018. http://saleema.net/what_is_saleema.php.

⁵¹ Information provided by UNICEF in 2018.

⁵² UNICEF Sudan, CPAP 2018-2021. Pg. 12.

⁵³ Ministry of Cabinet Central Bureau of Statistics *MICS Key Findings 2014*. p. 14.

⁵⁴ Abbas, R., 2013. "Time to let Sudan's girls be girls, not brides". *Inter Press Service*. Accessed on 29 May, 2018. <http://www.ipsnews.net/2013/07/time-to-let-sudans-girls-be-girls-not-brides/>. This article also states that the matter is further complicated by women not being able to "go to court to get a divorce or undertake any legal procedures before the age of 18

⁵⁵ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 88-89.

⁵⁶ MICS 2014. p 208.

⁵⁷ UNICEF, December 2017, SMQ.

⁵⁸ El Nagar, S., Bamkar, S. & Tonnessen, L. 2017. *Girls, Child Marriage, and Education in Red Sea State, Sudan: Perspectives on Girls' Freedom to Choose*. University of Bergen & CHR Michelsen Institute, 6.

violence.⁵⁹ However, not all cases come to the attention of FCPUs. According to MICS 2014, 64% of children aged 1–14 years old are victims of violent discipline, both psychological and physical.

The 2016 Child Notice notes that due to cultural beliefs and attitudes certain violations against children risk going unreported, in particular, corporal punishment, FGM and child marriage. Nearly 29% of women and about a third of men interviewed in the MICS 2014 survey agreed that children should be physically punished. Nearly 64% of children questioned had experienced “violent discipline” (psychological aggression or physical punishment) in the last month.⁶⁰

The NCCW in coordination with civil society organizations drafted a National Plan on Violence against Children in 2010. The general objectives of the plan are to:⁶¹

- Establish a comprehensive multi-faceted national system to address issues of violence against children.
- Implement international and national standards that protect children from all types of violence and negligence.
- Develop a legislative and legal framework to protect children from all types of violence.
- Raise community awareness on issues related to child protection and their role in protecting children from abuse and exploitation.
- Care for children victims of violence and provide them with treatment, psychological rehabilitation and reintegration into society.
- Enhance the institutional capacity of government departments and NGOs working in child protection.

Child labour

Sudan ratified International Labour Organisation (ILO) Convention No 182 in 2003. According to the Convention, subjecting children to the worst forms of child labour will bring them in contact with the law through slavery and similar bondage (including child trafficking, debt bondage, serfdom, forced labour including in armed conflict); sexual exploitation (including prostitution and pornography); involvement in illicit activities (including drug trafficking and organized beggary) and work likely to harm the health, safety or morals of children (including work in a dangerous environment, physically harmful and hazardous work). All these types of work interfere with a child’s development and education.⁶²

Chapter VII of the 2010 Child Act prohibits using children under the age of 14 to work, except in agriculture as permitted by the Minister. It prohibits any child labour that may damage the child’s health, safety and moral conduct. Currently, there is regulation underway on the organisation of child labour that will define these prohibitions further.

MICS 2014 estimates that 25% of children aged 5-17 years old work in Sudan.⁶³ The 2016 Child Notice noted that although the Ministry of Labour and Administrative Reform offers much generic information on working children in Sudan, there are no official sources reporting on the worst forms of child labour.⁶⁴

⁵⁹ FCPU data for 2017 and 2018 provided by UNICEF.

⁶⁰ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 91.

⁶¹ Save the Children Sweden Khartoum Office, 2011, A Study on Children Protection Mechanisms.

⁶² ILO, The worst forms of child labour, <http://www.ilo.org/ipec/Campaignandadvocacy/Youthinaction/C182-Youth-orientated/worstforms/lang--en/index.htm> (accessed 4 June 2018).

⁶³ Dabanga, 10 March 2017, Laws against child labour not enforced: Sudan Child Welfare, <https://www.dabangasudan.org/en/all-news/article/laws-against-child-labour-not-enforced-sudan-child-welfare> (accessed 4 June 2018).

⁶⁴ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 92.

NCCW shares that view and has criticised the non-enforcement of the Child Act with respect to child labour and the lack of accurate statistics on child labour in the country.⁶⁵

2.3 THE LEGAL AND POLICY FRAMEWORK OF *JUSTICE FOR CHILDREN*

Key legal instruments

Since Sudan's ratification of the **UN Convention on the Rights of the Child (CRC)** in 1990, it has made significant efforts to improve its legislative framework and harmonize this with international standards, as well as creating a protective environment for children through effective child protection mechanisms.

Sudan's **Interim National Constitution of 2005** was the first national legislation in Sudan to recognise children's basic rights.

A significant milestone was achieved through the enactment of the **Federal Child Act in 2010** which repealed the existing Child Act of 2004. The 2010 Child Act defines every person who does not exceed 18 years of age as a child and raises the age of criminal responsibility from 7 to 12 years. The Child Act lists five specific crimes against children "prohibited sanctions at schools" (article 29), "child labour" (articles 36 & 37), "employment or participation of children in military actions" (article 43), "use of children in prostitution and pornographic materials" (article 45), "employment of children in forced labour" which includes prohibition of trafficking of children in slavery (article 46). The Act also requires certain measures of care for children vulnerable to delinquency, including the placement of such children with a Non-Governmental Organisation (NGO) working in the field of child care.

Importantly, the Child Act establishes a comprehensive *Justice for Children* System which includes a Child Court and Child prosecutor. It provides a legal foundation for FCPUs and requires the establishment of Social services office within FCPUs. According to the Act, prosecutors and judges are to receive special training in child rights, sociology and psychology to enable them to deal with children. The Child Act was a result of a wide participatory process and brings the Sudanese legislation related to children in conformity with the CRC and other international and regional treaties. Although the achievements of the Child Act are considerable and were recognized by the UNCRC in 2010⁶⁶, challenges remain as will be further discussed in Chapter 3 on the results of this evaluation.

The **Criminal Act (1991)** and the **Criminal Procedures Act (1991)** are important in the juvenile justice context as there is no criminal legislation for children specifically. Thus, general legislation defines the substantive crimes. According to article 65(1), the Child Court applies procedures provided by the Child Act but where the law is silent on procedural matters, it shall follow the UN Minimum Rules of Juvenile Courts and the Beijing Rules. Criminal Circular No. 2/2016 directing judges to use the Beijing's Rules paved the way for more sustainable child-friendly due process in the child courts. Otherwise the procedures are governed by the Criminal Procedures Act of 1991.

In its decision of 51/2013, the Constitutional Court affirmed that in any criminal case concerning children the Child Act should be applied, not Criminal Law. Thus, the age of criminal responsibility as determined by the Child Act prevails and overrides contradictory definitions in criminal law legislation.

⁶⁵ Dabanga, 10 March 2017, Laws against child labour not enforced: Sudan Child Welfare, <https://www.dabangasudan.org/en/all-news/article/laws-against-child-labour-not-enforced-sudan-child-welfare> (accessed 4 June 2018).

⁶⁶ UN Committee on the Rights of the Child, Sudan (2010), Concluding Observations, para. 9.

2.4 THE JUSTICE FOR CHILDREN PROGRAMME

During the period under evaluation, the Government of Sudan, with substantial support from UNICEF, has launched a series of initiatives to ensure that children are better served and protected by justice systems. These interventions aim at ensuring enhanced application of international norms and standards for all children who come into contact with justice systems as victims, witnesses and alleged offenders; or for other reasons where judicial intervention is needed, for example regarding their care, custody or protection. These interventions cover a wide range of actors and functions, as presented in the graph and the text below.

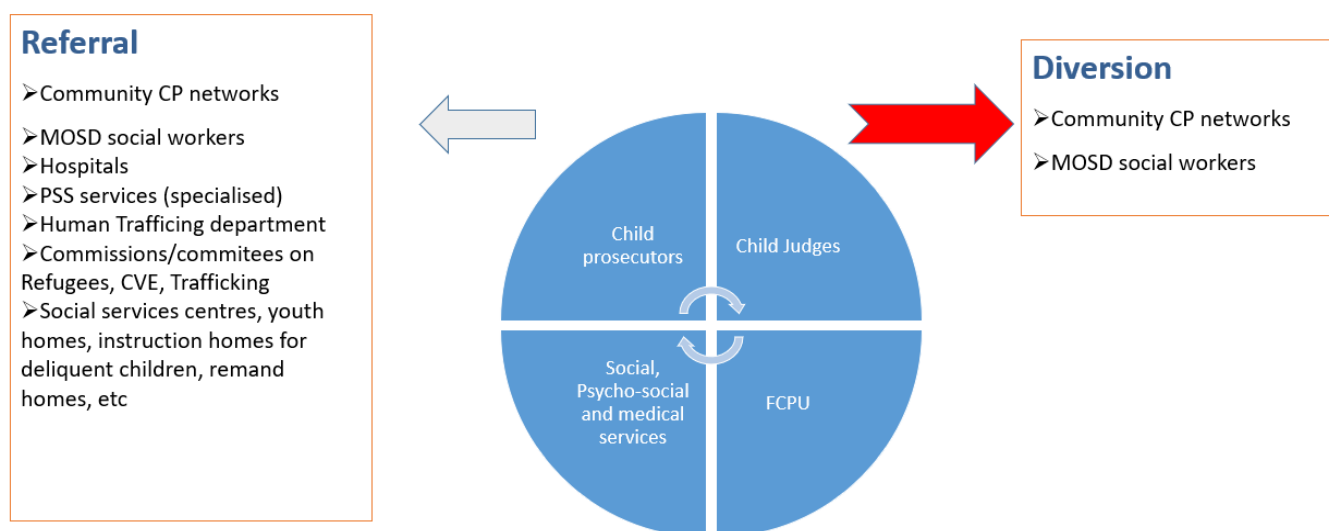


Figure 12: Actors and Functions in the Referral System

Family and Child Protection Units (FCPU)

The Child Act provides for the establishment of FCPUs, which are special units within the police that provide a range of professional services to children who survived crimes, witnessed crimes, or are accused of having committed an offence. FCPUs provide a package of services to children in contact with the law. Its functions include investigating offences related to children, looking for missing children, coordinating with the relevant authorities to provide social and psychological treatment and providing support to child victims and conduct researches and surveys on cases of delinquency and violations that affect children. The FCPUs apply a special policing approach that is sensitive to the needs of vulnerable children and women and helps with their rehabilitation. These are notably governed by standard operating procedures for child victims of crime, child witnesses of crime, child offenders from 12-18 years and children under the minimum age of criminal responsibility (7-12 years). FCPUs establish and maintain a database on all cases reported to the Unit.

The chart below outlines different administrative sections of FCPUs and their functions.

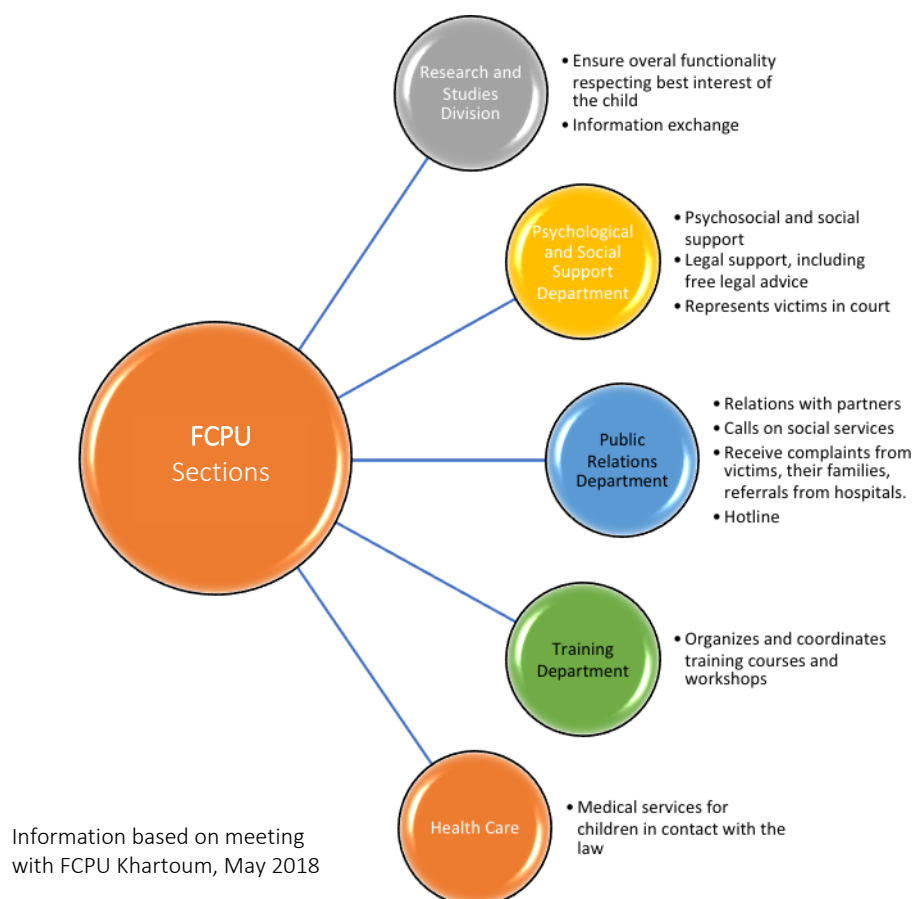


Figure 13: Administrative sections of FCPUs and their functions

The FCPUs maintain a system of close collaboration with specialists from different sectors to ensure an integrated response to children and women in contact with the law—including social work, legal aid, prosecution, judiciary, and psycho-social and health professionals. Thus, a broad range of actors support the functions of FCPUs, including civil society and UNICEF.

Beyond addressing specific cases, FCPUs work to raise awareness among local communities of sexual and gender-based violence (SGBV), the role of FCPUs, and encourage communities to report violations against children to the system. In 2016 and 2017 FCPUs engaged in approximately 300 awareness-raising activities in eight states each year.⁶⁷ As part of efforts to engage communities, a free telephone helpline (9696) was established in 2009, offering advice and immediate assistance 24 hours a day, 7 days a week. UNICEF supported the development of a toolkit to raise public awareness of the helpline. This helpline does not only help mobilize FCPUs to address issues relating to children in contact with the law, but also promotes confidence in the police. According to the Khartoum FCPU, they receive more than 1000 calls a month.⁶⁸

The first FCPU was established in 2007 in the city of Khartoum through Decree No. 48 issued by the General Director of Police Forces. The legal status and mandate of FCPUs were governed by the Child Act after it came into force in 2010. In 2008, the Director General of the Police issued resolutions to establish FCPUs in all the states of Sudan. Now FCPUs exist in the capitals of 18 states throughout Sudan and in 62 localities, as displayed in the map below.

⁶⁷ FCPU data for 2016 and 2017 provided by UNICEF.

⁶⁸ Khartoum FCPU, meeting in May 2018.

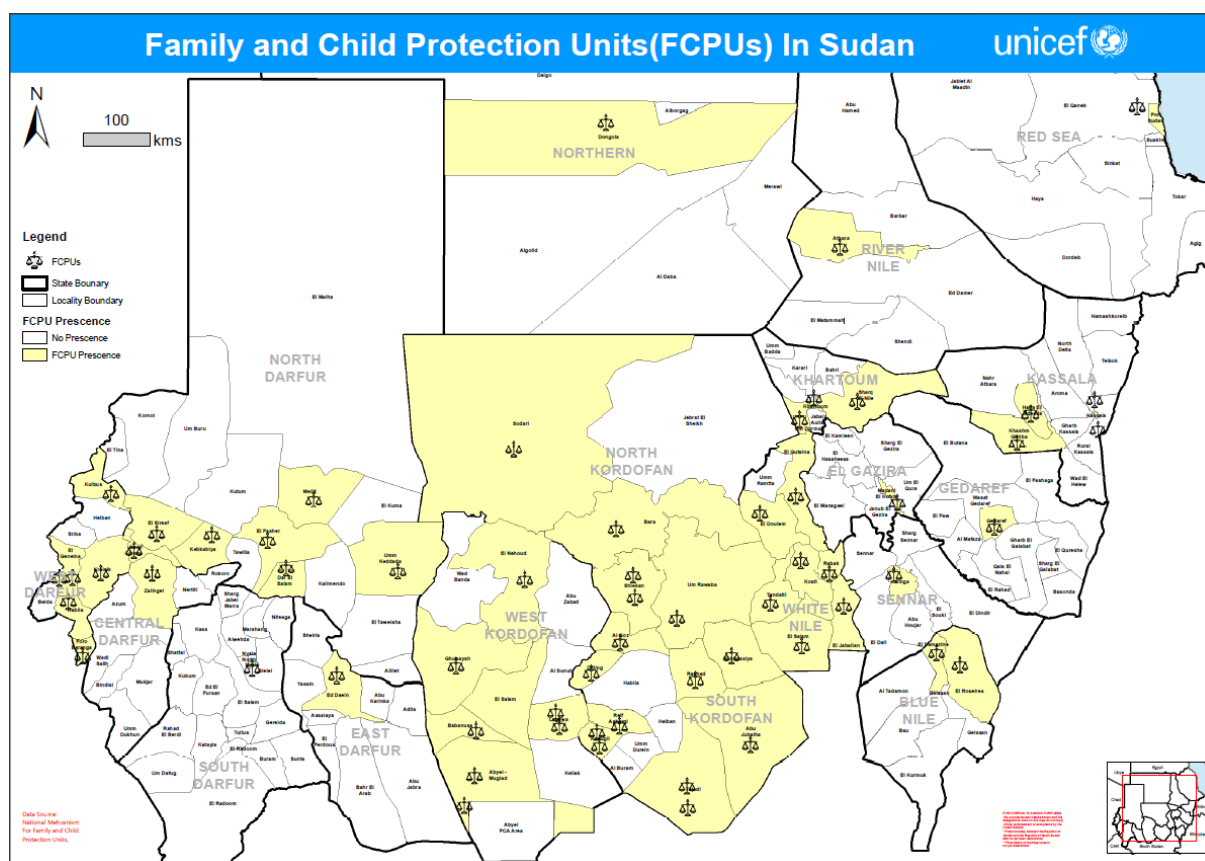


Figure 14: Coverage of FCPU

Target groups of FCPU

Initially, the FCPU focused on child victims of crime only. Now, however, according to articles 55(1) of the Child Act on Functions of FCPU and 57(2) on the Social Service Office, FCPU address all categories of children in contact with the law:

- Child victims of violence, exploitation, abuse and neglect: Girls and boys between under 18 years of age who have suffered harm through acts or omissions that are in violation of the Criminal Code, any other domestic law or international agreement ratified by the Government of Sudan. Article 83(1)(a) of the Child Act outlines specific rights for victims and requires procedures to be adapted to children's special needs and vulnerabilities. Rights of child victims of crime are elaborated in the Regulation on the Treatment of Child Victims of 2012.
- Child witnesses of crime: Girls and boys between under 18 years of age⁶⁹ who have witnessed a crime that is punishable according to the Criminal Code or any other domestic law or international agreement ratified by the Government of Sudan.
- Child offenders: Girls and boys between 12 – 18 years of age who are alleged, accused or convicted of having committed a crime. The Child Act uses the term "delinquent" and sets out criminal liability in article 4: "every child who completes the age of twelve years and does not attain eighteen years of his age upon his commission of an act in contravention of the laws".

⁶⁹ Neither the Child Act (2010) nor the Evidence Act (2003) mentions a minimum age for children to be considered a capable witness.

- Children in need of care & protection: Girls and boys under 18 years of age who do not belong to one of the four other groups, but who come in contact with FCPUs because their fundamental rights are violated. Examples of such children.⁷⁰

The Child Act does not give any ground for FCPUs to deal with cases involving adults or families.⁷¹ However, in actual practice, FCPUs are also confronted with such cases including:⁷²

- Persons who turned out to be 18 years or older after age determination.
- Parents and (extended) family members of children who are in contact with FCPUs as victims, witnesses, offenders and/or for protection care or assistance.
- Adult suspects in child victim cases.
- Women victims/survivors (of sexual crimes, gender-based violence & other crimes).
- Adults/parents who are the victim of domestic violence.
- Adults/families that have serious problems and need protection and/or assistance.

Instalment and training of child prosecutors

The Child Prosecution Office and child prosecutors treat criminal cases involving child victims and child perpetrators of crime. Child prosecutors are required to take specialized courses to make them competent in addressing the needs and vulnerabilities of children. The General Prosecution's Office together with the Judicial and Legal Science Institute is responsible for training child prosecutors. In 2017, a training manual was developed for prosecutors that addresses the rights of children in contact with the law.

Articles 60 and 61 of the Child Act lists the responsibilities of the Child Prosecution Office, including:

- Supervising the inquiries conducted by the FCPU.
- Conducting inquiries into delinquent children or victim's cases.
- Supervising inquiries in child cases and directing inquiry therein.
- Supervising the progress of the criminal suit.
- Addressing charge in the offences, committed against or by children.
- Conducting prosecution before the court.

The Child Prosecution Office can order the pre-trial detention of children in conflict with the law (article 64) but may also divert children in conflict with the law from formal legal proceedings (article 61(2)). Prosecutors should visit regularly the children in remand homes within their jurisdiction and take appropriate action, if required (article 66).

The NCCW has together with the General Prosecution Office, worked to establish child prosecutors in each state and in some localities.⁷³ Already in 2015, there were 19 child prosecutors with representation in all 18 state capitals of Sudan.⁷⁴ In 2017, the General Prosecution's Office was made independent from the Ministry of Justice. The former has since become solely responsible for recruiting, posting, managing and training general prosecutors and child prosecutors.

⁷⁰ Welzenis, I., Dr. 2014. *Development of Standardised FCPU Model: Part 2 "Research findings"*. NM for FCPUs and UNICEF Sudan. Pg. 17.

⁷¹ Some State Child Acts have incorporated 'women survivors of crime' as target group of the FCPU (like South Darfur).

⁷² Welzenis, I., Dr. Pg. 17.

⁷³ Meeting with the NCCW, 30 April, 2018.

⁷⁴ IDLO & UNICEF, 2015. *Promotion of Diversion and Alternative Measures to Detention*, IDLO & UNICEF. Pg. 62.

Instalment and training of child judges

The Child Act, article 62(1), requires the establishment of specific Child Courts. According to article 63, these courts have jurisdiction over:

- Cases concerning victims of violations, submitted to the court by the Prosecution Attorneys Bureau, the Social and Psychological Service Office or next-of-kin to the child.
- The cases transferred thereto, by other courts, against delinquent Children.
- Transfer outside the judicial system.

As with child prosecutors, Child Court judges need to be specifically trained in how to deal with children as well as in laws and international agreements concerning children's rights (article 62(2) of the Child Act. To strengthen relevant training programmes, the Judicial and Legal Sciences Institute together with UNICEF finalized a training manual that will be integrated into the curriculum of the Institute in 2017.⁷⁵

According to article 65(1), the Child Court applies procedures provided by the Child Act but where the law is silent on procedural matters, it shall follow the UN Minimum Rules of Juvenile Courts and the Beijing Rules. Criminal Circular No. 2/2016 directing judges to use the Beijing's Rules paved the way for more sustainable child-friendly due process in the child courts.

NCCW, in cooperation with the judiciary, established Child Courts in 18 states.⁷⁶ In Child Notice 2016, UNICEF stated that the Ministry of Justice was also involved in their instalment.⁷⁷ To increase stability in the system, the Chief Justice has announced that child judges should stay at their post for at least two years.⁷⁸ In areas where child courts do not exist, a child judge is appointed to deal with cases involving children. If no specialized child judge is available, a first instance judge handles such cases.⁷⁹

Creation of Community-based Child Protection Committees and Networks (CBCPN)

In Sudan, the roles and responsibilities of the CBCPNs are generally focused on awareness-raising, community mobilization, conducting mappings and assessments. The CBCNs can refer cases to FCPUs and receive children who have been diverted or were sentenced to community services. Thus, CBCNs serve as a vital link between communities and state actors working on the protection of children. They are also involved in monitoring the situation of children and child protection issues within their community, as well as the provision of support and implementation of emergency interventions in areas it is difficult to access.⁸⁰

Coordination mechanism

Sudan has established several bodies to coordinate the actions of the entities addressing the needs of children in contact with the law. The principal body is the NCCW whose role it is to coordinate the management of child issues across the country at all administrative levels. The Minister of Welfare and Social Security is delegated by the President to supervise the NCCW.⁸¹

⁷⁵ UNICEF Sudan, *UNICEF Annual Report 2016*. Pg. 23.

⁷⁶ Meeting with NCCW, 30 April, 2018.

⁷⁷ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 30.

⁷⁸ UNICEF Sudan, 2016. *UNICEF Annual Report 2016*. UNICEF Sudan. Pg. 23.

⁷⁹ UNICEF-IDLO, *Promotion of Diversion and Alternative Measures to Detention*, Pg. 63.

⁸⁰ Quigley, P. & Delaney, S., 2012. *Working with Community-based Child Protection Committees and Networks: Handbook for Facilitators*. Child Protection Working Group Sudan, pg. 60.

⁸¹ NCCW, MOSSD and UNICEF, 2015, *Child Protection System Mapping*. Pg. 18.

Child protection implementation is not centralised. The NCCW is represented in the 18 states by State Councils for Child Welfare (SCCWs) within State Social Welfare Ministries, each headed by a Wali or State Governor.⁸²

Justice for Children issues are addressed through the FCPU and its social services offices, working together with child courts and child prosecution offices. While FCPUs are under the Ministry of Interior, it is the NM for FCPUs (NM) that is responsible for harmonising FCPU procedure and standards, monitoring progress and challenges and facilitating solutions for any bottleneck that the FCPUs encounter or anticipate.⁸³ The NM is co-chaired by the NCCW and the MOI. All of these actors are described in further details in Annex B to this report.

2.5 CHRONOLOGY OF LEGAL REFORMS, INSTITUTIONAL CHANGES AND PROGRAMME INTERVENTIONS

The following table lists selected legal reforms at the national and state level, institutional changes and programme interventions that relate to children in contact with the law in a chronological manner for the period of 2006-2017.

	Timeline
2004	Child Act 2004 was passed
2005	- National Interim Constitution - Sudan Police issued order 48/2005 establishing a technical committee to support establishing child specialized police
2006	Following UNICEF advocacy for initiatives for legal reform and systems protecting children in contact with the law, the Director of Khartoum State Police issued Instruction nr. 3 on the establishment of Family and Child Protection Branch within the Directorate of Community Security Police
2007	- The first FCPU is established in Khartoum through a decree. Regular police still treated cases involving children in contact with the law, but the cases were monitored, supported and reported upon by FCPUs - Independent department responsible for ensuring respect of international child rights established within the Advisory Council for Human Rights
2008	- The Director General of Sudan 's Police Forces issued a resolution requiring the establishment of FCPUs in all the states. Now FCPUs exist in the capitals the 18 states and in 62 localities (see map above) - The National Council for Child Welfare Act - The Coordination Mechanism for establishing FCPUs in the states was established - The Armed Forces Child Rights Unit was established by the Ministry of Defence to protect children from being used and recruited in armed conflict - The National Strategy for for FGM/c Abandonment in One Generation - The National strategy for Reintegration of Children Associated with Armed Forces and Groups - Ratification/accession to the African Charter on the Rights and Welfare of the Child - South Kordofan Child Act prohibiting FGM/C
2009	- FCPU free telephone help line put in place (9696) - Gedarif Child Act prohibiting FGM/C
2010	- Child Act comes into force, repealing the 2004 Child Act. The Act provides a legal mandate for FCPUs which initially are only mandated to treat child victims of crime. Other categories of children in contact with the law are monitored, supported and reported upon by FCPUs - National Plan on Violence against Children

⁸² Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, pg 29.

⁸³ UNICEF, 2017, Terms of Reference: Independent Evaluation of the Family and Child Protection Units in Sudan. UNICEF. Pp. 2-4.

2011	- Decree from Khartoum state police director to the effect that only FCPUs have jurisdiction over children in contact with the law - Red Sea Child Act prohibiting FGM/C - South Darfur Child Act prohibiting FGM/C
2012	- NM for FCPUs established under instruction No. (3)2012 of the Director General of the Police. - Regular police no longer deemed competent to treat cases involving children as FCPUs acquire sole mandate for children in contact with the law - The Second Five Year Plan for Childhood 2012-2016 - The National Human Rights Commission established. It has a child rights committee
2013	- Ratification/accession of the Arab Charter on Human Rights - The Constitutional Court, in decision 51/2013, affirmed that in any criminal case concerning children the Child Act should be applied, not Criminal Law
2014	- Ratification/accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Supplementing the UN Convention to Combat Transnational Organised Crime) - Combating Human Trafficking Act
2015	- Finalization of the Child Protection System Mapping. - Police General Director issued the order 8/2015 re-establishing the NM adding new members - Definition of rape amended in the Criminal Act 1991 amended to address counter-charges of adultery against rape victims (<i>zina</i>)
2016	- Circular No. 2/2016 directing judges to use the UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) in all Child Courts - Action Plans on Protection of Children in Armed Conflict signed by the Government and Sudan People's Liberation Movement-North (SPLM-N)
2017	- Extension of the FCPU helpline to seven states - Police General Director issued the order 8/2017 re-establishing the NM amending the roles and responsibilities - Training manuals developed for police, prosecutors and judges - General Prosecution Office becomes responsible for Child Prosecutors as part of its separation from the Ministry of Justice - Further development of procedures and regulations
2018	Two laws banning FGM/C in North Kordofan and Northern State

Figure 15: Timeline of Legal Reforms

2.6 UNICEF SUPPORT

UNICEF-Sudan has contributed to legislative reforms including the 2010 Child Act, rules and regulations for the implementation of the Child Act, and other related legislation such as Sudanese Armed Forces Law and education laws.⁸⁴ One of UNICEF's most notable contributions was to the establishment of the FCPUs in 2007. The organisation undertook steps such as feasibility study, planning meetings with key stakeholders, providing the supplies and equipment and supporting training for the police officers on child-friendly procedures, providing financial and technical support, supporting FCPU's outreach activities, and the ultimate expansion of the unit from Khartoum to 18 Sudanese states.⁸⁵ Since 2012 UNICEF has worked with the NCCW and FCPU in developing a diversion programme for children accused of crimes. Activities include training and

⁸⁴ UNICEF Sudan, 2016. *Sector Profile: Child Protection*. UNICEF Sudan, pg. 4.

⁸⁵ UNICEF, 2013. *Case Studies on UNICEF Programming in Child Protection*. UNICEF. pg. 31.

incorporating non-judicial bodies (e.g. community conferencing) into efforts for dealing with child cases.⁸⁶

Under its work plan for 2017, UNICEF's advocated the establishment of the General Directorate of the FCPUs. It supported uniform implementation of the FCPU standard model; establishing and training of trainers of the mobile team for the police training curricula; establishment of gender-sensitive diversion and alternative measures to detention; mapping number of children in pre-trial detention and the reformatory, legal aid and equipping children in contact with the law with essential life skills; finalising training manual and conduct training of trainers of FCPUs and other *Justice for Children* actors; developing gender-sensitive specialised training materials on prevention and responses to migration, trafficking, kidnapping and smuggling; and supporting implementation of community conferencing as a diversion to judicial proceedings.⁸⁷ In addition, UNICEF also works with the Sudanese government and NGOs in ensuring the provision of PSS to targeted children, as well as the existence of procedures/services for children in contact with the law are applied and in line with international norms.⁸⁸

UNICEF supported the establishment of Child Prosecutors and Child judges as required by the Child Act. Together with the Judicial and Legal Sciences Institute it finalized a training manual that was to be integrated into the curriculum of the institute in 2017⁸⁹ and supported this and other training providers in the training of judges, prosecutors and police officers on the Child Act and its implications.

In order to enhance coordination and cooperation, UNICEF conducts regular updates of mapping of child protection actors in Sudan and supports and engages with Child Protection Working Groups in the field.

Other noteworthy efforts include establishing and supporting CBCPNs to enhance their capacity to protect, report violations against children and liaise with health and social workers, schools and justice professionals to protect children.⁹⁰ To engage communities further, UNICEF supported the establishment of a free telephone helpline (9696) and developed a toolkit to raise public awareness of the helpline.⁹¹ UNICEF also conducted community awareness-raising and sensitisation programmes on different issues, including the previously mentioned "Saleema Campaign" that aims to change the community's perception of FGM/C.⁹²

⁸⁶ UNICEF, *Case Studies on UNICEF Programming in Child Protection*, pg. 33.

⁸⁷ UNICEF & Government of Sudan, 2017. *Government of Sudan & UNICEF: AWP 2017*. UNICEF & Government of Sudan, pp. 3-4.

⁸⁸ UNICEF & Government of Sudan, *Government of Sudan & UNICEF: AWP 2017*, pp. 3-4.

⁸⁹ UNICEF Sudan, 2016. *UNICEF Annual Report 2016*. UNICEF Sudan. Pg. 23.

⁹⁰ UNICEF Sudan, *Sector Profile: Child Protection*, pg. 4.

⁹¹ Khartoum FCPU, meeting in May 2018.

⁹² UNICEF Sudan, *Sector Profile: Child Protection*, pg. 7.

3. RESULTS AGAINST THE INDICATORS

This chapter presents the findings of the evaluation, against the agreed indicators at goal, outcome and output levels. Against each indicator, the finding from the programme documentation is first presented, followed by related findings from the primary data collected for this evaluation.

3.1 GOAL LEVEL INDICATORS

Goal indicator A1 - % of children (boys, girls), parents and community members that state that children are better protected from violence

Goal indicator A2 - % of respondents that attribute this to a functioning *Justice for Children* system

Findings from programme documentation

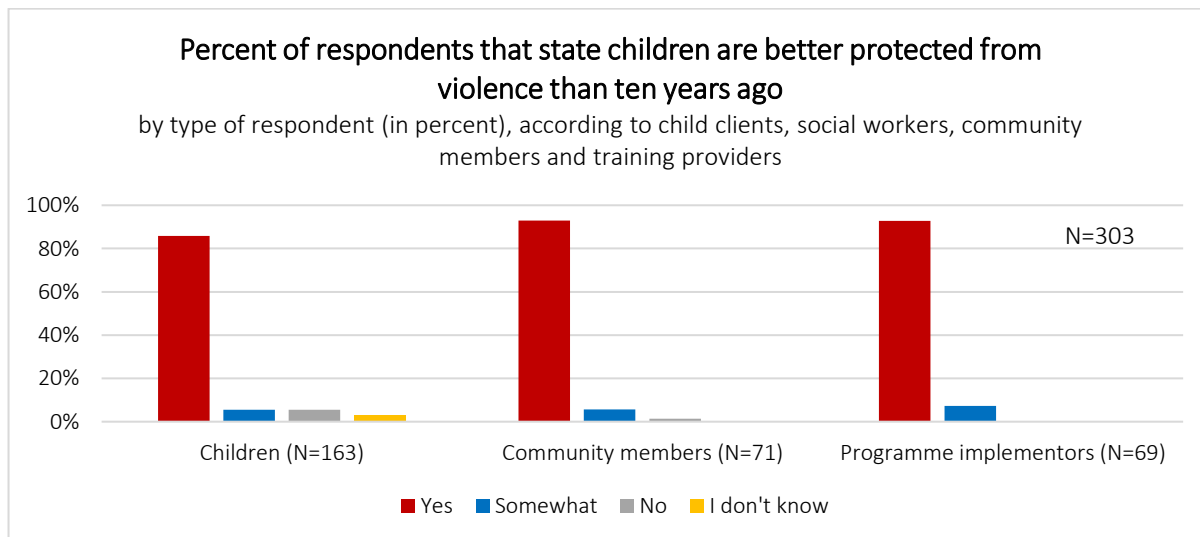
There is no baseline as this information was not collected at the outset of the programme.

Midline, the evaluation team is not aware of this information being available.

At the end-line, according to the 2017 Results Assessment Module (RAM), more than 462,172 (Boys: 271,297, Girls: 190,875) vulnerable children, including South Sudanese refugees, who are at risk or victims of violence, abuse and exploitation benefited from preventative and responsive child protection services.⁹³

Findings from data collection

With an average of 89%, the view of children, community members and programme implementers are that children are better protected from violence than ten years ago, as presented in figure 15 below. There are no significant differences between respondent groups.



The figure presents the percentage of respondents mentioning a given answer, from data collected in Sudan between June and August 2018. Source: Transition International

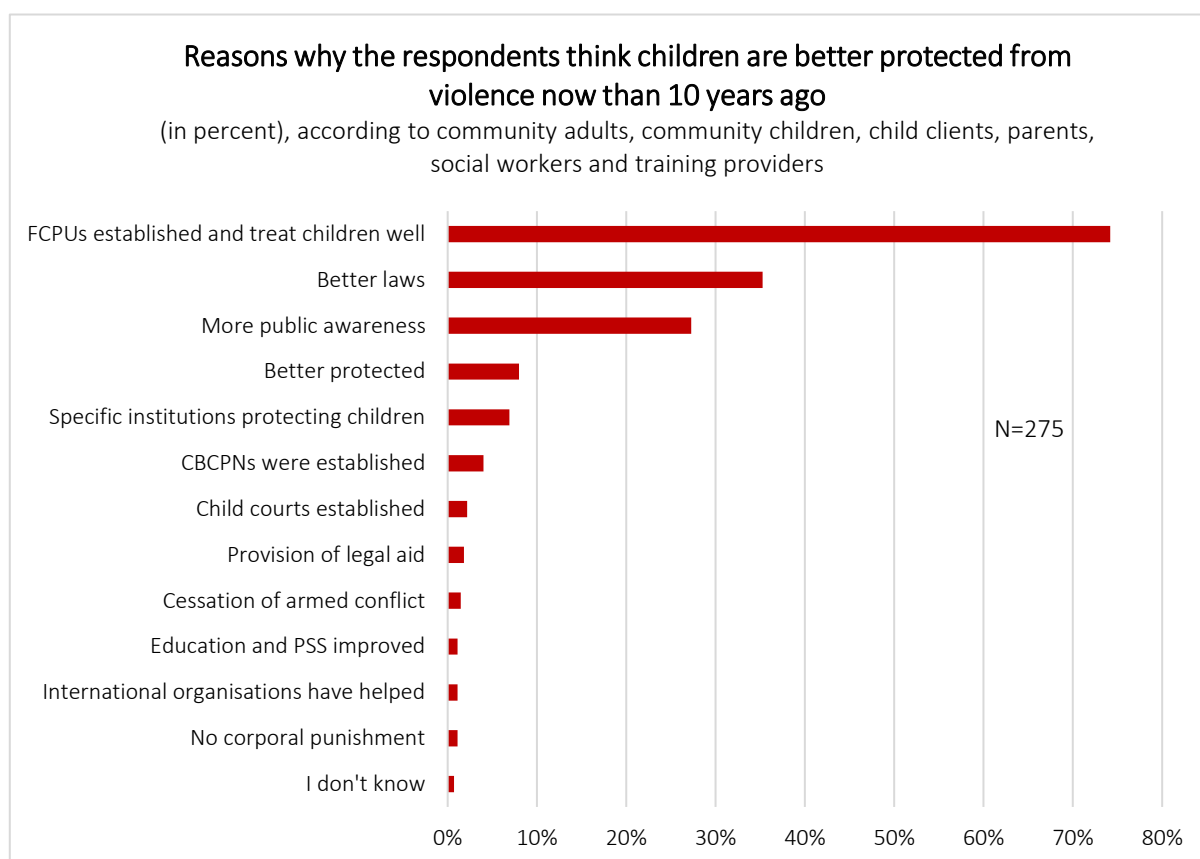
Figure 16: Children are better protected from violence than ten years ago

Only 6% of children and 1% of community members state that children are not better protected, citing that many do not have access to justice, that street children are not being adequately protected, and that laws and institutions need improvement. The evaluation observed that there are many street children especially in South Kordofan, Blue Nile and Central Darfur and that the conflict context of these

⁹³ UNICEF, Offline Template for 2017 RAM, Child Protection.

states makes these children more vulnerable to child rights violations. There are no identified facilities or institutions offering them accommodation, schooling, protection and care, with the exception of some community members offering some protection, feeding street children and homeless children out of charity.

As presented in figure 16 below, the principal reason given for the perceived increase in the protection of children from violence is the establishment of FCPU and the perception that they treat children well (74%). Better laws (35%) and increased public awareness (27%) are also frequently cited.



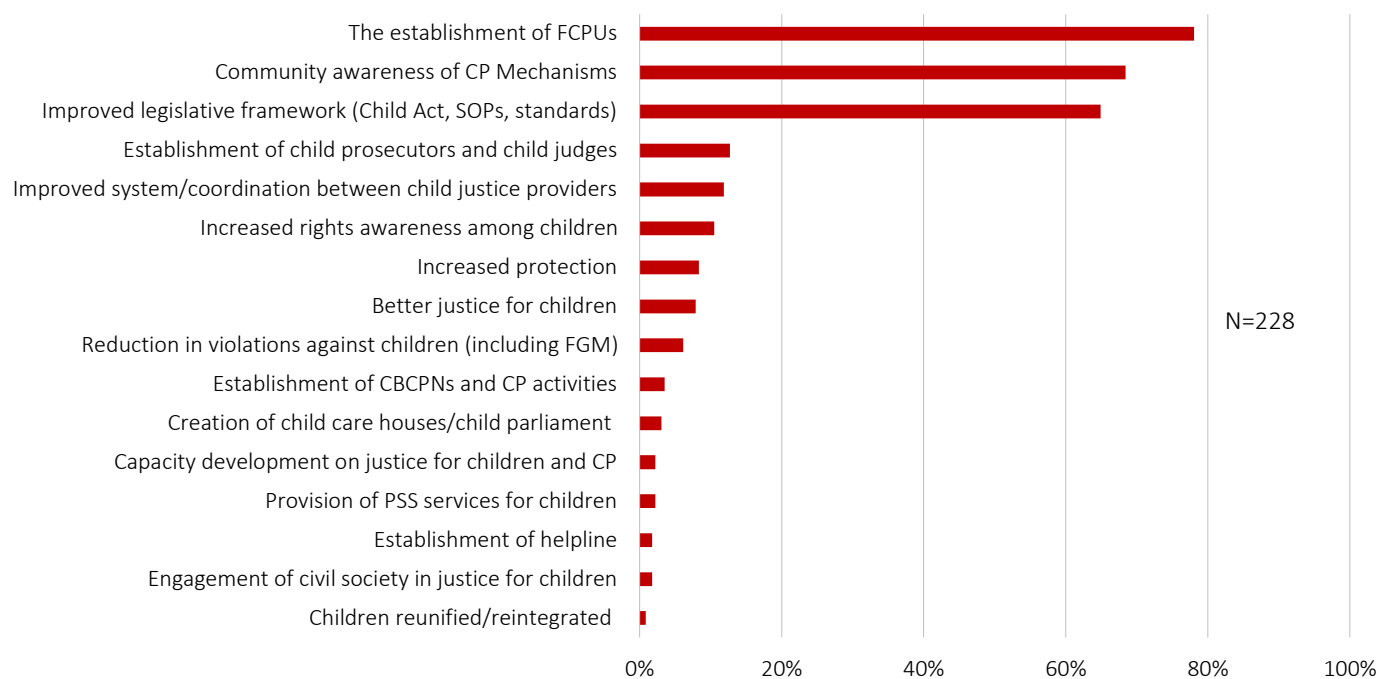
The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 17: Reasons why children are better protected from violence than ten years ago

As presented in figure 17 below, similar results come from the question on the MSC that have resulted so far from the programme. The establishment of the FCPU, the community awareness on the Child Protection (CP) mechanism, the improved legislative framework and the establishment of the child prosecutors and child judges, are the most frequently mentioned changes brought about by the programme, all pointing to children being better protected from violence. While there are no significant differences observed between male and female respondents, 12% of the women also mention that there is a reduction in violations against children, including FGM/C.

What is the Most Significant Change of the programme?

(in percent), according to all respondents



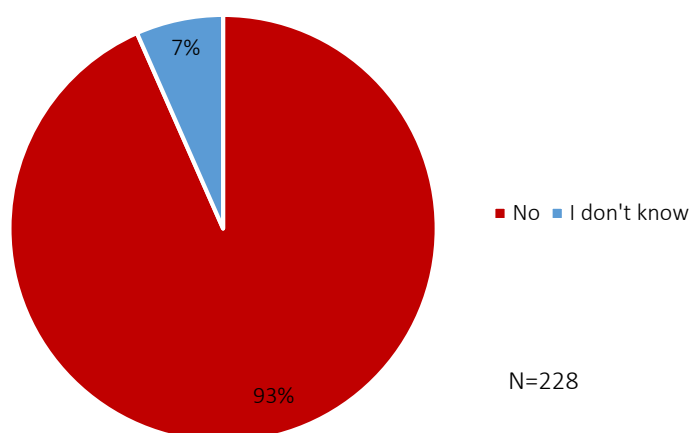
The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 18: Most significant change of the programme

When asked if the change they described can be attributed to the *Justice for Children* programme, the overwhelming majority confirms that the changes would not have happened without the programme, as presented in figure 18 below.

Would the change described have happened without the programme?

(in percent), according to all respondents



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 19: Attribution of change

Goal indicator A3 - Community and child perceptions (boy, girls) on access to, and effectiveness of, child justice services

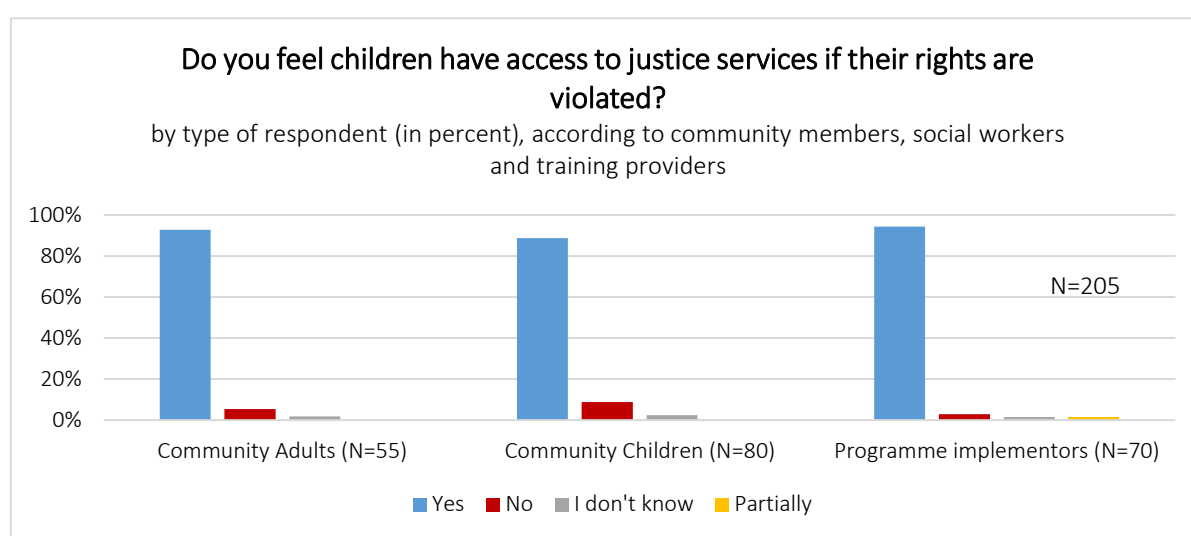
Findings from programme documentation

There is no baseline and midline data available.

At end-line, according to the 2017 Results Assessment Module (RAM), more than 462,172 (Boys: 271,297, Girls: 190,875) vulnerable children, including South Sudanese refugees, who are at risk or victims of violence, abuse and exploitation, benefited from preventative and responsive child protection services.⁹⁴

Findings from data collection

The overwhelming majority of the male and female respondents feel that children have access to justice services if their rights are violated, as presented in figure 19 below.



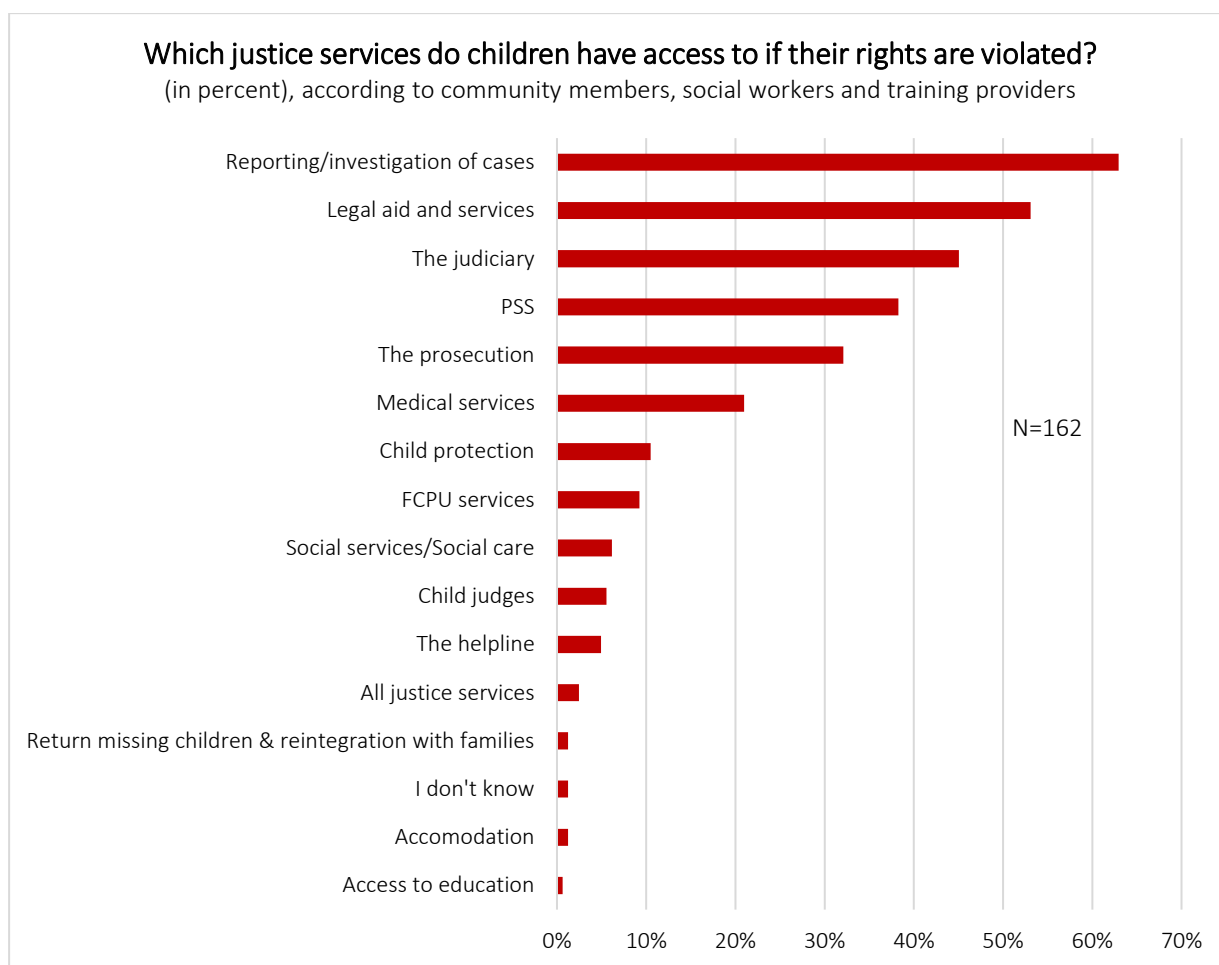
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 20: Perceived access to justice services

As presented in figure 20 below, when asked to which justice services children have access when their rights are being violated, most respondents mention 'Reporting and investigation of cases', followed by 'legal aid and services', 'the judiciary including child judges'. Important differences can be observed among the respondent groups. For example, while 12% of programme implementers mention the helpline, none of the children do, and while 1 in 10 children refer to social services and care, fewer community members mention this. There are no significant differences between boys and girls, although it is worth mentioning that more boys mentioned legal aid and services, while more girls mention medical services.

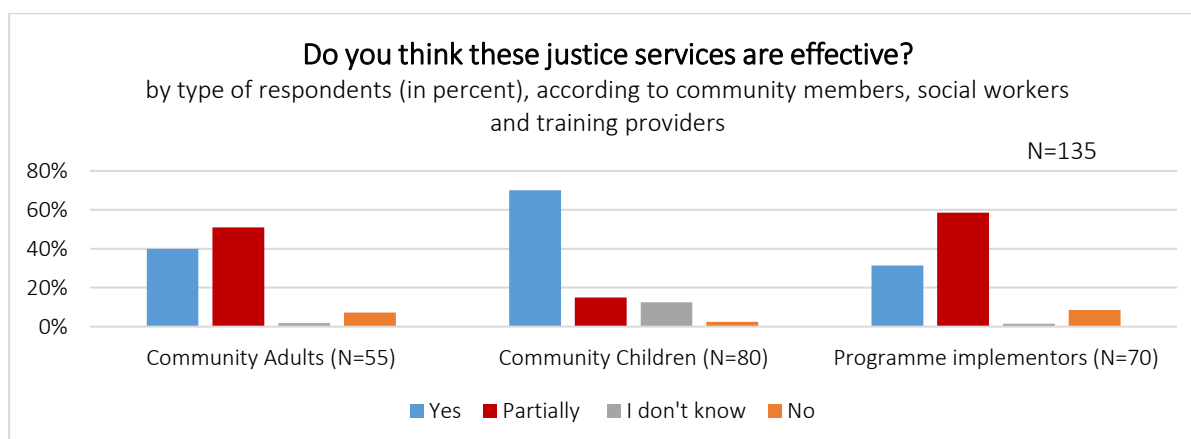
⁹⁴ UNICEF, Offline Template for 2017 RAM, Child Protection.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 21: Which justice services children have access to

When asked about the effectiveness of these services, most children are positive, while many community adults and programme implementers state that the justice services are partially effective, as presented in figure 21 below.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 22: Perceptions on effectiveness of justice services

When asked why *Justice for Children* services are effective, respondents mainly point out that they are running well (39%), that FCPUs are effective (16%) and the rapid response to cases (4%). Principal reasons given for the FCPUs not being effective are FCPUs lacking capacity (32%), inadequate services (20%) and FCPUs not being accessible (4%). There are no significant differences between boys and girls.

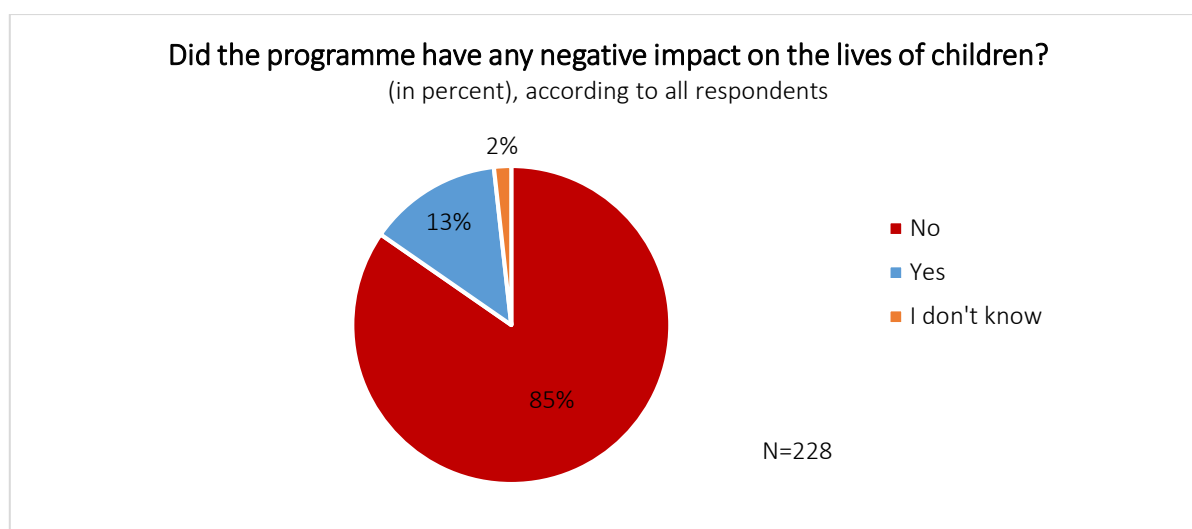
Goal indicator A4 - Unexpected negative impacts of the intervention (do no harm)

Findings from programme documentation

The evaluation team found no data on application of the “do-no-harm” principle in the programme documentation. Stakeholders were asked to report against this indicator but did not, most likely as no data has ever been collected on do-no-harm and negative side-effects. This is highly problematic as without systematic monitoring of unexpected negative side-effects, child protection concerns might arise without being noticed and acted upon.

Findings from data collection

When asked if the programme had any negative impact on the lives of children, 13% of the respondents confirm this is the case.



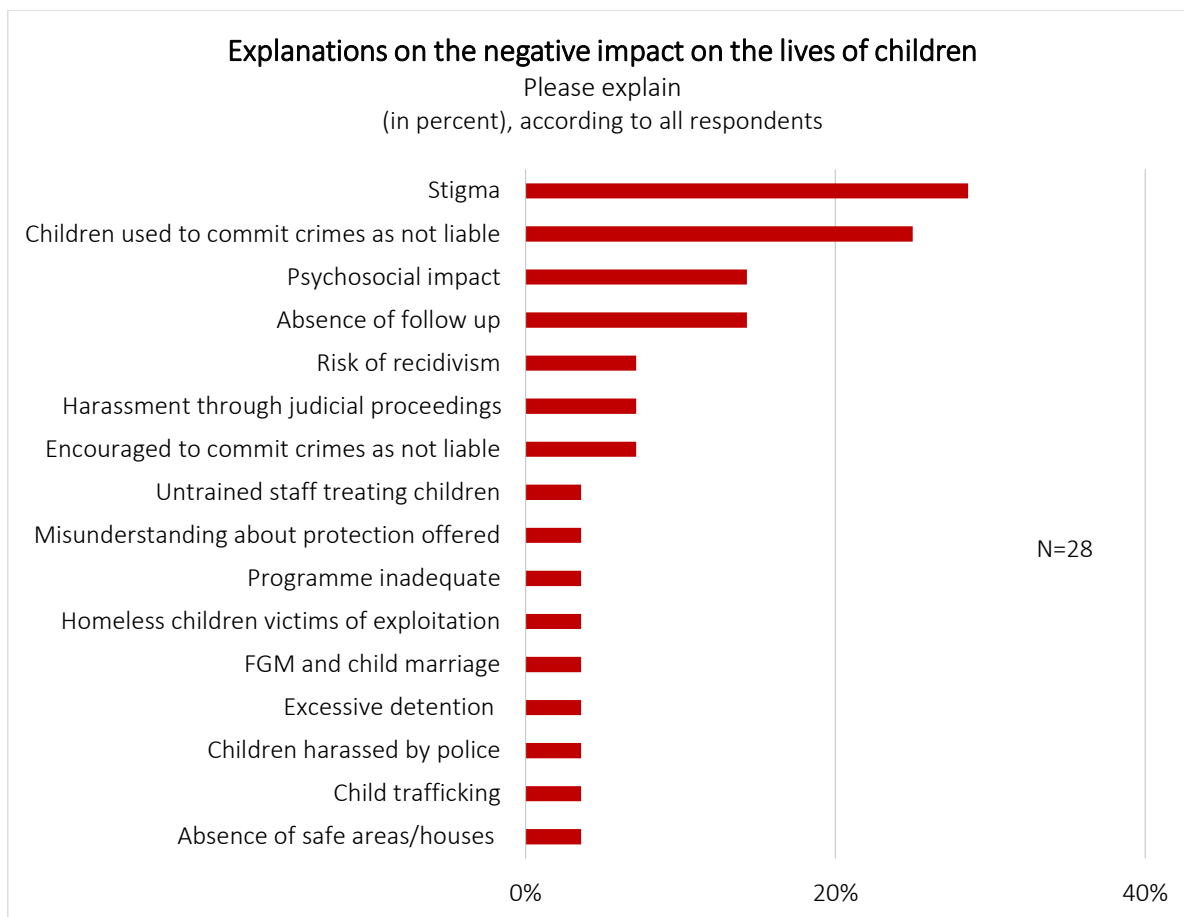
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 23: Programme's negative impact on the lives of children

Figure 23 below lists the negative impacts respondents mentioned. The most frequently cited impact is stigma of being associated with a crime or of having been treated by the criminal justice system (29%). Second is children being used to commit criminal acts (25%), as children would not be held criminally liable. For the same reason, children themselves could be encouraged to commit crimes (7%). Third and fourth is psychological impact (14%) of being processed through the system and absence of follow-up support (14%). In addition, judges explain that the FCPUs' police officers are faster to arrest children and put them in the waiting rooms, which are now available, leading to more, instead of less, children being deprived of their freedom.⁹⁵

⁹⁵ Group discussion with 6 Judges, during inception mission, Khartoum.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 24: Explanations on negative impact on the lives of children?

Goal indicator A5 - Contribution of the programme to UNICEF's core commitments for children have been fully attained

Findings from programme documentation

This indicator was added as it related to outputs 5.1 and 9.1 of UNICEF's RWP 2014-2015.⁹⁶ The RWP output 5.1 regards: National capacity is strengthened to roll out the basic components of a child protection system in all states. Planned activities under this output include support legal reform efforts and enforcement of the Child Act (2010), support uniform implementation of *Justice for Children* services through FCPUs, and provide technical assistance on the development of social policies for children in need of care and protection.

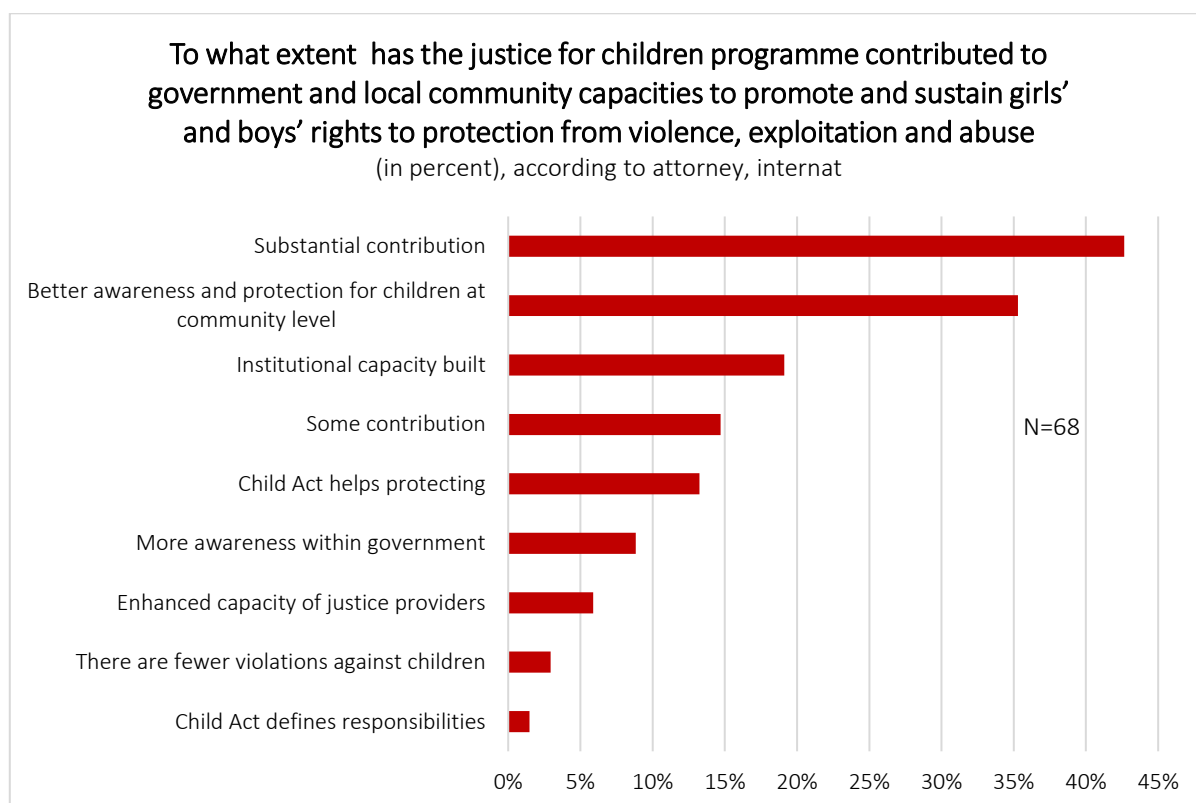
The RWP output 9.1 regards: In humanitarian settings, government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse are strengthened. Planned activities under this output include strengthening the monitoring and reporting of grave violations and other serious protection concerns regarding children and women, support prevention and response to GBV and contribute to monitoring and reporting of sexual violence cases in conflict setting and strengthen capacity of CBCPNs in all emergency affected states.

⁹⁶ UNICEF, Rolling Work Plan (RWP) for 2014-2015.

The evaluation team only received the RWP with an outline of activities, outputs and budget for 2014 and 2015. The evaluation team did, however, not receive information on the achievements against this indicator and against the outputs of the RWP.

Findings from data collection

Programme implementers were asked what their perception is on the extent to which the *Justice for Children* programme has contributed to government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse. As presented in figure 24 below, 43% say that it has made a substantial contribution. Respondents appreciate the programme's achievements to improve capacities in terms of better awareness and protection of children at the community level and an overall increase of institutional capacity and several references are made to the effect of the 2010 Child Act.



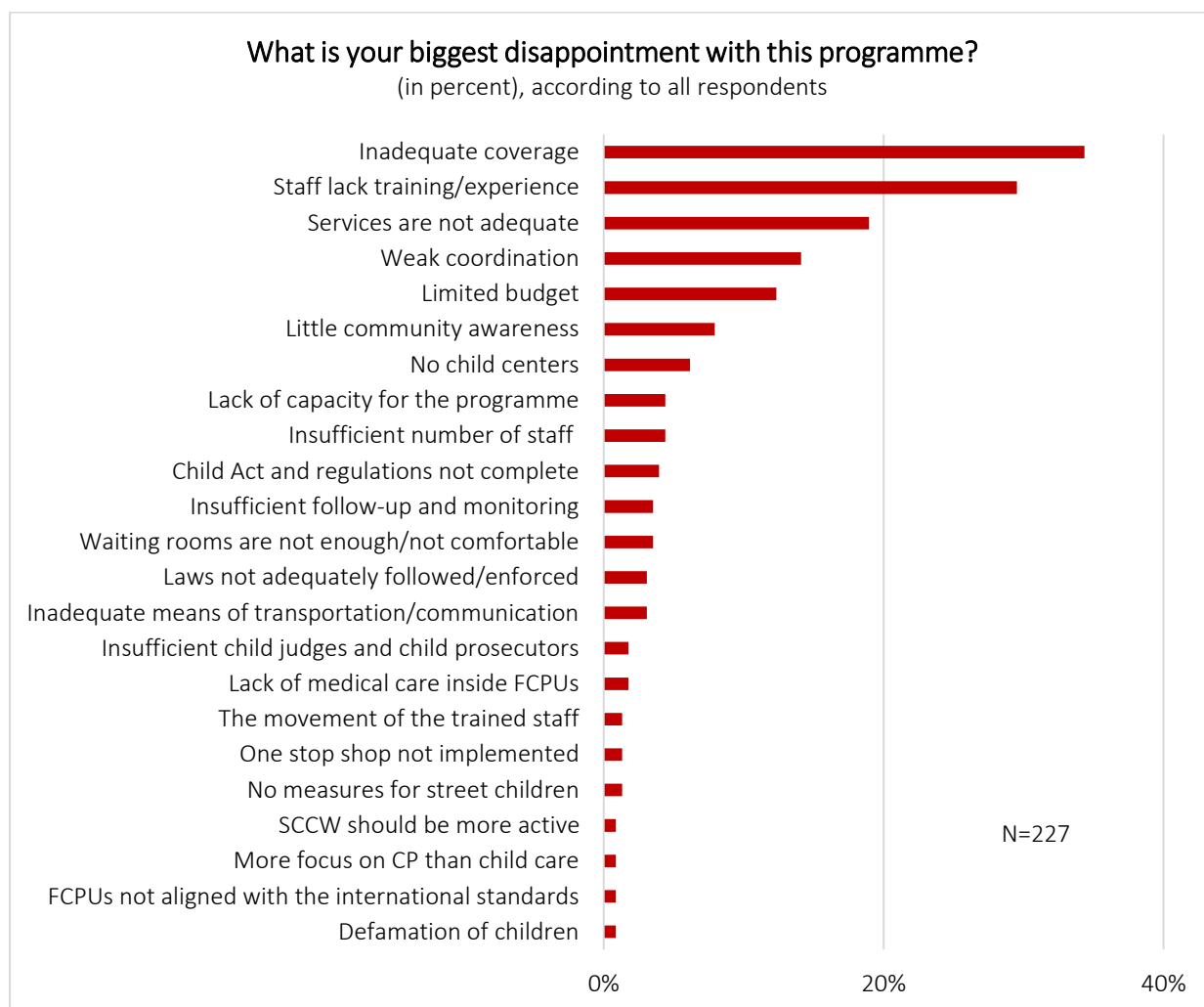
The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 25: The extent to which the Justice for Children programme has contributed to capacities

At the same time people explain that the Child Act is not fully implemented, that institutional arrangements for child protection are not fully in place and mention an overall lack of capacity.

As part of the MSC survey, all respondents were asked what their greatest disappointment is with the *Justice for Children* programme. As presented in figure 25 below, inadequate coverage is the biggest disappointment, especially according to community members (61%) followed by the lack of experience and training of staff, especially highlighted by programme implementers (34%), and the perception that services are not adequate (19%). Weak coordination and insufficient budget (mentioned by 15% of programme implementers) to scale up the system and services are further highlighted. Moreover, 1 in 10 community members expresses their disappointment that there

are no child centres in the communities. No significant differences in opinions are observed between male and female respondents.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 26: Biggest disappointments with this programme

3.2 OUTCOME AND OUTPUT LEVEL INDICATORS

Outcome indicator 1 - Legislation, legal instruments, policies and regulations for children in place and enforced

Findings from programme documentation

The Child Act (2010) is the cornerstone of national legislation governing *Justice for Children*. This legislation is supplemented with other laws at both federal and state level. Relevant legislation developed is presented in a chronological order as shown in figure 26 below:

Baseline: Legislation in force at the start of the evaluation period in 2007	Year passed
Child Care Act	1971
Refugee Act	1974
Regulation of Asylum Act	1974
Ministry of Justice (Organization) Act	1983
Criminal Law	1991
Criminal Procedure Law	1991
Personal Status Law of Muslims	1991
Personal Law Act	1991
Nationality Law	1994
Labour Act	1997
The Interim National Constitution	2005
Armed Forces Act	2007
NCCW Act	2008
Legislation enacted between 2008-2017	Year passed
Police Forces Act	2008
Child Act	2010
National Prisons Act	2010
Civil Registry Law	2011
Regulation on Protection of Rights of Children Victims of Crime (based on Child Act)	2012
Regulation on Social Probation	2012
Regulation on Organization of the work of NCCW	2012
Asylum Regulation Act	2014
Combating Human Trafficking Act	2014

Figure 27: Baseline: legislation in force at the start of the evaluation period in 2007

There is no programmatic information on the enforcement of the legislation listed above, at the baseline and midline. However, a 2015 assessment of the child protection system in Sudan found practical obstacles to full implementation of Child Act 2010 and noted delays in drafting and approving regulations in implementing the Child Act.⁹⁷

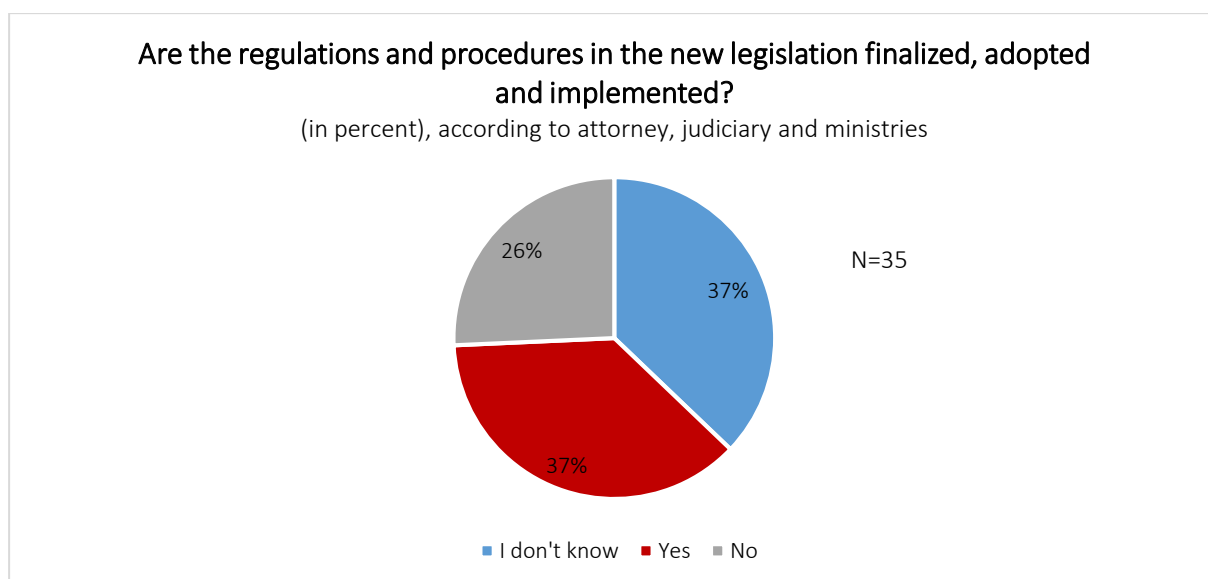
At the end-line, the authorities had prepared drafts of the following regulations, which have however not yet been approved at the time this evaluation was finalized: organizing child labour; diversion outside the judicial system; organizing student behaviour in educational institutions; prohibited penalties in educational institutions; measure of community services; organization of instruction homes.⁹⁸ Delays in approving regulations thus remain a problem.

Findings from data collection

65% of the respondents mention as the most significant change fostered by the *Justice for Children* programme the improved legislative framework (Child Act, SOPs, standards). On the other hand, 4% of the respondents mention that their biggest disappointment with the programme is that the Child Act and regulations are not complete. Further, as presented in figure 27 below, 26% of the attorney, judiciary and ministry staff state that they are not finalised, adopted and implemented, with a worrisome 37% stating that they do not know about the regulations.

⁹⁷ NCCW, MOSSD and UNICEF, (2015). Mapping/Assessment of the Child Protection System in Sudan (Focus on Social Welfare System). p 15.

⁹⁸ Communication from UNICEF to the Evaluation Team.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 28: Regulations and procedures in the new legislation finalized, adopted and implemented

Output indicator 1.1 - Perceptions of Government, Judiciary, Attorney, IOs and CSOs on the completeness and effectiveness of legislation on children and enforcement instruments

Findings from programme documentation

There is no data available on the perceptions on the completeness and effectiveness of the legislation at the baseline. At midline, it has been pointed out in 2014 that the national legislation does not fully protect child victims from secondary victimization, including from face-to-face confrontations with adult suspects/accused.⁹⁹

The 2015 mapping on Child Protection Services pointed out the following challenges and gaps:

- a) Discrepancy in the determination of the age of criminal responsibility between the Criminal Law 1991 which is seven years and the Child Act 2010 which is 12 years.
- b) The application of the death penalty against children by some courts remains a major challenge due to the inconsistency between the criminal law 1991 and the Child Act 2010 in relation to the definition of the child. Although the Federal Child Act 2010 prohibits the application of the death sentence against children, some courts are still referring to the criminal law 1991 by imposing the death penalty on children below the age of 18 years. Looking at the Constitutional courts' decisions, namely the case of Abdel Moez Hamadoun 1999, Najmeldin Gasmelseed 2008 and the decision no 51/2013 in which it was decided that no death penalty shall be inflicted on anyone who is under the age of 18 even in Hudud and Qisas (retribution) crimes because the applicable law is the Child Act 2010 and not the criminal law 1991.
- c) Although the Interpretation of Laws and General Clauses Act 1974, stipulates that the private law (Child Act 2010) "restricts" general law (Criminal Law 1991) and also that a subsequent law "restricts" the former law, these principles are not implemented by some courts. As a result, some courts, use apparent physical maturity (puberty) to assess the age of the child which results in some children under 18 years old being treated as adults.

⁹⁹ Welzenis, I., (Dr. 2014). Development of Standardised FCPU Model: Part 2 "Research Findings". NM for FCPUs and UNICEF Sudan. Pg. 61.

- d) The lack of clarity of Sudanese legislation in terms of age of marriage, notably the inconsistency between the Child Act 2010 and the Personal Law Act 1991 in relation to early marriage.
- e) Delay in the adoption of rules and regulations on the implementation and interpretation of the Child Act 2010. For example, diversion outside the judicial system as well as community services as they all imply social welfare services for child offenders.
- f) Decisions of some popular courts and informal social mechanisms (Judia) are against the international child protection standards, e.g. to pressure the rapist to marry the victim or pay compensation to the victim after getting the consent of victim and offender.
- g) The Child Act has not dealt with the definition of crimes committed against children, such as rape and sexual harassment amongst others.
- h) The law pertaining to free and compulsory basic education, which is a constitutional obligation, is not enforced. Despite the fact that the MoE does not request education fees, school PTAs (Parent/Teacher Association) impose fees on children to run schools. The situation is worse in the educational settings in IDPs camps.¹⁰⁰

In 2015 it was reported that five of the at least seven envisioned community-based responses are explicitly regulated by the Child Act (2010) and/or the Probation Service Regulation (2012). The responses “diversion with a restorative justice approach” and “alternatives to arrest, pre-trial detention & trial detention” are not incorporated in Sudanese child-specific legislation, but these responses may be justified through general principles 5(1) and 5(2)(d)(i) and other provisions of the Child Act (2010).¹⁰¹

At the end-line, UNICEF notes that adoption of the rules and regulations that support law enforcement officials in the implementation of the Child Act provisions related to *Justice for Children* remains a challenge. Seven rules and regulations were developed and have been awaiting final signature for more than two years now. Advocacy at different levels including senior decision makers and members of the Parliament is underway to push for their adoption.¹⁰²

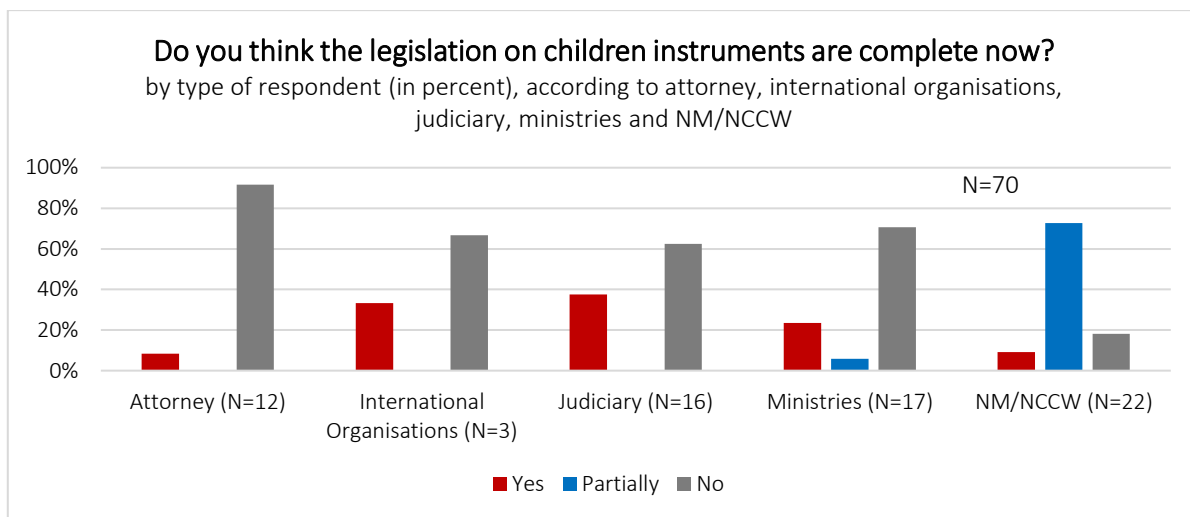
Findings from data collection

When asked, most respondents do not believe that the legislation on children legal instruments are complete. As presented in figure 28 below, only the NM and the NCCW are expressing a slightly more positive view. Attorney and judges working with the legislation on a daily basis, in particular, highlight the incompleteness.

¹⁰⁰ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg.

¹⁰¹ Welzenis, I., Dr.. 2015, Report on Community-Based Responses to Children in Conflict with the Law in Sudan, UNICEF RO MENA & UNICEF Sudan. P 9.

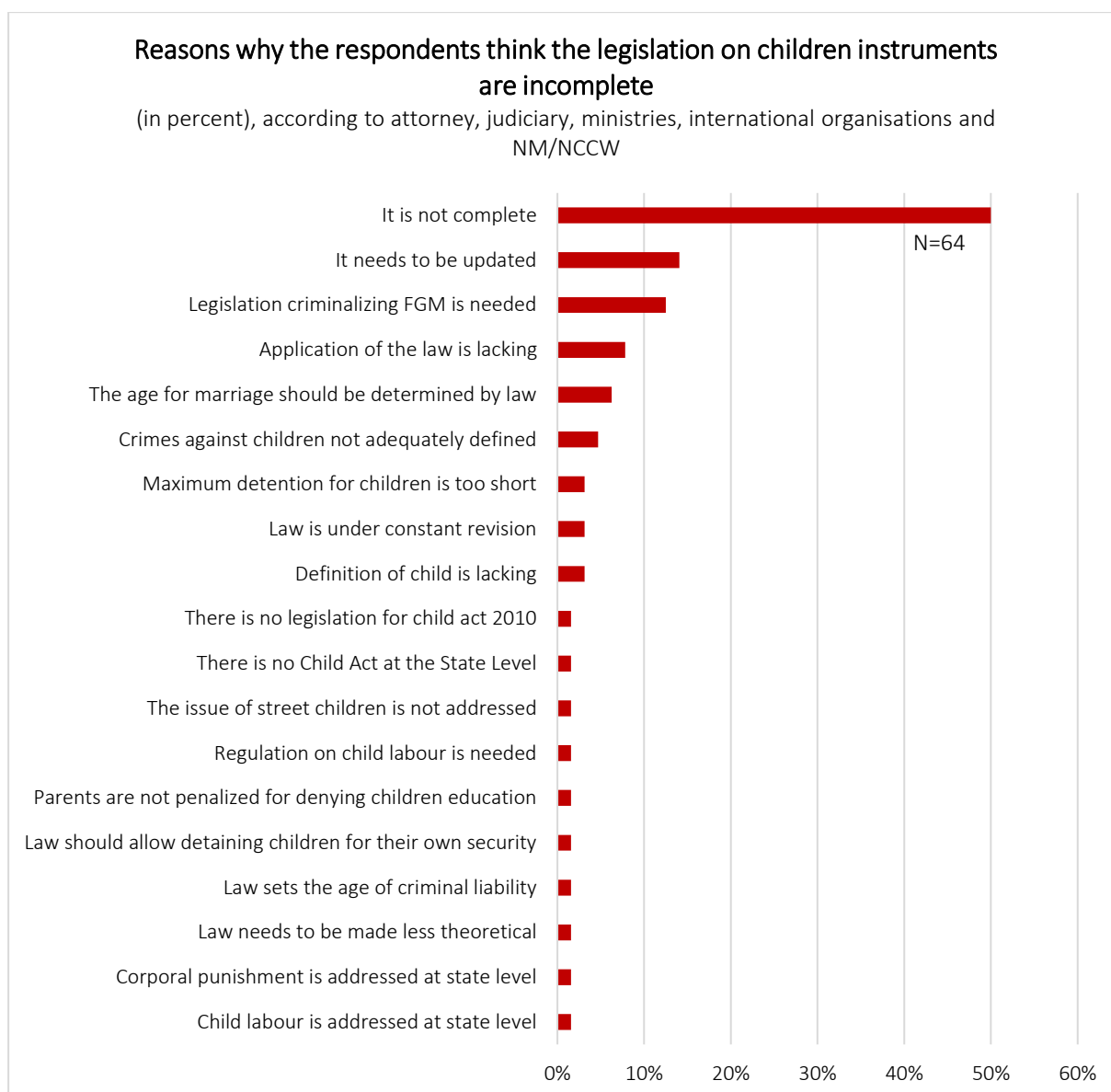
¹⁰² UNICEF, Offline Template for 2017 RAM, Child Protection.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 29: Perceptions on whether legislation on children instruments is complete

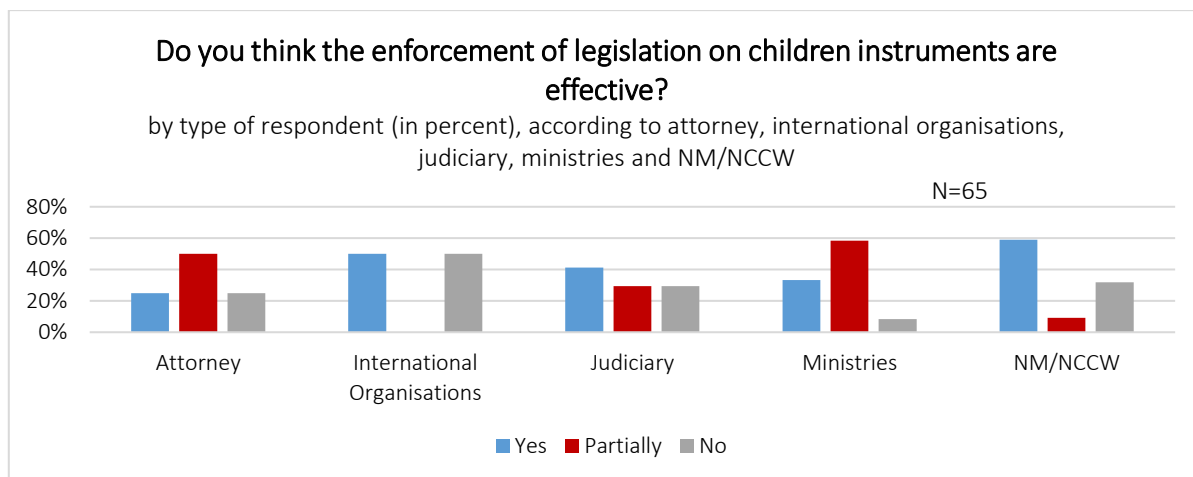
The reasons why respondents believe that the legislation and instruments are not complete, are presented in figure 29 below. The overwhelming majority highlights the incompleteness of the instruments and thus endorse the issue raised in the question. Those providing specifics highlight need for updates and that the criminalisation of FGM/C should be added (while 13% of the ministries' staff states that adding FGM/C is not required). International organisations mention most often that the application of the law is lacking, the age for marriage should be determined by law, that the proper definition of child is lacking and that regulation on child labour is needed. The respondents from the judiciary furthermore mention that crimes against children are not adequately defined (19%).



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 30: Reasons why the respondents think the legislation on children instruments are incomplete

When further asked if the enforcement instruments are effective, the opinions vary greatly, as presented in figure 30 below.

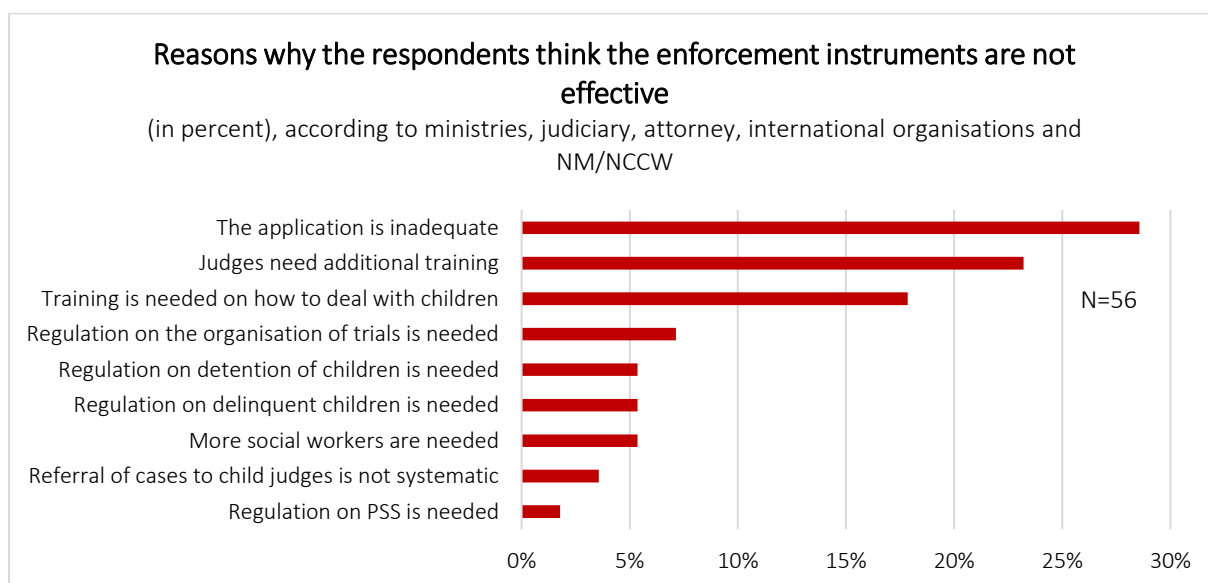


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 31: Perceptions on the effectiveness of enforcement of legislation on children instruments

Those respondents who think that the enforcement instruments are effective mention especially that judges apply the Child Act and that regulations exist in trials involving children. The reasons why respondents believe that enforcement of instruments is not effective, mainly relates to inadequate application and the need for more training.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 32: Reasons why the respondents think the enforcement instruments are not

Output indicator 1.2 - Legislation, legal instruments, regulations and services are aligned with international standards

Findings from programme documentation

At the baseline, a 2008 UNICEF Sudan technical brief stated that judges in the juvenile courts work towards implementing child-friendly procedures and are found to apply international juvenile justice standards. However, at that time such juvenile courts were only functional in Khartoum.¹⁰³

At the point of midline, the Committee on the Rights of the Child expressed its appreciation for the definition of a child as formulated in the Child Act (2010). However, the Committee also expressed its concern about the lack of consistency in legislation and practice with regard to the definition of the child. In particular, the Committee stated that "... adulthood is, in practice, determined by reference, inter alia, to the attainment of puberty in conformity with sharia law in the northern part of the state party (the report was made prior to the secession of South Sudan in 2011), and according to custom in other parts of the country. The Committee emphasized that the incorrect determination of childhood has serious implications for the protection of children's rights, particularly in relation to juvenile justice and early marriage".¹⁰⁴

The 2015 International Development Law Organization (IDLO)-UNICEF report found that the Child Act included all four guiding principles of the CRC on Non-Discrimination (article 2 of the CRC), Best Interest of the Child (article 3 of the CRC), Life, Survival & Development (article 6 of the CRC) and Participation (Article 12 of the CRC).¹⁰⁵ However, a 2015 Mapping of Child Protection Services in Sudan noted inconsistencies between the Criminal Law and the Child Act and thus the international standards it embodies. The Criminal Law establishes criminal responsibility at the age of seven while the Child Act sets it at the age of 12 and prohibits the use of the death penalty on persons younger than 18 years of age. In 2013, the Constitutional Court addressed these inconsistencies and ruled that that in any case concerning children the Child Act should be applied, not the criminal law.¹⁰⁶ Nonetheless, at the time of the mapping there are still courts and other justice actors that refer to criminal law when imposing criminal liability on children younger than 12 and even applying the death penalty against children.¹⁰⁷

In terms of diversion and alternatives to detention, the 2015 ILDO-UNICEF report found that the law did not provide for diversion with a restorative justice approach, alternatives to Pre-Trial Detention and alternatives to Post-Trial Detention (with and without restorative justice approach), but that it was nonetheless practised by justice providers. Early Release from Detention with Restorative Justice Approach is not provided for in law and the mapping did not provide information on whether it was practised.¹⁰⁸

The 2015 report also criticized the Child Act, Article 5(2)(p) which considers homeless children as a status offence and thus is not in line with international standards on status offences (an act that would not be criminal if it was committed by an adult).

At the end-line, the UNICEF 2017 Strategic Monitoring Question (SMQ), states that the justice system complies with the Beijing Rules and has alternative care policy in line with the 2009 Guidelines for the

¹⁰³ UNICEF Sudan, 2008, Technical Briefing Paper 3: Family & Child Protection Units.

¹⁰⁴ Committee on the Rights of the Child. 4, 1 October 2010. Concluding Observations of the Committee on the Rights of the Child: Sudan, CRC/C/SDN/CO/3 [Concluding Observation 27]. The Concluding Observations precede the separation of Sudan and South Sudan (9 July 2011)).

¹⁰⁵ ILDO-UNICEF, 2015. *Promotion of Diversion and Alternative Measures to Detention*, ILDO-UNICEF. Pg. 14.

¹⁰⁶ Constitutional Court Decision no 51/2013.

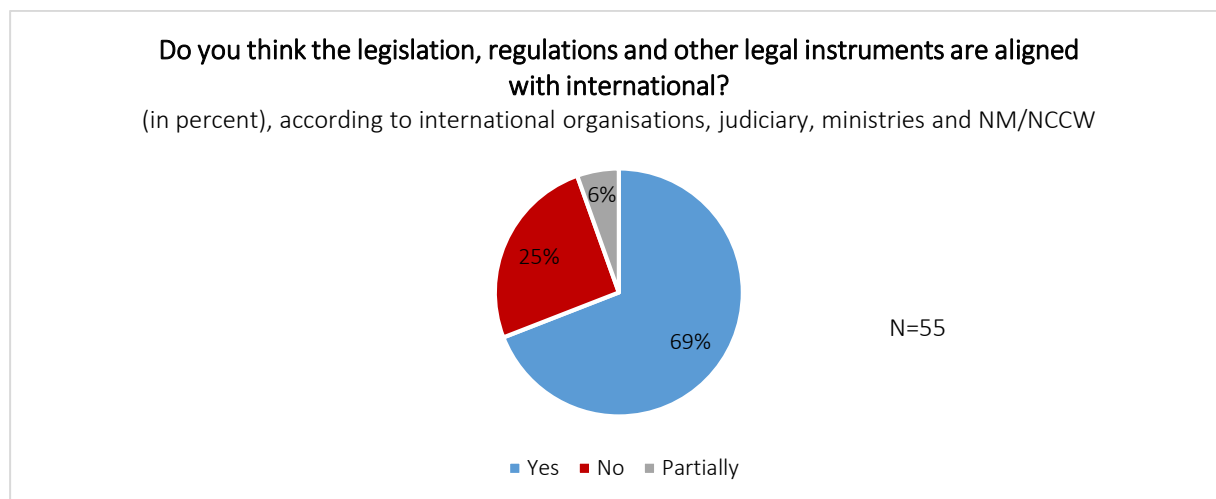
¹⁰⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 14.

¹⁰⁸ ILDO-UNICEF, 2015. *Promotion of Diversion and Alternative Measures to Detention*, ILDO-UNICEF. Pg. 75.

Alternative Care of Children, as well as legislation that recognizes children’s right to be heard in judicial and administrative proceedings (both criminal and non-criminal) affecting the child, either directly or through a representative or an appropriate body. The SMQ also stated that Child Act (2010) articles: 45,46 and 47 were a domesticated version of key articles of the CRC (Art 19, Art 34 and Art 38 + Optional Protocols on the sale of children, child prostitution and child pornography and the involvement of children in armed conflict) dealing with violence, exploitation and abuse.¹⁰⁹

Findings from data collection

As presented in figure 32 below, the majority of the respondents regard the legislation, regulations and other legal instruments to be aligned with international standards.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

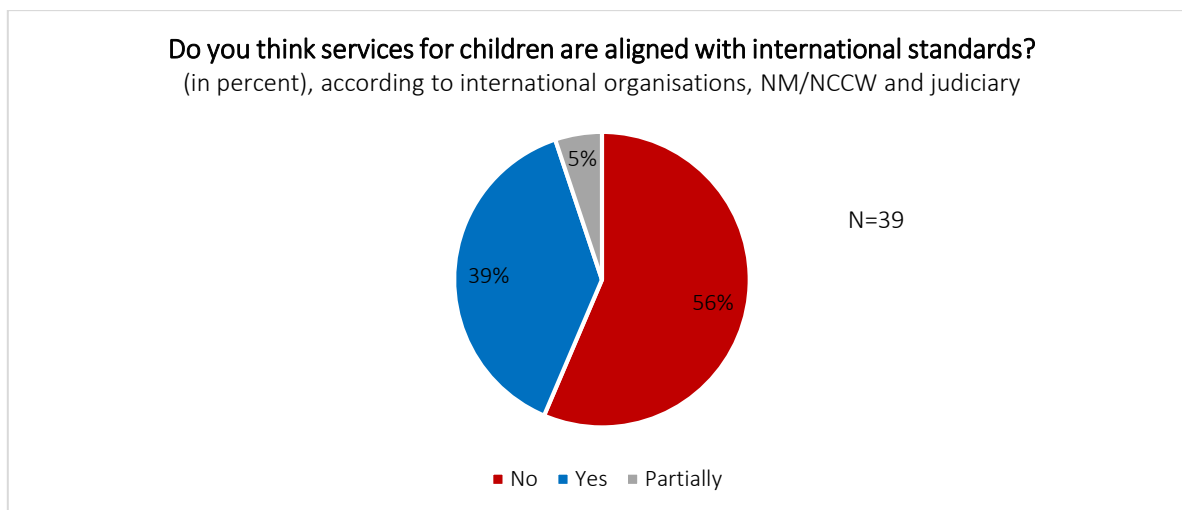
Source: Transition International

Figure 33: Legislation, regulations and other legal instruments aligned with international standards

However, 5% states that the waiting rooms are inadequate, and 3% says that the basis for the legislation is sharia law, thus not in line with international standards. According to a key informant, there is for example a conflict between Child Act and Islamic sharia laws in child marriage as Islamic sharia laws depend on puberty of the girl, with no concern about her age, while the Child Act prohibits marriage unless the girl is 18 years old.

Importantly, as presented in figure 33 below, only 39% of the respondents believe that legal instruments are in line with international standards.

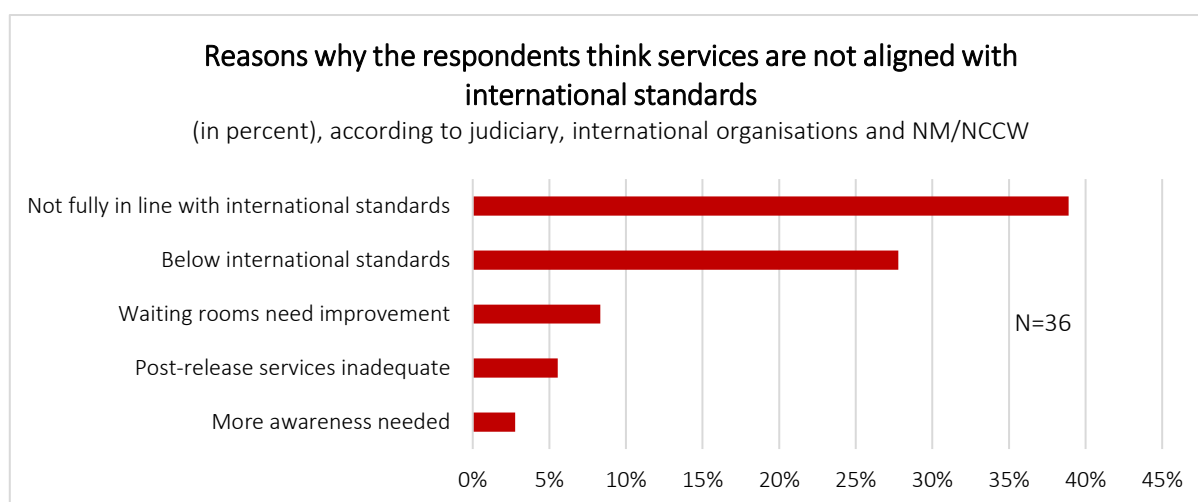
¹⁰⁹ UNICEF, 2017, SMQ Outcome 6: Child Protection.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 34: Alignment of services for children with international standards

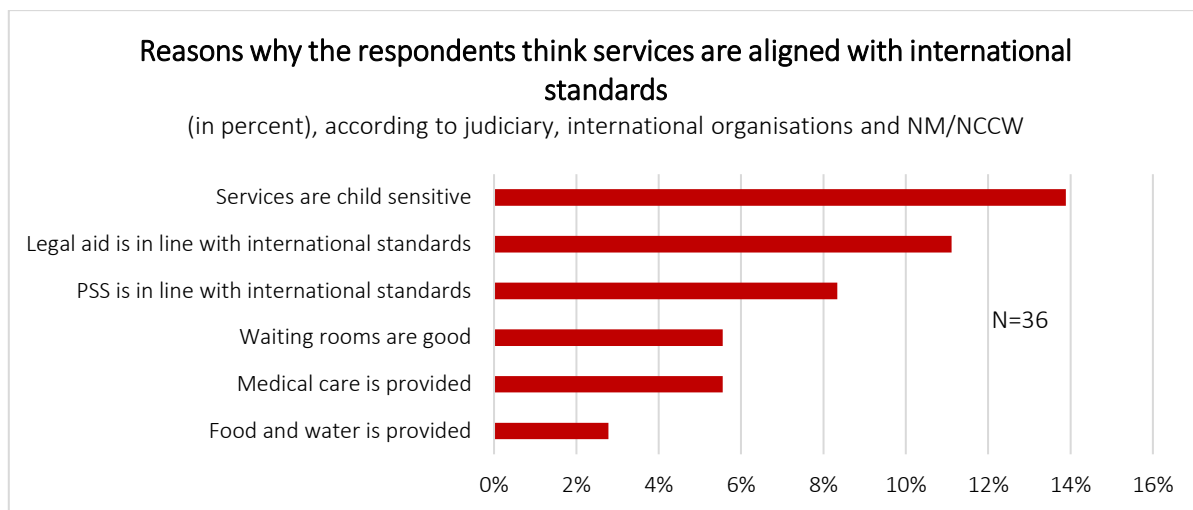
Figure 34 below presents the reasons given for why most respondents do not believe the services are in line, or not fully in line with international standards.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 35: Reasons why services are not aligned with international standards

For those that do believe the services are in line with international standards, figure 35 below presents the reason why they believe this is the case.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 36: Reasons why services are aligned with international standards

Output indicator 1.3 - # of regulations and procedures to implement the new legislation finalized, adopted and implemented

Findings from programme documentation

No information was provided to the evaluation team from the Ministry of Justice and the NCCW on regulations in force at the baseline.

Around midline in 2012, three important regulations entered into force, namely the:

- a) Regulation on Protection of Rights of Children Victims of Crime (based on Child Act). The 2014 report on the Development of the Standardized FCPU model found it unclear whether the Rules & Regulations on the Protection of Child-Victims' Rights only apply to victims of the crimes included in articles 43, 45 & 46 of the Child Act (2010) and noted that the procedures on compensation of child victims are not specified.¹¹⁰
- b) Regulation on Social Probation. The 2014 report on the Development of the Standardized FCPU model found the regulation in breach of international standards in that it allowed for extension of the term of probation which goes against the standard that sentence terms should be fixed.¹¹¹
- c) Regulation on Organization of the work of NCCW.

The ILDO-UNICEF 2015 report did note that it took too long to approve draft regulations that deal with juvenile justice issues.¹¹²

At the end-line, no further regulations had been adopted. However, as stated above under outcome 1, the authorities have prepared the following draft regulations which have not yet been approved at the time of this evaluation: Organizing child labour; diversion outside the judicial system; organizing student behaviour in educational institutions; prohibited penalties in educational institutions; measure of community services; organization of instruction homes.

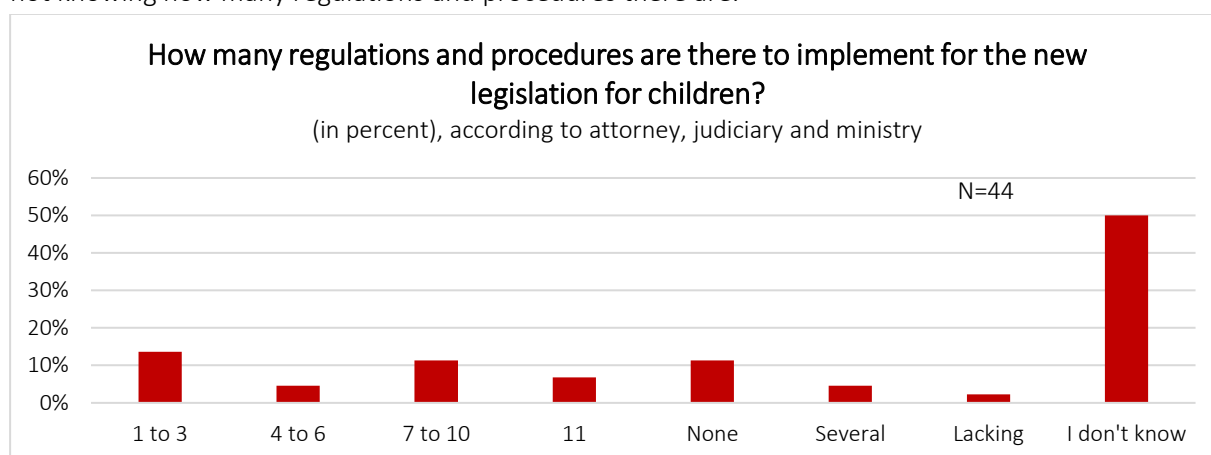
¹¹⁰ Welzenis, I., Dr. 2014. *Development of Standardised FCPU Model: Part 2 "Research Findings"*. NM for FCPUs and UNICEF Sudan. Pg. 2.

¹¹¹ Welzenis, I., Dr. 2014. *Development of Standardised FCPU Model: Part 2 "Research Findings"*. NM for FCPUs and UNICEF Sudan. Pg. 2.

¹¹² ILDO-UNICEF, 2015. *Promotion of Diversion and Alternative Measures to Detention*, ILDO-UNICEF. Pg. 77.

Findings from data collection

As presented in figure 36 below, there is a lack of clarity about the number of procedures and regulations produced to implement the new legislation with half of implementers of *Justice for Children* not knowing how many regulations and procedures there are.

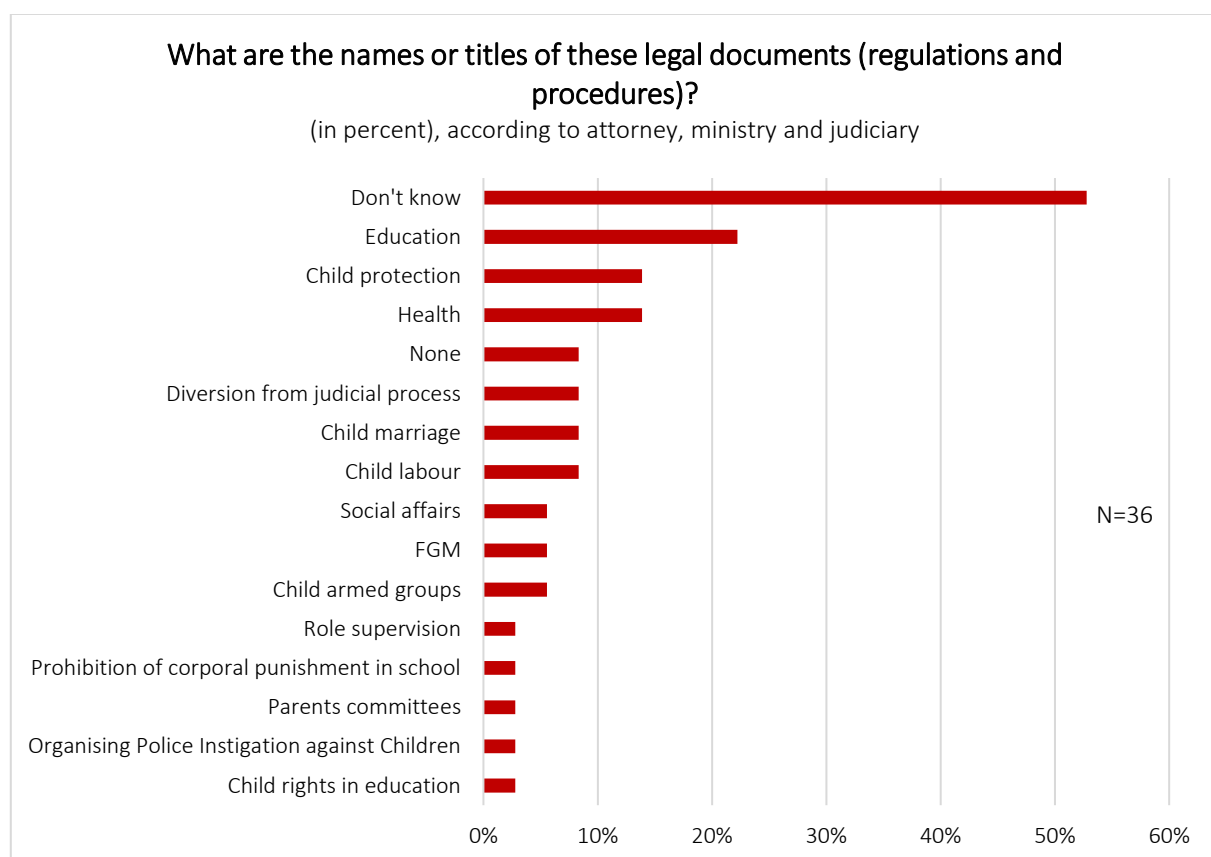


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 37: Number of regulations and procedures to implement for the new legislation

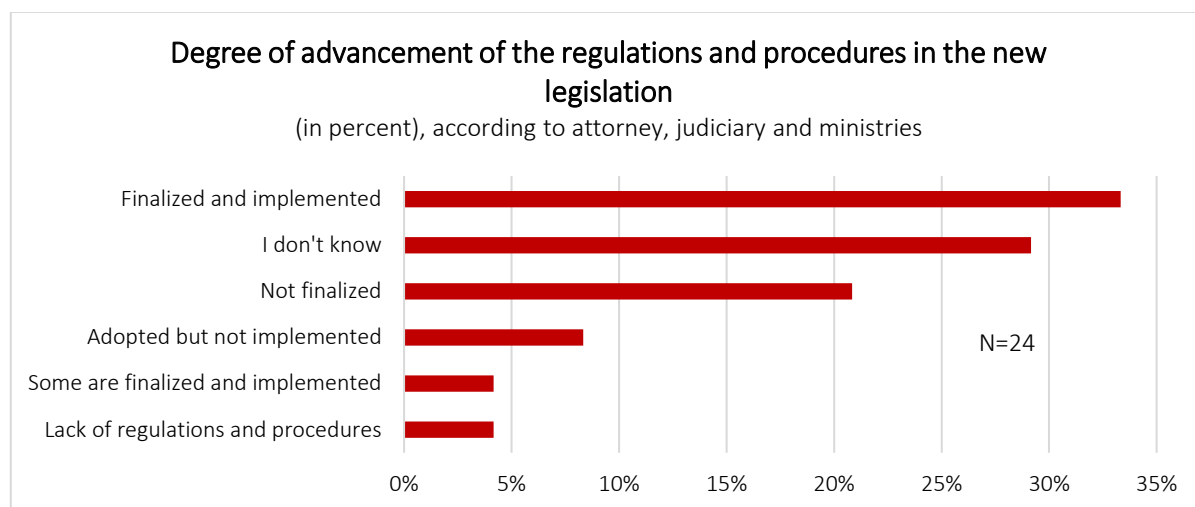
When asked the names or titles of these legal documents (regulations and procedures) produced, an even bigger percentage (53%) does not know, which suggests that the regulations have not been adequately disseminated to legal practitioners.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 38: Names and titles of legal documents

When asked about the degree of advancement with regards to the regulations, figure 38 below shows that 1 in 3 respondents believe that they are finalised and implemented, 1 in 5 believe they are not, and that a relatively high percentage of those working directly with the regulations and procedures, do not know.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 39: Degree of advancement of the regulations and procedures in the new legislation

Output indicator 1.4 - Perceptions on the levels of participation and consultative processes of child related legislation and policy reform

Findings from programme documentation

No baseline information was provided to the evaluation team.

At mid-line, the 2015 mapping on Child Protection Services notes that the Federal Child Act 2010 was a result of a wide participatory process.¹¹³ In addition, the 2011 Save the Children study on protection mechanisms states:

“... although there is a degree of children participation in events and celebrations, children’s right to participation is not widely realized. The element of listening to children and involving them in decision-making processes is weak and need to be reinforced. Participation is hindered by society’s perception of children as well as ignorance of children rights. The presence of child-led groups is very limited. Most of the children expressed interest in being part of child-led groups. Some of the children put some conditions such as groups to be under adults’ leadership. This could be attributed to the children lacking self-confidence or it could be to the fact the children have no previous experience in this area”.¹¹⁴

It is noticed that children who are members of the parliament or the forum have self-confidence, are very articulate, more knowledgeable about issues related to children rights and protection compared to the other children, according to Save the Children’s study.¹¹⁵ Discrimination based on gender is not mentioned by any of the children who participated in the study, although it is present and practised in

¹¹³ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 9.

¹¹⁴ Save the Children Sweden Khartoum Office (2011), A Study on Children Protection Mechanisms. Pg. 34.

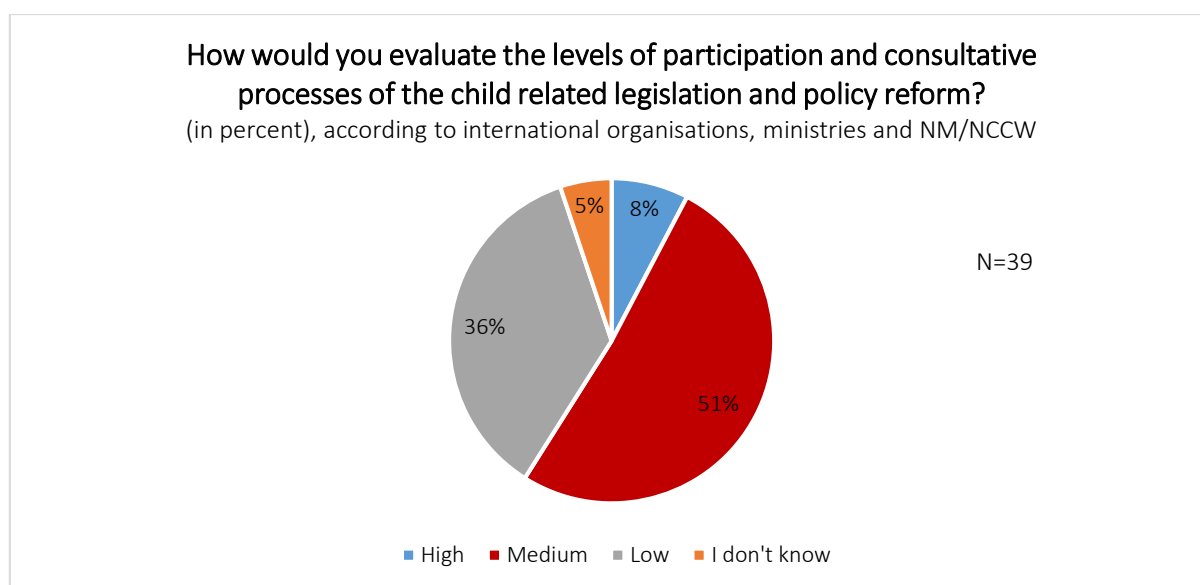
¹¹⁵ Save the Children Sweden Khartoum Office (2011), A Study on Children Protection Mechanisms. Pg. 34.

the Sudanese society. The groups that face discrimination are street children, children with disability, poor children and refugee children.¹¹⁶

There is no programmatic information at the end-line.

Findings from data collection

As presented in figure 39 below, most respondents rate the level of participation and consultative processes of the child-related legislation and policy reform as medium, and more than 1 in 3 respondents rate it as low. There are no significant differences between the sexes.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 40: Perceived levels of participation of the child related legislation and policy reform

Output indicator 1.5 - Number of States with laws prohibiting FGM/C

Findings from programme documentation

According to communication from UNICEF, no legislation existed in Sudan prohibiting FGM/C at the point of baseline. At midline, four states had adopted such legislation: South Kordofan in 2008, Red Sea through its Child Act of 2009, Gedarif in 2009 and South Darfur through its Child Act of 2011. According to the 2015 mapping of Child Protection Services in Sudan, the 4 state laws banning FGM/C were not implemented as a result of conflicting believes and attitudes of communities.¹¹⁷

At end-line, the states of Kordofan and Northern State also adopted such legislation bringing the total number to six, out of Sudan's 18 states. Further, there is a bill for national legislation banning FGM/C that had been submitted to the spokesperson of the National Assembly and was scheduled to be tabled in the Assembly's September 2018 session.¹¹⁸

¹¹⁶ Save the Children Sweden Khartoum Office (2011), A Study on Children Protection Mechanisms. Pg. 35.

¹¹⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 14.

¹¹⁸ Communication from UNICEF to the Evaluation Team.

Findings from data collection

This information was solely collected based on programmatic information. Note that there is a corresponding question nr. 2.5 about the number of reported FGM/C cases where some respondents noted the absence of FGM/C legislation.

Outcome indicator 2 - All boys and girls have increased access to child-friendly mechanisms to report violations of their rights, as per the revised legal framework, and obtain justice

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline, there is a reported increase in reporting cases of sexual violence against children, which indicates rising awareness among the communities.¹¹⁹ In its Results Assessment Modes (RAM), UNICEF states that there is a Monitoring and Reporting Mechanism on grave violations against children.¹²⁰

At the end-line UNICEF Child Notice of 2016, emphasized that full access to justice for all children, including those in contact with the law, had not yet been realized. There is no provision for specialist legal aid, costs of representation are borne by families which most poor families and children living alone cannot pay. Moreover, only children accused of crimes are entitled to legal aid, there are very few lawyers specialised in child law and the training of all professionals involved in access to juvenile justice/children in conflict with law is inadequate.¹²¹

However, important steps had been taken towards more equal access. All children may bring actions concerning rights violations to court, child victims and witnesses are entitled to legal representations and there is a functioning FCPU in every state supported by social service office.¹²²

At the end-line, more than 5,000 girls and boys who are victims of GBV received responses through an FCPU Gender Desk specially designed to provide services to GBV survivors.¹²³

Findings from data collection

When asked, almost half (46%) of all programme implementers believe that children have increased access to child-friendly mechanisms to report the violations of their rights. When asked if the increased accessed applies equally to all children (girls, boys of different ethnic groups, age groups, rural and urban areas?), 43% say that it applies only to some, and 6% say no. This means that half (49%) of judiciary, ministries, attorneys, CSO and IOs are of the view that access is not equal. As shown in figure 40 below, the principal reasons given is that children in conflict and remote areas cannot access services. It is however worth noting that if children can access FCPUs, 24% of respondents think that they treat children equally.

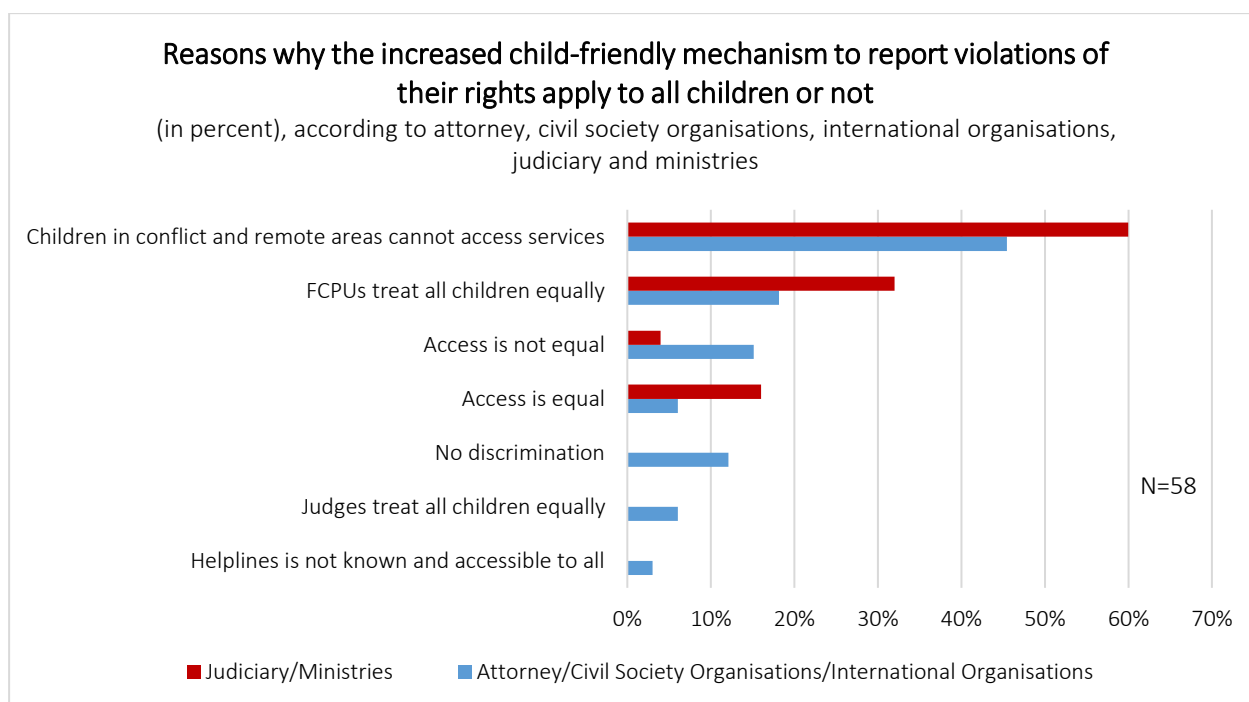
¹¹⁹ GoS UNICEF, 2015, presentation on Sector Child Protection End-Year Review 2015.

¹²⁰ UNICEF, Offline Template for 2017 RAM, Child Protection.

¹²¹ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 76.

¹²² Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 76.

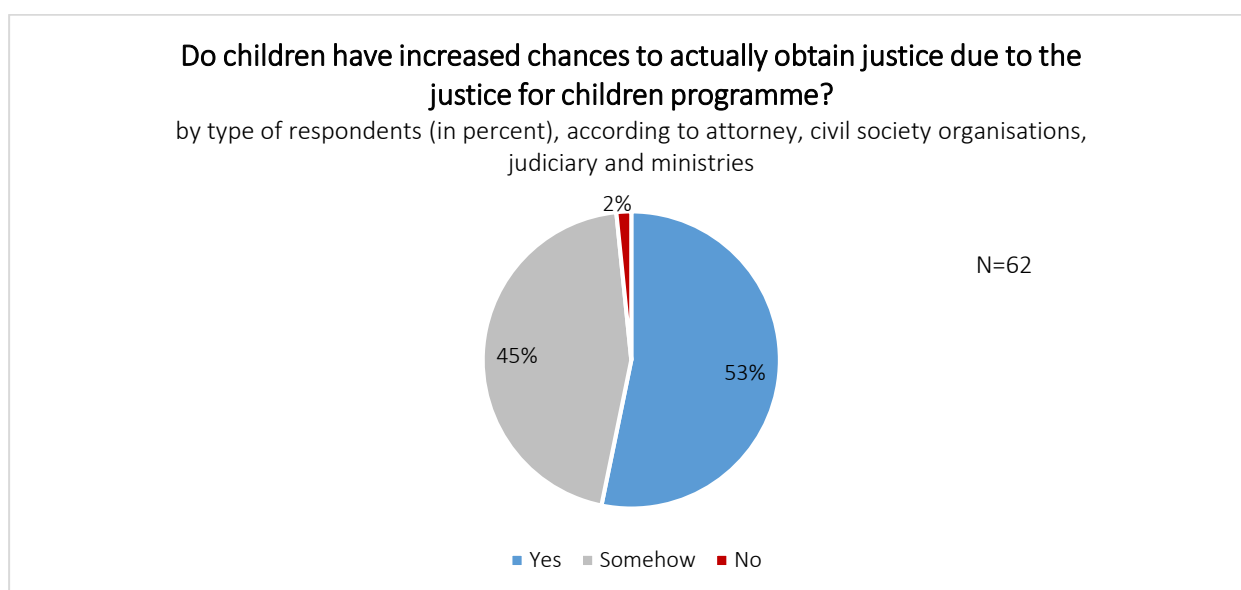
¹²³ UNICEF Sudan, 2017, Building systems to prevent and respond to violence against women and children in Sudan, Pg. 13.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 41: Accessibility of all children to friendly mechanism to report violations of their rights

Further, as demonstrated in figure 41 below, approximately half of respondents confirm that children have increased chances to obtain justice, due to the *Justice for Children* programme.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018. Source: Transition International

Figure 42: Increased chances to obtain justice

Output indicator 2.1 - # of FCPUs (per State) established and operational

Findings from programme documentation

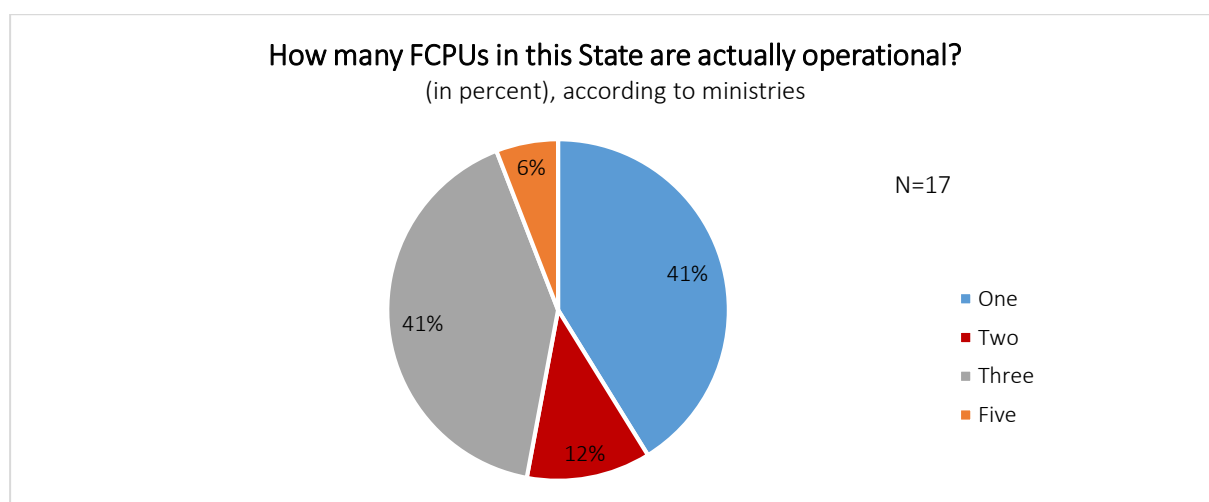
At the baseline, the General Director of the Police of Khartoum State Police had issued instruction nr. 3 on the establishment of Family and Child Protection Branch within the Directorate of Community Security Police and the first FCPU was established in 2007 Khartoum through decree 48. By 2008, three FCPUs had been established in Khartoum; another one in South Kordofan, another one in Kassala and yet another one in Blue Nile.¹²⁴ At the midline in 2013, FCPUs had been established in 15 out of Sudan's 18 states, but it is not clear how many FCPUs existed at that time.¹²⁵ At the end-line in 2017, the total number of FCPUs established across the 18 states is 62. Great differences in coverage can however be observed between states. Figure 42 below provides a breakdown by state.¹²⁶

State	Number of FCPUS	State	Number of FCPUS
Khartoum State	3	West Kordofan	9
El Gazira	1	North Kordofan	6
White Nile	7	South Kordofan	9
East Darfur	1	Red Sea	1
Central Darfur	1	Kassala	4
West Darfur	6	Blue Nile	2
North Darfur	7	Northern State	1
South Darfur	1	Sinnar	1
River Nile	1	-	-

Figure 43: Number of FCPUS by state

Findings from data collection

As presented below, ministry staff are/ are not aware of the exact number of FCPUs present.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 44: Number of FCPUs operational by state

The evaluation team observes that the number of FCPUs is inadequate to cover the vast territory of Sudan. For example, in Khartoum there are three FCPUs covering a population of approximately 12

¹²⁴ UNICEF Sudan, 2008, Technical Briefing Paper 3: Family and Child Protection Units.

¹²⁵ FCPU data 2013.

¹²⁶ UNICEF, FCPU Outreach, document provided by UNICEF on February 2019.

million people and there is only one FCPU in Gazira which has the second largest population after Khartoum. Many are located too far away for clients to access. IPD camps present a specific problem in that they are reported to run their own justice system so that law enforcement cannot intertwine when crimes are committed against children without with the agreement of the camp management, which is not always given.

Output indicator 2.2 - The extent to which FCPUs apply child-sensitive procedures and ensure a continuum of care, protection and reintegration support

Findings from programme documentation

There is no programming information from the baseline, as the first FCPUs were being established at that time.

At midline, not all child cases are handled by the FCPU in actual practice, child-victims have to identify the adult suspect through face-to-face lining-up of suspects, some children stay more than one week in the FCPU or in the adult prison, volunteer paralegals provide legal aid to child-offenders, adult suspects in child-victims cases are interrogated in the FCPU, alleged child-offenders under the minimum age of criminal responsibility are returned to their family without further care or follow-up, the settlement practice of the FCPU is identical in cases of child-offenders above and under the minimum age of criminal responsibility.¹²⁷ Some children fear reporting to the police, while others mentioned that the police don't believe them.¹²⁸

Progress was made in improving inter-agency referrals, but generally there is limited capacity to provide continuous monitoring and support to children and families after the initial crisis stage. Social welfare officers have very little resources to serve the communities within their areas of work and tend to be restricted to the capital of each administrative unit.¹²⁹

SOP were adopted in 2013 but FCPU staff were reported not being aware of or not knowing how to apply some legal procedures, such as on diversion, minimum age of criminal responsibility, compensation of child victims, children without parental care, abandoned babies, child labour, and prohibited sanctions at schools.¹³⁰ It was also not certain whether the Rules & Regulations on the Protection of Child-Victims' Rights only applied to victims of the crimes included in articles 43, 45 and 46 of the Child Act (2010) and the procedures on the compensation of child victims were not specified.¹³¹

At the end-line in 2017, UNICEF SMQ reports that currently the country is using child-friendly procedures and approaches for dealing with *Justice for Children* in respect of both the criminal and administrative and justice activities, including investigative and court procedures. Child Protection system has both preventive and responsive services and there is a framework for coordination.¹³²

¹²⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 51.

¹²⁸ Save the Children Sweden Khartoum Office (2011), A Study on Children Protection Mechanisms.

¹²⁹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg.40.

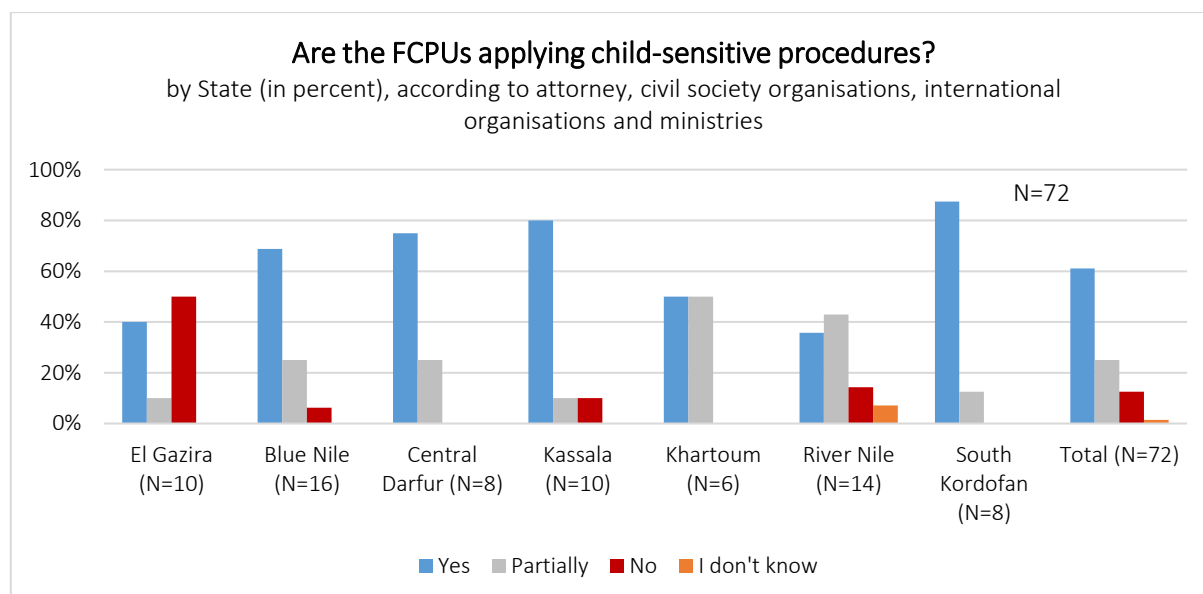
¹³⁰ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Design". NM for FCPUs and UNICEF Sudan. Pg. 1.

¹³¹ Ibid, pg. 2.

¹³² UNICEF, 2017, SMQ Outcome 6: Child Protection.

Findings from data collection

As demonstrated by figure 44 below, the large majority of respondents (total of 61%), consider that FCPUs are applying child-sensitive procedures. El-Gazira is the only state where most respondents say that the FCPUs do not apply child-friendly processes and River Nile most answered “partially”. Equal number of respondents in Khartoum think that FCPUs applies child-sensitive procedures.¹³³



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 45: Perception on FCPUs applying child-sensitive procedures

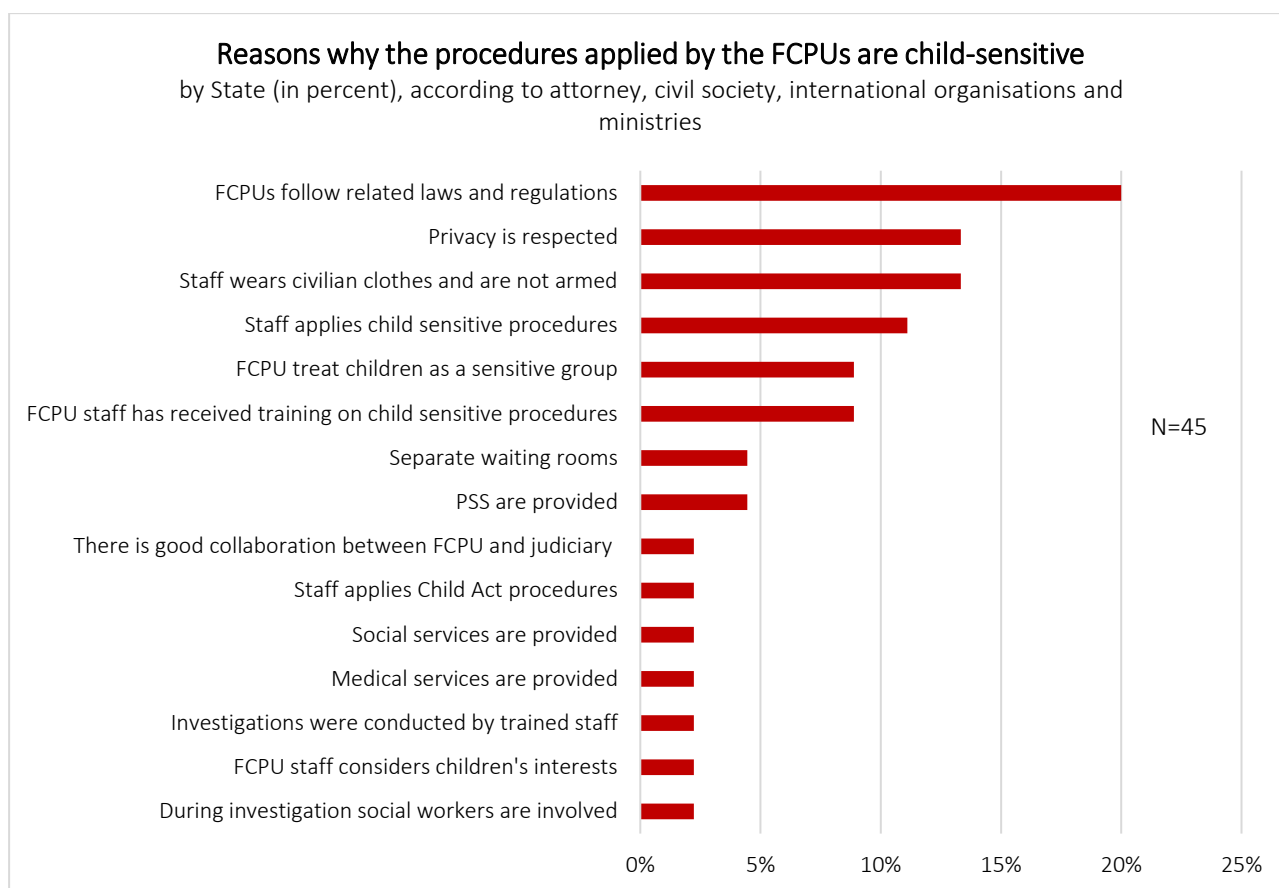
“Social workers conduct permanent care for the children, also there is a health unit within the FCPU. They visit a child time from time after release. A social worker monitors the case”

Judge, Kadugli

When asked for the reasons why the procedures are child-sensitive, respondents mentioned principally that FCPUs following laws and regulations (20%), that privacy is respected (13%) and staff wearing civilian clothes and not being armed (13%). Few (4%) mentioned separate waiting rooms and provision of psycho-social services. There are significant variations between the states, with all respondents mentioning civilian clothes in Kassala and none mentioning that in Central

Darfur, Khartoum and South Kordofan. The data collection team did though not notice FCPU staff wearing uniforms in these three states. Only respondents in El Gazira (29%) and Central Darfur (20) mention that privacy is respected. Blue Nile has the largest number of respondents saying that staff applies child-sensitive procedures (44%) and Kassala was the only state mentioning specifically (33%) that FCPU staff considers children’s interest.

¹³³ It is possible that the limited number of respondents for this question distorts the figures provided in this graph.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 46: Reasons why the procedures applied by the FCPUs are child-sensitive

Reasons why the procedures applied by the FCPU are not regarded as child-sensitive, include opinions that more training is needed (16%), waiting rooms being inadequate (13%) and inadequate resources (9%). Important differences per state are presented in figure 46 below, with greater concerns on the waiting rooms in El Gazira and Blue Nile.

"I have been kept in prison for 10 days in bad situations, one meal per day and not been able to wash"
Child client, Central Darfur

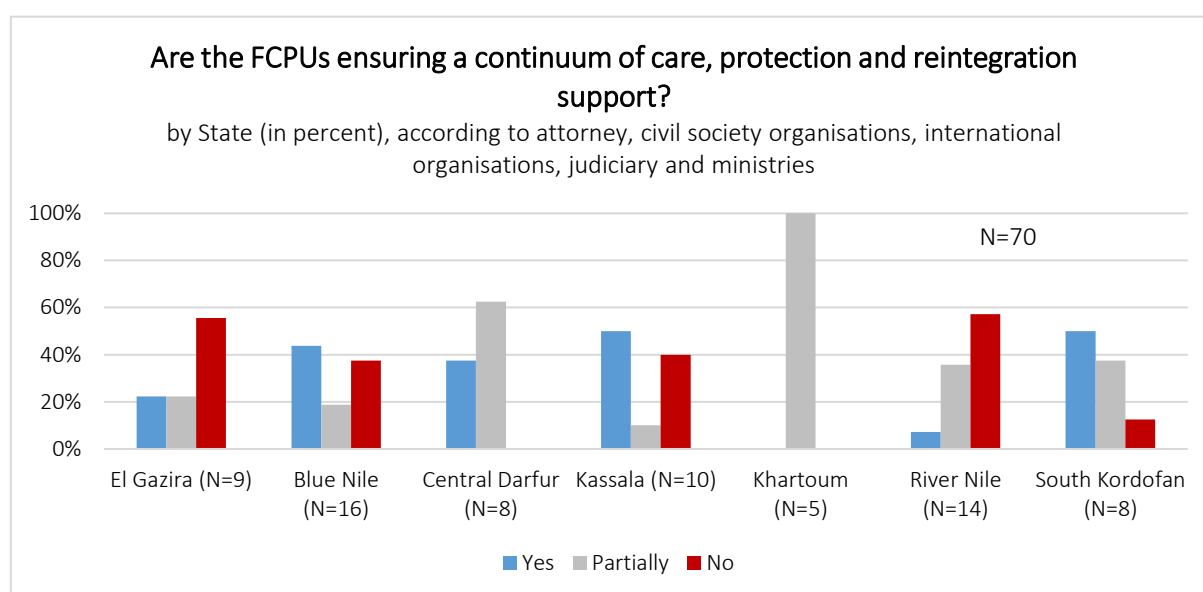
Reasons why the procedures applied by the FCPUs are not child-sensitive								
by state (in percent)								
according to attorney, civil society, international organisations and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
More training is needed	14%	11%	20%	33%	0%	25%	14%	16%
Waiting rooms are inadequate	43%	33%	0%	0%	0%	0%	0%	13%
Inadequate resources	0%	11%	0%	0%	0%	25%	14%	9%
Number of respondents	7	9	5	3	6	8	7	45

The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 47: Reasons why the procedures applied by the FCPUs are not child-sensitive (by state)

The evaluation team observed that most FCPUs are not adequately equipped. Their budget is limited and provided only from the MOI with no or little support from related partners. There are no waiting rooms for girls in most FCPUs and children are not classified according to their age, which makes the youngest vulnerable to violence and abuse. In Khartoum younger children are detained with girls, depriving both of privacy. Many FCPUs are in rented buildings that do not belong to the government and were not tailor made for the purposes of the FCPU. In Damar FCPU is placed inside the police station which exposes the children to uniformed personnel and adult criminals. The team observed instances where the nutritional value of the food was lacking and in all FCPUs except Kassala there were no recreational kits or programmes for children.

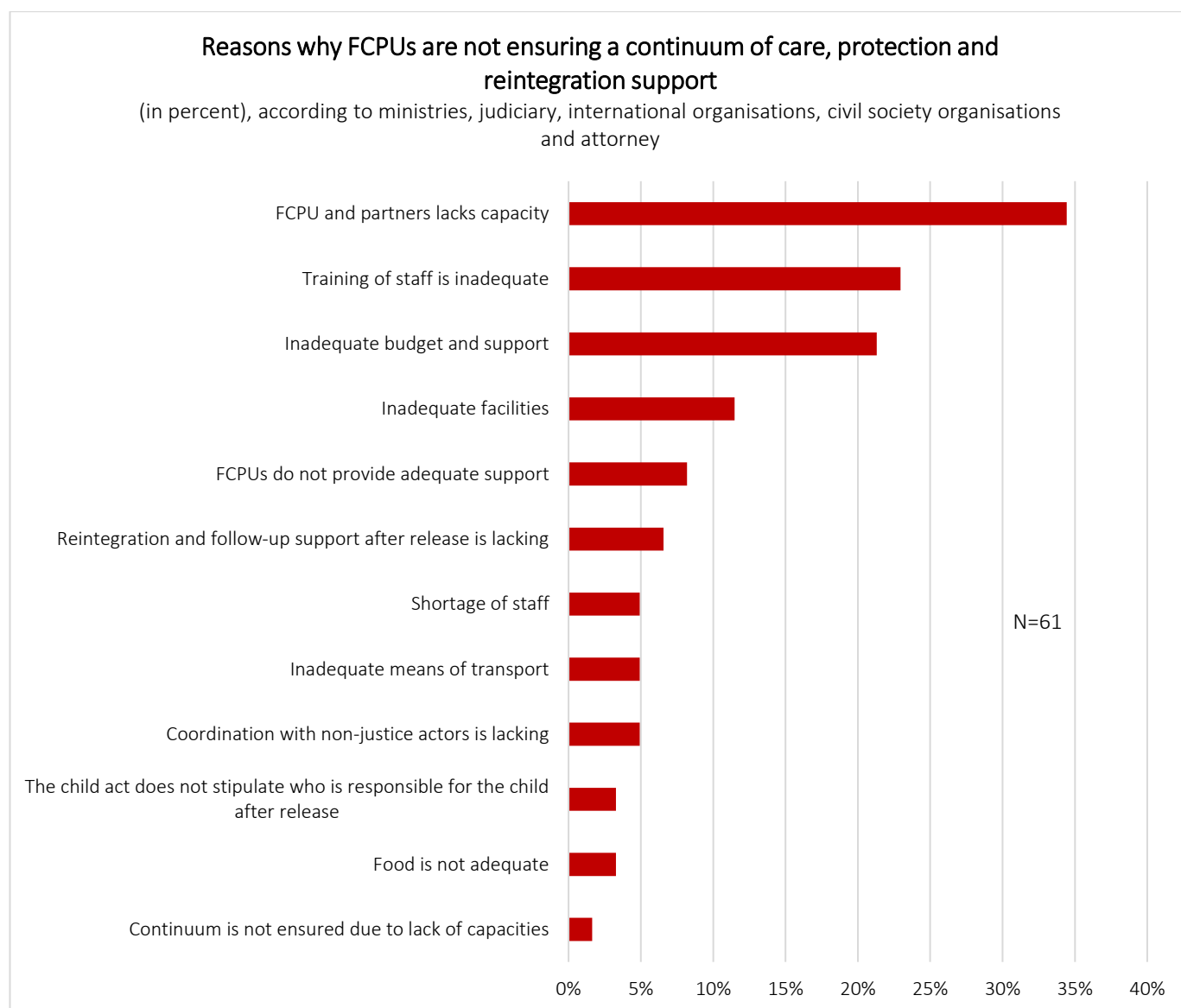
When asked if FCPUs are ensuring a continuum of care, protection and reintegration support, the majority of respondents in Blue Nile, Kassala and South Kordofan confirm this. In El-Gazira, Central Darfur, Khartoum and River Nile majority of respondents find the FCPU not, or partially ensuring a continuum of care, as presented in figure 47 below.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 48: Perception on FCPUs ensuring a continuum of care, protection and reintegration support

Principal reasons mentioned for FCPUs not ensuring a continuum of care, protection and reintegration support, are that FCPUs are lacking capacity (34%), training of staff being inadequate (23%), inadequate budget and support (21%), and inadequate facilities (11%), as presented in figure 48 below. The evaluation team also observed that civilian components that do not report directly to the FCPU directors did not uniformly recognize his role to ensure coherence, set tasks and overall direction of the FCPU. This resulted in problems for the FCPU directors to instruct social workers providing continuum of care, protection and reintegration support.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 49: Why FCPUs are not ensuring a continuum of care, protection and reintegration support

Output indicator 2.3 - # of boys and girls supported by FCPUs per state (victims, alleged offenders and witnesses)

Findings from programme documentation

There is no programming information from the baseline as FCPUs were being established at that time.

The situation at midline and end-line for victims, witnesses and offenders is displayed in figures 49 and 48 below. Note that the categories and details of the information available to the evaluation team is not entirely the same and thus the setup of the tables is different.

2013	Victims		Offenders		Witnessess		Referral	Total cases		
State	Male	Female	Male	Female	Male	Female		Male	Female	Total cases
River Nile	146	30	177	2	32	18	97	355	50	405
South Darfur	380	327	400	342	48	52	24	828	721	1549
Central Darfur	33	39	54	13	4	1	67	91	53	144
North Darfur	149	115	159	60	52	21	0	360	196	556
North Kordofan	321	188	328	123	34	17	4	683	328	1011

South Kordofan	73	36	61	35	27	18	60	161	89	250
West Darfur	10	7	3	0	0	0	0	13	7	20
Gazira	412	201	1084	246	96	59	556	1592	506	2098
Khartoum	2874	1043	1715	1193	158	64	207	4747	2300	7047
White Nile	580	256	638	109	93	48	0	1311	413	1724
Nothern State	35	3	21	6	21	4	3	77	13	90
Blue Nile	256	166	332	52	11	4	0	599	222	821
Red Sea	587	9	263	215	79	53	38	929	277	1206
Gadarif	253	25	210	23	17	6	-	480	54	534
Kassala	25	11	47	2	13	3	0	85	16	101
Total	6134	2456	5492	2421	685	368	1056	12311	5245	17556

Figure 50: Number of victims/witnesses/offenders by state in 2013¹³⁴

¹³⁴ FCPU data2013.

2017	Victims (non-sexual)					Offenders					Sexual Offences						Witnesses		
											Offender			Victim					
	Offenders cases					Offender			Victim										
	0-10		10-18		TV							7-12		12-18		TO	0-18		
State	M	F	M	F		M	F	M	F		M	F	T	M	F	T	M	F	T
River Nile	60	12	269	13	354	126	9	396	16	547	37	1	38	40	5	45	16	2	18
South Darfur	38	5	72	41	156	101	4	189	32	326	106	25	131	30	52	53	36	30	66
Central Darfur	5	11	38	32	86	15	4	51	14	84	6	0	6	1	14	15	25	15	40
North Darfur	188	111	198	75	572	313	69	111	35	528	99	0	99	6	80	86	129	81	210
North Kordofan	34	13	692	92	831	259	152	303	191	905	13	0	13	2	143	145	87	49	136
South Kordofan	12	8	104	56	180	15	6	71	42	134	23	0	23	5	43	48	0	0	0
West Darfur	5	2	18	3	28	20	13	24	13	70	17	4	21	3	9	12	11	7	18
Gazira	207	110	503	133	953	142	47	904	88	1.181	78	0	78	39	65	104	90	54	144
Khartoum	1061	469	1438	988	3.956	635	274	2093	317	3319	354	20	374	618	741	1359	596	458	1054
White Nile	545	267	805	311	1.928	393	166	795	280	1.634	369	219	588	139	109	248	253	157	410
Northern State	0	0	185	0	185	0	0	198	0	198	198	0	198	22	17	39	76	48	124
Blue Nile	380	165	268	292	1.105	386	529	313	315	1.543	689	769	1458	277	274	551	242	244	486
Red Sea	0	0	52	38	90	20	8	435	78	541	39	35	74	38	24	62	40	22	62
Gadarif	22	60	18	60	160	16	51	152	68	287	70	0	70	47	30	77	8	2	10
Kassala	78	30	187	56	351	103	25	144	42	314	31	16	47	8	6	14	2	1	3
Sennar	53	19	84	17	173	6	0	45	7	58	9	0	9	20	61	81	0	0	0
East Darfur	27	22	47	29	125	72	6	34	3	115	13	0	13	1	11	12	0	0	0
West Kordofan	156	19	85	15	274	60	25	14	42	141	269	13	282	206	35	241	0	0	0
Total	2871	1323	5063	2251	11507	2682	1388	6272	1583	11925	1634	542	2176	1502	1719	3221	1611	1170	2781

Figure 51: Number of victims/witnesses/offenders by state in 2017¹³⁵

¹³⁵ FCPU data2017.

Output indicator 2.4 - Children are treated in accordance with norms and regulations outlined in legislation and FCPU SOP

Findings from programme documentation

There is no programming information for the baseline as the FCPUs were being established at that time.

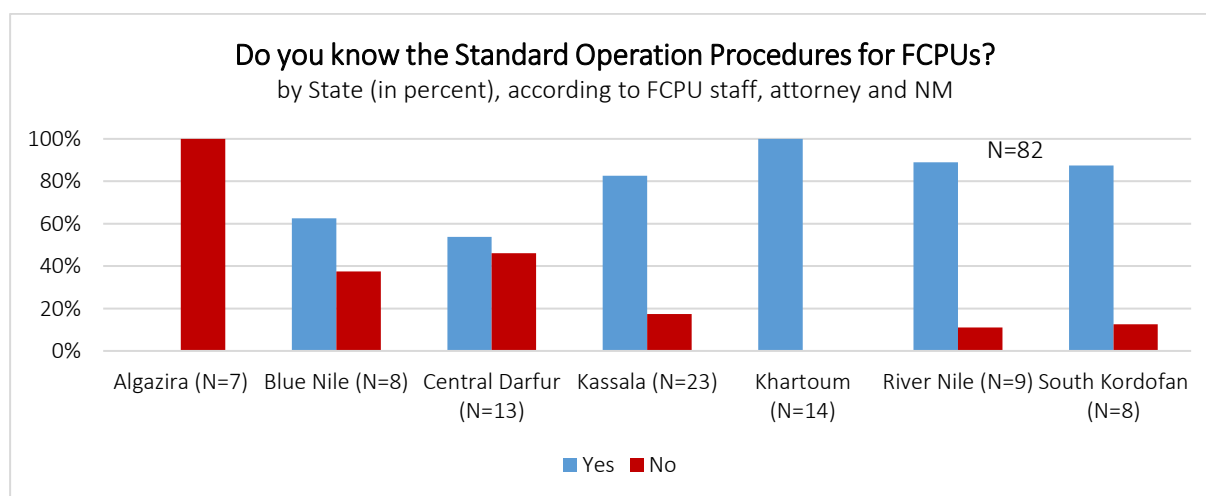
For the midline, the SOPs were adopted in 2013. According to the 2014 findings of the FCPU questionnaire, nine FCPUs provided special procedures for young child victims, whereas eight FCPUs did not. All of the 17 FCPUs asked only allowed involved staff had access to files and responded that they had confidentiality guarantees were in place. 15 FCPUs shared information with media, and two did not. Four reported they had complaint mechanisms in place, whereas 13 replied no to that question.

In regard to challenges in providing child-sensitive treatment, the FCPUs reported that hospitals were too far away, prosecutors were not available at all times, there was no special investigation room and lack of trained staff. In respect of gender-sensitive treatment, they informed that families were not responsive, there was no separate remand room, no separate instruction and care homes, no female investigators and no FCPUs at a local level. Regarding challenges in implementing detention as a last measure, they mentioned bail, that there was no special building for prosecutors, no one to guarantee the child offender, the time it takes to determine the age of a child because of the fees involved and there were no forensic doctors which led to the postponement of trials. Reported challenges regarding child victims included ignorance of families on how to deal with them, there were not enough PSS workers and a lack of follow up. In respect of challenges in treating children under the minimum age of criminal responsibility, there are not always prosecutors at the FCPUs, difficulties in reaching the children's family and that families sometimes did not accept alternative measures. Challenges regarding children without parental included no care homes, alternative families, primary health care, communication with families, skills in treating children with disability and lack of coordination.

There is no programming information regarding the current status at end-line.

Findings from data collection

As demonstrated in figure 51 below, most respondents know the SOPs for FCPUs. It is worth noting that in El-Gezira none of the participants know them. Apart from El-Gezira, Kassala and Central Darfur, respondents were generally able to show a copy of the SOP.

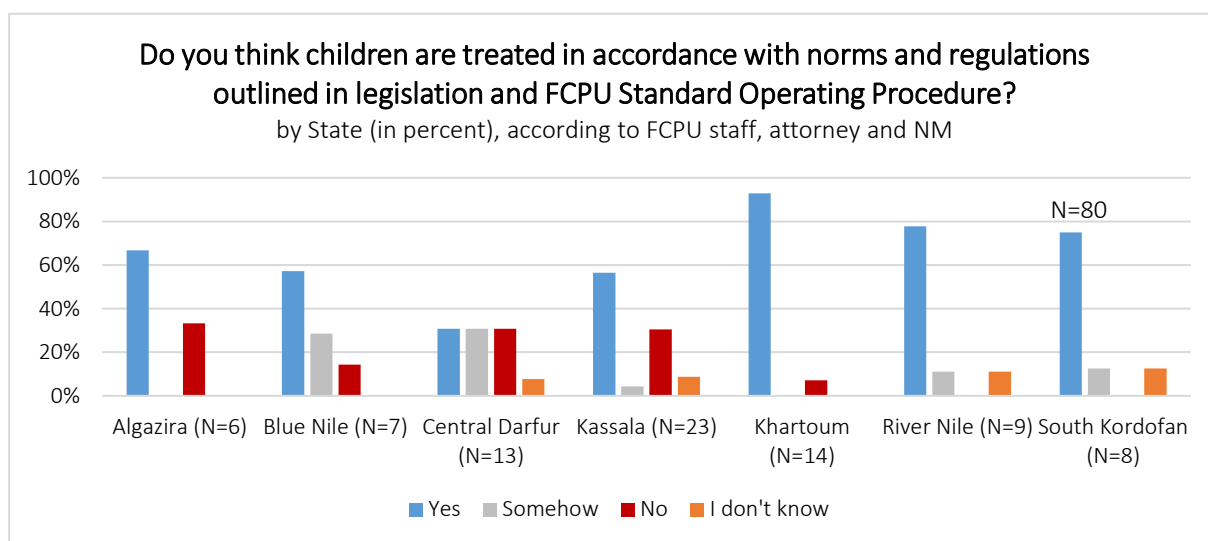


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 52: Do you know the standard operation procedures for FCPUs

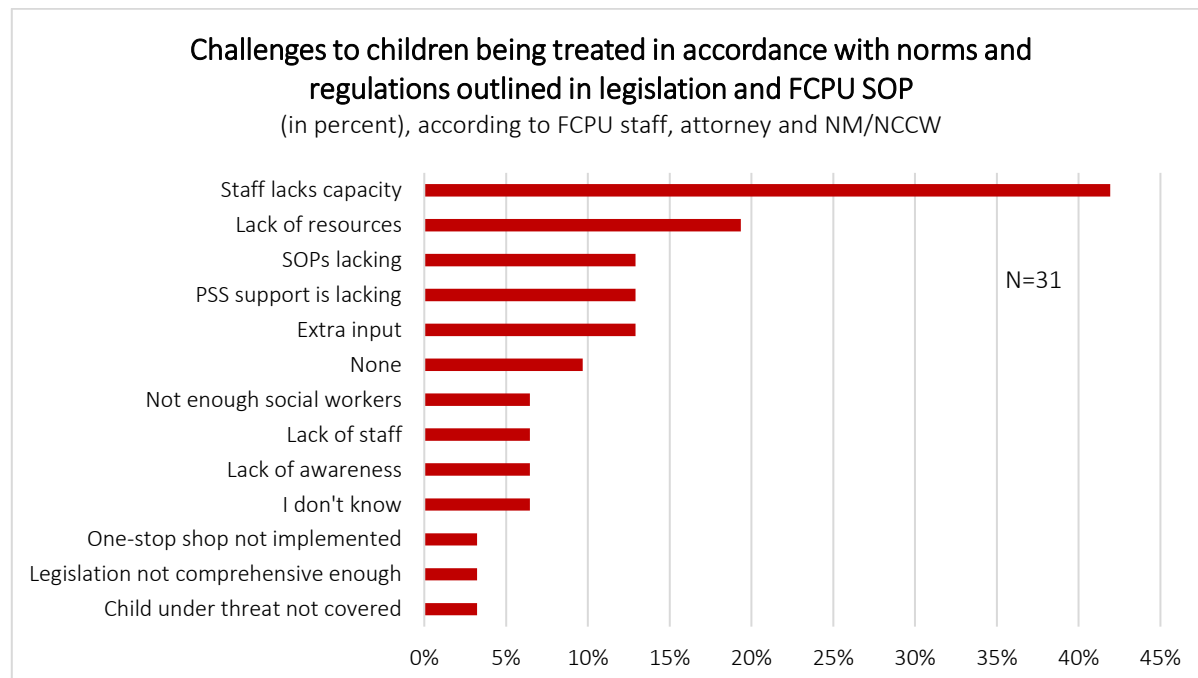
As shown figure 52 below the majority of respondents in all the states except Central Darfur thought that children are treated in accordance with norms and regulations outlined in legislation and FCPU SOPs.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 53: Children's treatment in accordance with norms and regulations

As displayed in graph 51 below, key challenge in ensuring compliance is staff lacking capacity (42%). Other principal reasons are lack of resources (19%), PSS lacking (13%) and SOPs lacking (13%).



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 54: Challenges to children being treated in accordance with norms and regulations

Output indicator 2.5 - # of FGM, sexual violence, child marriage cases reported to FCPUs and the results

Findings from programme documentation

At the baseline, the FCPU in Khartoum had handled more than 1,360 cases of reported violence, abuse and other rights violations against children. Most cases involved children aged between six and ten years, and the greatest number of complaints (1,021) related to sexual violence.¹³⁶

Amongst the sexual crimes, these were the results provided by the Court system: Cases presented to the court for prosecution were 813, cases returned to police for further investigation were 55, cases dismissed by courts due to insufficient evidence were 96, cases still being processed were 189 and cases leading to conviction were 473.

There remained considerable concern amongst women victims of crime – especially gender-based violence – of repercussions should they come forward with complaints; this was linked to traditional perceptions that a woman who reports rape but is unable to prove the guilt of her attacker, might be later accused of the crime of adultery. UNICEF was therefore advocating for penal reform initiatives, to reduce the notion of criminality that may be attached to women who report sexual crimes against them. Similarly, efforts were required to increase confidence amongst women and children in coming forward to report cases of abuse.¹³⁷

Figure 54 below show the numbers at the midline and current status.¹³⁸

Sexual Violence Cases				
State/Year	2015		2017	
	Male	Female	Male	Female
Blue Nile	16	38	277	274
River Nile	22	11	40	5
Kassala	20	6	8	6
Gazira	98	60	39	65
South Kordofan	4	26	5	43
Central Darfur	2	8	1	14
Khartoum	618	536	618	741

Figure 55: Sexual violence cases by state

In 2017, 2,196 cases of sexual violence were reported to either the police, school, health facilities and other locations such as helplines. Of this 1,096 were boys and 1,100 were girls.¹³⁹

Findings from data collection

As displayed in figure 55 below, large majority of respondent's state that FGM cases are rare (89%). The responses are similar across the states with the exception of South Kordofan where 50% of women say the cases are rare and in Kassala where 75% of women say the cases are rare. Although this may indicate these cases being more frequent in those states, the low number of female respondents likely distorts the picture.

No respondents in Blue Nile state that cases are prosecuted, which goes in hand with a relatively high number of women (33%) stating that the cases are not reported due to social and cultural factors. The relationship between few cases being reported and can also be seen in South Kordofan and Kassala. Generally, more women than men think that cases are not reported due to social and cultural factors.

¹³⁶ UNICEF Sudan, 2008, Tech Brief 3.

¹³⁷ 2008 UNICEF Sudan Tech Brief 3: FCPU, pg. 4.

¹³⁸ FCPU data 2015 and 2017.

¹³⁹ UNICEF, 2017, SMQ Outcome 6: Child Protection.

Most frequent results of reporting cases of FGM by State and sex (in percent)														
according to FCPU staff, judiciary, attorney and social workers														
	El Gazira		Blue Nile		Central Darfur		Kassala		Khartoum		River Nile		South Kordofan	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M
FGM cases are rare	83%	89%	100%	80%	100%	92%	75%	92%	100%	100%	100%	100%	50%	90%
Cases are prosecuted	33%	0%	0%	0%	0%	25%	17%	17%	67%	8%	33%	58%	25%	20%
Not reported due to social and cultural factors	33%	11%	33%	0%	0%	8%	33%	25%	20%	33%	11%	0%	50%	40%
Fewer cases due to increased awareness	33%	22%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%	0%	0%
FGM is not criminalized	0%	22%	0%	10%	0%	8%	0%	8%	0%	0%	0%	0%	0%	0%
Not reported as committed within families	0%	11%	0%	0%	0%	0%	0%	17%	0%	8%	0%	0%	0%	0%
Treated as a major injury in criminal law	0%	11%	0%	10%	0%	0%	0%	17%	0%	0%	0%	0%	0%	0%
Extra input	0%	0%	0%	0%	0%	8%	0%	17%	0%	0%	0%	0%	0%	0%
Cases settled	0%	0%	0%	0%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%
I don't know	0%	0%	0%	10%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
No external pressure to prosecute	0%	0%	0%	10%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Treated as a minor injury in criminal law	0%	0%	0%	10%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Number of respondents	6	9	3	10	3	12	12	12	15	12	9	12	8	10

The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

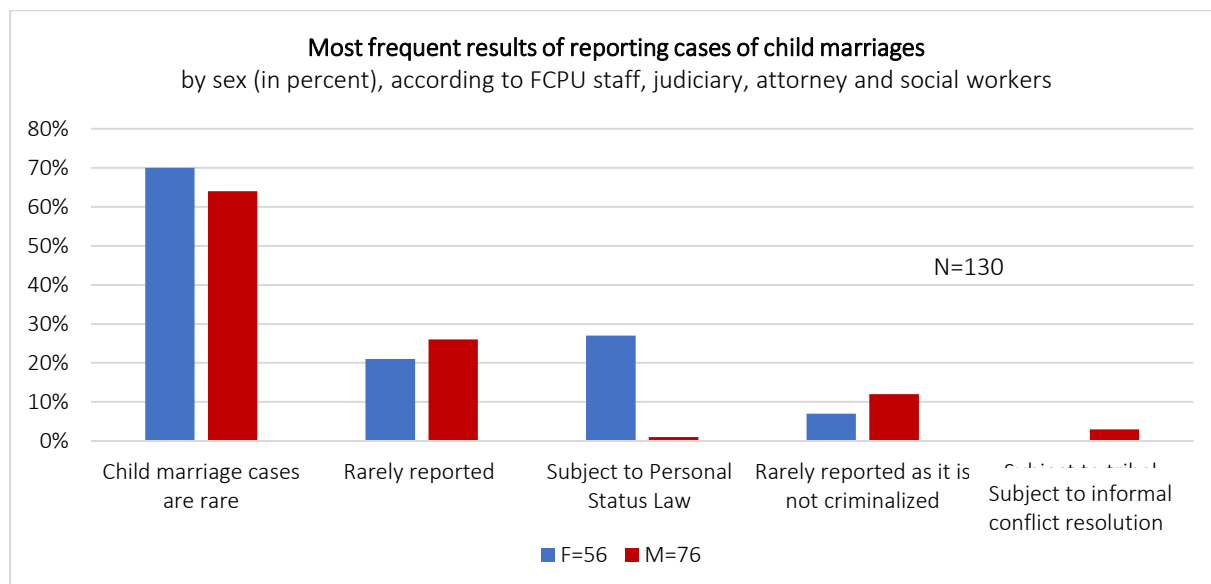
Figure 56: Most frequent results of reporting cases of FGM

As displayed in figure 56 below, most respondents in particular women state that there are too many cases of sexual violence (F:87%, M:53%). Most respondents think the most frequent result of reporting such cases is that the offender is prosecuted (80%), with more women believing in prosecution (87%) resulting from reporting than men (75%). There are noticeable differences between the states in that minority in Blue Nile and Central Darfur think that offenders are prosecuted.

Most frequent results of reporting cases of sexual assault by State and sex (in percent)														
according to FCPU staff, judiciary, attorney and social workers														
	El Gazira		Blue Nile		Central Darfur		Kassala		Khartoum		River Nile		South Kordofan	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Too many cases of sexual violence	83%	33%	0%	33%	100%	67%	91%	25%	93%	75%	100%	75%	75%	50%
Offenders are prosecuted	100%	67%	0%	44%	0%	33%	82%	92%	100%	100%	100%	100%	100%	80%
Sexual violence is the most frequently reported case	0%	11%	100%	22%	0%	0%	0%	0%	7%	8%	0%	8%	0%	20%
Cases are prosecuted - but perpetrator can marry the victim to mitigate sentencing	0%	22%	0%	11%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Medium reporting	0%	0%	0%	11%	0%	17%	0%	0%	0%	0%	0%	0%	0%	0%
Most of the cases are settled and result in a marriage	0%	22%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
30% of cases brought to the prosecutors	0%	0%	0%	0%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Community conferencing gets involve and settle the cases	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	10%
Discovered by police personnel who is present at hospitals	0%	0%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%	0%	0%
FCPUs refer them to social workers (usually)	0%	0%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%	0%	0%
It is mostly reported if there are injuries	0%	11%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
More sexual violence cases received from rural areas	0%	11%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Rarer to receive sexual violence cases in the capital as it's easier to report them there	0%	11%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Social workers refer them to FCPUs	0%	0%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%	0%	0%
Community reported the cases	17%	0%	0%	0%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Number of respondents	6	9	2	9	3	12	11	12	15	12	9	12	8	10

Figure 57: Most frequent results of reporting cases of sexual assault

As displayed in figure 57 below, majority (67%) of respondents consider child marriage cases being rare, with no significant difference between the sexes (F:70%, M:64%). What breaks up this rather uniform view is that minority of men (31%) in Khartoum and women in South Kordofan (25%) think that child marriage cases are rare, see Annex C to this report. An average of 24% state that they are rarely reported as they are a result of an agreement between parties and in accordance of tradition. Some (12%) mention that they are subject to personal status law and jurisdiction of regular courts.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 58: Most frequent results of reporting cases of child marriages

Output indicator 2.6 - # of children that called helpline in 2017 (per state)

Findings from programme documentation

At the baseline, in early 2009, UNICEF joined forces with the police and the National Council for Child Welfare to launch Sudan's first telephone hotline, through which victims or witnesses of crimes against women and children, or those who suspected that such crimes were being perpetrated, could reach specially trained police operators for advice and support. Operators could refer callers to investigating officers, or to psychologists and social workers for crisis management. The launch of the hotline marked another step in an ongoing public awareness campaign on child rights in the northern states of Sudan, while also building public confidence in the police as a source of help for children and their families.¹⁴⁰

At the midline, UNICEF provided the evaluation team with the following information:

- In 2011: 57,961 call were received.
- In 2012: 24,439 calls were received.
- In 2014: 19,000 calls were received.
- In 2015: 17,508 calls were received.

Findings from data collection

As displayed in figure 58 below, only a minority (8%) of children say they know the helpline. Most were in Khartoum 37%, and the rest in Kassala (18%) and Blue Nile (6%). No children in the other states know the helpline.

¹⁴⁰ 2008 UNICEF Tech Brief 3: FCPU - pg. 6.

Do you know the helpline for children? By state (in percent)								
according to community children and child clients								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
No	100%	94%	100%	82%	63%	100%	100%	92%
Yes	0%	6%	0%	18%	37%	0%	0%	8%
Number of respondents	19	31	28	22	19	8	36	163

The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 59: Do you know the helpline for children?

Findings from national team

The help line is functioning only in Khartoum state with weak performance; it is not existence in all other states. Most of the interviewed citizens have no background knowledge about it and the services it provides. The operators of this line need training on operation and how to deal with citizens, also there should be awareness on this line through mass media.

Output indicator 2.7 - Client satisfaction with helpline and follow-up

Findings from programme documentation

The evaluation team was not provided with information about any client satisfaction surveys on the helpline at the baseline, midline and end-line.

Findings from data collection

This information was not collected through preliminary data collection due to the very low number of respondents interviewed who had used the helpline.

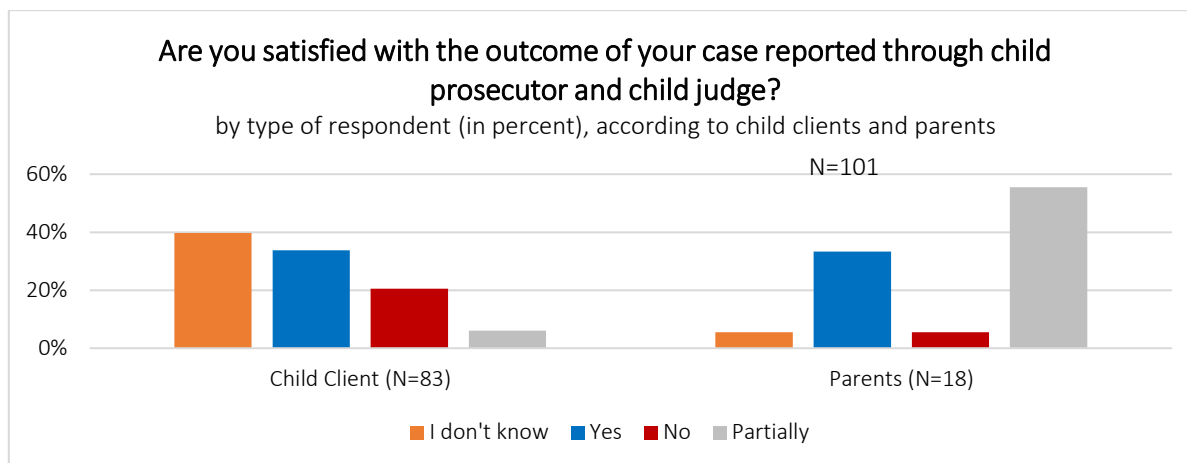
Output indicator 2.8 - Client satisfaction with outcome of the cases reported through child prosecutors and child judges (children and families)

Findings from programme documentation

The evaluation team is not aware of and was not provided with information about client satisfaction surveys collecting this information at the baseline, midline and end-line.

Findings from data collection

As presented in figure 59 below, about a third of both parents and children clients were satisfied with the outcome of their case as reported through child prosecutor and child judge. 20% of children and only 6% of parents were not satisfied. Children were more reluctant to express their opinions with 40% of them answering that they did not know. Most parents (56%) were partially satisfied.



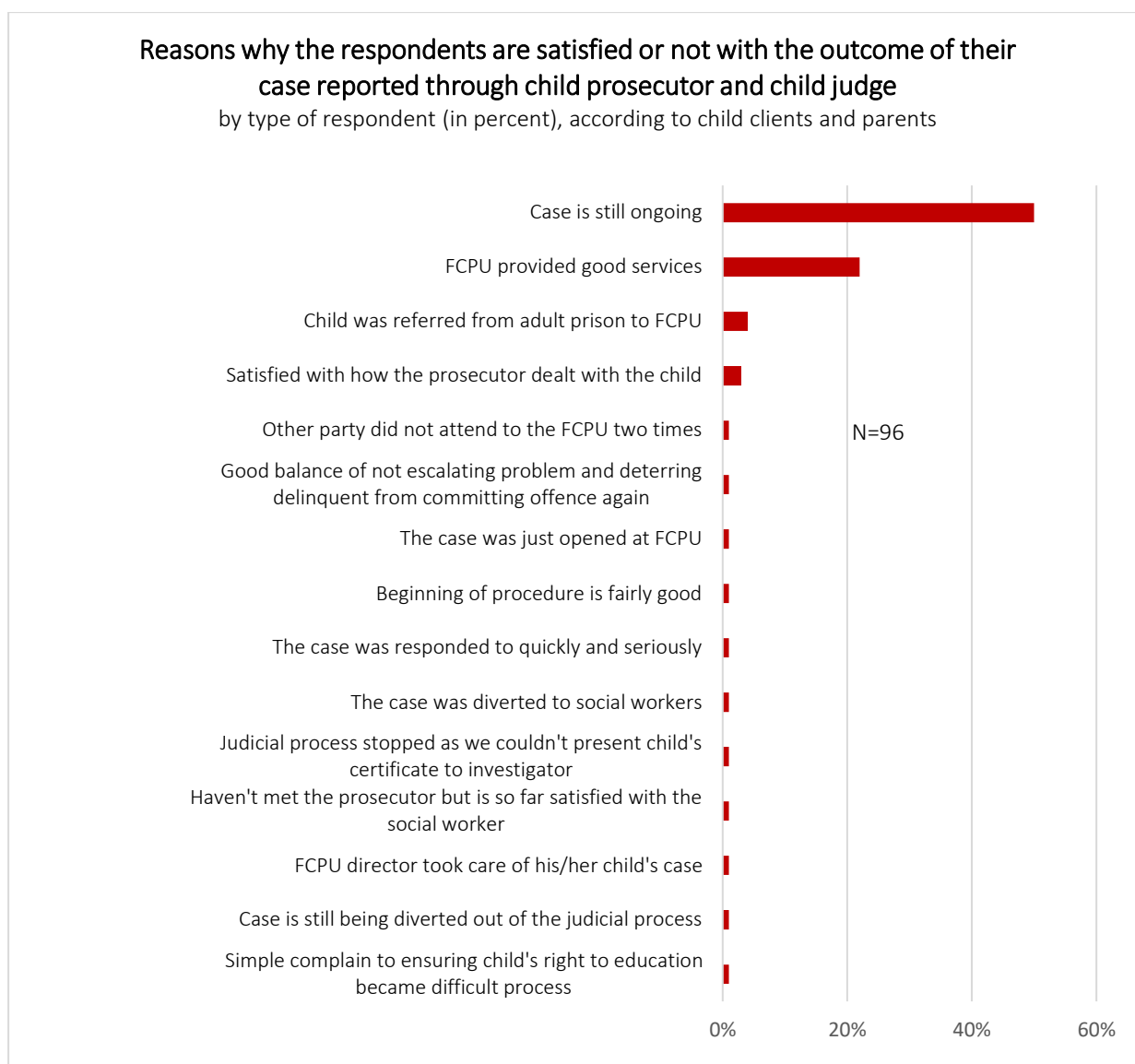
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 60: Are you satisfied with the outcome of your case?

As at least half of the interviewed child clients and their parents had ongoing cases, they were not able to give reasons for their satisfaction or dissatisfaction with the outcome of their case. The principal reason given by others is that FCPUs provided good services (22%) and that the child was referred from adult prison to FCPU (4%), see figure 60 below for other answers.

"The judgement was fair, me and my father committed that I will not repeat that again."
Child client, South Kordofan



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 61: Reasons why the respondents are satisfied or not with the outcome of their case

Output indicator 2.9 - # of children in contact with the law supported with legal aid in FCPU

Findings from programme documentation

At the baseline in 2006/2007, experience had been gained from the courts' efforts to involve social workers in the process and to secure family and legal representation for child offenders during trials.¹⁴¹ The following figure shows numbers from FCPU data 2013.

FCPU Legal Aid Service in 2013	
Total by sex	3436 (M:2029 F:1407)
Total legal aid services in 2013	3436
Total # of offender cases	7913
% of cases benefitting from legal aid in relation to offender cases	43%

Figure 62: Service provided by state¹⁴²

¹⁴¹ UNICEF Sudan, 2008, Technical Briefing Paper 3: Family & Child Protection Units.

¹⁴² FCPU data2013

At midline, there was no child legal aid in Sudan and there were only a few lawyers specialized in children in contact/conflict with the law, employed as staff members at the FCPU headquarters in Khartoum. Independent lawyers and CSOs also provided legal aid to children in conflict with the law on a voluntary basis and free of charge. The Child Act does not incorporate any provision on specialized child legal aid institutions or child lawyers. A few provisions address the responsibilities of lawyers involved in cases of children in conflict with the law (articles 56(1), 59(1), 65(4) and (6) and 75(2)).¹⁴³ The lack of aid was reported to affect child offenders and their families who cannot afford to pay for the services of a lawyer, or even the cost of bail or the eventual fine.¹⁴⁴

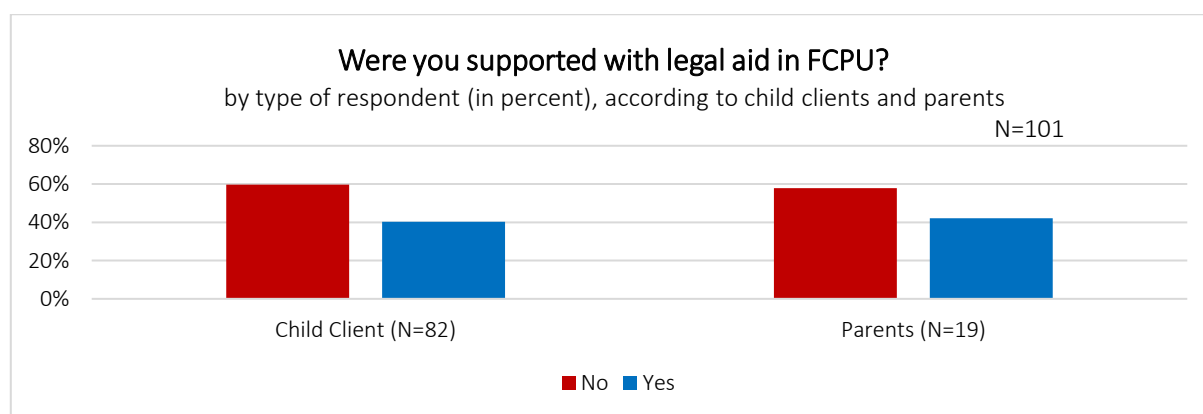
At end line, the figure 62 below provides information on the number of recipients of legal aid in 2017 disaggregated by gender and state.

FCPU Legal Aid Services in 2017					
State / Gender	M	F	State / Gender	M	F
Blue Nile	230	170	Central Darfur	55	39
River Nile	404	36	North Darfur	11	12
Kassala	0	0	South Kordofan	70	22
Gadarif	13	32	North Kordofan	725	482
Gazira	172	48	West Kordofan	170	73
Sennar	88	44	Northern State	21	5
South Darfur	244	149	White Nile	232	139
East Darfur	71	25	Red Sea	215	116
West Darfur	0	0	Khartoum	147	185
Total by sex				M:1.577	F: 2.868
Total legal aid services in 2017				4.445	
Total # of offender cases				11.925	
% of cases benefitting from legal aid in relation to offender cases				37%	

Figure 63: Number of recipients of legal aid by state¹⁴⁵

Findings from data collection

As shown in the figure 63 below, a corresponding number of child clients and parents (60%) say that they were not supported with legal aid in FCPUs.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

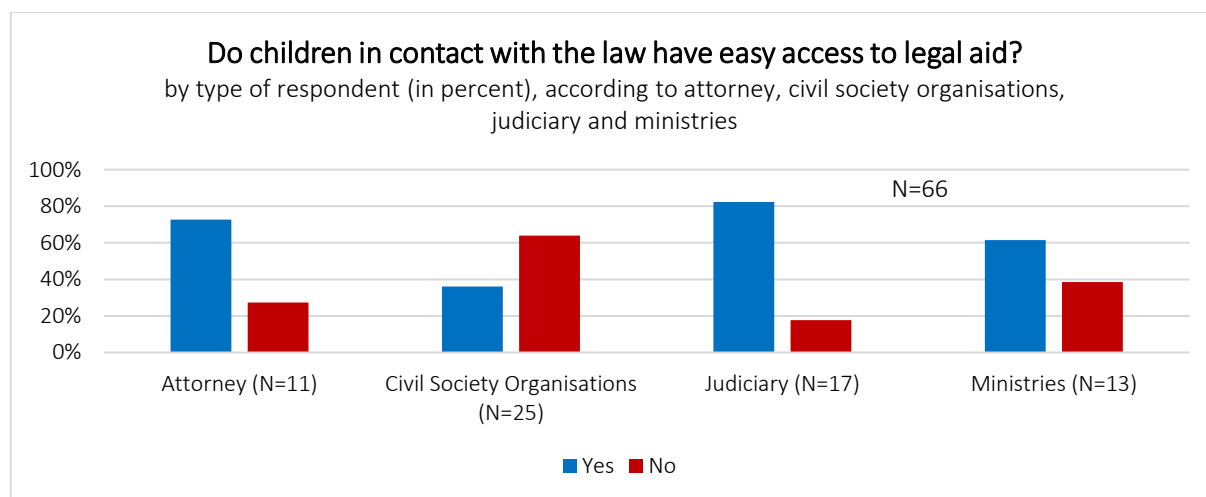
Figure 64: Were you supported with legal aid in FCPU?

¹⁴³ ILDO-UNICEF, 2015. Promotion of Diversion and Alternative Measures to Detention, ILDO-UNICEF. Pg. 62.

¹⁴⁴ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 15.

¹⁴⁵ FCPU data2017.

Further, when asked if children in contact with the law have easy access to legal aid, most respondents among ministries, judiciary and attorneys say yes, whereas 64% of civil society organisations say no. There were several instances of lawyers reporting that they provide legal aid on a voluntary basis. Although this is commendable on behalf of the lawyers in question, it is not a sustainable way of ensuring that children are legally represented. There were also reports of cases where children were tried without the assistance of a lawyer.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 65: Do children in contact with the law have easy access to legal aid?

Output indicator 2.10 - # of boys and girls provided with PSS and social services during and after their cases

Findings from programme documentation

At the baseline, reforms were required in the social welfare sector to ensure that the necessary social protection policies and programmes were established to complement actions taken within the justice sector. Vulnerability amongst families and communities was a major risk factor related to children who came into contact with the law.¹⁴⁶

Midline and end line, the following tables show numbers for services provided, either social services or psycho-social support in 2013 and 2017.

Services provided (Social/PSS) in 2013		
State/Gender	Female	Male
Blue Nile	473	473
River	408	408
Kassala	86	0
Gazira	1,211	1,142
South Kordofan	124	85
Central Darfur	17	1
Khartoum	2,300	6,553

Figure 66: Services provided in 2013¹⁴⁷

¹⁴⁶ Source: 2008 UNICEF Tech Brief 3: FCPU, pg. 5.

¹⁴⁷ FCPU data 2017.

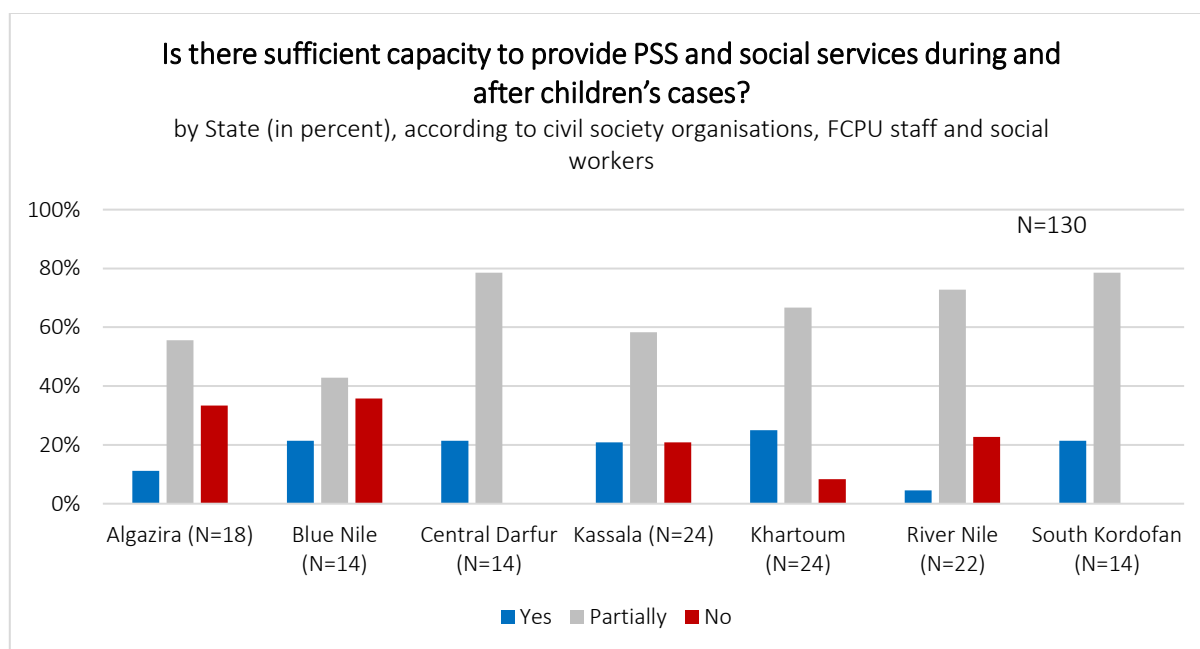
Services provided (Social/PSS) in 2017		
State/Gender	Female	Male
Blue Nile	391	613
River	313	134
Kassala	482	490
Gazira	273	258
South Kordofan	417	121
Central Darfur	64	12
Khartoum	6,444	6,444

Figure 67: Services provided in 2017¹⁴⁸

Findings from data collection

According to the figure 67 below, a minority of respondents in all the states thought there was sufficient capacity to provide PSS and social services during and after children's cases. Most respondents say that the capacity was partially sufficient. The general impression of the evaluation team is that those receiving PSS and social services felt it increased their well-being.

"The number of staff is inadequate. After the case the services should be rendered by other providers than the police."
FCPU, Kassala



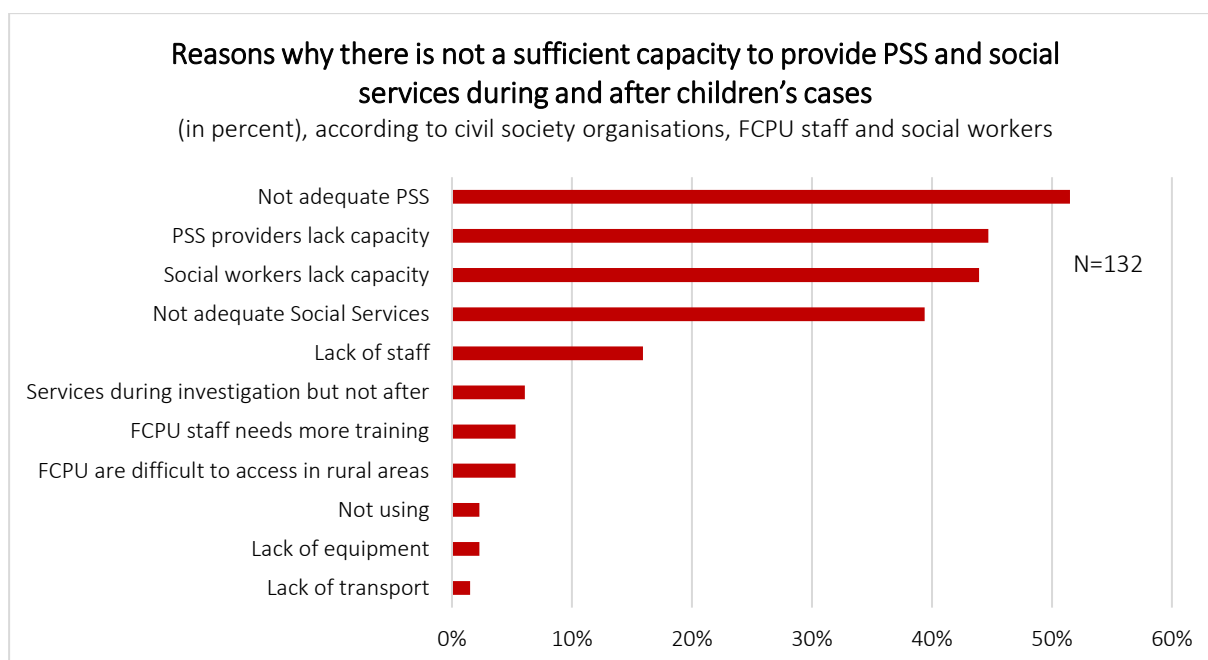
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 68: Capacity to provide PSS and social services during and after children's cases

Challenges mentioned were that the number of staff is small, that services are provided during investigation not after, they need more training and tools of work, e.g. equipment and means of transportation.

¹⁴⁸ FCPU data 2017



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 69: Insufficient capacity to provide PSS and social services

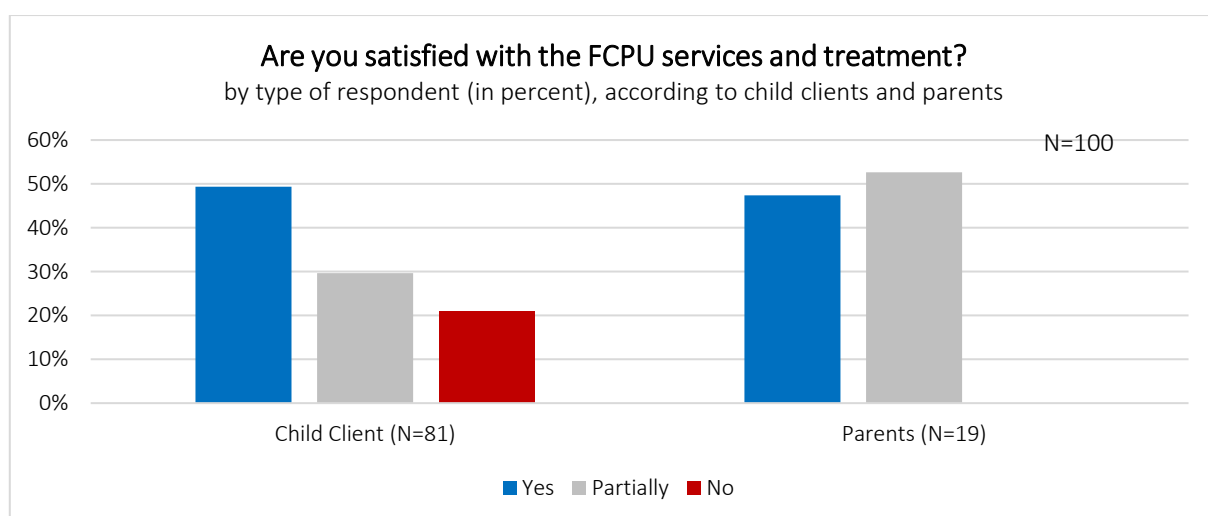
Output indicator 2.11 - Client satisfaction of FCPU services and treatment (children and parents)

Findings from programme documentation

The evaluation team was not informed of any client satisfaction survey taking stock of this information during the 10 years of *Justice for Children* programming. This is a problem as without such a survey it is difficult to measure progress from one period to another and taking corrective action to address identified problems.

Findings from data collection

As displayed in the figure 69 below, almost half of child clients (49%) and parents (47%) are satisfied with the FCPU services and treatment. 30% of children and 53% of parents are partially satisfied. Taken together this indicates a relatively high level of satisfaction. No parents say they were not satisfied, but 21% of children say no when asked if they were satisfied.

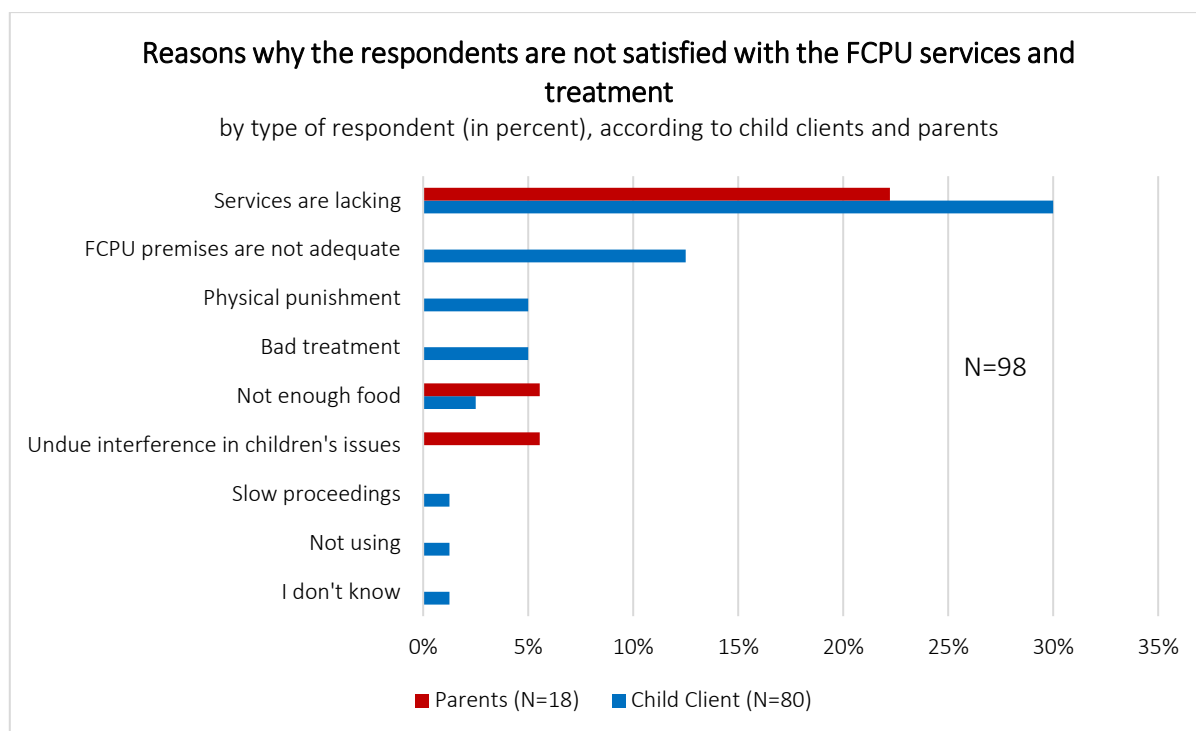


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018. Source: Transition International

Figure 70: Are you satisfied with the FCPU services and treatment?

Reasons given for not being satisfied are, principally, that services are lacking (29%), and that FCPUs premises are not adequate (10%). Some children mentioned physical punishment (5%) and bad treatment, but this was not raised by parents, as presented figure 70 below. An average of 3% say there was not enough food. For the protection of the children this data cannot be presented by State.

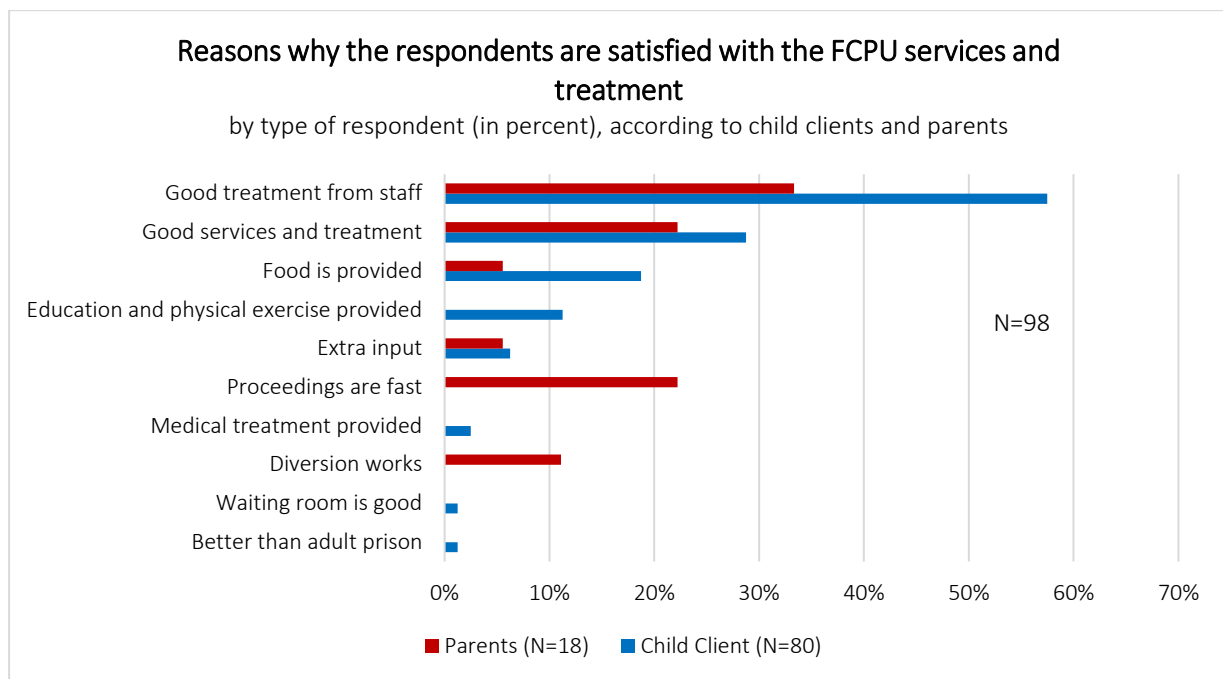
There is no food and no beds
Child client of FCPU



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 71: Reasons why the respondents are not satisfied with the FCPU services and treatment

On the other hand, about half of the children agreed that good treatment from staff (53%) and good services and treatment (28%) were the principal reasons. As can be seen in figure 71 below, children had more positive views about this. Children were also more positive about food being provided (average of 16%) and education and physical exercise being offered (average of 9%). Only parents (22%) mentioned that proceedings are fast.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 72: Reasons why the respondents are satisfied with the FCPU services and treatment

Output indicator 2.12 - Community (adults and children) perceptions on effectiveness and accessibility of FCPUs

Findings from programme documentation

At the baseline, there is no programming information as FCPUs were being established at the time.

At midline in 2011, many children, as well as adults, were not aware of the presence of FCPUs and CP Committees. This resulted in many cases of child abuses being reported to police stations rather than FCPUs.¹⁴⁹ By 2014, however, the 17 respondents to the FCPU Questionnaires stated that the FCPU was somewhat visible in their communities. At that time, 13 out of 17 FCPUs were near police stations. Respondents also noted the visible names outside the FCPUs, along with visible text/symbols such as police symbols, donor symbols (UNICEF), drawings and information about the services provided by the FCPUs.¹⁵⁰

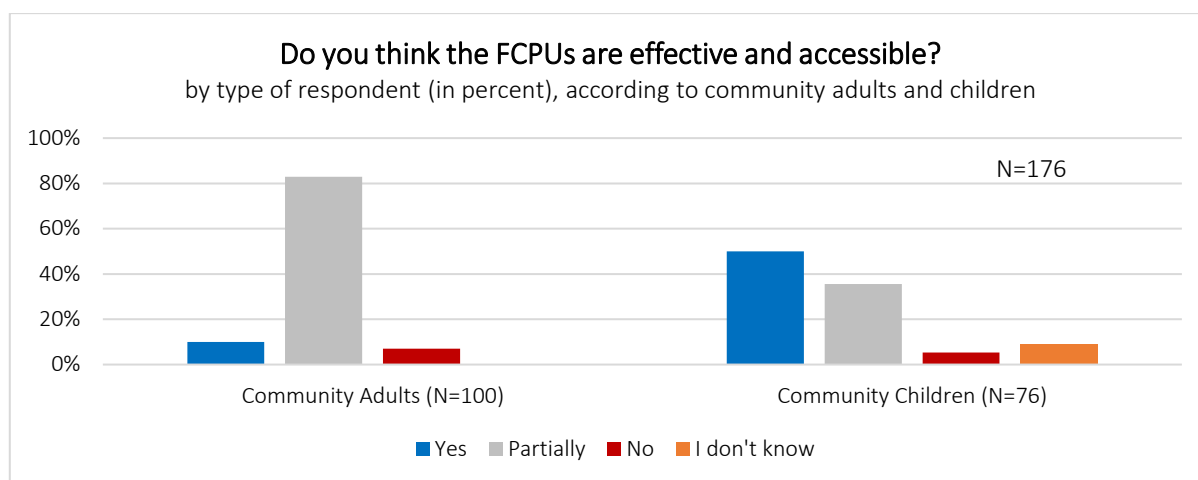
At the end-line, there is no programming information.

Findings from data collection

Almost all children and community adults say they know what the FCPUs are (98%). When asked if they thought FCPUs are effective and accessible, most community members say partially (83%) while most children say yes (50%), see figure 72 below.

¹⁴⁹ 2011 StC Study on CP Mechanism.

¹⁵⁰ 2014 Findings FCPU Questionnaires, pg. 2.

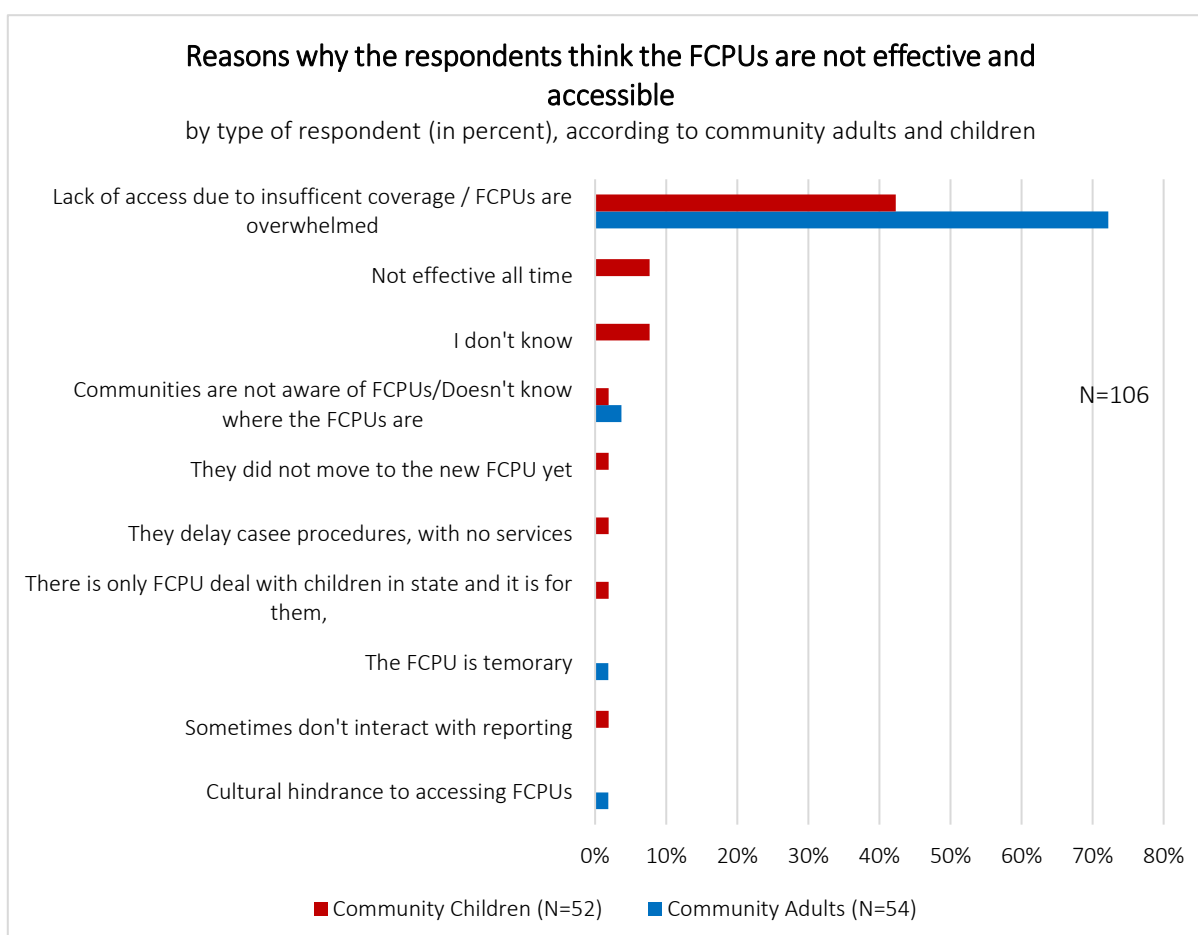


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 73: Do you think the FCPUS are effective and accessible?

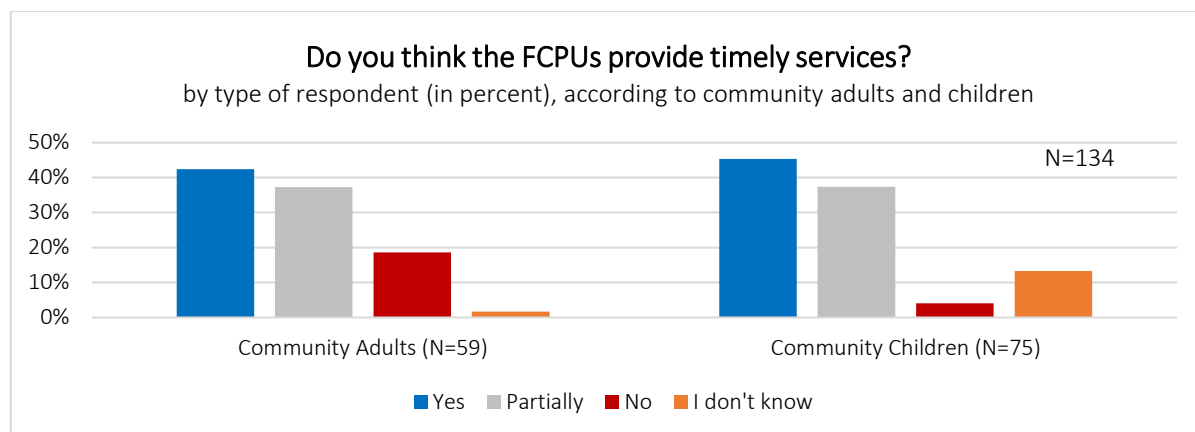
As displayed in figure 73 below, the overriding reason why FCPUs are not seen as effective and accessible is insufficient coverage and FCPUs being overwhelmed (58%). Few respondents gave other substantive reasons.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 74: Reasons why the respondents think the FCPUS are not effective and accessible

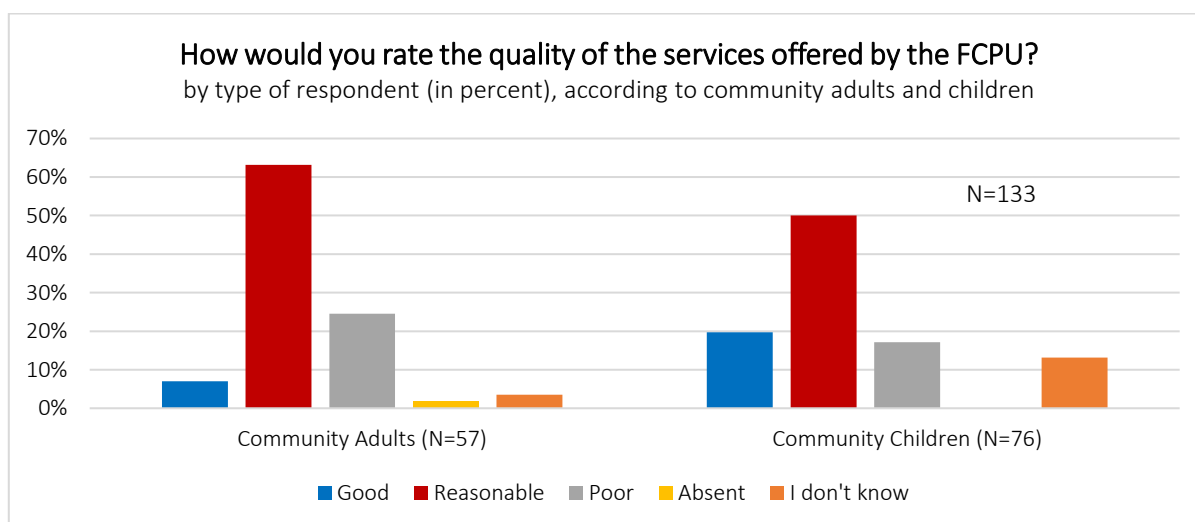
When asked if FCPUs provide timely services, almost half of community adults (42%) and children (45%) say yes. The same percentage of adults (37%) and children (37%) say they provide partially timely services. Taken together the overall view is positive, with a total of 81% of respondents answering yes or partially to the question and only 10% saying no, see figure 74 below.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 75: Do you think the FCPUs provide timely services?

As displayed in figure 75 below, most community adults and children (56%) rate the quality of the services offered by the FCPU as reasonable. More children (20%) rate it as good than adults (7%). While for an average of 70% of respondents are positive, a total of 21% say quality was poor or absent.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 76: How would you rate the quality of the services offered by the FCPU?

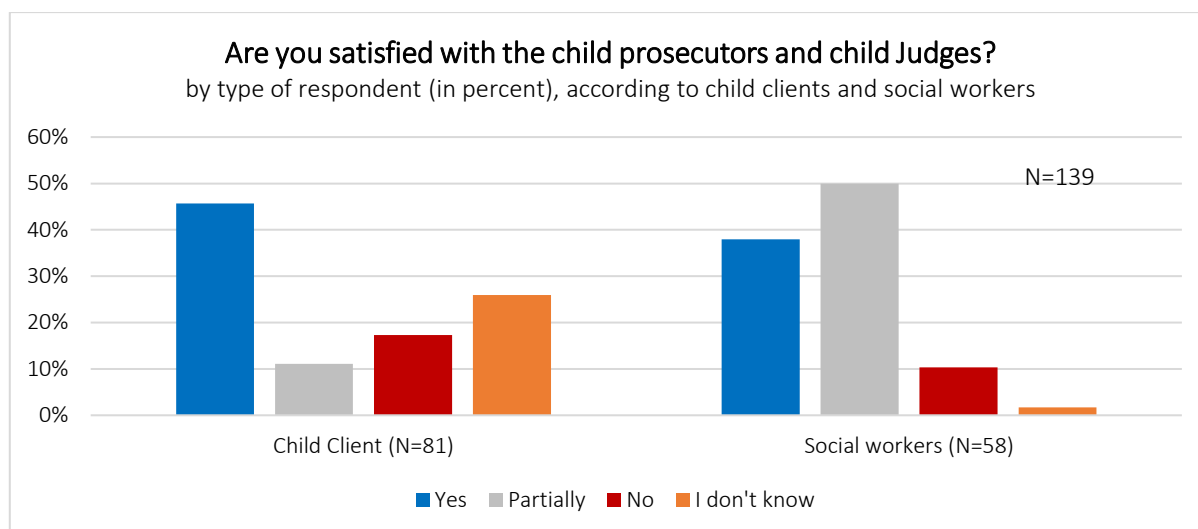
Output indicator 2.13 - Client satisfaction of Child prosecutors and Child Judges (children and parents)

Findings from programme documentation

The evaluation team was not informed of any client satisfaction surveys taking stock of this information at the baseline, midline or end-line.

Findings from data collection

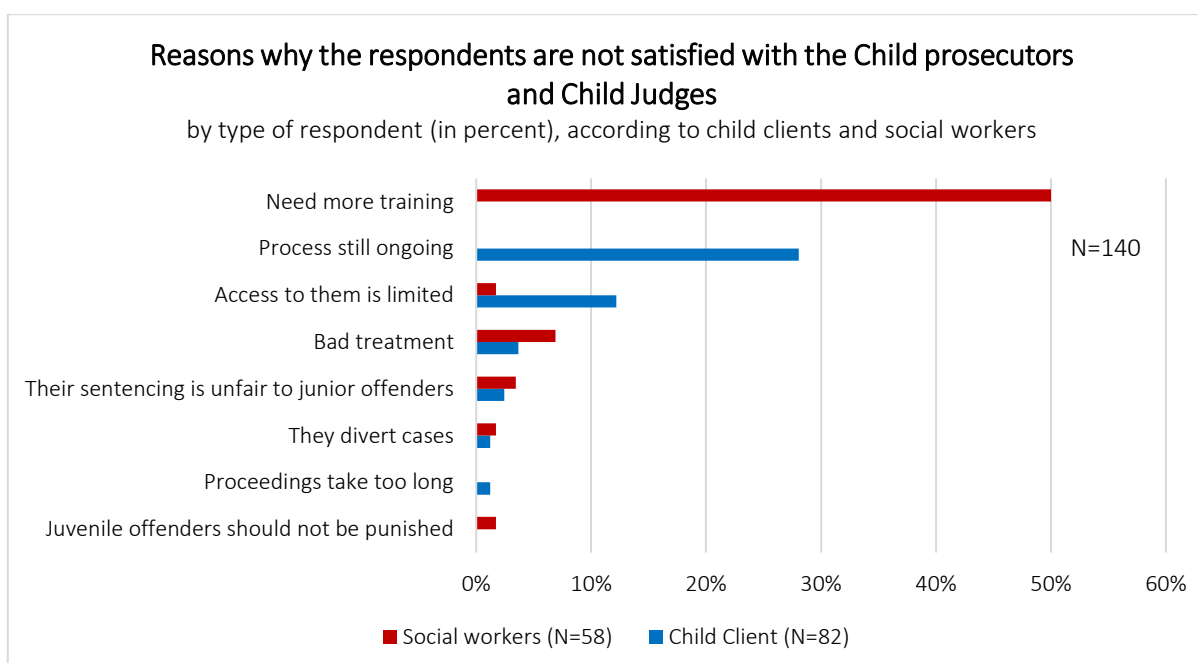
As displayed in figure 76 below, most respondents are satisfied with the Child prosecutors and Child Judges (42%) or partially satisfied (27%). Only a 14% were not satisfied. Interestingly, more children say they were satisfied (46%) and not satisfied (17%) than social workers answering the same question.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 77: Are you satisfied with the Child prosecutors and Child Judges?

When asked to give reasons for not being satisfied, most respondents mentioned the need for more training (21%), that the process were still ongoing (16%) and that access to child prosecutors and judges is limited (8%), see further answers in figure 77 below.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 78: Reasons of dissatisfaction with the Child prosecutors and Child Judges

Child clients and social workers also gave reasons why they were satisfied. Interestingly, the most prevalent response (average 26%) is good treatment although only children provided that answer. This

was followed by child judges and prosecutors passing a fair judgment (13%) and being well trained (10%).

Output indicator 2.14 - Perceptions of Judiciary, Attorney and FCPU staff on the functioning and effectiveness of FCPUs

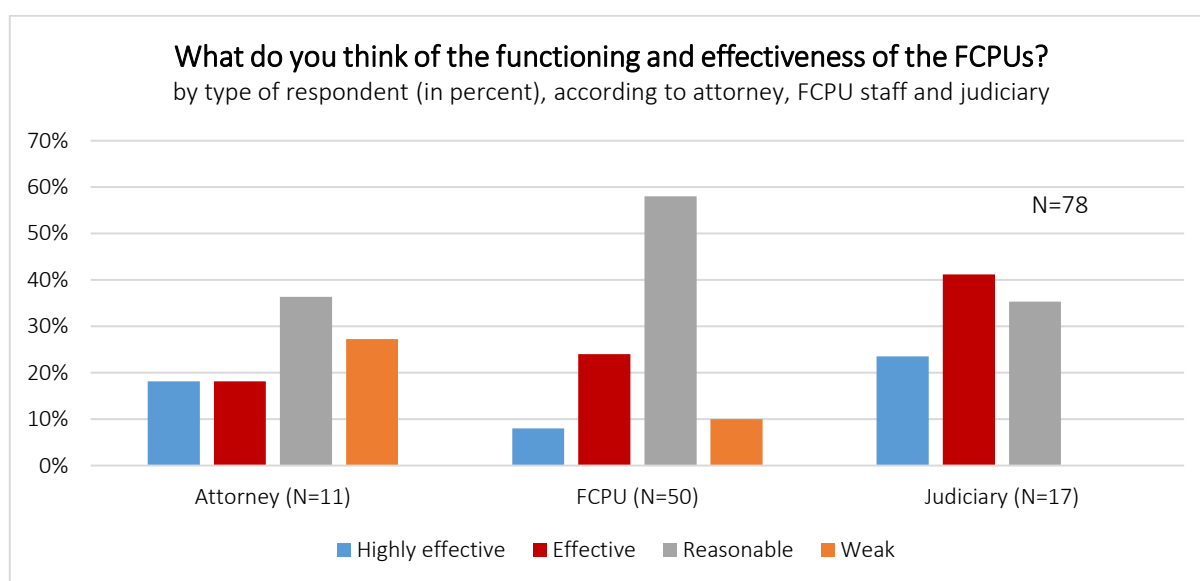
Findings from programme documentation

The evaluation team was not informed of any perception surveys taking stock of this information at the baseline, midline and end-line.

Note that the 2015 mapping of child protection services listed numerous factors that reduced the effectiveness of service provision.¹⁵¹ It did however not stipulate perceptions on how effective the system was.

Findings from data collection

As displayed in figure 78 below, most programme implementers consider the functioning and effectiveness of FCPUs reasonable (56%). The views of the judiciary are more positive than that of other respondents with 65% of them seeing the FCPUs as highly effective. The views of attorneys were most negative with 63% of them seeing the effectiveness of FCPUs as reasonable and weak. An average of 10% of respondents thought the performance of FCPUs was weak.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 79: The functioning and effectiveness of FCPUs

When asked what the main challenges are, respondents mention principally lack of funding for FCPUs (50%), lack of transport (36%), facilities being inadequate (29%) and FCPU staff lacking capacity in dealing with children (25%), see further details in figure 79 below:

¹⁵¹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 58.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 80: Perceptions on the main challenges to the functioning and effectiveness of the FCPUs

Outcome indicator 3 - Fewer child offenders spend time deprived of liberty, for fewer periods of time, in child-appropriate facilities

Findings from programme documentation

Most of the data system was established not at the start of the project but later. Therefore, there is no data from the baseline period from programme documentation.

At midline, the Child Act, Articles (2) (l), 57(2), 63(c) and 69(1), provide for diversion at all levels of the juvenile justice process, whether before the police, prosecution and court. The Child Act also provides for the establishment of remand homes for children in conflict with the law by (59(1)). In actual practice, remand homes had not yet been established. As a result, accused children who could not be released were deprived of their liberty in FCPUs or general police stations, which could mean that they were in the same cell as arrested and accused adults.¹⁵²

Pre-trial detention may not exceed seven days according to the Child Act (2010). The investigation of the case was often not finished in that period, so the child judge extended the duration. In exceptional cases this might result in children being deprived of their liberty for six months in a FCPU cell. "In some parts of Sudan there were no specialized detention centres for children. If a child was sentenced to

¹⁵² NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 63.

detention, he/she might be deprived of his/her liberty hundreds of miles away from his/her home. This was one of the reasons that some judges imposed alternatives to post-trial detention.”¹⁵³

Article 27 of the Child Act requires the establishment of instruction homes for convicted children (the draft Regulation of Instruction Homes was expected to be approved in April 2015 but is still awaiting adoption). There are currently three instruction homes (Koper, Giraif and Shalaa) in Sudan. The Child Act also provides for ‘Youth Homes’ for “delinquent children who have attained the age of 18 and have not finished the term of reform measurement in the instruction home” (§72).

While the Child Act supports rehabilitation efforts in principle, the IDLO UNICEF study found that in practice children do not often benefit because of lack of necessary support programmes.¹⁵⁴ Moreover, the authors of the Child Notice found that only a small minority of courts offered community service alternatives. To address these challenges, regulations on diversions and on community service are awaiting adoption which will make these kinds of alternatives to punishment more accessible.¹⁵⁵

At end-line, the number of children in detention was substantially reduced, by 40% (238 per 100,000 child population) through a combination of the application of diversion outside the justice system and changing the mindset to more child victim centred judicial decisions.¹⁵⁶ In 2017 there were 218 children in detention (215 boys and 3 girls), the figures were similar in 2016 with 238 children in detention (232 boys and 6 girls).¹⁵⁷ Two reformatories are operating in Khartoum, one for boys and another for girls. There are four orphanages in the country, two in Khartoum, one in River Nile and one in Gazira state, these orphanages are in irregular contact with FCPUs which refer orphans to them. There is an ongoing project to build a comprehensive child city which is hoped will make a turning point in child protection¹⁵⁸

Findings from data collection

As displayed in figure 80 below, half of the programme implementers (49%) agree with the statement that fewer child offenders spend time deprived of liberty, for less periods of time, in child-appropriate facilities. A minority of respondents (14%) are of the opposite view. During a focus group discussion in Khartoum, judges pointed out that due to enhanced efficiency of police officers they are faster to arrest children and put them in waiting rooms, leading to more children being deprived of their freedom.¹⁵⁹

¹⁵³ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg.

¹⁵⁴ IDLO-UNICEF, *Promotion of Diversion and Alternative Measures to Detention*, pp. 71 & 77.

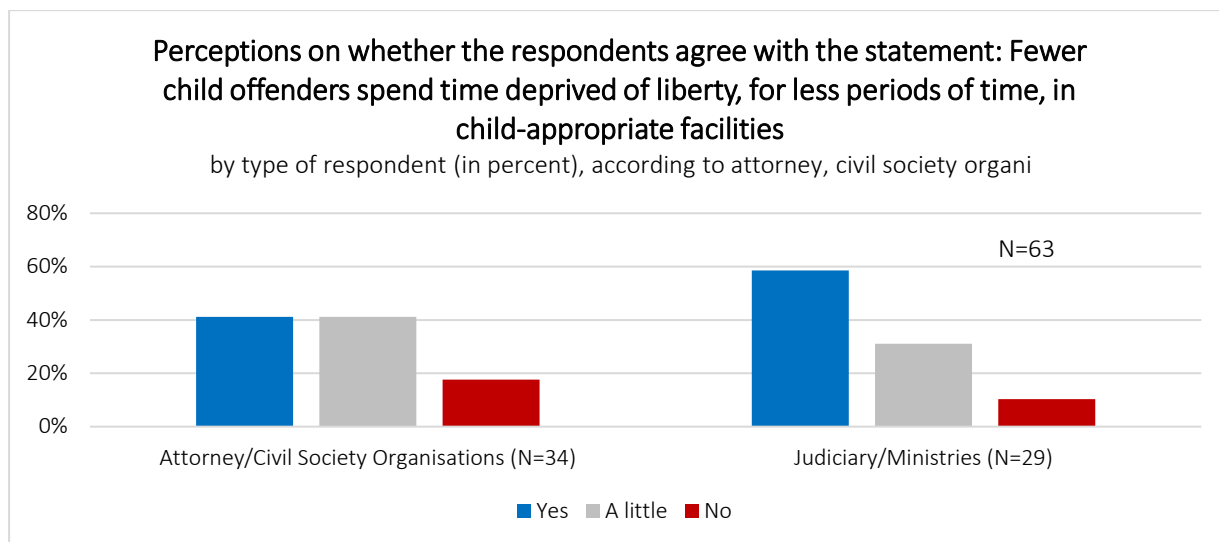
¹⁵⁵ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 76.

¹⁵⁶ UNICEF, 2016, Annual Report. Pg. 18. https://www.unicef.org/about/annualreport/files/Sudan_2016_COAR.pdf (accessed 4 June 2016).

¹⁵⁷ UNICEF, December 2017, SMQ Child Protection.

¹⁵⁸ Observations made by the Evaluation Team.

¹⁵⁹ FGD conducted with judges in Khartoum during the inception mission.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 81: reduction of child offenders spending time deprived of liberty

Output indicator 3.1 - Children deprived of their liberty per 100,000 child population

Findings from programme documentation

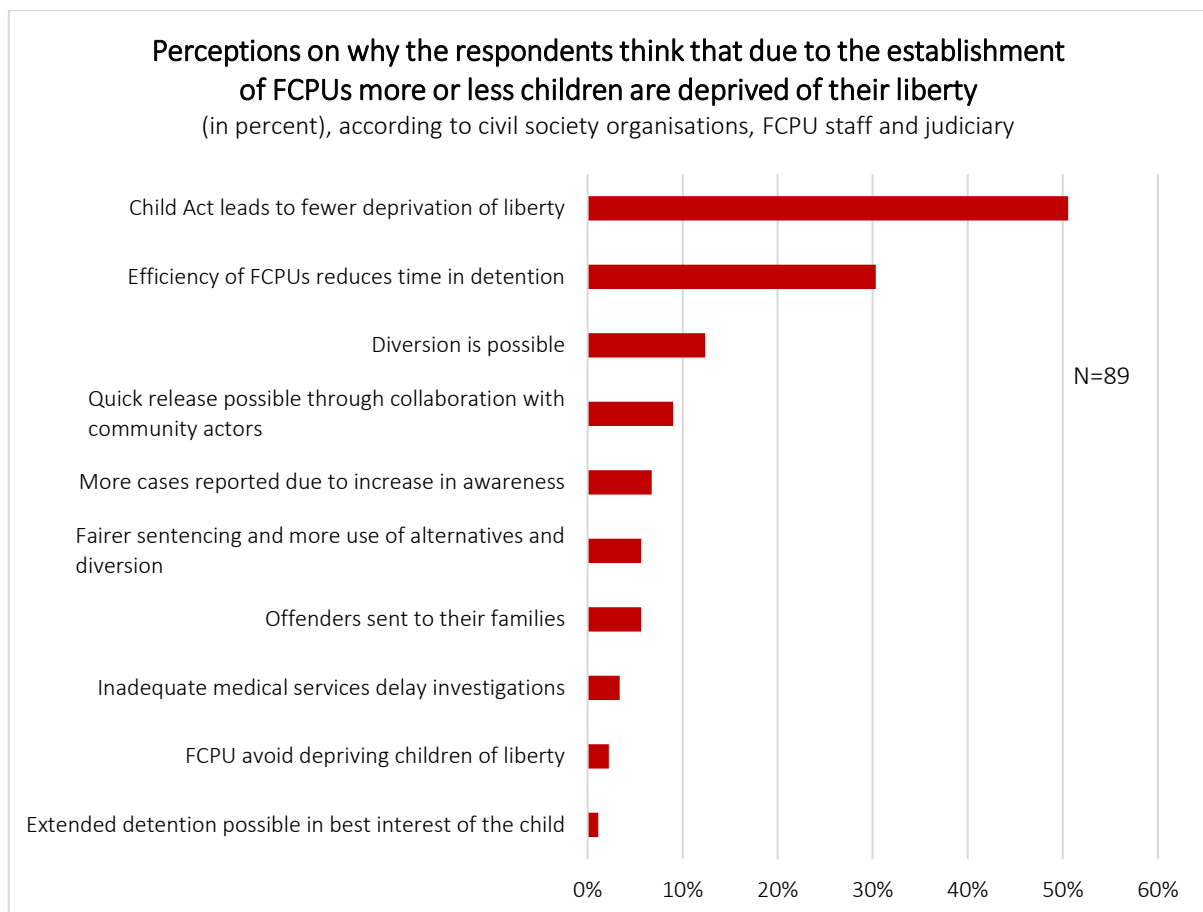
The data system was established later and not at the start of the project. Therefore, there is no programming information from baseline and midline.

At the end-line, in December 2017, 218 children were in detention (3 girls, 215 boys). The numbers were similar in 2016 when a total of 238 children were deprived of their liberty (6 girls, 232 boys). The number of children in detention at post trial stage decreased due to UNICEF's investment and Government commitment to diversion of children in conflict of the law outside the judicial system and alternative measures to detention. This indicates a positive change in the mind set to a more child victim centred approach.¹⁶⁰

Findings from data collection

An overwhelming 94% of attorneys, CSOs, FCPU and judiciary staff think that less children are deprived of their liberty due to the establishment of FCPUs. As displayed in figure 81 below, the principal reasons given are the Child Act leading to fewer children being deprived of their liberty (51%), the efficiency of FCPUs helping reduce the number of children deprived of their liberty (30%) and the possibility of diversion (11%).

¹⁶⁰ UNICEF, 2017, SMQ Outcome 6: Child Protection.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 82: Perceptions of the respondents on children being deprived of their liberty

Output indicator 3.2 - % of boy and girl offenders provided with alternative measures to detention

Findings from programme documentation

From the point of baseline and midline, there is no programming information about the number of boy and girl offenders provided with alternative measures to detention.

It is however worth noting that according to the IDLO-UNICEF report, FCPU social workers often recommended releasing the child if the parents guarantee that the child will participate in the investigation process. Children can also be released by the child judge to the head teacher of the child's school or to sheikhs or tribal leaders. Community-based organisations are not allowed to receive released children. The study also mentioned alternatives to post-trial detention including fines, social probation and, less frequently, supervision of a probation officer and rehabilitation programmes.¹⁶¹

Output indicator 3.3 - Quality, quantity and gender responsiveness of "waiting rooms" in FCPUs

Findings from programme documentation

No baseline, midline and end-line information was provided to the evaluation team.

Findings from data collection

An overwhelming majority (89%) of attorneys, CSOs and FCPUs think the quality of the waiting rooms in FCPUs is poor. 97% of attorneys and FCPU staff state that there are not enough waiting rooms, and 61% say there is no separate spaces for girls.

¹⁶¹ ILDO-UNICEF, *Promotion of Diversion and Alternative Measures to Detention*, pp. 69 & 71.

Perceptions on what the respondents think of the quality of the “waiting rooms” in FCPUs by state (in percent)								
according to attorney, civil society organisations and FCPU staff								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Poor	92%	91%	79%	90%	100%	88%	86%	89%
Fair	8%	9%	21%	10%	0%	13%	0%	9%
Very good	0%	0%	0%	0%	0%	0%	14%	1%
Number of respondents	12	11	14	10	13	8	7	75

Figure 83: Perceptions on what the respondents think of the quality of the “waiting rooms” in FCPUs

The evaluation team observed considerable differences in the quality of the waiting rooms with some being well furnished and others having nothing but a mattress on the floor. Most FCPUs visited lacked separate waiting rooms for girls.

Output indicator 3.4 - # of children arrested and held in waiting rooms per year

Findings from programme documentation

No baseline information was provided to the evaluation team. For midline and end-line, figure 83 displayed below provides information on the number of detained offenders for the years 2015-2017, disaggregated by sex and state.

Number of detained offenders, by sex						
States/Year	2015		2016		2017	
	M	F	M	F	M	F
Red Sea	131	38	46	34	73	36
White Nile	132	96	148	146	129	108
Northern		47		51		19
West Kordofan	84	56	88	59	86	43
North Kordofan	146	63	289	59	562	343
South Kordofan	115	75	98	98	83	45
East Darfur	25	13	41	17	93	35
West Darfur	17		11		12	
Central Darfur	15	7	24	9	96	11
North Darfur	28		24		34	
South Darfur	7	4	9	6	5	3
Khartoum	823	377	2556	583	2728	591
Kassala	81	8	94	20	247	67
Sinar	57	14	77	29	51	71
Gazira	108	59	132	47	246	135
Gadarif	88	14	26	51	182	134
River Nile	169	53	390	14	498	25
Blue Nile	94	53	76	17	83	23
Total	2120	977	4129	1240	5208	1689

Figure 84: Number of detained offenders, by sex¹⁶²

The evaluation team was not provided with information on how many children are held in waiting rooms for these years. For the purpose of this evaluation it proposes calculating that number by subtracting the number of detained offenders by the number of diverted cases as provided by FCPU data.

¹⁶² Information provided by the NM.

	2015	2016	2017
Total number of offenders	3097	5369	6897
Total number of diversions ¹⁶³	1952 (63%)	3.368 (62%)	3.683 (52%)
A calculated number of children held in waiting rooms	1145	2,100	3.214

Figure 85: Calculated Number of Children held in waiting rooms

Output indicator 3.5 - % of children at pre-trial held for longer than 3 and 7 days (per state)

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline, 13 FCPUs were reported to hold children for between 4-7 days. No FCPUs were reported to hold children longer than 7 days.¹⁶⁴

The NM provided the following information for the years 2015-2017, disaggregated by sex and state.

Number of offenders detained for more than 7 days						
By sex						
States/Year	2015		2016		2017	
	M	F	M	F	M	F
Red Sea	14	4	10	11	20	8
White Nile	36	42	60	92	19	22
Northern		4		3		5
West Kordofan	49	41	15	42	5	8
North Kordofan	55	25	110	14	284	166
South Kordofan	19	10	24	1	41	34
East Darfur	6	4	65	2	173	8
West Darfur	10	10	20	11	9	
Central Darfur	21	3	36	5	30	7
North Darfur	55	18	165	35	361	81
South Darfur	78	39	236	38	285	33
Khartoum	245	46	1808	194	1904	162
Kassala	58	8	45	7	189	36
Sinar	14	1	31	13	3	10
Gazira	7	11	13	8	22	13
Gadarif	61	1	7	29	156	129
River Nile	91		335		420	
Blue Nile	73		5		3	
Total	898	267	2985	505	3924	722

Figure 86: Number of offenders detained for more than 7 days¹⁶⁵

Output indicator 3.6 - # and types of alleged child offenders deprived of their liberty in other facilities than FCPUs (e.g. CAAFAG, Children accused of related to violent extremism etc.)

Findings from programme documentation

Neither the NM nor the NCCW could provide this data for the baseline and midterm.

At the end line, no children accused of terrorist offences have come to UNICEF's attention. For the period 2015-2018, a total of 25 CAAC had been treated. First with the security and child rights unit of the SAF and then they were moved to the transitional care centre under FCPU. In 2018, 77 trafficked

¹⁶³ FCPU data.

¹⁶⁴ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Findings". NM for FCPUs and UNICEF Sudan. Pg.29.

¹⁶⁵ Statistics provided by the NM.

children were handled by the prosecutor's office as crimes against the state, and then moved to the transitional care centre.¹⁶⁶

Output indicator 3.7 - Capacities of institutions to implement and monitor alternative measures to detention (such as community service)

Findings from programme documentation

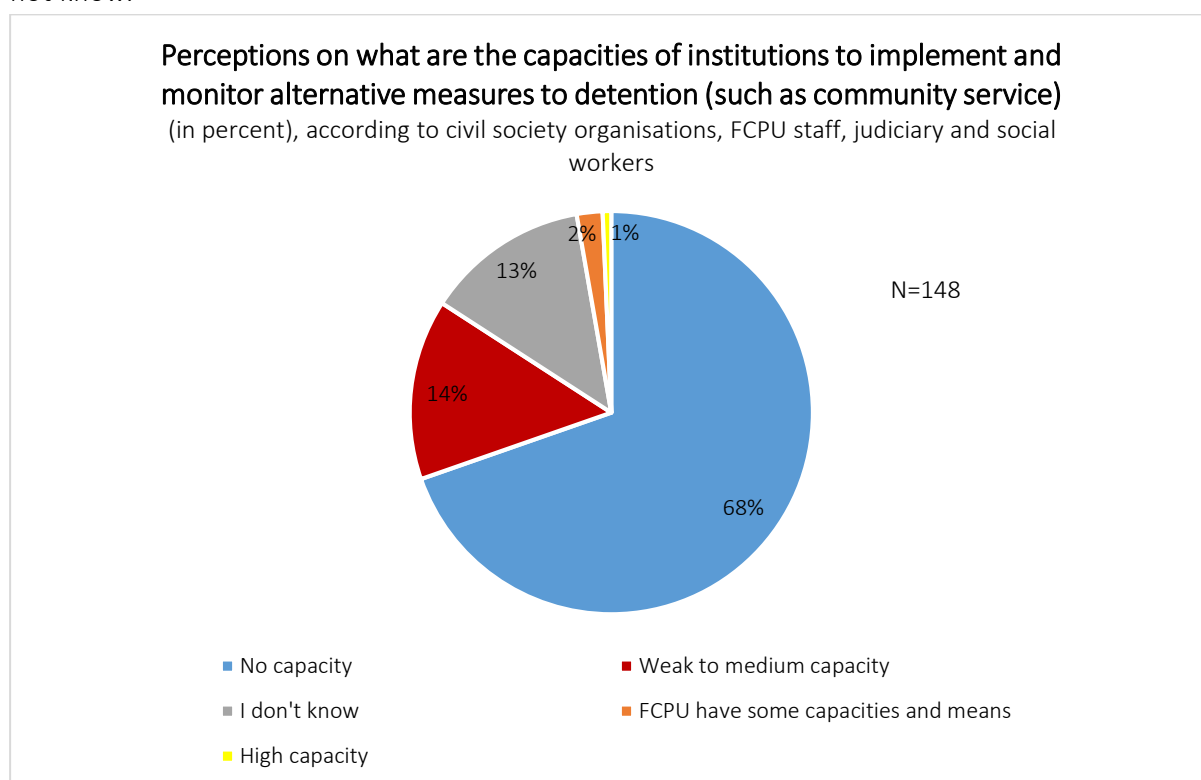
No baseline information was provided to the evaluation team.

At midline, alternatives to pre-trial detention was applied to children in conflict with the law who were being formally processed through the criminal (juvenile) justice system. While this is not explicitly provided for in law in practice alternatives to pre-trial stage are applied both with and without a restorative justice approach. Alternatives were also applied to post-trial but were considered measures of second resort. Sudan has explicitly regulated alternatives to post-trial detention with a restorative justice approach. Restitution can take the form of financial compensation to the victim. Sudan also implemented alternatives to post-trial detention without a restorative justice approach.¹⁶⁷ In such instances the perpetrator is for instance sentenced to a fine or parole, without there being any compensation or restoration for the victim.

There is no programming information on the current status against this indicator.

Findings from data collection

As displayed in figure 86 below, majority (68%) of CSOs, FCPU staff, judiciary and social workers say that institutions have no capacity to implement and monitor alternative measures to detention. 14% of respondents say institutions have weak to medium capacity. 13% state they do not know.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 87: Perceptions on what are the capacities for alternative measures to detention

¹⁶⁶ Information provided by UNICEF in correspondence of 18. February 2019

¹⁶⁷ IDLO-UNICEF, 2015. Promotion of Diversion and Alternative Measures to Detention, IDLO-UNICEF. Pg. 102-127.

Outcome indicator 4 - Increase in the use of diversion from the judicial process results in fewer children being subjected to formal court procedures

Findings from programme documentation

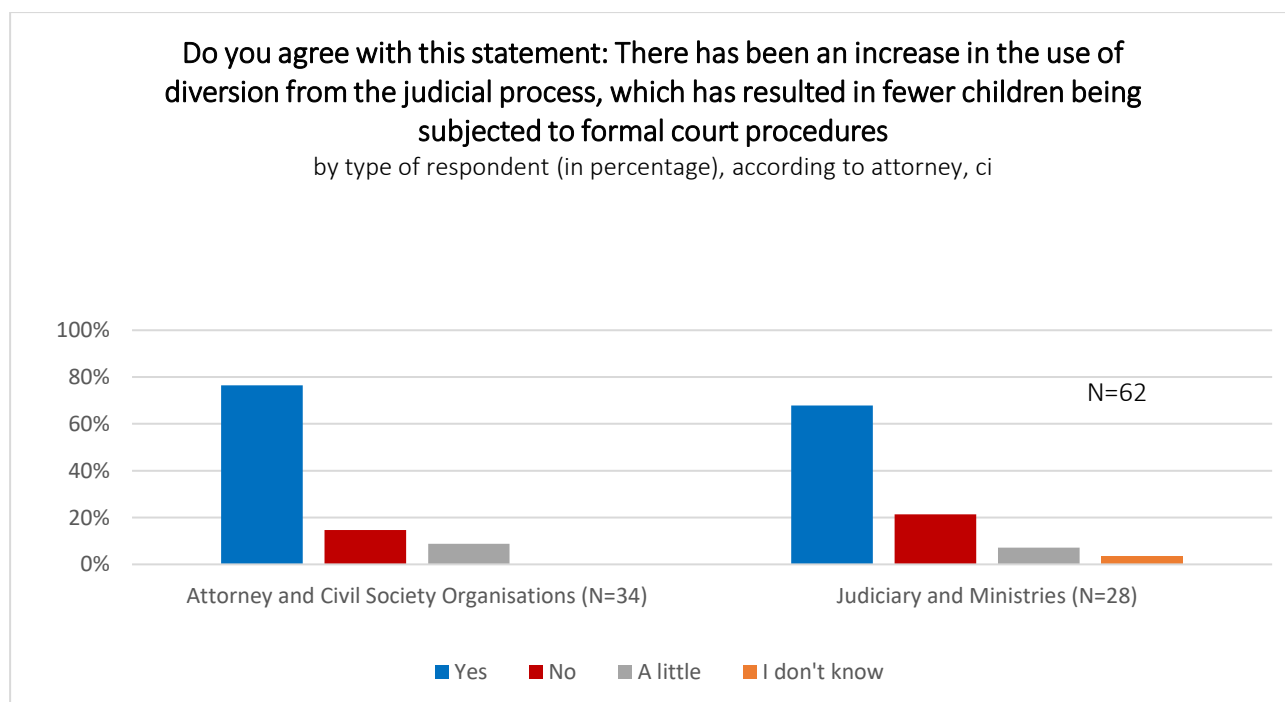
No baseline information was provided to the evaluation team.

At mid-line, the 2015 assessment of child protection system in Sudan noted challenges in applying diversion and alternatives to detention as the required social services, remand and youth homes were not always available.¹⁶⁸ In 2015, a total of 1,952 children were diverted outside of the justice system.

At end line, there is a change in the number of children in conflict with the law who are diverted outside of the justice system. In 2017 a total of 3,683 children were diverted. In terms of numbers this means an 89% increase which UNICEF has interpreted as a positive sign.¹⁶⁹ However, comparing the % there is a decrease from 63% to 52% of detained children offenders who benefit from diversion. Yet the substantial increase in numbers suggests that the capacity of the system to divert children is growing.

Findings from data collection

As displayed in figure 87 below, the majority (73%) of attorney, CSOs, judiciary and ministries agree that there has been an increase in the use of diversion, compared to 18% who say no.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 88: Perceptions on the use of diversion

Output indicator 4.1 - % of FCPU cases diverted outside the judicial system

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline 7,913 child offenders were served by FCPUs in 2013, out of which 1,056 were referred. It is not clear if the referred children were diverted as there is no mention of diversion in the statistics of

¹⁶⁸ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping.

¹⁶⁹ UNICEF, Offline Template for 2017 RAM, Child Protection.

2013. Even if all these children were diverted, it means that diversion was used in only 13% of cases involving child offenders.¹⁷⁰

The following table shows the number and percentage of children diverted by the police for the period 2015-2017.

	2015	2016	2017
Total number of offenders¹⁷¹	3097	5369	6897
Total number of diversions by the police¹⁷²	1952 (63%)	3.368 (62%)	3.683 (52%)

Figure 89: Calculated Number of Children held in waiting room

As there are no numbers for children diverted by judges, prosecutors and social workers it is not possible to determine the total number of diverted children by year. Neither is it possible to calculate from that how many children are deprived of liberty per year.

Output indicator 4.2 - # of community conferencing implemented as a diversion to judicial proceeding

Findings from programme documentation

No baseline information was provided to the evaluation team.

At the midline, community conferencing was introduced in 2011 as a form of diversion. It built upon traditional practices that had existed for centuries in many Sudanese communities and could be considered a form of conflict settlement in cases of children in conflict with the law. Some FCPUs and Child Prosecution Office use community conferencing to divert children in conflict with the law away from formal judicial proceedings. If initiated by the FCPU or Child Prosecution Office, community conferencing implies diversion with a restorative justice approach. If initiated by the court before the first trial hearing, community conferencing also implies diversion with a restorative justice approach, but if initiated during the trial stage or sentencing stage, it implies an alternative measure or alternative sentence respectively. In more technical terms, this would entail conditional discharge or conditional suspended sentence.

It might be possible that a murder case or a sexual case is closed and does not proceed to trial if forgiveness from the victim or his/her family is granted to the child offender. At the same time, a small case like minor theft might not be resolved in this way and might proceed to trial if the victim decided not to grant forgiveness. In practice, the social status of the offender and the victim and the relationship between the victim and the offender influence this form of informal justice.¹⁷³

At the end-line, there is no programming information about the use of community conferencing.

Findings from data collection

When asked how often community conferencing are implemented as a diversion away from judicial proceedings, 24% of programme implementers stated 0-5 every month, 15% say 6-10 every month and 11% say that between 50-70% of cases benefitted from community conferencing.

The evaluation team observed that in some states like Kordufan and Central Darfur, civil authority plays an important role in settling cases through community conferencing.

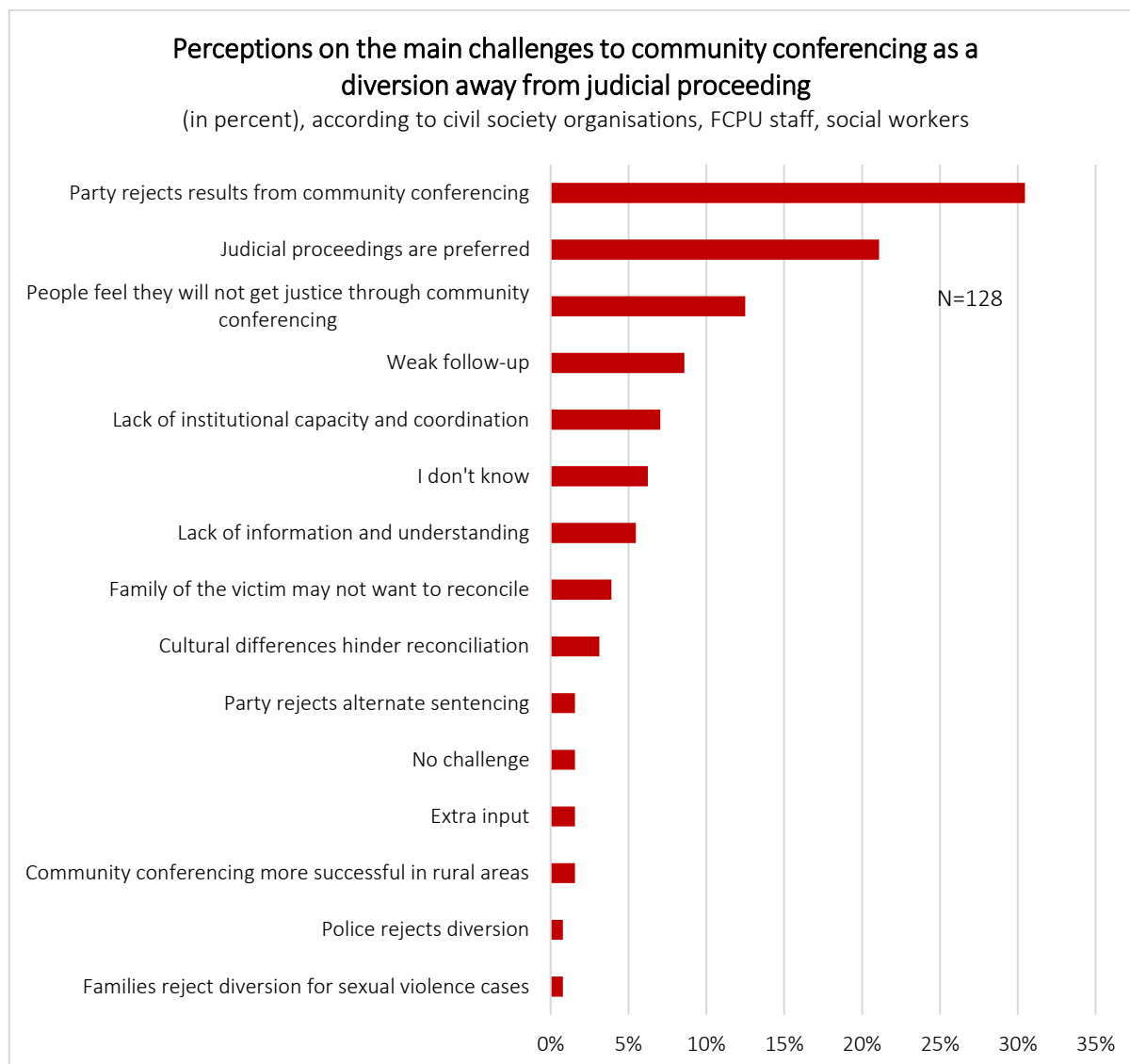
¹⁷⁰ FCPU data 2013.

¹⁷¹ Data provided by the NM.

¹⁷² FCPU data for 2015, 2016 and 2017.

¹⁷³ IDLO-UNICEF, 2015. Promotion of Diversion and Alternative Measures to Detention, IDLO-UNICEF.

As displayed in figure 89 below, the main challenges to using community conferencing is when a party rejects the results (30%) or prefers judicial proceedings (21%) and feel that they will not get justice through community conferencing (13%).



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 90: Perceptions on the main challenges to community conferencing

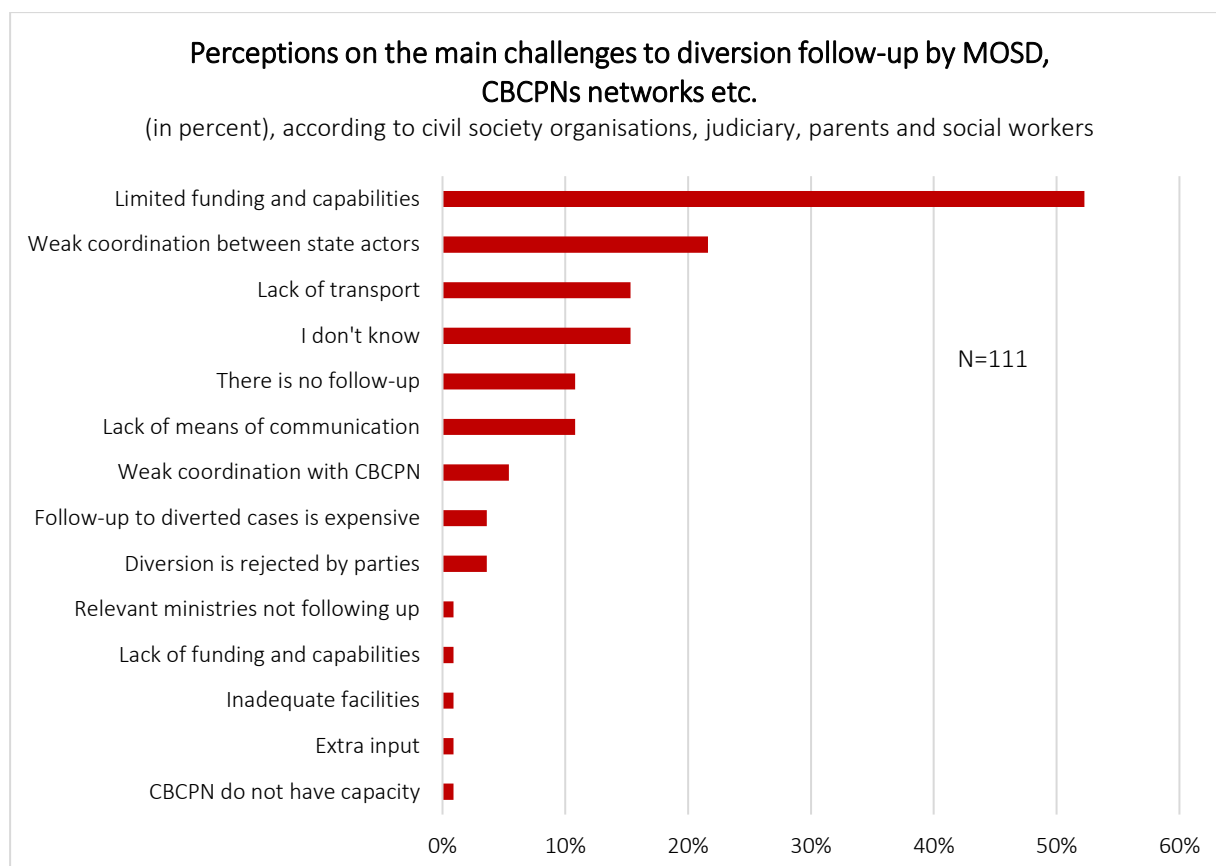
Output indicator 4.3 - Perceptions on effectiveness of diversion follow-up (parents, judiciary) by MOSD, Community CP networks etc.

Findings from programme documentation

The evaluation team was not informed of any client satisfaction survey taking stock of this information during the 10 years of *Justice for Children* programming. This is a problem as without such a survey it is difficult to measure progress from one period to another and taking corrective action to address identified problems.

Findings from data collection

Majority of respondents from CSOs, judiciary, parents and social workers (74%) think that diversion follow-up is not effective, 8% state that it is non-existent and 7% that is somewhat effective. As displayed in figure 90 below, the main challenges are limited funding and capabilities (52%), weak coordination between state actors (22%), lack of transport (15%) and communications (11%).



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 91: Perceptions on the main challenges to diversion follow-up

Outcome indicator 5 - Greater awareness and fewer violations of children's rights

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline, the 2015 the Child Protection System Mapping found that, overall, Sudan had made significant progress in the prevention of and response to violence, abuse, neglect, and exploitation of children. Child protection issues were more widely discussed and made public.¹⁷⁴

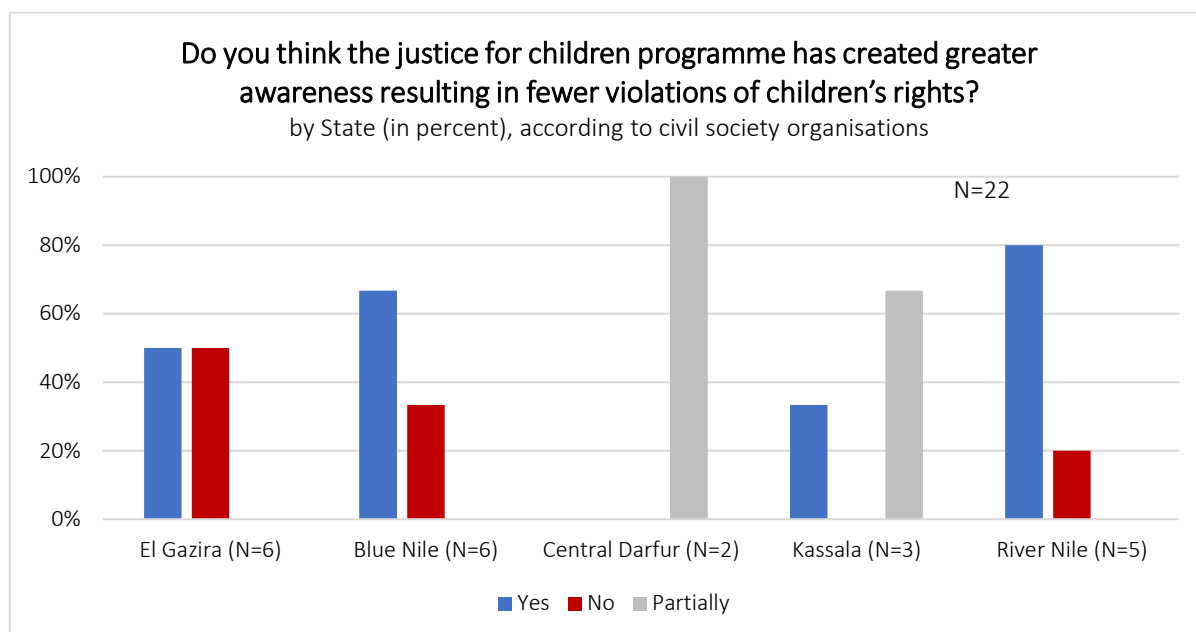
At the end-line, the evaluation team is not aware of programmatic information.

Findings from data collection

Overall, 55% of CSO respondents think the *Justice for Children* programme has created greater awareness resulting in fewer violations of children's rights. As displayed in figure 91 below, there are considerable differences between the states, with River Nile (50%) and Blue Nile (67%) having the

¹⁷⁴ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping.

largest number of respondents who says yes. Note that the limited number of respondents (total of 22 in five states) likely distorts these findings.



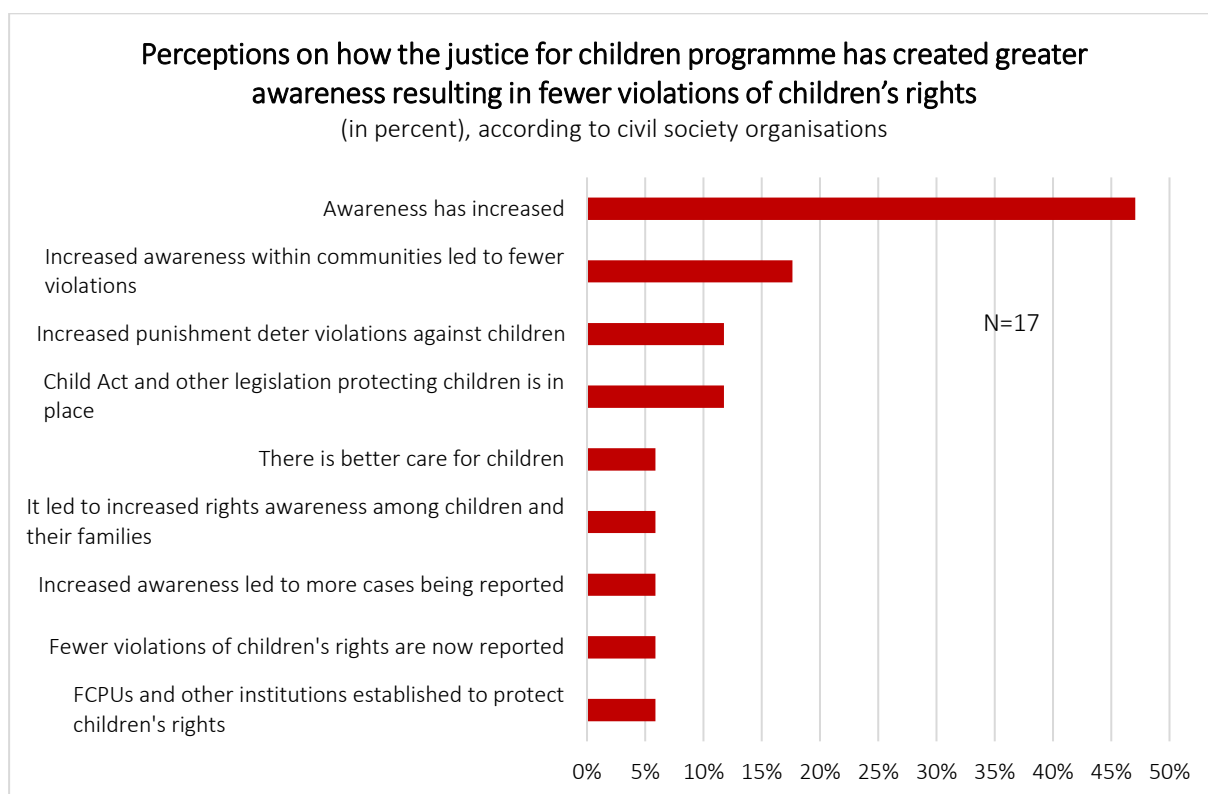
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 92: Perceptions on greater awareness resulting in fewer violations

When asked how the *Justice for Children* programme has created greater awareness resulting in fewer violations of children's rights, most respondents (47%) refer to increase in awareness and how this increase in awareness has led to fewer violations (18%).

"The society became more aware of when children's rights were violated, so the parents or relatives could go directly to the FCPU to report upon a violation".
CSO, Gazira



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 93: Perceptions on how the Justice for Children programme has created greater awareness

Output indicator 5.1 - Awareness among local communities and children about the roles of and services provided by the FCPUs and the CBCPNs and how to resort to those services (community leaders, teachers, boys and girls)

Findings from programme documentation

At the baseline there is no programmatic information as the FCPUs were being established.

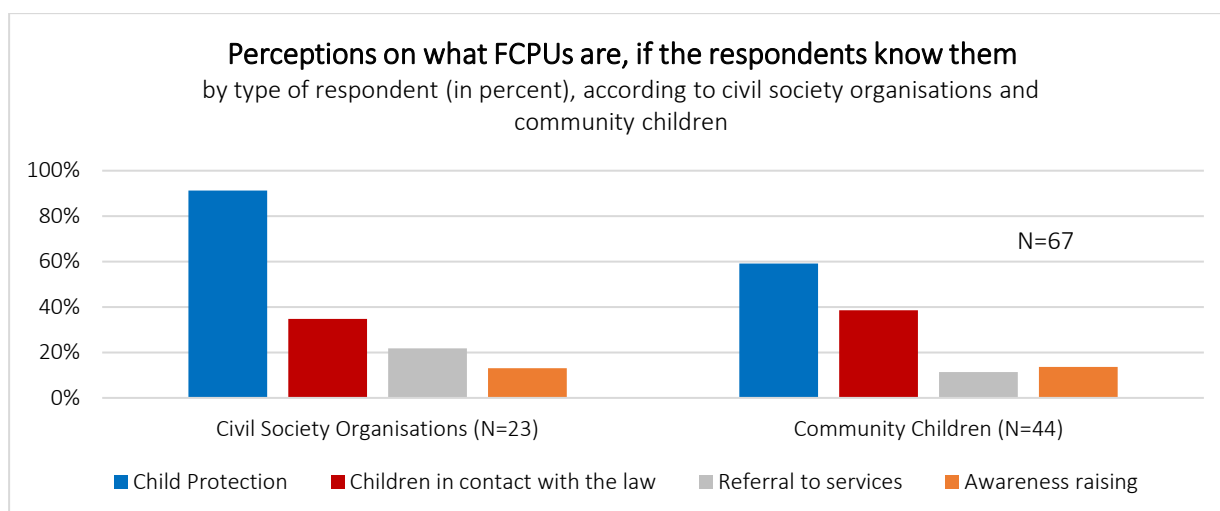
At the midline, it was reported that children and their families were aware of many of the protection issues that faced them but did not know about the procedures to be followed for reporting violations. Many children as well as adults were not aware of the presence of the FCPUs and Child Protection Committees (CPCs). As a result, many cases involving children in contact with the law were reported to police stations and not to the FCPU.¹⁷⁵

At the end-line, the Evaluation Team was not made aware of any perception survey being conducted to understand the level of awareness of FCPUs and CBCPNs.

Findings from data collection

An overwhelming number of community adults and children say they know what the FCPUs are (average of 98%). As displayed in figure 93 below, most respondents know what FCPUs do. The principal functions they cite are child protection (70%), working with children in contact with the law (37%), referral services (15%) and awareness-raising (13%).

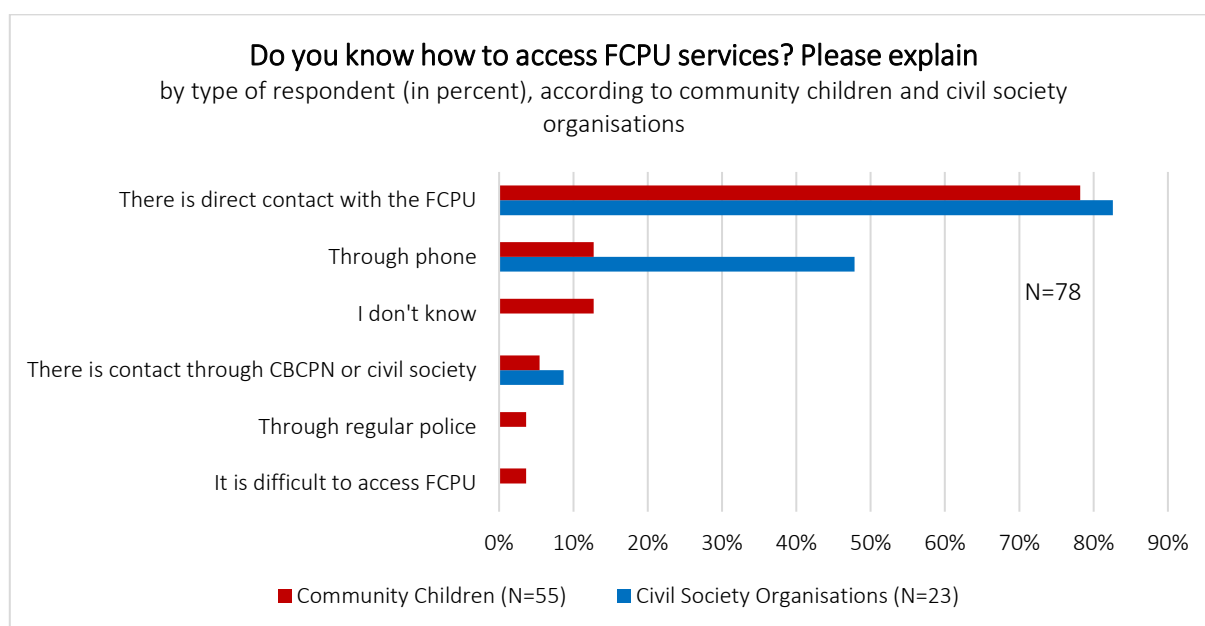
¹⁷⁵ Save the Children Sweden Khartoum Office (2011), A Study on Children Protection Mechanisms.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 94: Perceptions on what FCPUs are if the respondents know them

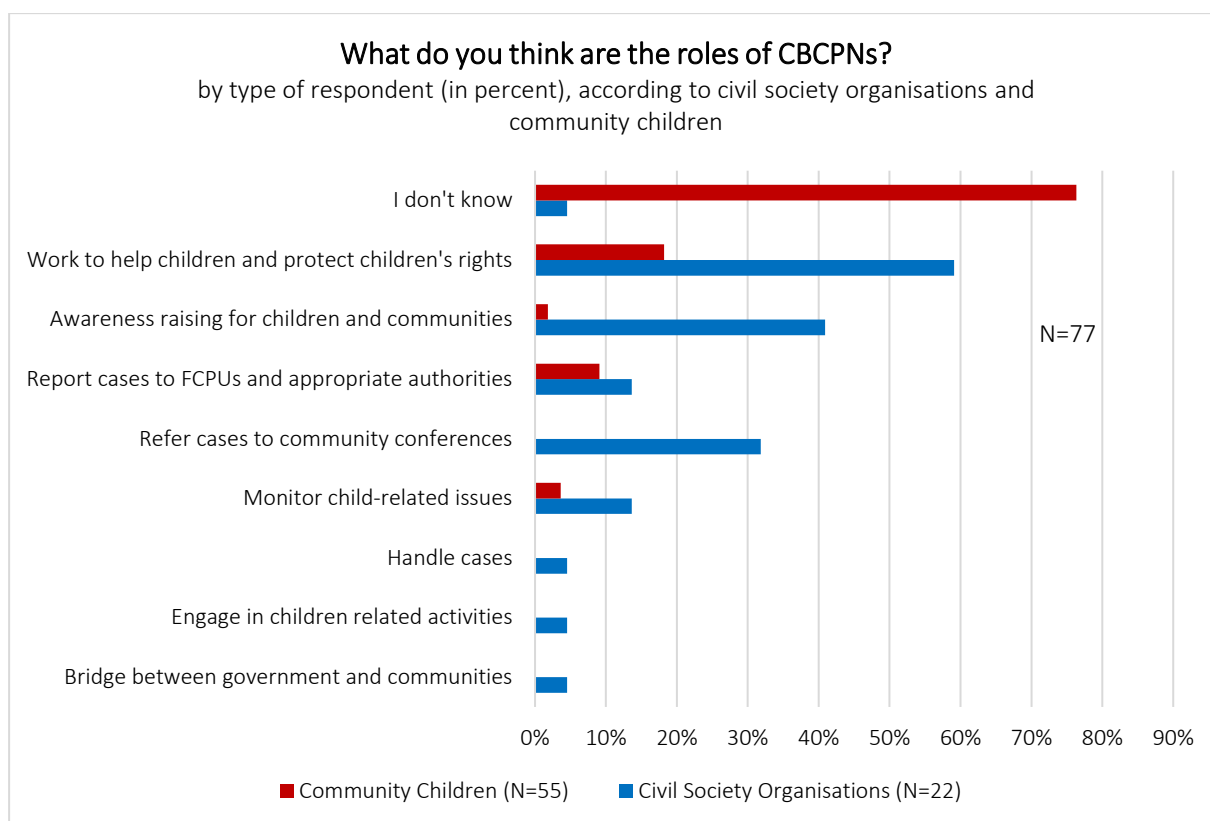
When asked if they know how to access those services, 90% of respondents say yes. The principal means by which to access these services were to make direct contact with the FCPU (79%), by phone (23%) and that there is contact through CBCPN or civil society (6%). Only community children (13%) stated that they do not know, no civil society say they do not know, see figure 94 below.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International

Figure 95: Do you know how to access FCPU services? Please explain

The large majority of CSOs say they know what CBCPNs are (96%), while majority of children say they do not know them (85%). This is understandable given that perhaps a large number of children do not have direct contact with CBCPN unless they need their services. When asked about the roles of CBCPN, most mention working to help children and protect children's rights (30%), awareness-raising for children and communities (13%) and reporting cases to FCPUs (10%). There are considerable differences between civil society and community children, most notably 76% of children compared to 5% of CSOs say they don't know what CBCPNs are.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International
Figure 96: What do you think are the roles of CBCPNs?

Output indicator 5.2 - % of the community members and children that have knowledge on the Child act

Findings from programme documentation

At the baseline, the 2010 Child Act had not been enacted. There is however information that awareness amongst communities about threats to child protection was low and many crimes against children, particularly those involving sexual violence, went unreported due to fear of social stigma.¹⁷⁶

In 2008, capitalising on the growing interest in government and other sectors in the issue of child protection, UNICEF and the NCCW embarked on a major advocacy campaign to promote the passing of the draft Child Act, which was at the time before the Cabinet of Ministers. The campaign targeted key decision makers, including parliamentarians and members of Sudan's highest religious body, the Fatwa Council.¹⁷⁷

Midline, the 2015 mapping stated that significant progress had been made in raising awareness about the Act itself, child rights and child protection issues at the national and state levels since the adoption of the Child Act (2010). Numerous governmental, international and local NGOs and CSOs were heavily involved in awareness-raising activities. Public education, awareness and sensitization had been promoted through workshops and seminars, campaigns, the media (TV, radio, community radio and newspapers), and through community and school-based activities. The report noted that the scope and impact of these campaigns were questioned by some respondents. They felt that traditional, more spontaneous methods of sharing information, such as through village and religious meetings, were more

¹⁷⁶ 2008 UNICEF Sudan Tech Brief 3: FCPU.

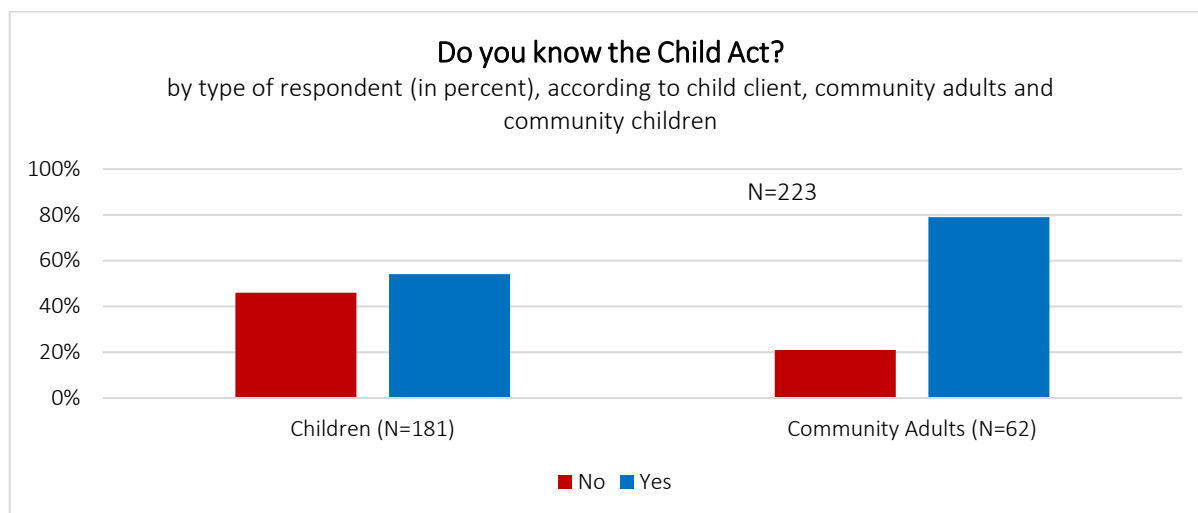
¹⁷⁷ 2008 UNICEF Sudan Tech Brief 3: FCPU, pg. 5.

effective than organized efforts and that campaigns should be more sustained and reach the wider population, rather than a few targeted communities.¹⁷⁸

At the end-line, there is no programmatic information.

Findings from data collection

As displayed in figure 96 below, 61% of child clients, community adults and community children know the Child Act, with community adults being considerably more aware (79%) than children (54%).



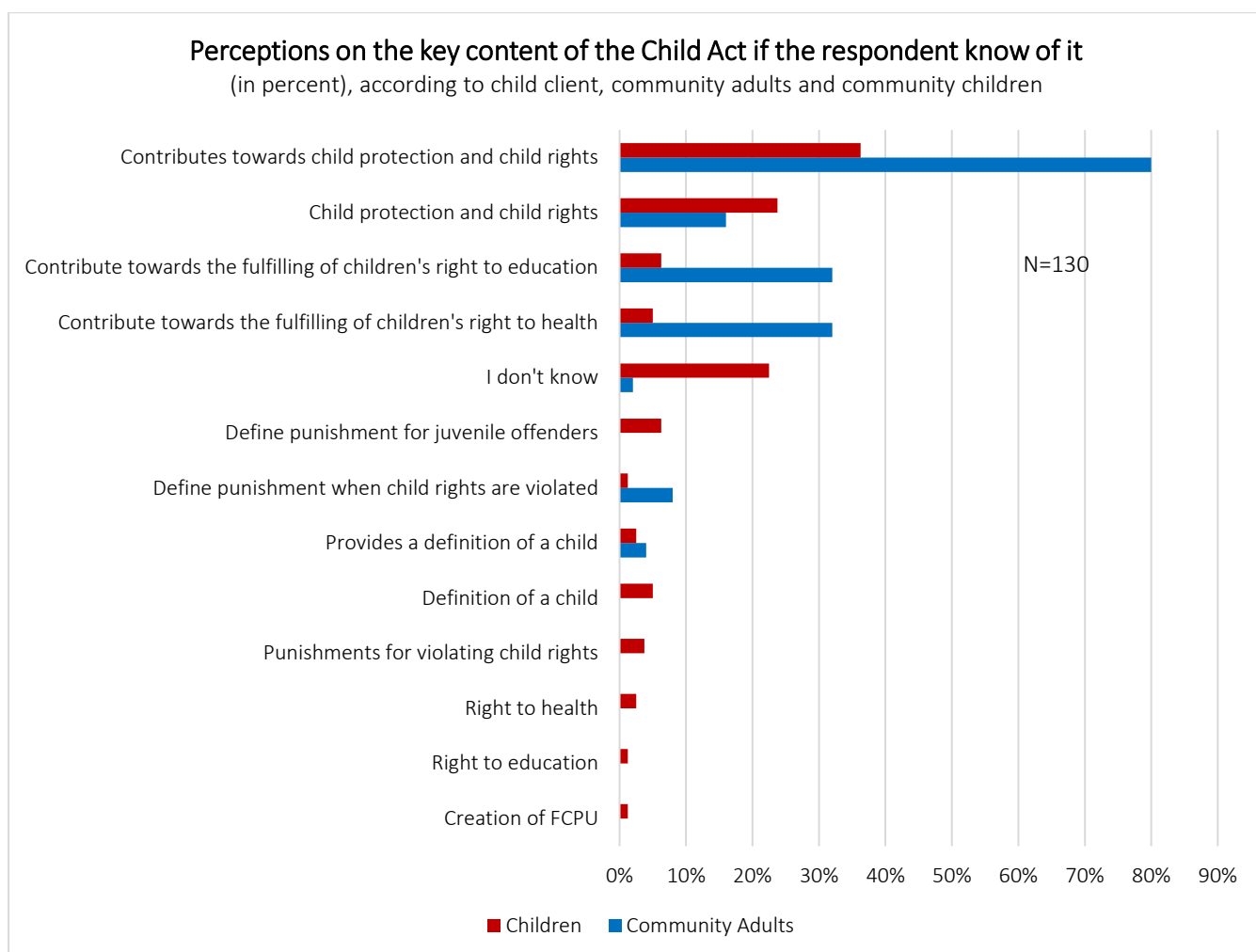
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 97: Do you know the Child Act?

When asked if they know what the key content of the Act is, children mostly stated that the Act contributed towards child protection and child rights (36%), towards child protection and child rights (24%) and that they did not know (23%). On the other hand, community adult respondents mostly stated that the Act contributes towards child protection and child rights (80%), contributes towards fulfilling children's rights to education (32%) and children's rights to health (32%), as presented in figure 97 below.

¹⁷⁸ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pp. 43.



The figure presents the percentage of respondents mentioning a given answer (multiple answers provided), from data collected in Sudan between June and August 2018. Source: Transition International
Figure 98: Perceptions on the key content of the child act

Output indicator 5.3 - # and type of awareness training activities rolled out for community children on their rights, the child act and services (FCPU, Helpline etc.)

Findings from programme documentation

At the baseline, the Child Act of 2010 had not been adopted and FCPUs were being established and thus there was no awareness-raising of them.

At the midline, the evaluation team has data from 2013 whereby FCPUS conducted a series of awareness-raising activities: 12 in Blue Nile, 29 in River Nile, in Kassala there were TV programmes, 14 in Gazira, nine in South Kordofan, none in Central Darfur and 15 in Khartoum.¹⁷⁹ There is not information on the topics covered through those awareness-raising activities.

At the end-line, in 2017 UNICEF reached a total of 16,568 (Girls: 8,444 & Boys: 8,124) children at school through awareness activities aimed at increasing children's capacity to identify, prevent and/or report more than one form of violence.¹⁸⁰ The same year FCPUs conducted 28 awareness-raising activities in River Nile, 37 in South Kordofan and 185 in Khartoum. There were none in Blue Nile, Kassala, Gazira and Central Darfur.¹⁸¹ The awareness-raising activities relate to child rights and the Child Act 2010, justice

¹⁷⁹ FCPU data for 2013.

¹⁸⁰ UNICEF, 2017, SMQ Outcome 6: Child Protection.

¹⁸¹ FCPU data for 2017.

services including the helpline, psycho-social support for child victims, prevention measures and the role of families in preventing offences against their children.¹⁸²

The table below indicates the number of children reached through the FCPU administration in educational institutions in Khartoum:

Year	Universities, Schools, pre- schools, Khalwa (religious school), Rehabilitation Centre's.	residential areas	Total
2015	5567 persons	1980 persons	2120
2016	10788 persons	3900 persons	4698
2017	13583 persons	2080 persons	2676
Jan– June 2018	2014 persons	2902 persons	4916
Total			37786
Year	Government institutions	Cosmetic Centre's, Social Centers, Voluntary associations and organizations	Training Institutes (Police)
2015	280	700	300 persons
2016	400	30	100 persons
2017	70	300	500 persons
Jan– June 2018	300	5	200 persons
Total			1100 person

Figure 99: Number of children reached through the FCPU administration in Khartoum ¹⁸³

Findings from data collection

Not applicable.

Output indicator 5.4 - # of media products and cross-sector public advocacy initiatives on *Justice for Children*

Findings from programme documentation

UNICEF provided the following figure on the number of media meetings and exhibitions for the years 2015-2016.

Year	Media meetings			Exhibition participation	Total
	TV	Radio	Journalist		
2015	15	10	7	9	41
2016	7	5	5	7	24
2017	20	15	4	10	49
Jan– June 2018	1	15	2	7	25
Total					139

Figure 100: Number of media meetings and exhibitions 2015-2016 ¹⁸⁴

Outcome indicator 6 - Increased capacity of actors in the *Justice for Children* system to deliver coordinated, timely and effective *Justice for Children* services

Findings from programme documentation

There is no programming information from the baseline as key institutions within the *Justice for Children* system were established with the Child Act of 2010.

At midline, the 2015 Child Protection System Mapping found that, overall, Sudan had made significant progress in the prevention of and response to violence, abuse, neglect, and exploitation of children. In

¹⁸² Information received in communication from UNICEF in August 2018.

¹⁸³ Information received in communication from UNICEF in August 2018.

¹⁸⁴ Information received in communication from UNICEF in August 2018

terms of limitations, the assessment pointed out that the system focused on providing a response to violations of children's rights rather than preventing and creating a caring family environment for all children and their families. While existing programs and services, such as FCPUs, represented important components of child protection and welfare services, they were not integrated into a comprehensive system for preventing and responding to all forms of violence, abuse, and exploitation of children. Although NCCW/SCCW play the most prominent role in child protection, these bodies lack a clearly designated role under existing child protection legislation and do not have the necessary or adequate authority, their mandates being principally to coordinate, monitor and advocate.¹⁸⁵

The assessment found interagency coordination and institutional capacity lacking in several respects, selected issues identified through the assessment are presented below:¹⁸⁶

- Insufficient budget allocations to institutions involved in child protection and lack of specific budget for that subject matter.
- Insecurity negatively affects the distribution of manpower to areas of conflict.
- Insufficient awareness among government officials and caregivers on child protection legislation due to the high turnover and insufficient training programmes.¹⁸⁷ While trainees will not lose their knowledge moving rapidly from one post to another, the high turnover makes it difficult to build upon previous programmes and make a sustainable impact in a given area.
- Police and other professionals involved in the juvenile justice system lack training and expertise on the Child Act. On the last point, the 2016 IDLO and UNICEF research study into diversion in Sudan noted that lack of familiarity with the Child Act was particularly pertinent for judges at the Appeal and High Court when specialized juvenile judges are replaced.¹⁸⁸

At end-line, UNICEF notes that high turnover of justice professionals continues to be a significant bottleneck to ensuring continuity of quality services to children in contact with the law, in addition to insufficient deployment from the Ministries of Social Welfare.¹⁸⁹ A training manual for judges and prosecutors was finalized in 2016, in collaboration with the Judicial and Legal Science Institute, which is intended to address the issue of high turnover of judges and prosecutors.¹⁹⁰ A substantial effort has also been made in training justice actors. As of May 2017, 3,000 police officers, 200 prosecutors and 700 judges were trained on procedures and regulations on children in contact with the law.¹⁹¹

Findings from data collection

As displayed in figure 100 below, 67% of respondents responded "some" to the question of whether actors in the *Justice for Children* programme increased capacities have to deliver coordinated, timely and effective *Justice for Children* services. 29% say yes and only 4% say no, demonstrating that the overall view is that the capacity has improved.

¹⁸⁵ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping.

¹⁸⁶ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. P 27-29.

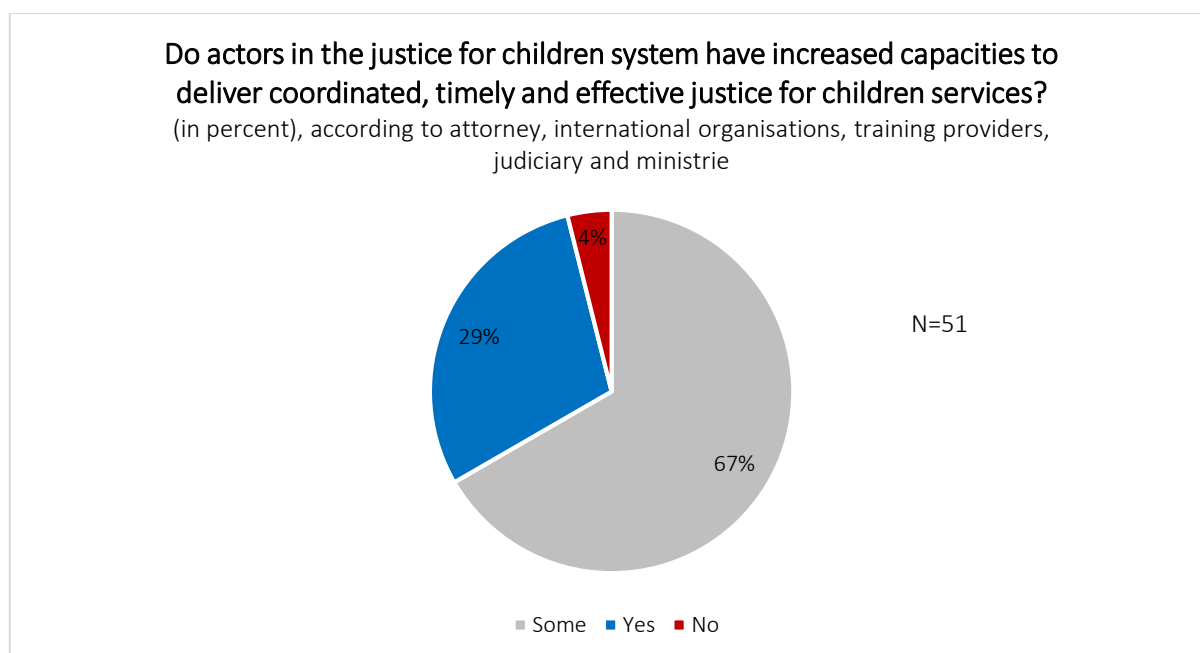
¹⁸⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, 15.

¹⁸⁸ UNICEF-IDLO, 2015. "UNICEF-IDLO Research Study: Promotion of Diversion and Alternative Measures to Detention for Children in Conflict with the Law". *MENA Region Multi-Country Report: Jordan, Sudan, Tunisia*, P 77.

¹⁸⁹ UNICEF, Offline Template for 2017 RAM, Child Protection.

¹⁹⁰ UNICEF Sudan, 2017, Building systems to prevent and respond to violence against women and children in Sudan, Pg. 6

¹⁹¹ UNICEF Communication.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 101: Do actors in the Justice for Children system have increased capacities?

Output indicator 6.1 - # of child judges and prosecutors in place per state

Findings from programme documentation

At the baseline, the 2004 Child Act, covering the northern states of Sudan, established special courts dealing with cases involving children. Three such juvenile courts were functional in Khartoum state only. The courts only considered cases of alleged child offenders and judges were reluctant to take on cases involving children as victims of crime, due to the inappropriate court settings that did not allow for proper separation of children from alleged adult offenders.¹⁹²

At the midline, the national authorities did not provide any programming information on the number of child judges and prosecutors. However, a study on community-based responses noted that while informal justice is not very frequently practised in Khartoum state it is in other states. An estimated 90% of all child cases, including child-offender cases, are dealt with through informal justice and only about 10% of all child cases are processed through the formal justice process.¹⁹³

As of end-line, the NCCW, in cooperation with the judiciary, has established Child Courts in 18 states.¹⁹⁴

¹⁹² UNICEF Sudan, 2008, Technical Briefing Paper 3: Family & Child Protection Units.

¹⁹³ Welzenis, I., Dr., (2015, Report on Community-Based Responses to Children in Conflict with the Law in Sudan, UNICEF RO MENA & UNICEF Sudan. Pg. 25.

¹⁹⁴ Meeting with NCCW, 30 April, 2018.

Findings from data collection

Not applicable.

Output indicator 6.2 - # of social service workers per state trained in *Justice for Children* and operational

Findings from programme documentation

No programming information was made available by the relevant authorities on the number of social workers in place at the baseline and midline.

At midline, according to the 2014 report on the Development of the Standardized FCPU model, there were 36 social workers and 43 psychologists working as FCPU staff,¹⁹⁵ either seconded from the Ministry of Social Development or hired directly by the FCPU.

The NM provided the data in the table below on the number of social workers trained by state and disaggregated by sex for the years 2015-2016. It is however not clear if these trained social workers are actually working within FCPUs or on *Justice for Children*.

Justice for Children

States/Year	Social workers trained					
	2015		2016		2017	
	M	F	M	F	M	F
Red Sea	4		2			
White Nile	6		5		2	
Northern	3		2			
West Kordofan	4		2			
North Kordofan	7		4		5	
South Kordofan	4		2			
East Darfur	1		2			
West Darfur	4		2		2	
Central Darfur	7		6		3	
North Darfur	6		4		2	
South Darfur	2					
Khartoum	14		9		6	
Kassala	9		5		3	
Sinar	2		1			
Gazira	3		2			
Gadarif	6		3		2	
River Nile	14		8		11	
Blue Nile	3		2		2	
Total	99	0	61	0	38	0

Figure 102: Social workers trained¹⁹⁶

The evaluation team observed in the FCPUs it visited that the number of psychologists is very small. Generally, the number of social workers is adequate, but they need additional training.

Findings from data collection

Not applicable.

¹⁹⁵ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Findings". NM for FCPUs and UNICEF Sudan. Pg.24.

¹⁹⁶ Statistics provided by the NM

Output indicator 6.3 - number of police officers, prosecutors and judges trained on procedures and regulations on children in contact with the law

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline, the 2014 report on the Development of the Standardized FCPU model provided the following figures on the number of FCPUs which had trained staff, challenges and training needs.

Training of FCPU Staff (Q48, Q49, Q62, Q67, Q68)				
FCPU staff trained to	Yes	No	Which challenges?	Training needs?
to deal with child cases	9 FCPUs	8 FCPUs	• Turnover • Insufficient fund • Lack of trainers at state level • Interviewers use their own personal skills	• Continuous training on implementation • Advanced training • Confidentiality • Dealing with victims • Investigation of child cases • International standards
to apply the Child Act (2010)	15 FCPUs	2 FCPUs		
to apply international standards	6 FCPUs	11 FCPUs		
to interview children	17 FCPUs			
on SOPs	15 FCPUs	2 FCPUs		

Figure 103: Training of FCPU staff¹⁹⁷

Training on children's issues for police officers, child prosecutors, social workers and judges was of high quality but did not cover all the needs and all staff. Training workshops covered issues on children's rights and child protection standards, child labour, trafficking, juvenile justice, domestic violence and other topics organized by the NM of FCPUs or non-governmental and international organizations. However, training was done on an ad hoc basis and were not mandatory for judges and police officials to undergo before they were assigned in the FCPUs and Child Courts. It was also reported that *Justice for Children* topics were not yet integrated into the curriculums of training departments of *Justice for Children* counterparts such as judiciary, police and social welfare.¹⁹⁸

Overall, the awareness and capacity of government officials and caregivers on child protection legislation was negatively affected by the high turnover of staff.¹⁹⁹

At end-line, the training manual for judges and prosecutors had been finalized in 2016 in collaboration with the Judicial and Legal Science Institute. The manual is intended to address the issue of high turnover of judges and prosecutors as it provides all with essential knowledge of child rights and child-friendly procedures.²⁰⁰ As of May 2017, 3,000 police officers, 200 prosecutors and 700 judges were trained on procedures and regulations on children in contact with the law.²⁰¹

The NM provided the following data on the number of judges and prosecutors trained on regulations for the years 2015-2017 broken down by state.

¹⁹⁷ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Findings". NM for FCPUs and UNICEF Sudan Pg. 29.

¹⁹⁸ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 15.

¹⁹⁹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 15.

²⁰⁰ UNICEF Sudan, 2017, Building systems to prevent and respond to violence against women and children in Sudan, Pg. 6

²⁰¹ UNICEF Communication.

Number of officers, prosecutors and judges trained on regulations									
States	2015			2016			2017		
	Officers	Prosecutors	Judges	Officers	Prosecutors	Judges	Officers	Prosecutors	Judges
Red Sea	6	1	1	4	1		1		
White Nile	6	1	1	4	1	1	1		
Northern	4	1	1	2	1		1		
W. Kordofan	4		1	3	1				
N. Kordofan	4	1	2			1	1		
S. Kordofan	8	1	1	2			1		
E. Darfur				1					
W. Darfur	4	1	1	3					
C. Darfur	4	1	1	2					
N. Darfur	6	2	1	2					
S. Darfur	3	1	1	1	1				
Khartoum	11			9			4		
Kassala	13	1	1	7	2		9	1	1
Sinar	2	1	1						
Gazira	3	1	1	1	1		2		
Gadarif	6	1	1	3	1		2		
R. Nile	7	1	1	4	1	1	3	1	1
B. Nile	48	15	13	57	11	11	14	8	7
Total	139	30	29	105	21	14	59	10	9

Figure 104: Number of officers, prosecutors and judges trained on regulations²⁰²

Findings from data collection

Not applicable.

Output indicator 6.4 - Effectiveness of training and post-training support

Findings from programme documentation

No information was provided on the effectiveness of training conducted during the evaluation period. There is information about training providers having developed a follow-up system for training, but the evaluation team does not have further information about this.

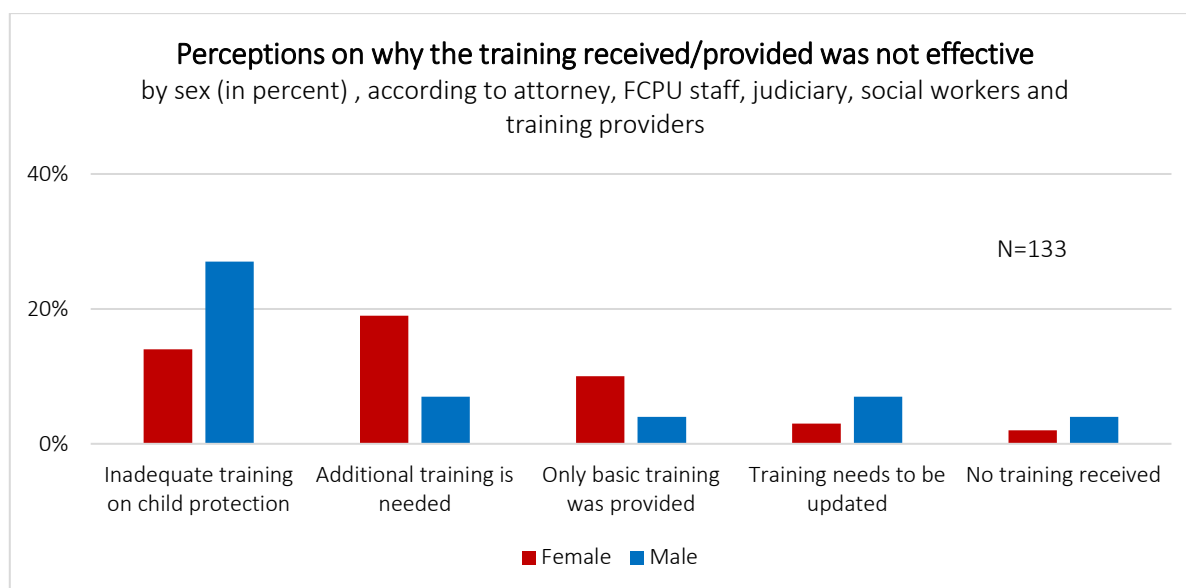
Findings from data collection

Overall, programme implementers (attorney, FCPU staff, judiciary, social workers and training providers) were satisfied with training they had received, with (46%) ranking it as effective, 38% ranking it as medium and 11% ranking it as not very effective. Only 6% state they had not received any training.

When asked why the training was effective, the principal reasons given are that it is relevant (16%), that it guided implementation of the Child Act (15%) and child protection (15%) and that the training improved performance (13%). There are no significant differences in the views between the sexes in this respect.

As displayed in figure 104 below, the main reasons given why the training was not effective are inadequate training on child protection (21%), additional training is needed (12%) and that only basic training is provided (7%). Relatively more women (19%) than men (7%) express that additional training was needed suggesting that men benefit from more training or that more women feel the need to build their skills.

²⁰² Statistics provided by the NM



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 105: Perceptions on why the training received/provided was not effective

When asked if there was post-training support, 76% of respondents say yes and 19% say no. The post-training support mentioned consisted mainly of additional materials (63%), copies of relevant laws, regulations, manuals and other instruments (39%) and digital version of training materials (15%). Most respondents rate the post-training support as good (74%) and medium (25%), while fewer say it was bad (9%) or that none was received (9%).

Output indicator 6.5 - Adequacy of human resource capacity in place to support the implementation of the programme (across all institutions)

Findings from programme documentation

No baseline information was provided to the evaluation team on the adequacy of human resource capacity.

At the midline, according to the 2014 report on the Development of the Standardized FCPU model, there was a great need for increased human capacity to improve the quality of work within the existing FCPUs and geographically expand units both within the states and to out-reach areas. The report noted there was a high turnover at 7 FCPUs of 16 FCPUs visited. There was sufficient staff to provide required FCPU services at 4 FCPUs, but not at 13 FCPUs. Due to insufficient FCPU staff these services could not be provided: 10 FCPUs places couldn't provide psycho-social services, 5 could not conduct investigation, 5 could not provide security, 4 could not conduct field-visits, 4 could not provide health services, and 3 could not provide a hotline.²⁰³ All FCPU staff were competent to provide the required services, but additional training or capacity building was required.

These findings correspond to the results of the FCPU Questionnaires from 2014, according to which field visits, health services, PSS, hotlines, and investigations were not conducted because of lack of staff and guards, as well as a lack of doctors.²⁰⁴

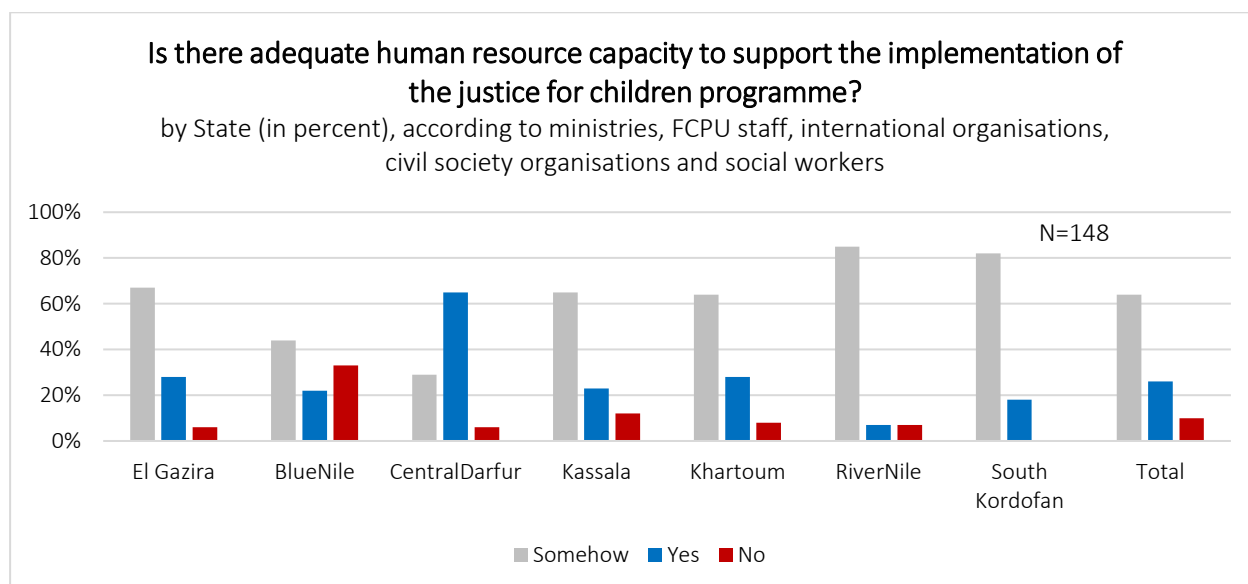
There is no programming information for the current status.

²⁰³ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Design". NMfor FCPUs and UNICEF Sudan Pg. 25.

²⁰⁴ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Findings". NM for FCPUs and UNICEF Sudan.

Findings from programme documentation

As displayed in figure 105 below, 64% respond “somehow” to the question of whether there is adequate human resource capacity to support the implementation of the *Justice for Children* programme, while 26% say “yes” and a minority of 10% say “no”. There are discernible differences between the states, with Central Darfur, El Gazira and Khartoum being most content with the human resource capacity, but Blue Nile finding human resources most lacking.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 106: Human resource capacity to support the Justice for Children programme

Output indicator 6.6 - # of active community-based child protection networks established, trained on *Justice for Children*, and functioning

Findings from programme documentation

No baseline information was provided to the evaluation team on the number of active community-based child protection networks.

At midline, there were 150 active community-based child protection networks in 2014.²⁰⁵

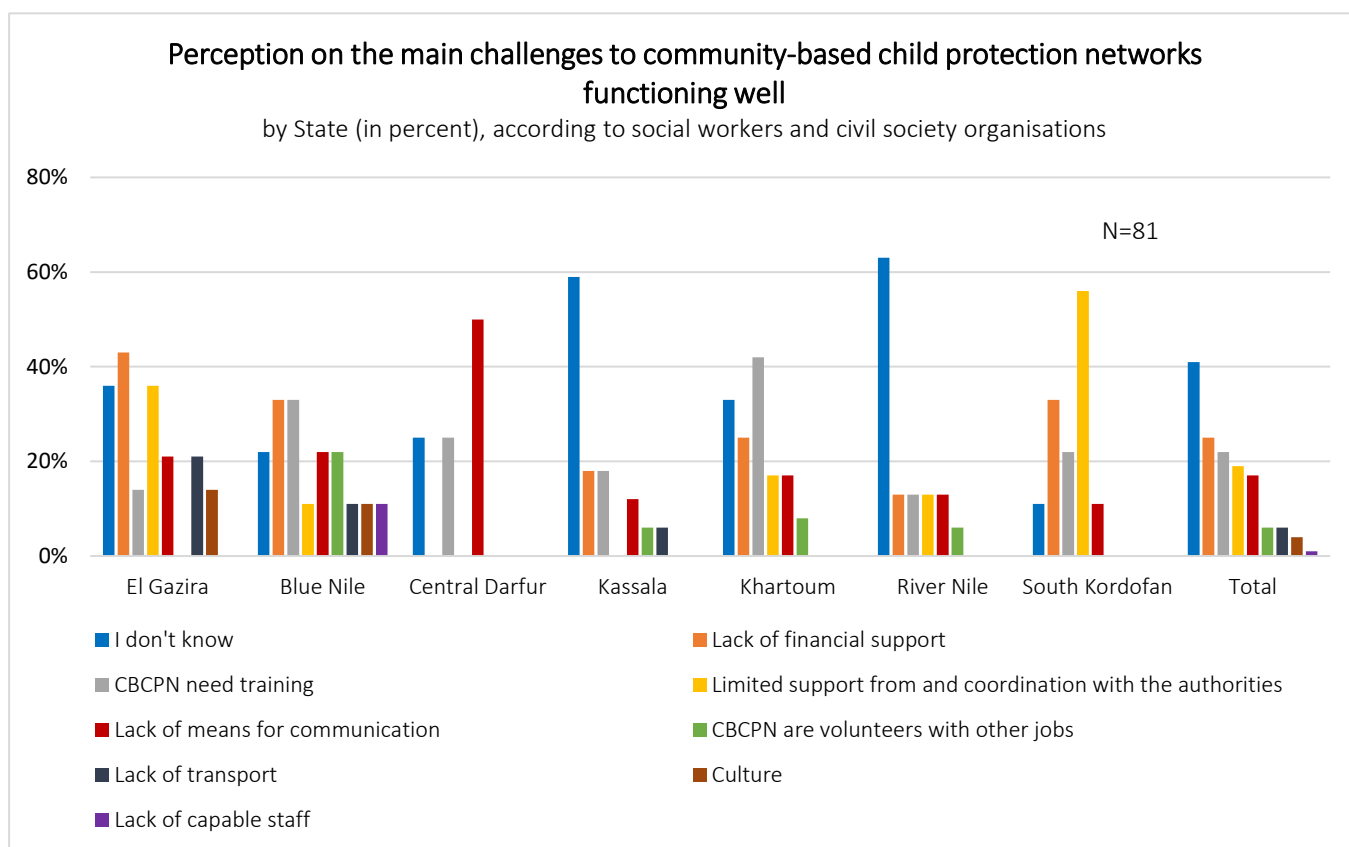
At the end line, there were 676 active community-based child protection networks in the 18 states of Sudan at the end of 2017.²⁰⁶ This means that there has been a more than fourfold (x4.5) increase of community-based child protection networks since 2014.

Findings from data collection

The table below displays the number given by social workers and CSOs of active CBCPNs in the seven states visited by the evaluation team. According to these figures the fewest number of CBCPNs are in El Gazira and Kassala, while the most are in Blue Nile, which is interesting as most respondents found human capacity most lacking there (question 6.5 c above). The big discrepancy in the number of CBCPNs given suggest, in some states, limited awareness of the CBCPNs.

²⁰⁵ UNICEF, UNICEF, Offline Template for 2017 RAM, Child Protection.

²⁰⁶ UNICEF communication to the evaluation team.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 107: Perception on the main challenges to community-based child protection networks

The evaluation team notes that the number of established CBCPNs does not tell the whole story as many are not functional. In Blue Nile for instance the team observed that 60 out of 113 CBCPNs are functioning. Other may not function at all or function at low capacity due to lack of training, means of communication and transportation. Generally, the CBCPN function better outside of the state capitals as the willingness to commit to child protection work is higher in those areas than in the capitals.

Output indicator 6.7 - Increased capacity of *Justice for Children* actors in reception and interim care establishment, age verification, case management/documentation, referral to PSS and other social services.

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline, there is a reported lack of case management and clear referral procedures in the provision of child protection services in general, however the FCPUs were at the same time reported to support strong referral mechanisms.²⁰⁷ There is mention of age assessment being part of the minimum services provided by FCPUs and that age determination takes time because of the required fees.²⁰⁸

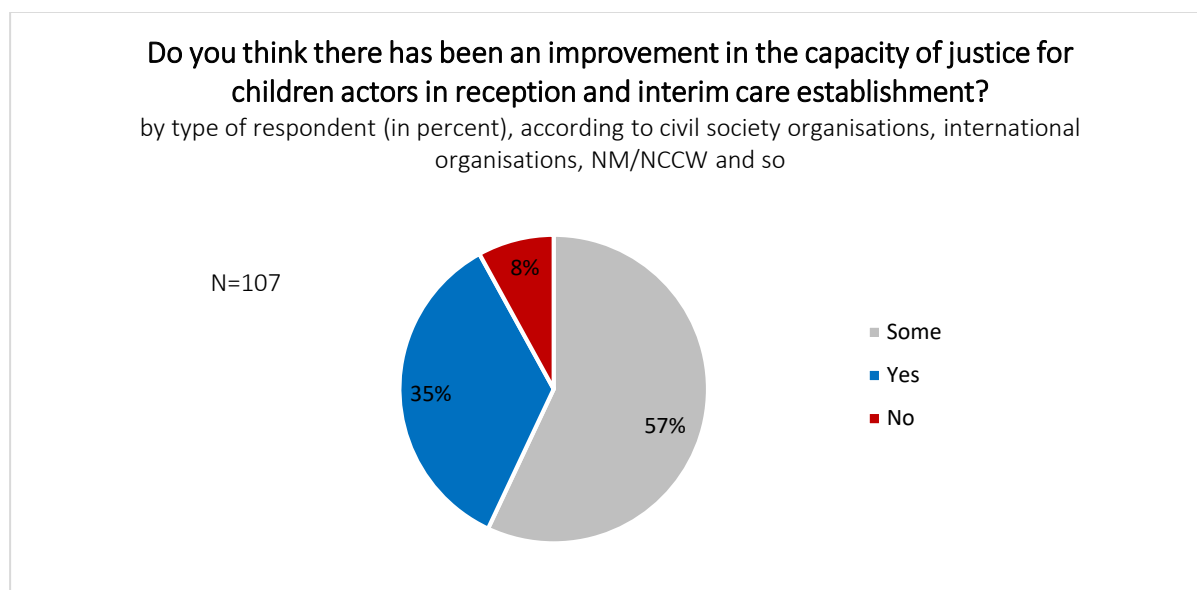
At the end-line, no information is available.

²⁰⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pgs. 23 and 59.

²⁰⁸ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Findings". NM for FCPUs and UNICEF Sudan. Pg. 14 and 29.

Findings from data collection

According to CSOs, international organisations, NM/NCCW and social workers there had been “some” improvement in the capacity of *Justice for Children* actors in reception and interim care establishment (57%), while 35% were more positive and say “yes” and only 8% say “no”.

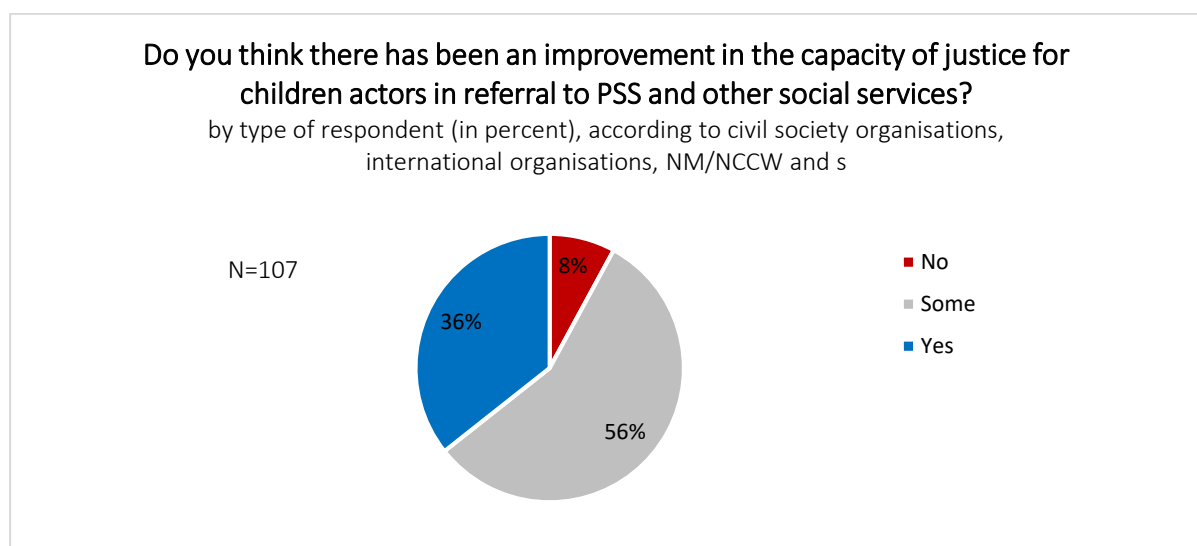


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 108: Perceptions on improvement of *Justice for Children* actors in reception and interim care

Their views in respect to referral to PSS and other social services were similar. 57% say there had been “some” improvement, 36% say “yes” there had been improvement and 8% say “no”.

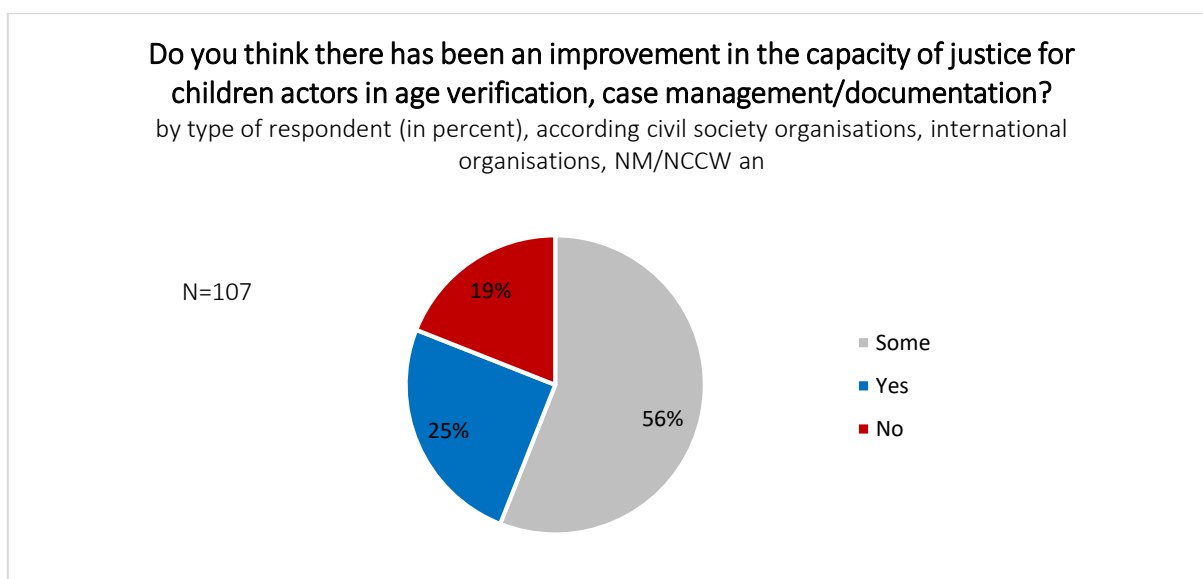


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: transition international

Figure 109: Perceptions on improvement of *Justice for Children* actors in referral to PSS

The respondents reported less progress in respect of age verification, case management/documentation: 56% say there had been “some” improvement in capacity, 25% say “yes” and 19% say “no” there had not been improvement in capacity.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 110: Perceptions on improvement of Justice for Children actors in case management

Output indicator 6.8 - Availability of a functional information system to follow-up and monitor children in contact with the law

Findings from programme documentation

At the baseline, during the period 2007-2011 only the FCPU in Khartoum was reported to register child victims and child offenders. According to the 2014 report on the Development of the Standardized FCPU model, the categories for registering children were ambiguous and some categories of children were not registered, such as diverted child offenders and settled cases of child victims and/or child offenders. There was not a standardised data collection process for care indicators; nor does it cover key sources such as detention facilities or courts.²⁰⁹

Conversely, the UNICEF 2008 Technical Brief on FCPUs reported that one key success had been the development of a monitoring and reporting system that provided information on the number and nature of cases received by the FCPU and how they were dealt with. The FCPUs monthly and annual reports were also an important source for information on trends in crimes against children. The brief also noted that UNICEF aimed to support the development of an information collection strategy that would connect the monitoring and reporting systems within FCPUs with a central database at the level of the Ministry of Interior and introduce a standardized process for the collection of information for core indicators in two areas, violence against children and juvenile justice.²¹⁰

At the midline, data collection and information sharing were lacking at all levels. According to the 2015 mapping on Child Protection Services, data collection mechanisms were not adequate and there were no clear indicators to guide data collection. There was no mechanism ensuring flow of information between agencies. Reporting responsibilities were unclear and there was a lack of proper reporting

²⁰⁹ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Design". NM for FCPUs and UNICEF Sudan.

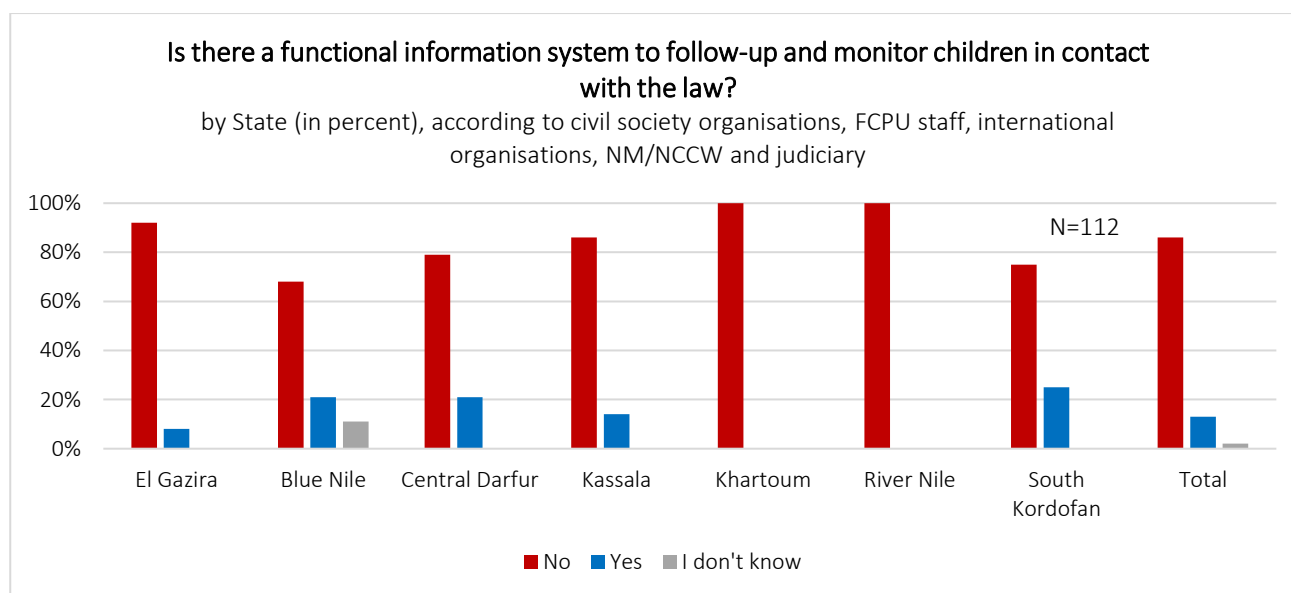
²¹⁰ 2008 UNICEF Tech Brief 3 – FCPU.

format. Reports were more of a monitoring tool than a document informing policies and action plans.²¹¹ For FCPUs specifically, there was no systematic and unified registration system in place.²¹²

At the end line, data on most forms of violence, exploitation and abuse of children are collected through routine administrative sources. Data exists on violent death, violent injury, sexual violence, physical violence, birth registration (as part of Civil Registration and Vital Statistics (CRVS)), children in the justice system, child labour and armed violence.²¹³ Importantly, an information monitoring system is being established within the NCCW. This system includes indicators to capture data relevant to children in contact with the law and can thus be used for such cases. At the time of writing this evaluation, this system was not yet up and running.²¹⁴

Findings from data collection

As demonstrated in figure 110 below, a total of 86% of respondents say that no functional information system to follow-up and monitor children in contact with the law exists, while only 13% say yes. There are some differences between states with all respondents in Khartoum and River Nile pointing out that there is no functional information system. A quarter and fewer respondents in the other states say there is such a system.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 111: Information system to follow-up and monitor children in contact with the law

Output indicator 6.9 - Perceptions of effectiveness, relevance and efficiency of UNICEF support

Findings from programme documentation

The evaluation team was not informed of any perception survey taking stock of this information during the 10 years of *Justice for Children* programming. This is a problem as without such a survey it is difficult to measure progress from one period to another and taking corrective action to address identified problems.

²¹¹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 28.

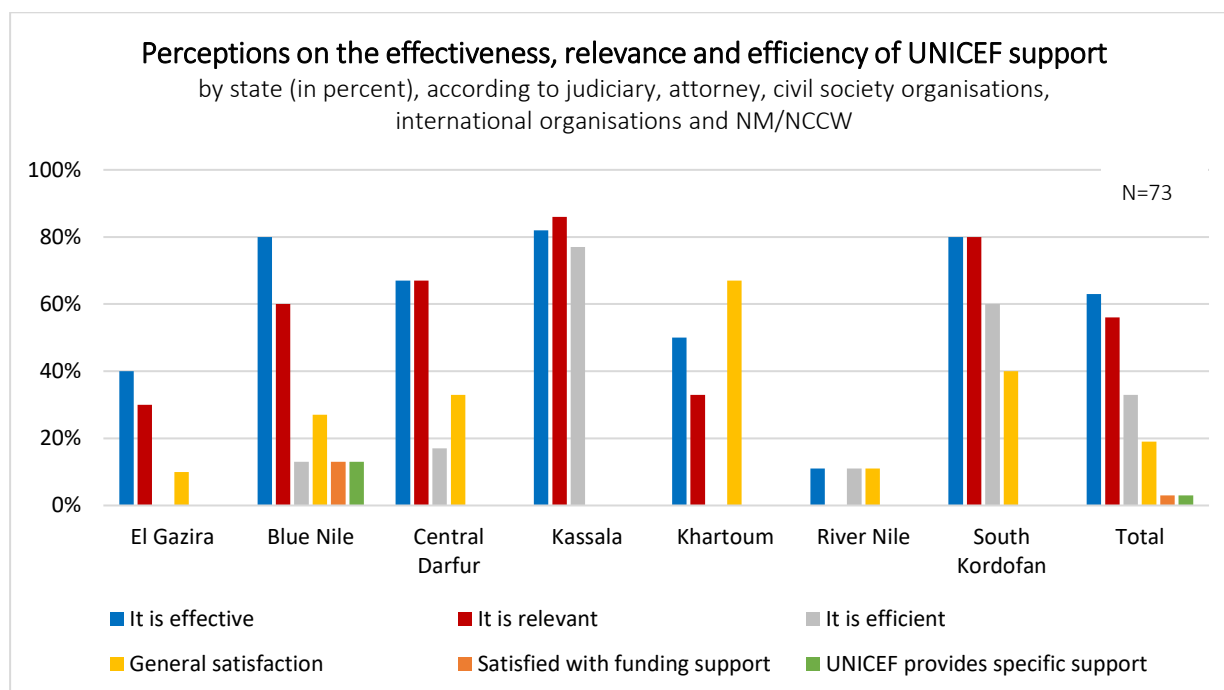
²¹² Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 3 Minimum Standards for FCPUs". NM for FCPUs and UNICEF Sudan. Pg. 16.

²¹³ UNICEF, 2017, SMQ Outcome 6: Child Protection.

²¹⁴ Information provided by the Evaluation Steering Committee in Khartoum, November 2018.

Findings from data collection

The views of judiciary, attorneys, CSOs, international organisations and NM/NCCW are overall very positive in respect to UNICEF's support. A total of 63% find it effective, 56% find it relevant, but only 33% find it efficient. Those who mentioned general satisfaction were 19%. The highest levels of satisfaction are in Blue Nile, Central Darfur, Kassala and South Kordofan. Khartoum comes after them. The lowest level of satisfaction is in El Gazira and River Nile. UNICEF does not have an office in El Gazira.

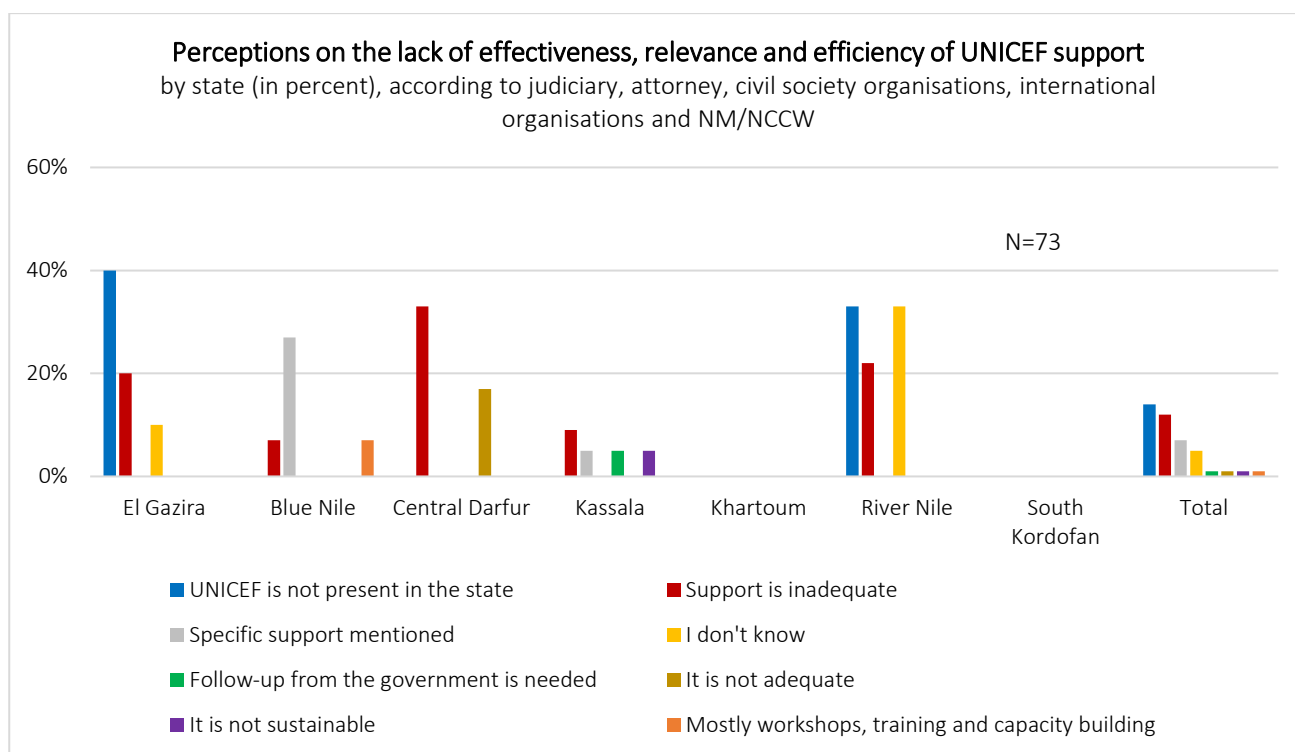


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 112: Perceptions on the effectiveness, relevance and efficiency of UNICEF support

When asked about the lack of effectiveness, relevance and efficiency of UNICEF's support the majority of respondents in Al Gazira and Kassala mention that UNICEF is not present. This corresponds with the finding that the lowest level of satisfaction is in those states. Also noteworthy is that a total of 50% of respondents in Central Darfur say that UNICEF's support is inadequate, perhaps because of the substantial need to assist children following the conflict in Darfur.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 113: Improvements in the capacity of actors in referral to PSS and other social services

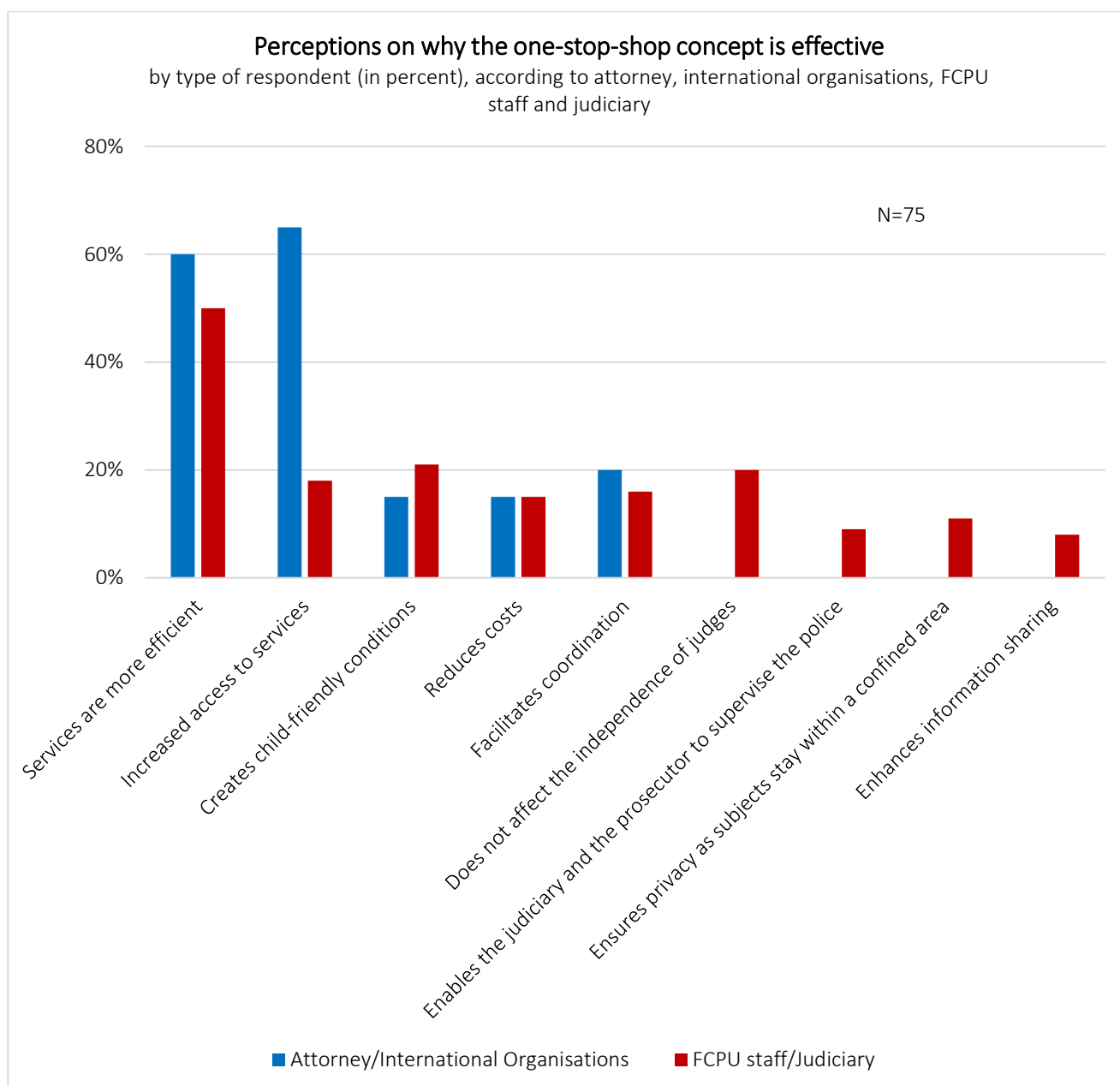
Output indicator 6.10 - Effectiveness of one-stop-shop concept, with multiple services provided in one place, including psycho-social support, social work services, legal aid, opening of cases, health investigations of victims, and forensic investigation

Findings from programme documentation

There are programmatic documents stating that FCPUs provided in one place medical care, psycho-social support and access to dedicated investigators and prosecutors, the evaluation team was, however, not informed of perception surveys on the effectiveness of the one-stop-shop concept.

Findings from data collection

There is overwhelming satisfaction with the effectiveness of the one-stop-shop concept as an average of 99% of attorneys, IOs, FCPU staff, Judiciary, NM and NCCW find it effective. As displayed in figure 113 below, the principal reasons are that services are more efficient (57%), there is increased access to services (24%), that it creates child-friendly conditions and reduces costs (23%).



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 114: Perceptions on why the one-stop-shop concept is effective

When asked to give reasons why the one-stop-shop concept is not effective, FCPU staff and judiciary mentioned that it risks creating non-child-friendly conditions. Only 6 respondents made that observation making it not statistically reliable. Other responses do not have the adequate number of respondents to cite them here.

Output indicator 6.11 - # and type of referrals to and from FCPUs (e.g. to specialised services)

Findings from programme documentation

There is no programming information from the baseline period as FCPUs were being established at the time.

At midline and end-line, according to the 2014 report on the Development of the Standardized FCPU model, children who live and work in the streets were brought to FCPUs which referred these cases to

MoSW, SCCW and other organisations.²¹⁵ While it is a burden for FCPUs to deal with cases that are beyond its mandate, it is also a demonstration of FPU's success and visibility that people are referring cases to them that relate to children not in contact with the law.

The NM provided the following data on referral cases for the years 2015-2017, disaggregated by gender and states. There is not a noticeable difference in the number of total referred cases between those years. Most cases are referred in Khartoum, North Kordofan and White Nile, while the fewest are referred in South Darfur, West Darfur, and North Darfur, perhaps because of the lack of services there.

Referred Cases							
States/Year	2015		2016		2017		Total
	M	F	M	F	M	F	
Red Sea	117	34	54	23	53	28	309
White Nile	96	54	88	97	113	86	534
Northern		43		48		14	105
West Kordofan	35	15	73	17	81	35	256
North Kordofan	91	38	179	45	278	177	808
South Kordofan	115	75	98	98	83	45	514
East Darfur	25	13	41	17	93	35	224
West Darfur	17		11		12		40
Central Darfur	15	7	24	9	96	11	162
North Darfur	28		24		34		86
South Darfur	7	4	9	6	5	3	34
Khartoum	578	423	748	389	788	429	3355
Kassala	23	12	49	27	58	31	200
Sinar	43	13	46	16	48	7	173
Gazira	18	13	80	37	80	41	269
Gadarif	21	13	19	32	26	5	116
River Nile	8	123	64	5	95	8	303
Blue Nile	56	18	61	27	68	35	265
Total by sex	1293	898	1668	893	2011	990	
Total by year	2191		2561		3001		

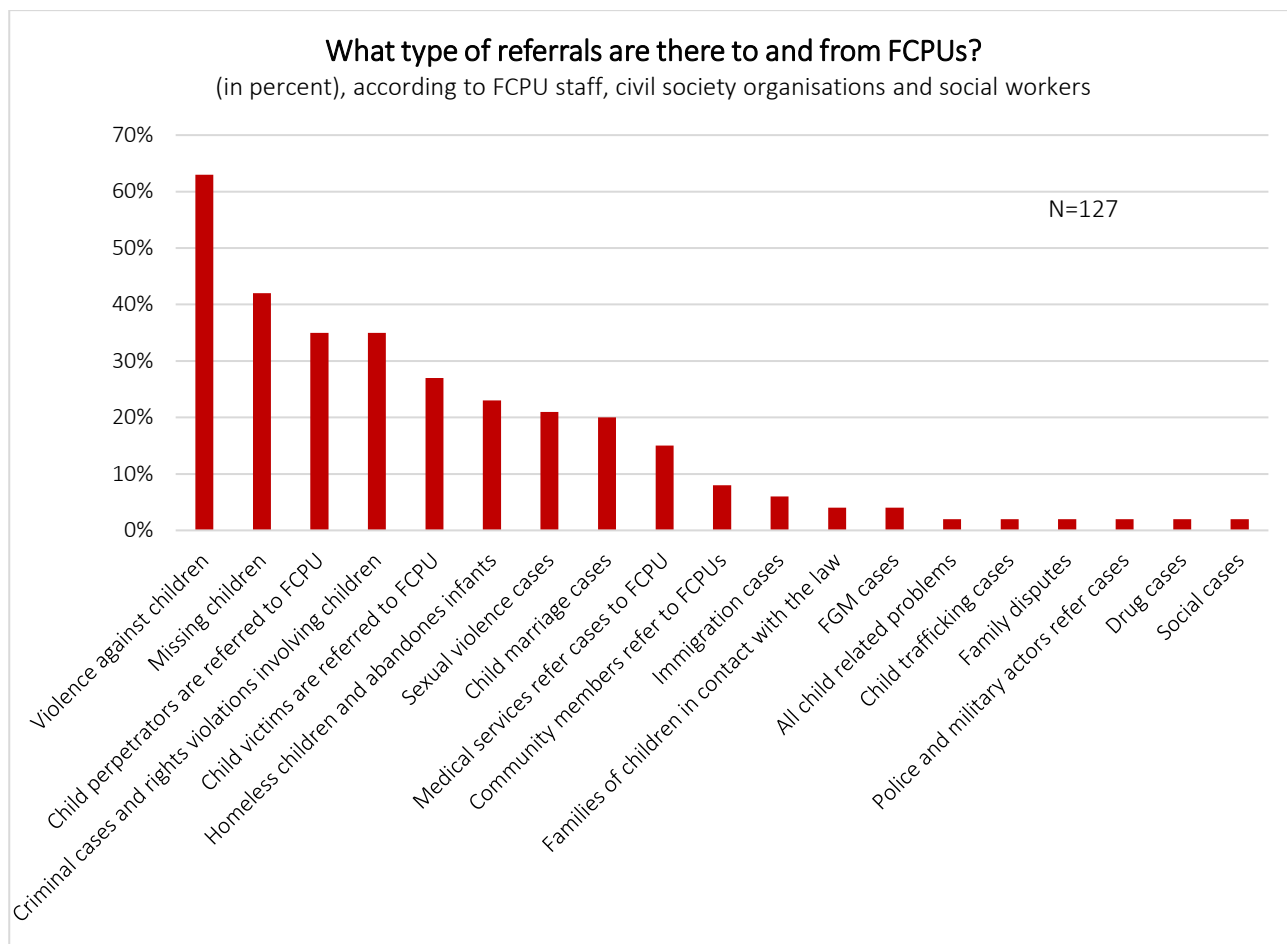
The figure presents the statistics provided by the NM to the evaluation team

Figure 115: Referred cases

Findings from data collection

As displayed in figure 115 below, the cases programme implementers mention principally involve violence against children (63%), missing children (42%), child perpetrators being referred to the FCPU (35%) as well as criminal cases and rights violations involving children (35%).

²¹⁵ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Design". NM for FCPUs and UNICEF Sudan. Pg. 39.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 116: Type of referrals to and from FCPUs

Output indicator 6.12 - # of children in contact with the law supported (per state) with:

- Social services (and by who).
- Health services (and by who).
- Psycho social services (and by who).

Findings from programme documentation

No baseline information was provided to the evaluation team.

For the midline, the FCPU data for 2013 has the following information on social, PSS and health services provided in seven states.

2013	Awareness-raising for community	Direct services for Children								Total		Total gen.	Info received	
		Legal		Social		PSS		Medical						
		F	M	F	M	F	M	F	M	F	M			
States														
B. Nile	12 Act.	0	0	136	337	136	337	107	74	379	748	1127	Dec.	
R. Nile	29 Act.	34	215	49	359	49	359	25	101	157		157	Dec.	
Kassala	TV Programs	0	3	23	63	0	0	68	227	91	293	384	Dec.	
Gadarif	8 Activities	0	0	136	337	136	337	107	74	379	748	1127	Dec.	
Gazira	14 Act.	17	33	494	717	421	721	124	216	1056	1687	2743	Dec.	
S. Darfur	30 Act.	150	215	120	225	24	48	185	261	479	749	1228	Dec.	
W. Darfur										0	0	0	No data	
N. Darfur	2 Activities	37	37	32	28	24	27	62	92	155	184	339	Oct.	
S. Kordofan	9 Activities	36	103	44	80	28	57	28	60	136	300	436	Dec.	
N. Kordofan	82 Act.	189	415	407	855	247	687	159	180	1002	2337	3339	Dec.	
C.Darfur	No Act.	0	0	4	13	1	0	24	21	29	34	63	Dec.	
Northern	10 Act.	15	14	16	9	16	14	8	12	55	49	104	Dec.	
W. Nile	22 Act.	77	156	174	381	266	523	166	422	683	1482	2165	Dec.	
Red Sea	25 Act.	19	33	38	204	19	82	12	51	88	370	458	Dec.	
Khartoum	15 Act.	833	805	1150	1150	1616	4937	2178	2480	5777	9372	15149	Dec.	
Total gen.		1,407	2,029	2,823	4,758	2,983	8,129	3,253	4,471	10,466	18,353	28,819		

This figure presents the FCPU Data 2013 provided to the evaluation team

Figure 117: Direct services for children

Child victims and their families received intensive rehabilitation and reintegration services from FCPU social workers or psychologists (5 to 6 sessions), which was considered a long follow-up process by the FCPU.²¹⁶

The current FCPU data for 2017 has the following information on legal, social, psychosocial and medical services.

²¹⁶ Welzenis, I., Dr. 2014. Development of Standardised FCPU Model: Part 2 "Research Design". NM for FCPUs and UNICEF Sudan.

2017	Awareness- raising for community	Direct services for Children								Total		Total gen.
		Legal		Social		PSS		Medical				
States		F	M	F	M	F	M	F	M	F	M	
B. Nile		230	170	211	180	370	243	367	239	1178	832	2010
R. Nile	28	404	36	279	34	104	30	237	21	1024	121	1145
Kassala		0	0	425	57	415	75	40	9	880	141	1021
Gadarif		13	32	35	9	26	23	30	29	104	93	197
Gazira		172	48	254	19	192	66	405	79	1023	212	1235
Sennar		88	44	213	99	178	92	214	105	693	340	1033
S. Darfur	1	244	149	42	54	30	45	207	93	523	341	864
E. Darfur		71	25	67	31	36	25	46	19	220	100	320
W. Darfur		0	0	12	4	33	17	7	4	52	25	77
C. Darfur		55	39	37	27	2	10	49	35	143	111	254
N. Darfur		11	12	689	360	689	360	191	132	1580	864	2444
S. Kordofan	37	70	22	267	150	73	48	0	0	410	220	630
N. Kordofan		725	482	411	276	366	272	829	511	2331	1541	3872
W. Kordofan		170	73	162	63	9	14	145	70	486	220	706
Northern		21	5	45	19	45	17	78	29	189	70	259
W. Nile	4	232	139	606	304	389	193	578	237	1805	873	2678
Red Sea	3	215	116	160	62	23	11	183	82	581	271	852
Khartoum	185	147	185	5236	1208	5236	1208	3499	1030	14118	3631	17749
Total gen.	258	28,68	1,577	9,151	2,956	8,216	2,749	7,105	2,724	27,340	10,006	37,346

This figure presents the FCPU data from 2017 provided to the evaluation team

Figure 118: Direct service for children

Comparing the two years there is a considerable increase in the number of legal, social, PSS and medical services, from 28,819 in 2013 to 37,347 in 2017 (30% increase). The number of cases where legal services are provided are noticeably fewer than cases where children enjoy social services, PSS and medical services. This demonstrates the wide range of services beyond the legal which are provided by the FCPUs, but may also result from the lack of legal services available.

Findings from data collection

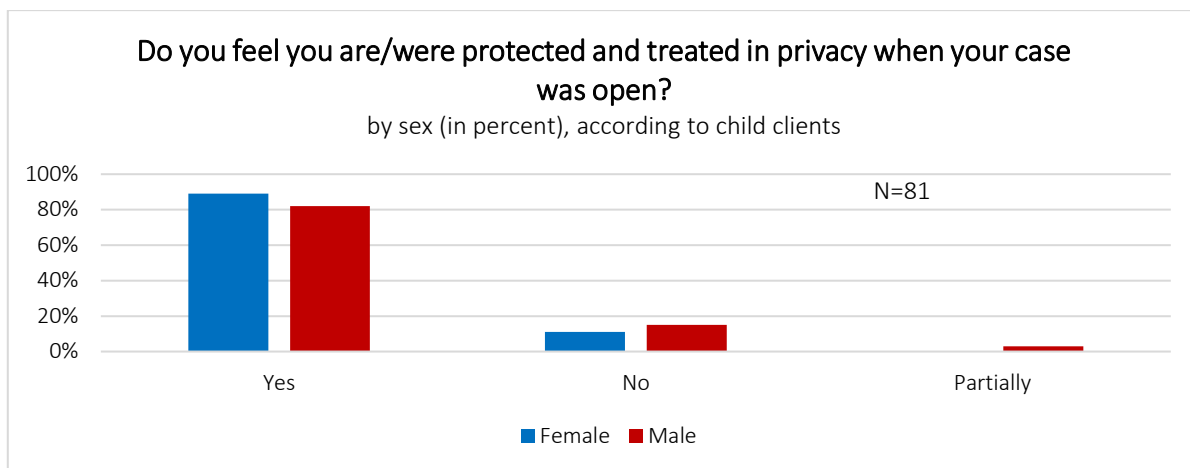
Output indicator 6.13 - % of children in conflict or contact with the law that perceive they are protected and treated in privacy

Findings from programme documentation

The evaluation team was not informed of any perception survey taking stock of this information during the 10 years of *Justice for Children* programming. This is a problem as without such a survey it is difficult to measure progress from one period to another and taking corrective action to address identified problems.

Findings from data collection

As displayed in figure 118 below, according to child clients of FCPUs, a total of 83% felt that they are protected and treated in privacy, while 15% say they did not enjoy this protection and 3% say that privacy was partial. There are no discernible differences between boys and girls in this respect. Figure 118 shows that overall both boys and girl clients felt safe and treated in privacy when their case was open (89% of girls and 82% of boys). However, there are noticeable differences between the states. While all respondents in Al Gazira, Blue Nile and Khartoum say they were protected and treated in privacy, 50% of children in Central Darfur, 20% in River Nile and 18% in South Kordofan say this is not the case.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 119: Do you feel you are/were protected and treated in privacy when your case was open?

When the evaluation team met with children, the majority of them (83%) were able to and made pictures of how they felt when they were at the FCPU. Some are presented below.



Man lying in blood, surrounded by nature, perhaps the child trying to bring beauty to a horrible memory



Sudan's coat of arms, a recurrent theme in the pictures, suggests national pride



A policeman, represented as a solid firm figure



The FCPU, Children and the Flag, the dominance of the flag suggests national pride



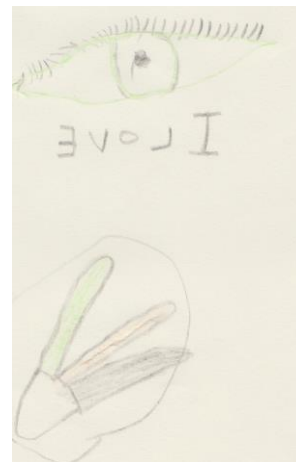
A left-hand, interpreted by some as meaning passivity and justice



A flower, representing longing for nature and beauty



Various shapes



I love, the big eye can mean it feels observed, or that it observes others

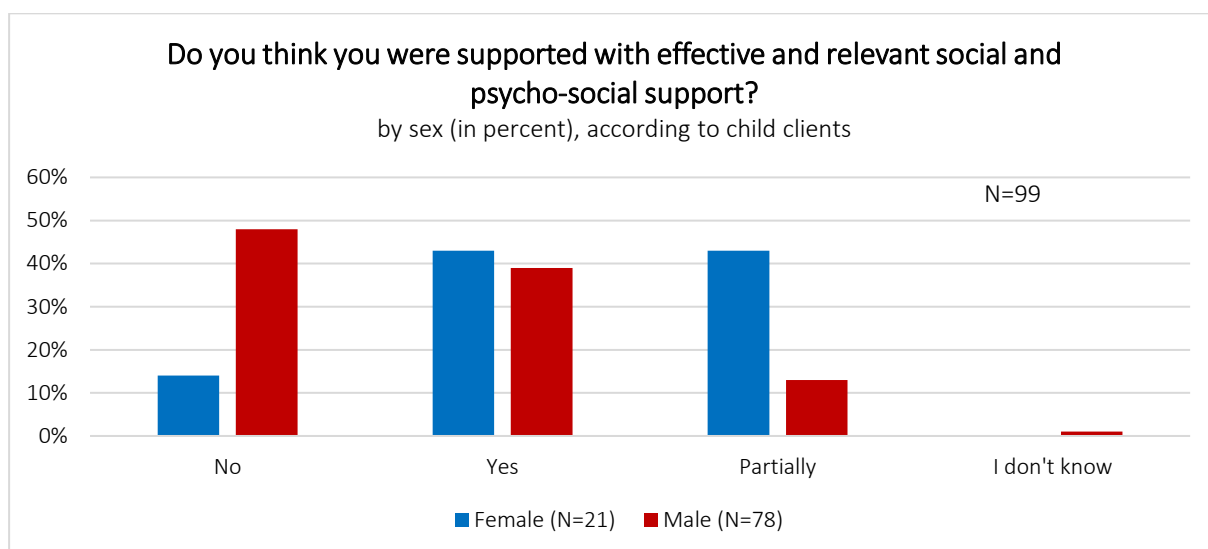
Output indicator 6.14 - % of children in conflict or contact with the law (and their mothers) that perceive they are and supported with effective and relevant social and psycho-social support

Findings from programme documentation

The evaluation team is not aware of any perception surveys on the effectiveness and relevance of social and psycho-social support at the baseline, midline and end-line.

Findings from data collection

As presented in figure 119 below, 39% of the child clients rate the social and PSS support they received as not effective or relevant, 19% say it was partially relevant or effective and 39% feel that the support received was relevant and effective. Boys are more negative on the services received than girls with 50% of them saying they were not supported with effective and relevant social and PSS support. Further, there are significant differences between the states. Blue Nile has most respondents (75%) saying they did not receive relevant and effective services, followed by Kassala (50%), South Kordofan (47%) and Central Darfur (47%). Reasons given are that there is either no PSS (37%) or no social support (20%) available. The states where most respondents say they did receive relevant and effective social and psycho-social support are El Gazira (86%) and to some extent Khartoum (67%).



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 120: Provision of effective social and psycho-social support

Output indicator 6.15 - Perceptions of actors in the *Justice for Children* system on effectiveness of coordination mechanism and oversight at national, state and locality levels

Findings from programme documentation

No baseline information was provided to the evaluation team.

At midline, the 2015 mapping found child protection services lacking effective coordination in several respects:²¹⁷

- Due to limited motivation of some agencies to coordinate and work together, competition for funding, lack of clear leadership, lack of communication, unclear roles, responsibilities and priorities, ad hoc selection of topics, competing interests between government agencies as well as weak or inconsistent representation for participating agencies the coordination does not work well. Specifically, there is overlap and duplication in the mandate of NCCW and the MOWSS. Moreover, SCCW lack a unified structure and there is a lack of coordination between SCCW and other Child Protection actors, including State Councils of Social Welfare due to the absence of a well-defined institutional framework.
- Lack of proper coordination and sustainable funding for national NGOs.
- Lack of coordination structure for the delivery of social services at community level and linkages between community structures and state authorities working on child protection. Community mechanisms are also weak in terms of sustainability, accountability and knowledge of child protection issues.²¹⁸

At end line, there are no perception surveys on the effectiveness of the coordination mechanism and oversight.

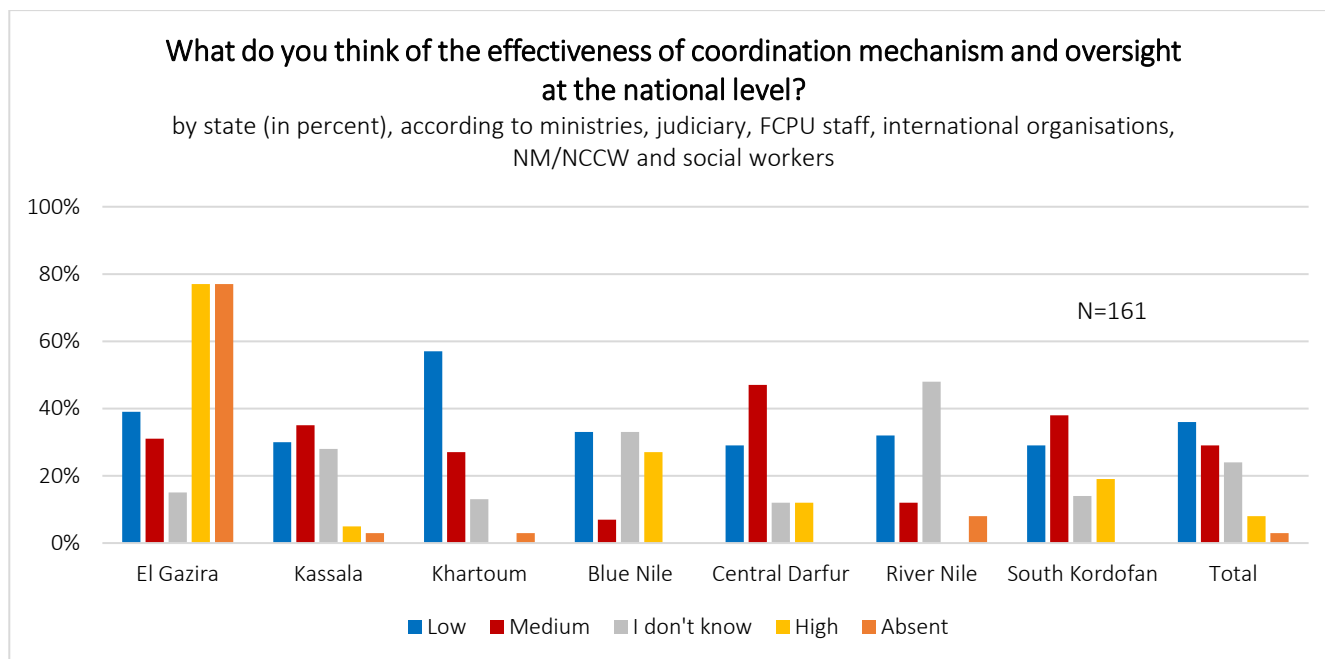
Findings from data collection

As displayed in figure 120 below, the prevalent view of programme implementers is that the effectiveness of the coordination mechanism at **national level** is weak (36%) and medium (29%). Only

²¹⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. P 27-29.

²¹⁸ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping.

8% say it is high. Interestingly, Khartoum is the state where most respondents think the coordination mechanism at national level is weak (58%), although that is where the mechanisms are based. Other states where many respondents hold that view are El Gazira (47%) and Central Darfur (44%). The state where most respondents consider the effectiveness of the coordination mechanism high is Blue Nile (47%).

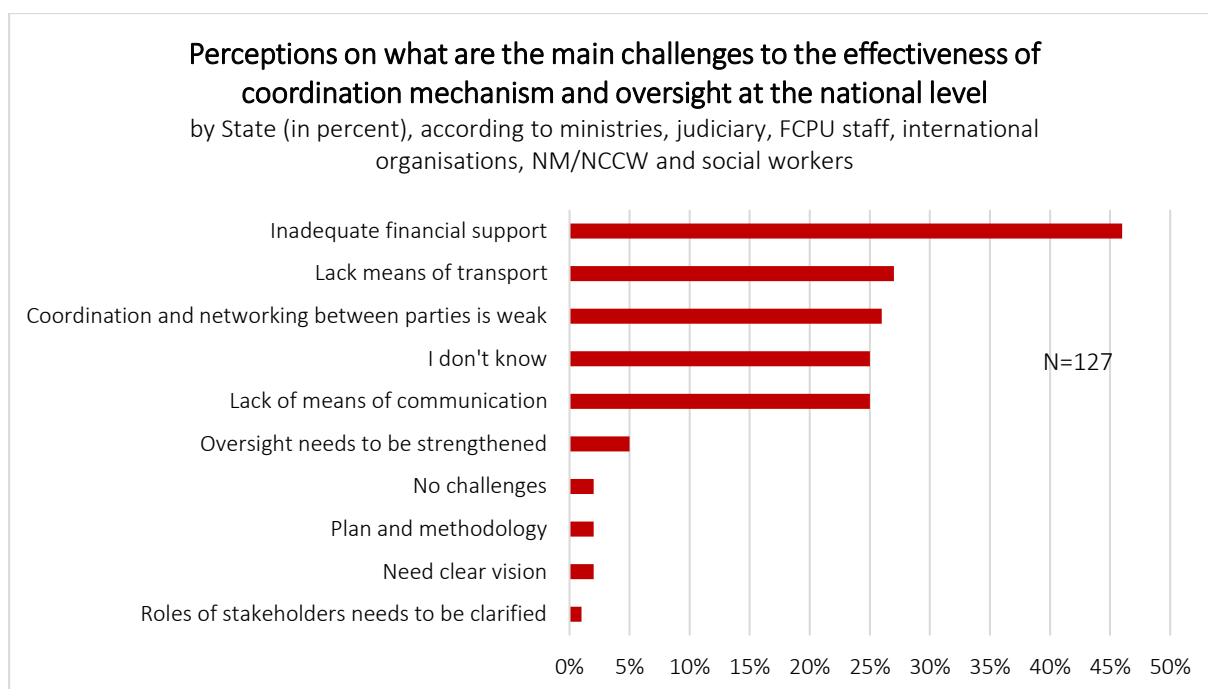


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 121: Effectiveness of coordination mechanism and oversight at the national level

The perceptions on the main challenges to the effectiveness of coordination are principally inadequate financial support (50%), lack of transport (48%) and lack of communications (42%), see further details figure 121 below.



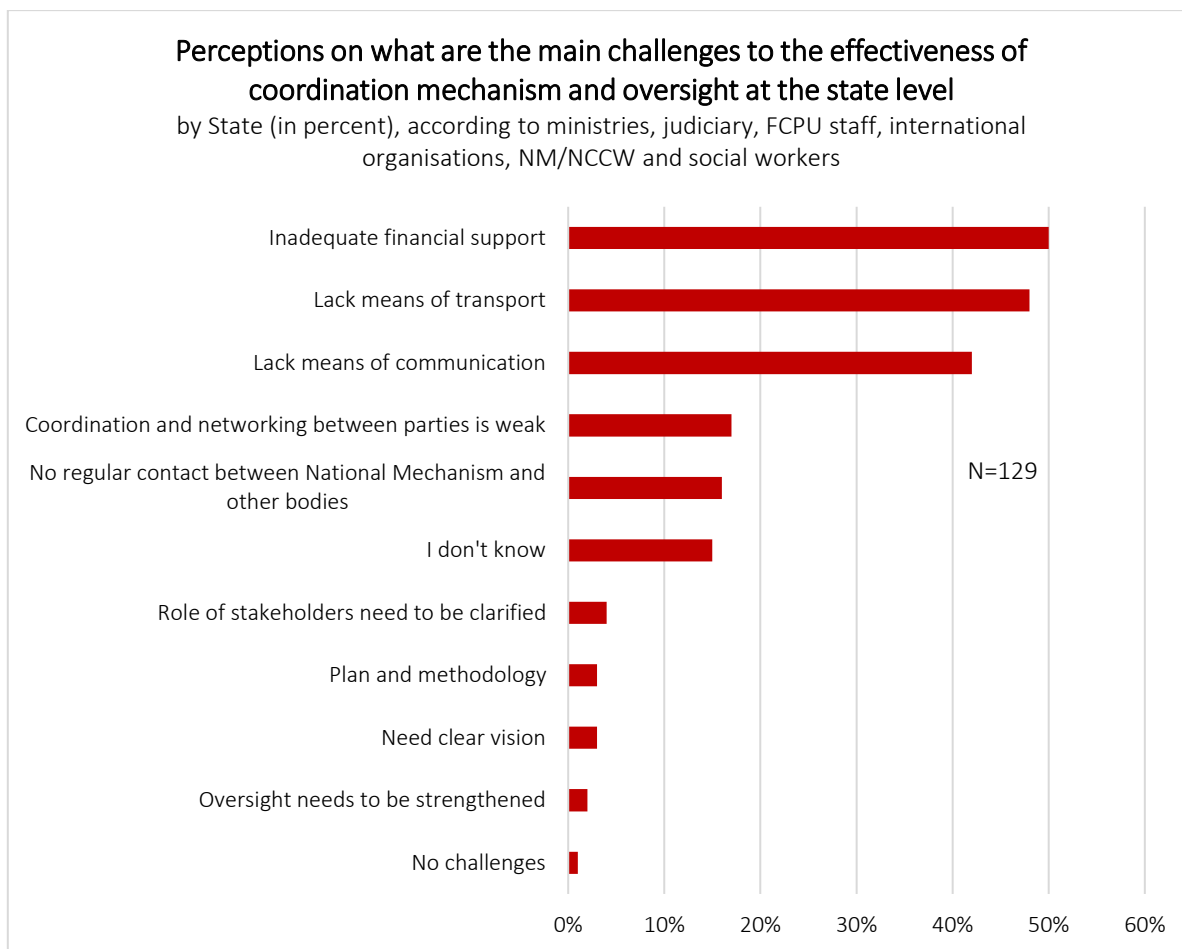
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 122: Perceptions on the main challenges at the national level

As displayed in figure 122 below, at the **state level** most respondents are also of the view that the coordination mechanism is weak (40%) and medium (32%). Only 9% say it is high. There are noticeable differences between the states. Again Khartoum, El Gazira and Central Darfur are the states where most respondents think it is weak. Blue Nile (47%) is the state where most respondents think it is high, as with the coordination mechanism at national level

The main challenges cited are the same as those at national level, i.e. inadequate financial support (50%), lacking means of transport and communications (48%), see further details in figure 122 below.

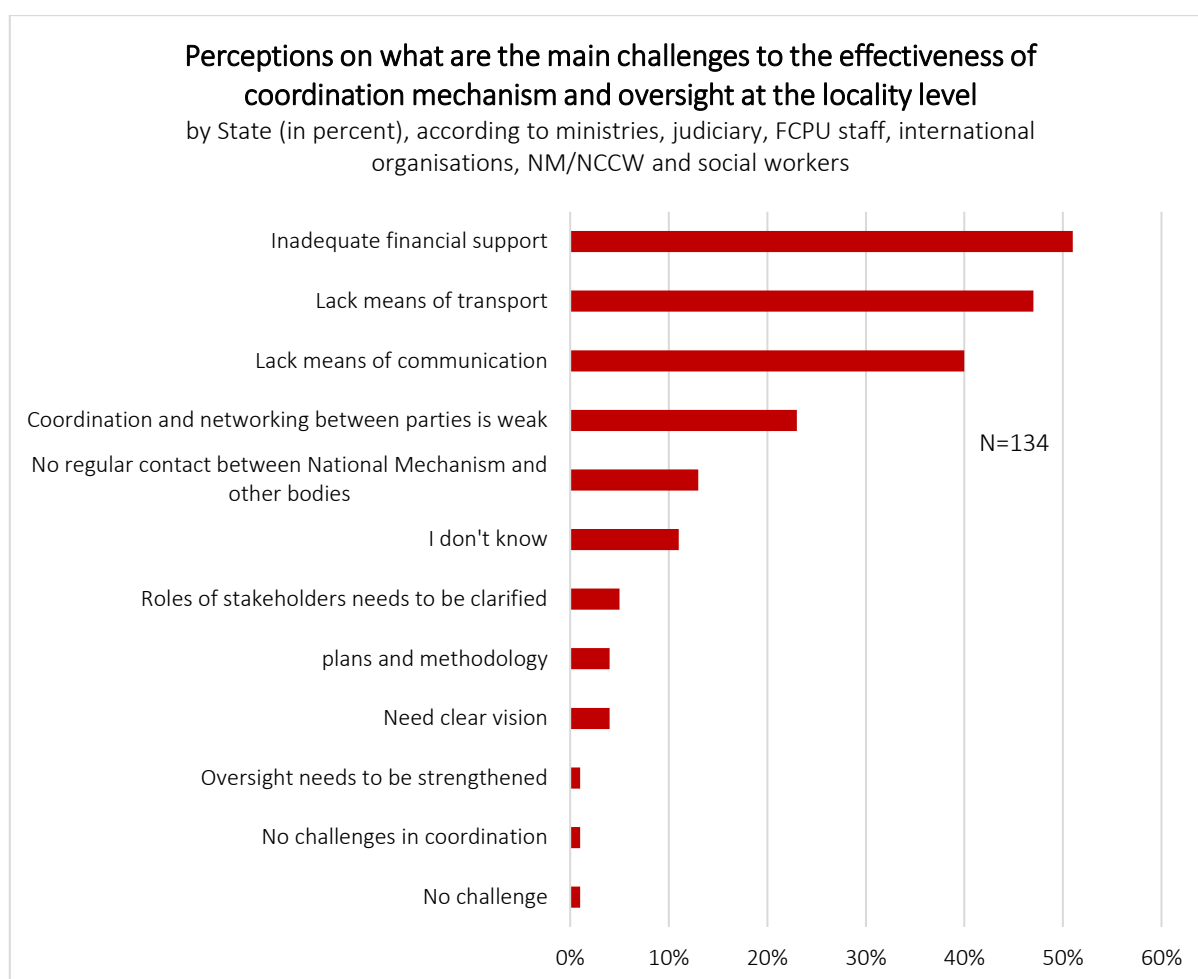


The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 123: Perceptions on the main challenges at the state level.

As displayed in figure 123 below, most respondents at locality level think that the effectiveness of the coordination mechanism at locality level is low (48%) and medium (22%). Compared to national and state level, relatively higher portion of respondents consider the effectiveness high (19%) at the locality level. As before, most respondents in Khartoum (57%), El Gazira (57%) and Central Darfur (47%) think it is low, while most respondents in Blue Nile (33%) think it is high.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 124: Perceptions on the main challenges at the locality level

The principal challenges at locality level remain inadequate financial support (51%) and lack of means of transport (47%) and communications (47%).

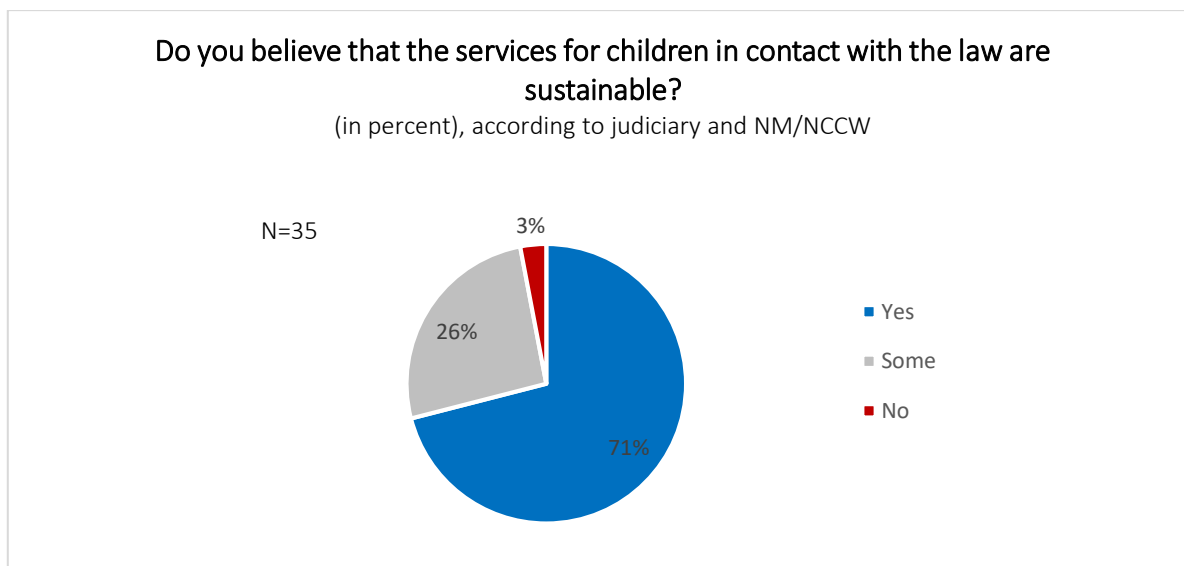
Outcome indicator 7 - Services for children in contact with the law are sustainable

Findings from programme documentation

No financial programme documentation has been provided to the evaluation team demonstrating whether services for children in contact with the law are sustainable at the baseline, midline and end-line.

Findings from data collection

According to judiciary and interviewed members of the NM and the NCCW, most respondents think that services for children are sustainable (71%) or somewhat sustainable (26%). Only 3% say they were not sustainable. See figure 124 below. This likely reflects how embedded these services have become in Sudan's justice landscape.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 125: Do you believe that the services for children in contact with the law are sustainable?

Principal reasons given for why *Justice for Children* services are regarded as sustainable, include the existence of child protection plans and FCPUs (29%), some mention specific aspects of the work such as family tracing, reintegration and education (14%) or that it would continue without UNICEF's support (7%). Those who believe that the *Justice for Children* services are not sustainable, emphasize that additional training is needed (36%) and that there is a need for enhanced coordination laying out clear roles for *Justice for Children* actors (21%).

Output indicator 7.1 - Amount of funds raised for *Justice for Children* programming from UNICEF, NGOs, Donors, Government and private sector (amounts and percentages of total)

Findings from programme documentation

No baseline information was provided to the evaluation team.

Midline and end-line, the table below shows the respective contributions towards running costs of the Khartoum FCPU units from 2008 to 2017. These figures do not include police salary costs, which are covered by the police force itself, or the value of equipment and other supplies provided by UNICEF.²¹⁹

Year	Contribution in SDG in Khartoum State				
	Government	UNICEF	Total	% of Governm	% of UNICEF
2008	430,567	285,080	715,647	61%	39%
2009	694,415	337,000	1,031,415	67%	33%
2010	1,069,448	396,168	1,465,615	73%	27%
2011	2,664,280	266,428	2,930,708	90%	10%
2012	2,809,165	73,229	2,882,394	96,2%	3.8%
2013	3,465,730	652,698	4,118,428	84%	16%
2014	2,887,380	343,765	3,231,145	98%	11%
2015	4,512,689	494,020	5,006,709	90%	10%
2016	5,490,192	920,617	6,410,809	86%	14%
2017	7,595,176	1,146,452	8,741,628	87%	13%

Figure 126: Contribution in SDG in Khartoum state²²⁰

²¹⁹ 2008 UNICEF Tech Brief 3: FCPU.

²²⁰ Information for 2008-2012 provided by UNICEF, information for 2013-2017 provided by the NM.

Comparing the first and the last three years, there has been a relative decrease in UNICEF's contribution from an average of 33% to 12% coupled with a corresponding increase in the Government's share, demonstrating that the government is taking over the costs of running the Khartoum FCPU. There is also an eight-fold increase (not taking account of inflation) in the government's budget from an average of 731,477 SDG in 2008-2010 to an average of 5,866,019 showing clear Governmental engagement in scaling up services of the FCPU.

The evaluation team was not provided with an overall budget for the FCPUs Sudan or the *Justice for Children* programme in Sudan. However, it was assured by the NM that the figures for the Khartoum FCDU were representative of the trend for FCPUs throughout the country.

It is worth noting that a 2017 analysis on child rights budgeting revealed alarming results and evidence for the need to advocate for increasing budget allocation for child protection.²²¹ While this relates to child protection in general, it may also be of relevance for *Justice for Children*.

Output indicator 7.2 - Government budget allocations to *Justice for Children* programmes as a percentage of total government budget allocations for justice and the rule of law

Findings from programme documentation

UNICEF confirmed that this information was not available. This problem was also highlighted in the 2015 child protection mapping which criticized the difficulties in having systematic and comparable data on national budgets.²²²

Findings from data collection

Output indicator 7.3 - % of people trained who are still in their positions

Findings from programme documentation

No baseline and midline information were provided to the evaluation team.

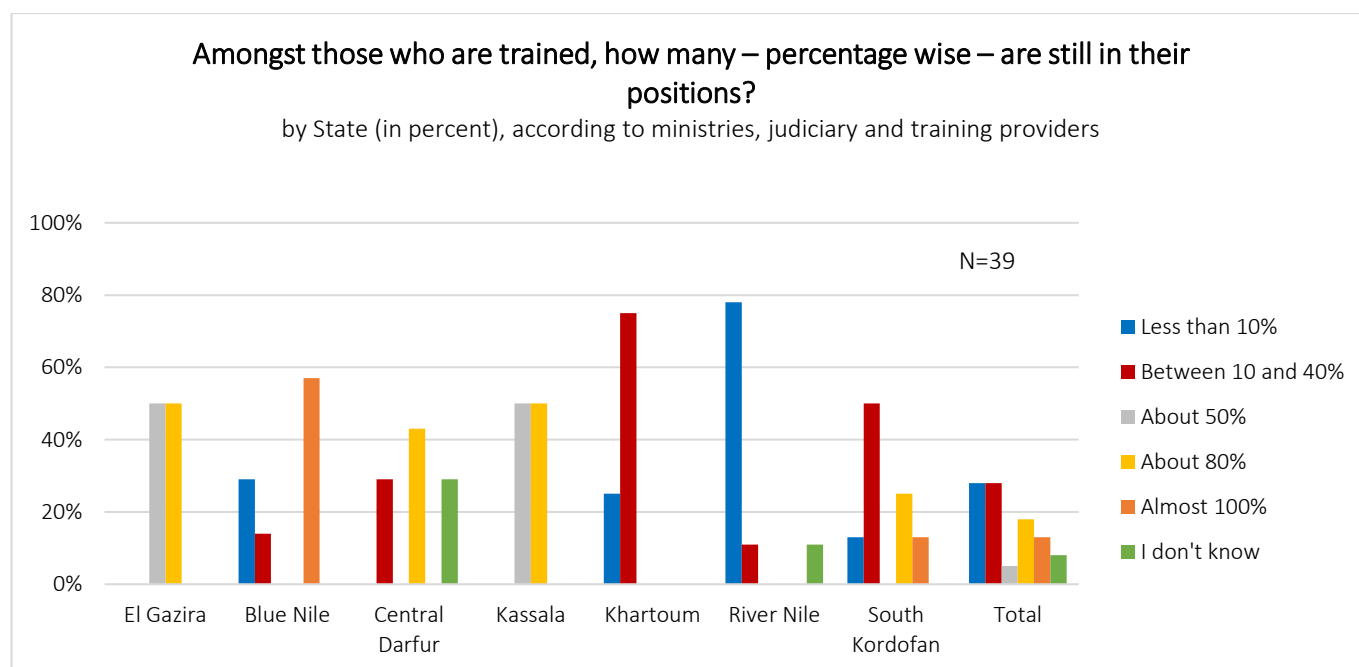
At the end-line, UNICEF communicated in 2018 that all the trained non-commissioned officers were still in their positions and there is no significant transfer of staff. There is no information regarding police officers.

Findings from data collection

As displayed in figure 126 below, most respondents mention the lower end of the scale that less than 10% (28% of answers) or 10-40% (28% of answers) of those trained are still in their positions. At the higher end of the scale, about 80% (18% of answers) and almost 100% (13% of answers) of those trained are still in their positions. There are noticeable differences between the states, with the greatest rotation being reported in River Nile and Khartoum. Most respondents in Blue Nile (57%) say that 100% are still in their positions.

²²¹ UNICEF, 2017, SMQ Outcome 6: Child Protection.

²²² NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 31.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.
Source: Transition International

Figure 127: Amongst those who are trained, how many are still in their positions?

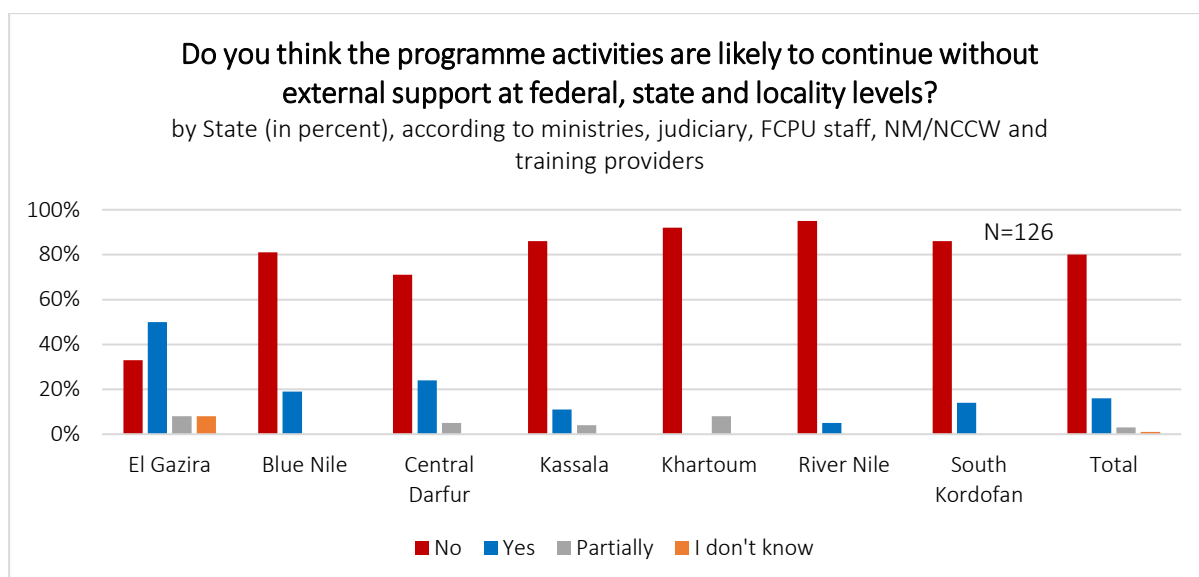
Output indicator 7.4 - Perceived likelihood and challenges of the continuation of programme activities without external support at community, provincial and central levels

Findings from programme documentation

The evaluation team is not aware of any perception surveys on the continuation of the programme without external support.

Findings from data collection

As displayed in figure 127 below, an average of 80% of programme implementers think that the programme activities are not likely to continue without external support, although the government is providing the bulk of the funding. Only 16% say that the activities would continue regardless. These views are more or less shared across the states, except in El Gezira where 50% of respondents think the activities are likely to continue. It is worth considering whether this more positive outlook is connected to the absence of external organizations like Save the Children and UNICEF in El Gezira. That analysis does however not correspond with the situation in River Nile where these organizations are also absent.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 128: Perceptions on the main challenges of coordination mechanism at the national level

When asked about the challenges for continuing the programme activities without external support, respondents mentioned the programme lacking in material support including budget, equipment, communications and furnishing (78%), that external support is needed (12%) and lack of technical support (12%).

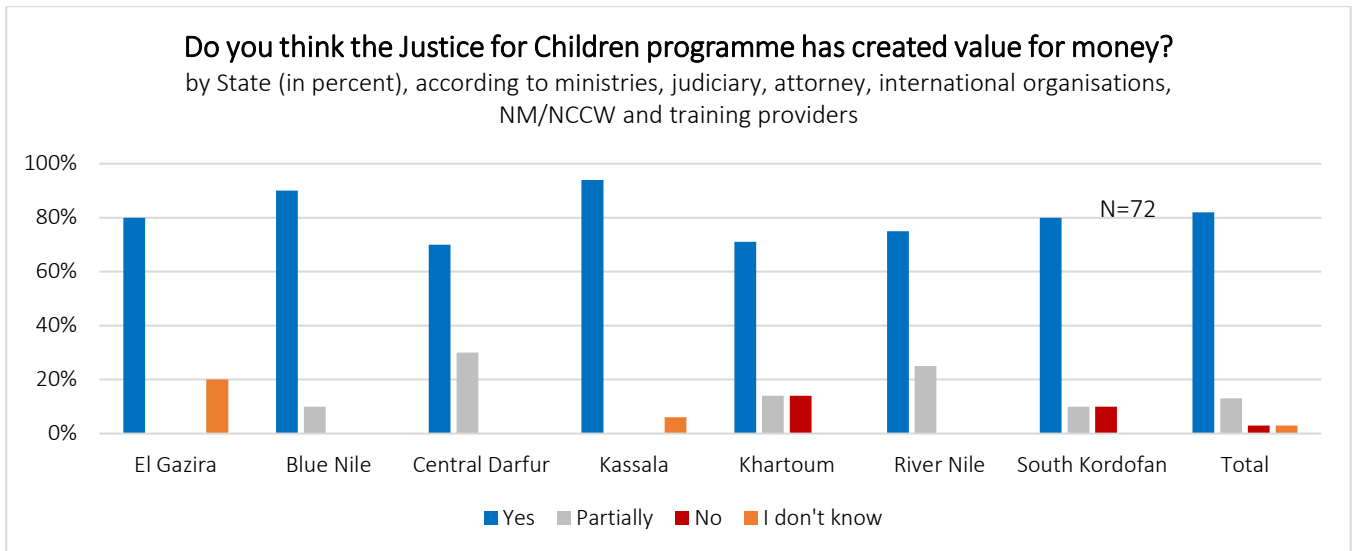
Output indicator 7.5 - The extent to which the programme as a whole, and UNICEF's contribution, is regarded as value for money

Findings from programme documentation

While there is programme documentation on UNICEF's contribution, the evaluation team is not aware of documentation capturing views as to whether it is regarded as value for money.

Findings from data collection

According to 82% of programme implementers the *Justice for Children* programme has created value for money. 13% of them say "partially" and only 3% say "no". Figure 128 below displays the results by state, demonstrating that it was positive throughout.



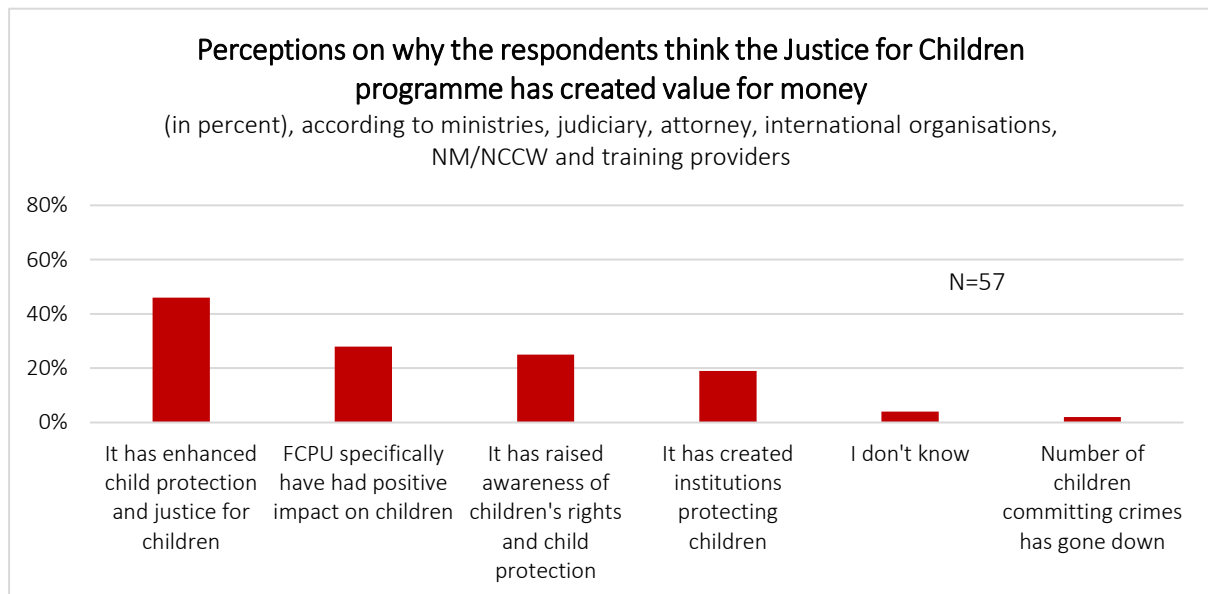
The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 129 : Did the Justice for Children programme has created value for money?

Those who think the programme has not created value for money, refer to gaps in the programme (16%).

When asked why the programme has created value for money, the majority of respondents mention it having enhanced child protection and *Justice for Children* (46%), the FCPUs having had positive impact on children (28%) and raised awareness of children's rights and child protection (25%). Figure 129 below, presents the results.



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 130: Perceptions whether the Justice for Children programme has created value for money

In respect of UNICEF's contribution, 71% of respondents think it has created value for money, 11% say partially and 13% say no. There are discernible differences between the states with 67% of respondents in River Nile and 20% in El Gazira saying no. This corresponds with the fact that UNICEF is not present in those states. The figure 130 below demonstrates that there are differences in the answers of different

respondent types. Respondents, regardless of their type, mostly state that UNICEF's contribution to the *Justice for Children* programme has had tangible results with at least 50% of the respondents of each category saying so except for Ministries where this proportion is only 21%. More specifically ministries respondents mostly state that UNICEF's contribution to the *Justice for Children* programme does not address all needs and that there are gaps (43%). Attorney and training providers concur with many answers saying that not all needs are addressed and there are gaps (respectively 33% and 25%).

Perceptions on why UNICEF's contribution to the <i>Justice for Children</i> programme was value for money by type of respondent (in percent)							
according to ministries, judiciary, attorney, international organisations, NM/NCCW and training providers							
	Attorney	International Organisations	Judiciary	Ministries	NM/NCW	Training Providers	Total
It has had tangible results	56%	50%	50%	21%	89%	58%	57%
Not all needs are addressed and there are gaps	33%	0%	13%	43%	6%	25%	22%
It has resulted in reforms to child justice institutions	11%	0%	0%	0%	39%	17%	16%
It has built capacity for JfC providers	0%	50%	13%	0%	11%	0%	6%
It has strengthened community networks	11%	50%	0%	7%	11%	8%	6%
It has supported all stakeholders	0%	50%	0%	7%	6%	8%	6%
The support is too focused on material support	0%	0%	25%	14%	0%	0%	6%
I don't know	0%	0%	25%	7%	0%	0%	5%
FCPU have had positive impact on children	0%	0%	0%	0%	11%	0%	3%
It has resulted in improvements in facilities, equipment, recreation kits for children and other material	11%	0%	0%	7%	0%	0%	3%
Number of respondents	9	2	8	14	18	12	63

The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 131: Perceptions on why UNICEF's contribution to the *Justice for Children* programme

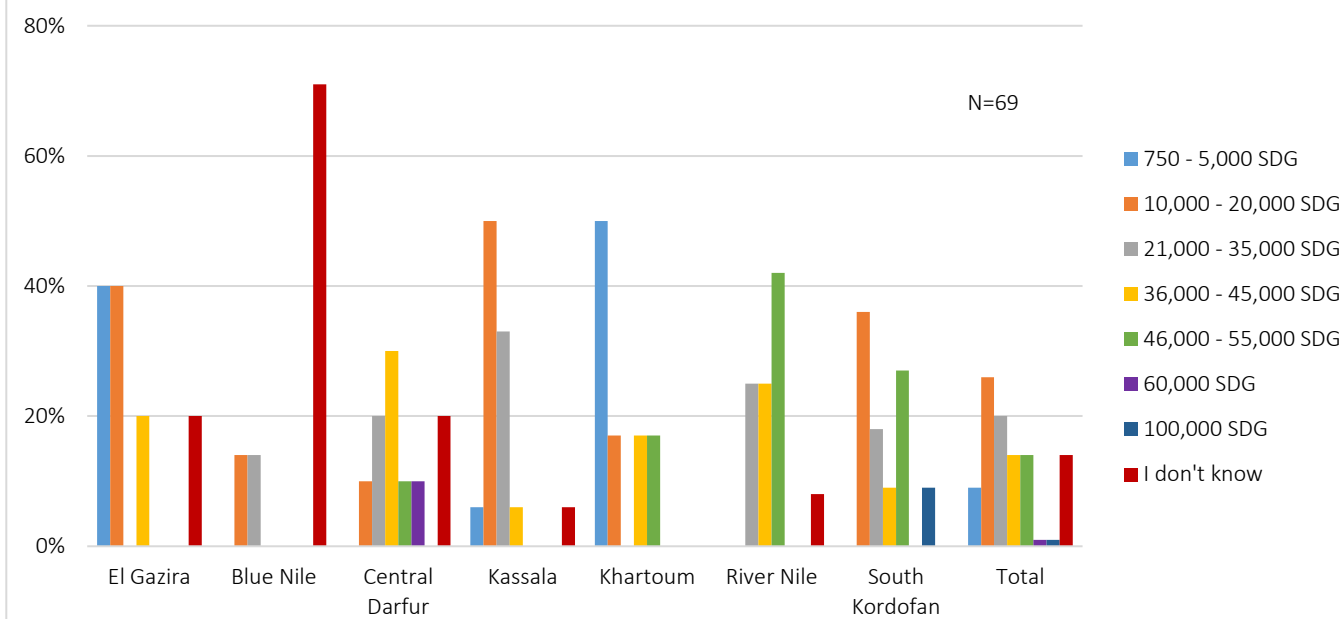
When asked why UNICEF's contribution was not value for money, respondents state that not all needs were addressed (22%) and that the support is too focused on material support (6%).

The principal reasons given for UNICEF's support being value for money are it having tangible results (57%), resulting in reforms to child justice institutions (16%), having supported all stakeholders and built capacity of *Justice for Children* providers (6%). Further details in figure 131 below.

Figure 131 below displays the estimated cost for opening a case for one child, including psycho-social support, costs of trial, FCPU services and follow up. On average most respondents the costs are between SDG 10,000 – 20,000 (26%) or SDG 21,000 – 35,000 (20%). Compared to other states, respondents in Khartoum and River Nile consider the costs higher.

What is the estimated cost for opening a case for one child, including psycho-social support, costs of trial, FCPU services and follow-up?

by State (in percent), according to ministries, judiciary, attorney, international organisations, NM/NCCW and traini



The figure presents the percentage of respondents mentioning a given answer from data collected in Sudan between June and August 2018.

Source: Transition International

Figure 132: What is the estimated cost for opening a case for one child?

4. SUMMARY OF THE MAIN RESULTS PER EVALUATION CRITERIA

4.1 RELEVANCE

This section describes the extent to which the objectives of the Justice for Children programme/FCPUs are consistent with national needs (in particular vulnerable group needs) and are aligned with programme country government priorities as well as with UNICEF policies and strategies. This is broken down into the following research questions:

What strategies were used and how appropriate are the strategies promoted and used by the Justice for Children programme /FCPUs

According to the evaluation, the strategies used to enhance the legal framework are highly appropriate.

Most notable is the development and enactment of the 2010 Child Act and the legislative framework for the *Justice for Children* programme, notably the regulations implementing the Child Act (listed in chapter 3.2 under Outcome indicator 1 above) and the SOPs for the FCPUs which stipulate the appropriate policing approach in respect of children. The legislative framework establishes the institutional framework for protecting children in contact with the law. It also addresses persistent confusion about the age of criminal responsibility and establishes specific crimes against children that are relevant to the Sudanese context. Indeed, when asked about the most significant change fostered by the *Justice for Children* programme, the majority (65%) of respondents mention the improved legislative framework.

The strategy to install institutions specifically designed to serve children in contact with the law throughout the criminal justice chain is highly relevant as it addresses an institutional gap in the execution of criminal justice involving children. With almost half (46%) of all programme implementers believing that access to justice has increased, the FCPUs have provided children with a mechanism to report violations of their rights. The FCPUs are also designed to provide child victims, witnesses and alleged offenders alike with integrated and child-friendly services in one place. Almost a quarter of respondents mentioned that the FCPUs provide increased access to services (24%) and that the one-stop-concept provides friendly conditions for children in contact with the law. The helpline (9696) is relevant in that it brings issues relating to children to the attention of FCPUs and promotes confidence in the police through increased access to police services. Specially trained child judges and child prosecutors are relevant in that they enhance the capacity of the justice system to deal with children and correctly apply laws and agreements concerning the child.

The training provided for programme implementers is relevant in that it builds knowledge about the 2010 Child Act (15% of respondents), child protection (15%) and improved performance (13%).

The strategy to create CBCPNs has provided relevant linkages to communities and thus extended the reach of the *Justice for Children* programme, whose limited geographical coverage has been a persistent problem in the past for child protection in Sudan. The CBCPNs have provided relevant services including awareness-raising, monitoring the situation of children and referring cases to other service providers as necessary.

The establishment of specific bodies, notably the NCCW and the NM, to coordinate actions addressing the needs of children in contact with the law is highly relevant as *Justice for Children*

requires the intervention of a broad range of entities and bringing together different services such as communal, police, social and judicial.

The awareness-raising of children's rights and remedies under the national law is also relevant as it has, according to 55% of CSOs, led to fewer violations of children's rights. This happens through a combination of better understanding of how to treat children and deterrence achieved through awareness of possible punishments. Awareness has also enhanced the capacity of children to seek redress when their rights are violated. Almost all community adults and children know what the FCPU are (98%) and how to access these services (90%).

To what extent have the strategies and interventions been contextualised at the national level through local level consultation, national needs (including national government priorities) consideration and capacity assessment? Were potential right-holders (children and their families) involved in developing programming?

The Child Act (2010), which forms the basis for the strategies, interventions and programming is the result of a wide participatory process and so is the draft regulation on diversion. However, there is little information on the level of consultations for programming interventions after the establishment of the Child Act, which suggests that it was limited. Most respondents within international organisations, ministries and the NM/NCCW rate the level of participation and consultative processes of the child-related legislation and policy reform as medium, and one-third rate it as low. It is reported that involving children in decision making processes and listening to them as part of programme development is generally weak and needs to be reinforced.²²³

Did the objectives articulate changes in children's life and wellbeing and that for their families and communities?

An overwhelming number of children, community members and programme implementors consider children to be better protected from violence than ten years ago and that this change would not have happened without the programme (93%). The finding that children feel better protected represents a significant and positive change in their lives achieved through the programme. Almost half of the programme implementers (46%) believe that children have increased access to child-friendly mechanisms to report violations of their rights and a majority in all states, except in Central Darfur, think that children are treated in accordance with norms and regulations. In terms of services affecting children's lives, in 2017 alone a total of 37,346 children (Boys: 27,340, Girls: 10,006) benefitted from relevant legal, social, psychosocial and medical services. Half of the programme implementers (49%) believe that fewer child offenders spend time deprived of liberty, for less periods of time, in child-appropriate facilities. All these factors influence the well-being of children in contact with the law as well as their families and communities.

Is the programme response relevant to identified needs?

The evaluation team is not in possession of a needs assessment nor was it provided information on identified needs that form the basis of the programme. However, the evaluation team in collaboration with UNICEF identified *ex post facto* needs behind the programme. These needs are reflected in the indicators which were developed for the evaluation. These needs are:

²²³ Save the Children Sweden Khartoum Office (2011), A Study on Children Protection Mechanisms.

- Need to enhance access justice (Outcome indicator 2: Boys and girls having access to child-friendly mechanisms to report violations of their rights).
As stated above, the programme provided relevant responses through the establishment of the FCPUs, child prosecutors and child judges. As a result, almost half (46%) of programme implementers believe that children's access to justice in this respect has increased.
- Need to reduce deprivation of liberty and ensure the conditions for depriving children of liberty are appropriate for children (Outcome indicator 3: Fewer child offenders spend time deprived of liberty, for shorter periods of time, in child-appropriate facilities).
The programme provided a relevant response through increased use of diversion (see chapter 3.2: Outcome indicator 4), alternatives to detention, as well as improvements in detention facilities, with the result that half of the programme implementers (49%) agreed that the situation had improved, against a minority (14%) who thought it had not improved.
- Need to enhance rights awareness and reduce violations (Outcome indicator 5: Greater awareness and fewer violations of children's rights).
As discussed above in this chapter, the interventions were relevant in that they increased rights awareness, led to a reduction of violations and enhanced the capacity of rights holders to seek redress.
- Need to enhance justice services for children in contact with the law (Outcome indicator 6: Increased capacity of actors in the *Justice for Children* system to deliver coordinated, timely and effective *Justice for Children* services).
The responses have been relevant and resulted in new institutions addressing the needs of children in contact with the law. The majority (67%) of attorneys, IOs, training providers, judiciary and ministries think that this capacity has been partially increased while 29% say it has increased.
- Need to ensure local ownership and sustainability of the services (Outcome indicator 7: Services for children in contact with the law are sustainable).
As will be further discussed in chapter 4.7 below, the programme response has been relevant in that it resulted in increased governmental support for the services and proportional reduction of external support. According to the judiciary and interviewed members of the NM and the NCCW, most respondents think that services for children are sustainable (71%) or somewhat sustainable (26%). Only 3% say they were not sustainable.

4.2 EFFECTIVENESS

This section describes the degree of achievement of outputs and the extent to which outputs have contributed or are likely to contribute to the achievement of the outcomes of the Justice for Children/FCPU? This is broken down into the following research questions:

Have the outputs targeted been achieved?

This programme did not have explicit outputs and targets set at the beginning of the programme, therefore systematic evaluation against targets was not possible in this evaluation. However, the evaluation team observed the following:

Programme implementers generally agree that the legislation and enforcement instruments developed are not complete yet. The gaps in the legislation relate mainly to FGM/C, the possibility to provide protective custody to children under threat and child marriage. There are persistent

delays in approving much-needed enforcement legislation. Regulations regarding diversion outside of the judicial system and community services exist in draft form and are pending approval by the authorities. Other regulations called for are on the conduct of trial, detention of children and PSS during and after trial. A further problem is that regulations in force have not been adequately disseminated and trained upon as half (53%) of attorneys, judiciary and ministry employees do not know the names or titles of regulations in force.

The FCPUs are well known and are considered the principal reason for the perceived increase in the protection of children from violence (74%). Their capacity is however hampered due to the rotation of police staff resulting in loss of experience and knowledge and unclarity about the capacity of the FCPU director to direct civilian and uniformed components of the FCPU. There are also significant gaps in the capacity of FCPUs to provide social and PSS services. In the FCPUs the evaluation team visited, the number of social workers was adequate, but they need additional training. The evaluation team has information stating that between 2015 and 2017 there were on average 66 social workers trained in all of Sudan's 18 states. This is not many given the scale of the country and it is not clear how many of these are working on *Justice for Children*. There were very few psychologists in the visited FCPUs. An additional challenge in terms of efficiency is the capacity of FCPUs and other *Justice for Children* actors in reception and interim care establishment, age verification, case management and referral to PSS and other social services. The majority of programme implementers note "some" improvement in reception and interim care (57%) and referral to PSS and other social services (36%). There has however been less progress in age verification, the principal obstacle being the fees that are required.

As of May 2017, 3,000 police officers, 700 judges and 200 prosecutors had been trained on procedures and regulations on children in contact with the law. These numbers demonstrate considerable effectiveness in reaching the justice service providers. Overall, programme implementers were satisfied with the training they had received, with 46% ranking it as effective, 38% ranking it as medium and 11% as not very effective. The most cited problem is that the training on child protection was inadequate and that only basic training was provided. A significant problem in the effectiveness of training is that topics on justice and children were not integrated into the curriculums of training departments of the judiciary, police and social welfare. In 2016 a training manual was finalized in collaboration between UNICEF, and the Judicial and Legal Science Institute which is expected to remedy this problem, as well as the issue of the high turnover of judges and prosecutors as it will provide all police officers with an understanding of essential child protection principles for law enforcement.

At midline data collection and information sharing was reported to be lacking at all levels and through the evaluation 86% of respondents say that no functional information system to follow-up and monitor children in contact with the law exists. There is hope that this will be remedied through the information management system being introduced at the NCCW. This system includes indicators for children in contact with the law and can thus be used to track such cases. At the time of writing this evaluation, this system was not yet up and running.

The capacity and effectiveness of the CBCPNs vary greatly. By way of example, in Blue Nile half of established CBCPNs (113 out of 160) are not adequately functioning due to lack of financial support, training, limited means of communications and transport. In Al-Gezira there is no functioning CBCPN in the capital, while there were two active CBCPN in Alrahmania village in the

Hassahisa locality. An average of 19% of respondents noted that the effectiveness of CBCPNs is also hampered by limited coordination with the authorities. Generally, the CBCPNs function better outside of the capitals as volunteers are more engaged in rural areas, where they are closer and more connected to the community.

Awareness-raising has been highly effective in that 90% of respondents know how to resort to the services of FCPUs and CBCPNs. Awareness has gone from low at the baseline to 61% of child clients and community children knowing about the Child Act and child protection at the end-line.

The absence of legal aid severely limits access to justice and the enjoyment of rights. The Child Act does not require the provision of legal aid or child lawyers and there are few lawyers who specialize in providing services to children in contact with the law. The evaluation team understands that there is no specific legislation/regulation or budget governing the provision of legal aid. This problem became evident through the evaluation as most children and their parents (60%) say that they are not supported by legal aid. Looking at the figures for 2017, a total of 4,445 cases before the FCPUs benefitted from legal aid. This translates into 37% of cases in relation to the total number of offender cases of 11,925. Compared to 2013 when FCPUs provided legal aid in 3,436 cases, there has been a 30% increase. However, as a percentage of the number of offender cases it has gone from 43% in 2017 to 37% in 2013. In addition, it is not clear whether the legal aid is provided by the state or through the voluntary work of lawyers. Several lawyers noted they provided such services to children *pro bono*, which is commendable, but not a sustainable or comprehensive way of guaranteeing legal services for children. Most children coming into conflict with the law in Sudan are from poor families, there is accordingly a great need for an effective system of legal aid. The absence of it is affecting children directly, the evaluation team is aware of instances where children were tried without the assistance of a lawyer.

What difference has come about right holders (children and their families) in terms of life skills, knowledge and psychosocial wellbeing?

In 2013, FCPUs provided legal, social, PSS and medical services to 28,819 children. In 2017, the number had gone up to 37,346 (30% increase). While this does not reveal what difference was made in individual cases, it gives an indication about the overall effort in providing a broad range of services meeting the needs of a large number of children in contact with the law. These services, seem focused on the immediate needs of children in contact with the law, ensuring that they have access to legal counsel, medical and PSS to recover from a criminal incident, etc. While these efforts contribute to children's well-being, there is no information on longer-term interventions building life skills which suggests it was limited or did not take place. Awareness-raising has contributed to children's knowledge about their rights and how to protect them.

What factors contributed to the success or failures with regard to the targeted changes (enablers and bottlenecks)

An important success factor for the programme is the understanding, willingness and professional capacity of *Justice for Children* actors *Justice for Children* to address the needs of children in contact with the law. Moreover, the involvement of high-level governmental actors in the *Justice for Children* system – the NCCW is notably chaired by the Prime Minister – and the personal engagement of senior personnel, as observed by the evaluation team, helps raise the profile and relevance of the *Justice for Children* programme.

It is also evident that authorities in Sudan, with important support from UNICEF, are open to new approaches, best demonstrated through the establishment of FCPUs and the one-stop-shop services which the government has supported and been willing to scale up rapidly. Also, they have shown willingness to adopt and follow international standards for child protection, best evidenced through the enactment of the Child Act which brings Sudanese legislation in conformity with CRC and other international treaties.

The principal bottleneck is the fragmented structure of the programme. It is more composed of individual institutional arrangements and interventions than a holistic approach working to create a safe and friendly environment for children in contact with the law. As will be further discussed below under 4.5, the capacity of the system to coordinate and direct is low.

Lack of resources is a recurring problem affecting the quality of service delivery from both state actors and non-state actors such as CBCPNs.

Staffing and human resources management at the level of the FCPU is another persistent problem. Currently, FCPU police officers are under the authority of the state and therefore it is the state authorities which decide on the function of police officers. The Commissioner General who operates at the national level can only rotate them between states, but not to specific functions within the states. This system leads to regular rotation whereby police officers who have acquired valuable experience within the FCPU and benefitted from relevant training are shifted to different functions and replaced by officers who may have no experience and knowledge in respect of children and justice. This results in loss of know-how and reduced capacity of the system.

There are also instances where the institutional differences between uniformed and non-uniformed staff and absence of clear command structures from the police director to civilian staff can lead to confusion and undermine the coherence of the FCPU unit.

4.3 EFFICIENCY (VALUE FOR MONEY)

The extent to which the outputs of the Justice for Children/FCPUs have been achieved or are likely to be achieved with the appropriate amount of resources/inputs (funds, expertise, time, administrative costs etc.).

What are the institutional, financial, and operational capacities of the FCPUs at national, state, locality and community levels both compared to the resources input from government and UN agencies (UNICEF), including detailed analysis of the costing of services provided by the FCPUs?

The evaluation team was only able to acquire information about the running costs of the Khartoum FCPU unit from 2008-2017. This did not include detailed costing of services provided by the FCPU or any overview of the services provided for this period.

In 2017 the overall budget for the Khartoum FCPU was 8,741,628 SDGs (based on an average official currency rate of 14,63 in 2017²²⁴ this translates into 59,513 USD).

Although detailed costing of services is not available, the FCPU statistics stipulate that the FCPU in Khartoum provided the following services in 2017.

²²⁴ Currency table provided by UNICEF

FCPU Khartoum services in 2017 ²²⁵				
Legal	Social	Psychosocial	Medical	Total
332	6,444	6,444	4,529	17,749

Figure 133: FCPU Khartoum Services In 2017

This translates into an average costing of approximately 3.4 USD per service rendered in 2017.

Have the total inputs during the last ten years resulted in the outputs targeted?

The evaluation team is not aware of any specific targets being set for FCPUs services and thus is unable to respond to this question.

To what extent were the resources available adequate to achieve the expected outputs?

The limited financial information the evaluation team has does not allow it to determine what the input was for each output.

To what extent has the programme been able to complement implementation with related interventions, initiatives and resources at the country level from other partners, regional and global levels to maximise its contribution to the *Justice for Children/FCPU*?

UNICEF provided a detailed account of its contribution to *Justice for Children* actors in the period 2011-2018. The information was provided in SDG and is displayed below in USD.

Support by UNICEF to Justice Implementing Partners ²²⁶ Period 2011-2018					
FCPUs	Judicial and Legal Science Institute	Judiciary & Judiciary training	National Mechanism	NGOs for community involvement in justice, especially alternatives and diversion	Total
772,910	49,019	92,977	108,590	196,476	1,219,973

Figure 134: Support by UNICEF to Justice Implementing Partners

The information in the table above was provided by UNICEF in SDG broken down by year of transfer and implementing partner. It is converted into USD using the currency average for the period the funds were transferred, which could span several years in some instances. Given the high fluctuation of the exchange rate from the SDG to the USD these figures are not precise but still give an idea of the amounts transferred by UNICEF to *Justice for Children* implementing programmes. This table excludes funds transferred to the NCCW as their mandate encompasses more than *Justice for Children*. If that was added, the amount would approximately double.

The funding of 1,219,973 USD is not contributed from UNICEF's regular resources but is raised by UNICEF from different donors. Thus, it represents external contributions complementing resources to the *Justice for Children* programme.

Given the amount of external support given in the period in question (2011-2018) the total amount is not very high. From that perspective the programme has not been very successful in complementing the programme with outside interventions. Conversely, UNICEF's support has been sustained through the years which is a measure of success.

²²⁵ FCPU Statistics 2017.

²²⁶ Direct Cash Transfer Monitoring Report for Programme Accounts (by Implementing Partner) for the period ending 11 November 2018.

4.4 COVERAGE AND PROTECTION

The extent to which the programme reaches the geographical sites and targeted population, and has the needed capacities to reach the targeted children served by the Justice for Children/FCPUs.

Has the programme reached the planned target population? Have potentially targeted children in contact with the law been reached?

In the ten years since the first FCPU was established in Khartoum in 2007, the number of FCPUs has increased to 62 with representation in each of the 18 states of Sudan. Moreover, Child Courts have been established in all 18 states. There are however considerable differences in coverage between the states. The highest number is in West and South Kordofan which have 9 FCPUs each, while in Khartoum there are three FCPUs serving a population of approximately twelve million people. There is only one FCPU in El Gazira which has the second largest population after Khartoum. The states suffering from conflict have a relatively higher number of FCPUs than the other states, which is sensible as the ensuing insecurity and chaos brings more children in contact with the law. Nonetheless, there are frequent reports of how difficult it is for children in conflict areas to access the FCPUs and justice in general. The “conflict states” and the number of FCPUs in them are: Central Darfur (1), West Darfur (6), North Darfur (7), South Darfur (1), West Kordofan (9), North Kordofan (6) and South Kordofan (9) and Blue Nile (3). There is very little awareness of the helpline.

A related problem is providing justice to children in IDP and refugee camps. The evaluation heard accounts of serious crimes being committed against children in those camps. There is little statistical information due to inadequate law enforcement in the camps, but one officer in Central Darfur pointed out that in two districts of 10,000 people there were 800 underage girls who were pregnant. This represents 8% of underage girls being subjected to statutory rape. These crimes take place outside the remedies provided by the law as these camps are reported to operate their own legal system and are rarely willing to let state actors into their camps.

It was reported at midline that an estimated 90% of all child cases, including child-offender cases, are dealt with through informal justice.²²⁷ Currently, there is no information on the proportion of criminal cases they deal with in practice. Although informal justice providers are not expected to exercise jurisdiction in criminal cases, the evaluation team was informed of instances where they treat criminal cases involving children without the case going first through FCPUs. This situation is largely outside of the scope of the *Justice for Children* programme which primarily intervenes to build the capacity of state providers of justice. This gap is important to address. While informal justice providers have a recognized role in ensuring access to justice, they are also at risk of being subject to pressures and following processes that violate basic human rights of children.

Have the needs and capacities of different age and gender groups been addressed appropriately?

Half (49%) of judiciary, ministries, attorneys, CSOs and IOs are of the view that access is not equal. This seems more due to external circumstances than institutional discrimination, as the principal explanation offered by respondents is that children in conflict and remote areas cannot access

²²⁷ Welzenis, I., Dr., (2015, Report on Community-Based Responses to Children in Conflict with the Law in Sudan, UNICEF RO MENA & UNICEF Sudan. Pg. 25.

services. Once within FCPUs, they are treated equally according to 24% of respondents who mentioned that specifically (none mentioned that they were not treated equally).

Does the project contribute to the protection of children by strengthening the child protection mechanisms, like legislation, services, community norms etc.?

As stated above, the overwhelming (86%) view of children, community members and programme implementers is that children are better protected from violence than ten years ago. Indeed, the last ten years have resulted in the establishment of significant instruments for child protection. On the legislative front there is the Child Act (2010), relevant enforcement instruments and the SOPs stipulating child-friendly processes for police. Importantly, the Child Act defines and criminalizes crimes against children. In terms of governmental institutions, the FCPUs, child prosecutors and child judges work to protect children and provide children in contact with the law with child-friendly services. At the community level, the CBCPN report violations against children and liaise with health and social workers, schools and justice professionals to protect children, as well as generating awareness of children's rights.

An important finding is that not all children feel safe within the system (Girls: 11%, Boys: 15%) Almost a quarter (21%) of children are not satisfied with the services provided by FCPUs, although no parents express such discontent. Reasons given for not being satisfied are, principally, that services are lacking (29%), and that FCPUs premises are not adequate (10%). Some children mentioned physical punishment (5%) and bad treatment. An average of 3% say there was not enough food. In respect of social and PSS support, boys are more negative than girls with 50% of them saying they were not supported with effective and relevant social and PSS support.

Increased awareness is reported by CSOs (55%) to have resulted in fewer violations of children's rights, suggesting a shift in community norms achieved through better understanding of children's needs and vulnerabilities and deterrence achieved through increased punishments.

4.5 COORDINATION

Have agencies and institutions worked well together towards the common goal of strengthening the Justice for Children systems/FCPUs?

How efficient was the programme coordination between UNICEF and relevant stakeholders including clarity of roles and accountabilities; use of data/evidence for decision making; monitoring and reporting; reduction of transaction costs and potential added value?

According to ministries, judiciary, attorney, IOs, NM/NCCW and training providers, 71% of respondents think that UNICEF's contribution has created value for money suggesting a certain level of coordination and sharing of roles between those actors. It was clear from engagement with national actors that UNICEF is a valued partner with which they have a constructive relationship. The very fact that considerable legislative and institutional changes have been achieved in the last ten years through the collaboration between UNICEF and the government demonstrates that this relationship is working. UNICEF engages with *Justice for Children* actors principally in a supportive role. Thus, UNICEF focuses on advocacy, providing technical and operational support, supporting and providing training, undertaking reviews, mapping services and ensuring coordination of child protection actors. UNICEF also works on a more parallel level with the government for instance in its capacity as co-chair of the Country Task Force on Monitoring

and Reporting, which is responsible for follow-up and verification in relation to the six grave violations of child rights. UNICEF does not have a seat within the NCCW, but UN agencies have a representative on the NM. There seems to be clarity about this relationship from all parties.

UNICEF informed the evaluation team that they base their interventions on FCPU data. By looking at geographic areas with a high number of cases involving children UNICEF determines where to direct their awareness-raising activities and advocate for the location of an FCPU, child prosecutors and judges. There is little information on the degree to which national *Justice for Children* actors base their decision-making on the use of data, which suggests that it is limited. Also, monitoring is clearly limited or entirely absent. This is evidenced by the fact that this is the first evaluation in ten years of the *Justice for Children* programme and the absence of surveys for important areas such as client satisfaction with child prosecutors, child judges and FCPUs. As a result, the system has not systematically taken stock of the progress and challenges in order to take corrective action when needed. This risk resulting in loss of resources, duplication of efforts and continuing harmful practices.

How efficient/effective was the NM on coordinating the overall national and state programme? How adequate and responsive has the NM and the NCCW been on supporting and providing necessary guidance?

The majority of respondents find the coordination mechanisms at national, state and locality levels to be weak. It has been reported that coordination suffers from limited motivation to work together, competition for funding, lack of clear leadership, lack of communication, unclear roles, responsibilities and priorities, ad hoc selection of topics, competing interests between government agencies as well as weak or inconsistent representation for participating agencies. The evaluation team considers the cause to lie principally in the limited capacity of the NM. It has limited staff and funding to coordinate activities and no budget to supplement its directives and channel into programme areas where action is needed. Without such capacity, coordination will remain weak. For example, the one-stop-shop concept is frequently not respected despite its recognized merits. If the FCPU is not able to recruit social workers directly there will be no social services or only seconded social workers from the SCCW, who are not always available or willing to work within the FCPU. There are instances such as in Al Gezira, Blue Nile and Kassala where the court or the prosecutor is not premised within the FCPU because the rent is too high, or the officers are simply not interested to be located there. If the NM had the adequate capacity it could monitor such problems and address them through incentives and sanctions.

What is the current nature of the representation of all justice actors and the coordination relationships?

The question of representation and coordination enters primarily into the equation with respect to the NM, the FCPUs and CBCPN. The relationship between formal and informal justice providers also merits consideration.

The NM is a multi-sectoral committee that includes representatives from the justice pillar, Ministry of Security and Social Development, MOH, NCCW, UN agencies and NGOs. Those representing the justice pillar are the police, the judiciary and the prosecution. There is however no representation from lawyers' associations, although they have an essential role in defending the rights of children in contact with the law. The limited role of lawyers is not just evident in the NM but in the application of *Justice for Children* throughout and thus appears to be a systematic problem. The

2010 Child Act does not have any provisions on specialized child legal aid institutions or child lawyers. The findings of the data collection confirm a gap in enabling lawyers to defend children as 60% of child clients and parents say they were not supported by legal aid, although most, if not all, child perpetrators come from poor families.

The FCPU is the mechanism designed to provide holistic justice services to children and coordinate the actions of service providers. It is intended to provide one-stop-shop access to police, prosecutorial, justice, social, PSS and medical services, ideally under one roof but also through a system of collaboration with specialists from different sectors. In practice, the one-stop-shop concept does not always work. By way of example, only the police were present in the FCPU in Blue Nile, social workers were missing from the FCPU in El Gezira, Kassala and Halfa locality. Medical staff and psychologists were largely absent, and in the states of El Gezira, Blue Nile and Kassala the court and the prosecutor are not premised within the FCPU. The FCPUs and the NM have limited capacity to bring these different actors together as they do not wield direct authority over medical staff and the judiciary and do not have financial resources to offer incentives.

The CBCPN serves as an important doorway between communities and state justice providers, having notably the role to refer cases to FCPUs and receive diverted cases. Their links with other state *Justice for Children* service providers is however weak. Indeed, respondents mentioned limited support from and coordination with the authorities to be one of the major challenges for CBCPNs. These weak linkages raise questions as to the capacity, sustainability and accountability of the CBCPN mechanism. Some CBCPNs have developed solutions to overcome the challenge. The CBCPN in Haifa is supervised by the Governor of Kassala who has informed relevant authorities of the CBCPN so that the network can work with them on cases involving children. There are instances where FCPU members or staff from ministries work as volunteers within the FCPUs. For example, the warrant officer of the FCPU is a volunteer of the CBCPN in Haifa which facilitates engaging the CBCPN in cases the FCPU is working on. While such an engagement helps create linkages through personal connections, the volunteers do not participate in the CBCPNs in an official capacity which limits the impact of these connections and makes them ad-hoc rather than systemic.

Traditional courts play a prominent role in Sudan and became part of the formal judicial system through the 2004 Town and Rural Courts Act, as its lowest tier. They are characterized by the application of customs and focus on reconciliation to keep harmony within the community. While they are not expected to exercise criminal jurisdiction, they are reported to run parallel reconciliatory processes to the criminal case. Their initial focus is to get the parties to agree to respect the peace so that there will be no acts of revenge. After that they will discuss restitution or some other compensation for the criminal act. If they reach a settlement, that will be communicated to the judge who will take the settlement into consideration when deciding on the criminal case.

4.6 IMPACT

The extent to which the benefits from the Justice for Children/FCPUs are likely to continue after it has been completed.

Has the central goal of the programme – the needs that provided the rationale for the intervention – been met?

The central goals of the programme are to ensure that children are better protected from violence and that children in contact with the law benefit from child-friendly justice services in line with international standards.

As has been explained in some detail above, the programme has resulted in new legislation, judicial practice and new institutions at the national, state and local level – most importantly the FCPUs, child prosecutors, child judges and CBCPNs - that together have created a more protective environment for children. The result is that an average of 89% of children, community members and programme implementers believe that children are better protected from violence than ten years ago. This level of satisfaction among different groups of respondents is a testimony to the programme's achievement.

Improved legislative framework is mentioned by 65% of respondents as the most significant change fostered by the *Justice for Children* programme, at the same time there is a general recognition that the legislation is not complete. The majority of respondents (61%), consider that FCPUs are applying child-sensitive procedures but that their capacity in ensuring a continuum of care, protection and reintegration support is wanting. Almost a quarter (21%) of children are not satisfied with the services provided by the FCPUs. There is satisfaction (42%) or at least partial satisfaction (27%) with the child prosecutors and child judges (42%). The CBCPNs serve as an important link between communities and justice providers, but their capacity is generally wanting due to lack of support and weak linkages with governmental actors. Coordination is weak at all levels.

What are the recognised changes attributed to the programme and can be identified in the lives of children, families, communities and overall protective environment?

As stated above, key changes achieved through the programme are that children are perceived to be better protected from violence than ten years ago and that they know where to seek redress if their rights are violated. Children who come into contact with the law are provided with essential services. In 2013, FCPUs provided legal, social, PSS and medical services to 28,819 children. In 2017, the number had gone up to 37,346 (30% increase). While this does not reveal what difference was made in individual cases, it tells the story of thousands of children who benefitted from support to claim justice, exercise their rights in criminal cases and recover from the impact of crimes.

An additional impact on the lives of children and the people and communities around is that fewer children are deprived of liberty. Half of the programme implementers (49%) agreed with the statement that fewer child offenders spend time deprived of liberty, for fewer periods of time, in child appropriate facilities. The figures prove this as the number of children in detention substantially reduced, by 40% (238 per 100,000 child population) through a combination of the application of diversion outside the justice system and changing the mindset to more child victim centred judicial decisions.²²⁸

Did any negative changes result from the programming?

Close to 330 programme implementers, children and their families were asked about negative impacts on the lives of children, with the result that 13% respond that this was the case while 85% say there were none.

²²⁸ UNICEF, 2016, Annual Report. Pg. 18. https://www.unicef.org/about/annualreport/files/Sudan_2016_COAR.pdf (accessed 4 June 2016).

The most frequently cited impact is the stigma of being associated with a crime or of having been treated by the criminal justice system (29%) resulting from the increased effectiveness and visibility of the *Justice for Children* system. Second is children being used to commit criminal acts (25%), as increased awareness has informed criminals that children would not be held criminally liable. For the same reason, children themselves could be encouraged to commit crimes (7%). Third and fourth is the psychological impact (14%) of being processed through the system and the absence of adequate follow-up to ensure that children recovered (14%). In addition, judges explain that the FCPUs' police officers are faster to arrest children and put them in the waiting rooms, that are now available, leading to more, instead of less, children being deprived of their freedom.

4.7 SUSTAINABILITY

The extent to which the benefits from the Justice for Children/FCPUs are likely to continue, after it has been completed?

Sustainability of the budgets for FCPUs: analysis of the state budget and future allocation to the FCPUs

It has been a considerable challenge for this evaluation to obtain systematic and comparable data on national budgets. This challenge was also noted in the 2015 Child Protection Mapping, even though that was conducted under the auspices of the NCCW and MOSSD. As the evaluation team does not have this data, it is not possible to analyse the sustainability of the FCPU budget in relation to the state budget and future allocation to the FCPUs. It is however possible to make some estimates on the sustainability of the FCPUs from other factors.

A key factor in considering the sustainability of FCPUs is that the Child Act (2010) calls for the establishment of FCPUs. It is therefore a legally required establishment in the institutional landscape of Sudan. In practice the law has been followed. In only ten years, the number of FCPUs have expanded from one FCPU in the State of Khartoum to 62 FCPUs across all of Sudan's 18 states.

One data set the evaluation team possesses is the government's and UNICEF's contributions towards the running cost of the Khartoum FCPU from 2008-2017 (presented in Chapter 3.2: Output indicator 7.1 above). Analysing this data, a positive trend emerges. Comparing the first and the last three years, there has been a relative decrease in UNICEF's contribution from an average of 33% in 2008-2010 to 12% in 2015-2017. This is coupled with a corresponding increase in the government's share, demonstrating that the government is taking over the costs of running the Khartoum FCPU. Thus, the government's relative contribution to running costs of FCPUs has gone from 61% in 2008 to 87% in 2017. There is also an eight-fold increase (not considering inflation) in the government's budget from an average of 731,477 SDG in 2008-2010 to an average of 5,866,019 SDG showing clear governmental engagement in scaling up services of the FCPU, making their services more sustainable in the long run. While this information pertains only to the FCPU in Khartoum, the NM emphasized to the evaluation team that it was indicative of the overall situation in the country.

When asked if programme activities are likely to continue without external support, 80% of programme implementers say "no". Only 16% say that the activities would continue regardless. While this question relates to the *Justice for Children* programme in general, not just the FCPUs, it shows a shared concern that activities under it would be affected and that more is needed to ensure the sustainability of *Justice for Children*, including the FCPUs.

5. CONCLUSIONS AND LESSONS LEARNED

This chapter presents the main lessons learned and conclusions of the evaluation.

5.1 SWOT ANALYSIS

To summarise, the most important Strengths, Weaknesses, Opportunities, and Threats (SWOT) as identified by the evaluation team are presented below.

 STRENGTHS	WEAKNESSES 
☐ Development and enhancement of the Child Act 2010 and by laws ☐ Inter-disciplinary approach in handling children in contact with the law (legal, medical, social and PSS). ☐ Scaling up of FCPUs from 1 to 62 in all states ☐ Establishment of Child Judges and Prosecutors ☐ Training and capacity developed within all service providers ☐ Programme is led by Ministry of Interior which has resources and political weight ☐ Broad awareness of children's rights and recognition of FCPUs role ☐ Programme largely run on governmental budgets and contributions ☐ <i>Justice for Children</i> is part of mandatory training for police, prosecutors and judges. ☐ Increase in the implementation of diversion outside the judicial system and alternative measures to detention. ☐ Establishment of coordination mechanisms NCCW, SCCWs, NM for FCPUs, FCPU Administration, State national <i>Justice for Children</i> mechanisms. ☐ Existence of supporting mechanisms like Community-based Mechanisms. ☐ Establishment of the help line in 7 states.	☐ Gaps in legislation, enforcement instruments and their application ☐ Fragmented structure of the programme. Lack of systematic monitoring and data collection. Therefore, decision making not based on evidence ☐ Low coordination capacity of the NM and within FCPUs ☐ Unequal access and inadequate coverage of FCPUs. Very little awareness of the helpline. Many express that access to justice has only partially increased. ☐ FCPUs not adequately equipped: lack of separate waiting rooms for girls and recreational equipment for children, limited capacity to provide PSS and medical services, and age verification ☐ Lack of legal aid and limited participation of lawyers ☐ CBCPN have little capacity and tenuous connection with governmental actors. Limited capacity to follow up on diversion.

 OPPORTUNITIES ☐ Child Act 2010 provides solid legal basis for the programme ☐ Government and individual actors committed to strengthening the programme further. Openness to innovation and change ☐ Number of ministries already engaged in implementation and coordination, but ownership can be expanded ☐ Long term engagement of UNICEF and involvement of external donors is evidence of the programme's appeal ☐ Strengthening of capacities of social workers and CCPNs might increase diversion and alternative sentencing, further reducing deprivation of liberty of children ☐ Finalising legislation and enforcement instruments and wide dissemination and training on these	THREATS ☐ Loss of experience due to staff rotation ☐ Ongoing humanitarian crisis limiting access and tapping resources ☐ Withdrawal of external support, in particular from UNICEF, would undermine continuation and the quality of programme delivery ☐ Increase in arrest of children due to increased capacity of FCPUs ☐ FCPU recognition and visibility leads to overwhelming demands for FCPU services in respect of children's needs beyond the FCPUs mandate (such as CAAFAG, IDP children etc.). ☐ Lack of monitoring on response to 'do no harm'
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Figure 135: SWOT analysis by evaluation team

5.2 CONCLUSIONS AGAINST THE EVALUATION QUESTIONS

This section summarises the conclusions of the evaluation questions presented, as per TOR, namely the extent to which the *Justice for Children* programme has, during the period 2007-2017, contributed to:

- 1) The protection of children in contact with the law as victims, witnesses and alleged offenders.
- 2) Reduction in the deprivation of liberty for children in conflict with the law.
- 3) Increase in the use of diversion from the judicial process.
- 4) Enhanced national legislation, regulations and procedures as well as enhanced application of relevant legal standards for children.
- 5) Increased awareness of children and communities on child rights and related legislation.
- 6) Sustainability of services for children in contact with the law.

These six intended results were set to ensure adequate response, services and children's reintegration into the community. The evaluation aimed to demonstrate how results were made possible through changes in the national and local systems and assess UNICEF's contribution to such changes.

1) The protection of children in contact with the law as victims, witnesses and alleged offenders.

The evaluation shows that an overwhelming majority of children, community members and programme implementers think children are better protected from violence than 10 years ago. By the same token, most male and female respondents feel that children have access to justice services if their rights are violated citing specifically "Reporting and investigation of cases", "legal aid and services", and "the judiciary including child judges". Putting this in concrete terms, according to the UNICEF Recent Assessment Module 2017, more than 462,172 vulnerable children, including refugees, who are at risk or victims of violence, abuse and exploitation benefitted from preventative and responsive child protection services.

The establishment of the FCPUs, community awareness on Child Protection (CP) mechanisms, the improved legislative framework and the establishment of the child prosecutors and child judges, are the most frequently mentioned changes obtained by the programme, all pointing to children being better protected from violence. When asked if the changes they described can be attributed to the *Justice for Children* programme, the overwhelming majority confirms that the changes would not have happened without the programme.

When asked about the effectiveness of these services, most children are positive, while many community adults and programme implementers state that the justice services are partially effective. A frequently mentioned problem by justice providers is the turnover of police to and from FCPUs, resulting in loss of knowledge and experience. Also, while the general view is that the one-stop-shop concept increases efficiency and is appreciated, it is not always implemented in practice. There are instances where some components (social workers, prosecutors and judges) are missing even to the degree, as in Blue Nile, where only police are present within the FCPU. Psychological and medical services are principally provided through referral services rather than on site. Capacity for age verification is generally lacking.

An important challenge to the protection of children is that access is not equal, as mentioned by almost half of the programme implementers. The principal reasons given are that children in areas that are in conflict or remote cannot access services. Although the number of FCPUs has gone from one in Khartoum to 62 in all of Sudan's 18 states in ten years, there are great differences in the coverage and number of FCPUs by state. In the vast territory of Sudan, many FCPUs are located too far away for clients to access. Although the "conflict states" (Darfur, Kordofan and Blue Nile) have a relatively high number of FCPUs, access to justice there is considered more limited, likely due to the limitations on mobility imposed by the conflict. CBCPNs serve an important role in ensuring access as they refer children in contact with the law to FCPUs. Their number has increased fourfold since 2014 to 676 networks in the 18 states, but not all of them are functioning, they have limited capacity and their connections with FCPUs and state justice actors are weak. Another limitation relates to children in IDP camps. The evaluation team heard reports of serious crimes being committed against children in camps in Central Darfur. As the IDP camps run their own justice system, law enforcement is not allowed to enter the camps to investigate and arrest suspects. It is worth noting that half of the respondents think that access has increased due to the *Justice for Children* programme and that none mentioned unequal treatment by the FCPU or other justice providers.

The majority of respondents report that FCPUs are applying child-friendly procedures. There are however serious instances where children's rights are violated within FCPUs. A number of boys and girls reported not feeling safe and that their case was not treated in privacy, especially in Central Darfur, River Nile and South Kordofan. This could be linked to the conflict in those areas. There were also reports of children being subjected to corporal and verbal abuse. Other less serious problems mentioned are inadequate training and waiting rooms and lack of resources. There are gaps in FCPU staff being aware of and possessing the SOPs. Most of the FCPUs the evaluation team visited are not adequately equipped and lack separate waiting rooms for girls. It observed instances where privacy was inadequate. In El-Gazira, Central Darfur, Khartoum and River Nile, the majority of respondents find the FCPU not, or only partially, ensuring a continuum of care.

2) Reduction in the deprivation of liberty for children in conflict with the law.

The evaluation shows that the number of children in detention has substantially reduced, by 40% (238 per 100,000 child population). Half of the programme implementers agree that fewer child offenders spend time deprived of liberty, for less periods of time, in child appropriate facilities. This result was achieved through a combination of rights established by the 2010 Child Act, notably limitation on the time children can be detained, the efficiency of FCPUs reducing the time children are detained, the use of diversion and fairer sentencing due to a change in mindset to more victim-centred judicial decisions. Both law and practice allow for the use of alternatives to detention both pre-trial and post-trial, but the evaluation team has no information on how much that is used.

There are reports of instances where deprivation of liberty has increased. Reasons given are the enhanced efficiency of police officers leading to more arrests and the availability of waiting rooms making detention of children a viable option for the police. Inadequate investigation capacity, particularly in respect of investigations requiring forensic and medical research, can extend the duration a child remains in detention for the duration of the investigation. There is also confusion about the 7 days limit the Child Act imposes on detention, as some justice actors stated that they could retain children longer if it was necessary for the investigation or to protect alleged child perpetrators against retaliation although the law does not provide for that possibility.

When asked about the negative consequences of the programme, some respondents mentioned that increased awareness of the rights of children led to criminals using children to commit crimes as they know that the child would not be held liable. This, in turn, leads to more children being in contact with the law and deprived of their liberty if arrested by the police.

3) Increase in the use of diversion from the judicial process.

Comparing 2015 and 2017, there has been a substantial increase in the use of diversion, from 1,952 in 2015 to 3,683 cases in 2017. This amounts to an 89% increase in absolute numbers. On average, diversion was used in 59% of cases for the years 2015-2017. Compared to the year 2013 when the estimated use of diversion was only 13% in cases involving child offenders, there has been a substantial increase. However, considering the relative use of diversion comparing 2015 and 2017, there is a decrease from 63% to 52% of alleged offender children who benefit from diversion. Yet, the evaluation team considers that the substantial increase in absolute numbers suggests that the capacity to divert children is growing.

The main challenges reported are justice actors hesitating to use diversion if no viable alternatives exist to the judicial process. There are also instances when it is not possible to use community conferencing when a party rejects the results or prefers judicial proceedings. A frequently mentioned problem is that follow-up to diversion is not effective due to limited funding and capabilities, weak coordination, lack of transport and communications.

4) Enhanced national legislation, regulations and procedures as well as enhanced application of relevant legal standards for children

The evaluation shows that 65% of respondents mention that improved legislative framework is the most significant change fostered by the *Justice for Children* programme. The Child Act (2010) provides a solid foundation for the institutions delivering services for children in contact with the law and is considered in line with international standards. The Child Act benefitted from wide participatory processes and is today well known among the general population and even children.

There are, however, gaps as most respondents, including attorneys and judges, consider the legislation and enforcement instruments incomplete. Most point to FGM/C not being criminalized (6 out of 18 states criminalize it and a bill for national legislation banning it is before the National Assembly, but the bill had not been adopted at the time of writing this report). There is currently no legislation on child marriage and the situation is compounded by the inconsistency between Child Act (2010) and the Personal Law Act 1991 in relation to early marriage. There is also inconsistency between the Criminal Law of 1991 which establishes criminal responsibility at the age of seven while the Child Act sets it at the age of 12 and prohibits the use of death penalty on persons younger than 18 years of age. While the Constitutional Court in 2013 addressed the inconsistencies in respect of the age of criminal responsibility and ruled that that in any case concerning children the Child Act should be applied, there is the risk of confusion as contradicting provisions remain in the criminal law.²²⁹

Respondents highlighted problems in the application of the law. Relevant for the *Justice for Children* programme is that justice providers are not certain how to interpret the seven-day limit on the detention of the child set by Article 58 of the Child Act. Some practitioners consider it possible to extend the duration if the investigation required longer detention, and others think the law allows for protective custody whereby the alleged child offender stayed in the waiting room to protect it against eventual retaliation.

Four important regulations have entered into force, namely the Regulation on Protection of Rights of Children Victims of Crime, the Regulation on Social Probation and the Regulation on Organization of the Work of NCCW. In addition, the authorities have prepared several draft regulations relevant to children in contact with the law which have not yet been adopted. The draft regulation on diversion is the result of extensive consultations and is considered in line with international standards but has been pending adoption before the authorities for more than four years.²³⁰ Another important pending regulation is on community services. Half of the justice practitioners do not know the number of regulations and cannot give their names, suggesting that they have not been adequately disseminated.

5) Increased awareness of children and communities on child rights and related legislation.

Increased awareness is one of the success stories of the programme, with more than half of respondents stating that the *Justice for Children* programme has created greater awareness resulting in fewer violations of children's rights. Importantly the majority of child clients, community adults and community children know where to look up their rights as they claim to be aware of the Child Act. Most know how to seek protection and justice as they know what the FCPUs are and what they do, citing child protection, working with children in contact with the law, referring children to necessary services and conducting awareness-raising on child rights.

Awareness is not uniform as it varies by location, education and social situation of the person and the community. The general impression of the evaluation team is that remote locations, the less educated and socially disadvantaged are less aware than those living in urban areas, the better educated and socially well-established. There were also differences between states. In Blue Nile and Al Gezira, half of CSO do not think there is greater awareness of rights. It is possible that the absence of civil society and international organisations in El-Gezira has led to limited awareness-raising in that state. In South Kordofan and Kassala, 1 in 10 say that lack of awareness is their biggest disappointment.

²²⁹ Constitutional Court Decision no 51/2013.

²³⁰ Information provided by the Steering Committee of the Evaluation.

6) Sustainability of services for children in contact with the law.

This question has been responded to in chapter 4.7 above. Although the question refers to the sustainability of FCPUs specifically, the analysis relates to the overall programme as well.

6. RECOMMENDATIONS FOR FUTURE PROGRAMMING

This section presents the principal recommendations developed independently by the evaluation team based on the conclusions of the evaluation. The recommendations are presented in categories depending on whether they relate to overall approach and coordination of the programme, legislation or service delivery of FCPU and other service providers. Each recommendation is given high, medium or low priority status depending on their urgency in terms of protecting children and the speed by which it is possible to implement the recommendation. While responsibilities are primarily attributed to governmental actors, it is expected that UNICEF will advocate and monitor implementation of these recommendations and provide vital support through funding and technical advice.

It is worth noting that the recommendations were presented at a workshop on 22 October 2018 in Khartoum to the actors they are addressed to, including the NM, MOI, MOJ, MOH, the judiciary, the police, UNICEF and civil society. An important result of the workshop is that the NM has established a committee that will be working to implement the recommendations.

Overall approach and coordination

A persistent problem is the fragmented nature of the programme, this section presents recommendations on how to strengthen its overall approach and coordination.

Issues	Proposed remedies	Addressed to	Priority
Lack of results framework, ToC and joint M&E system contributes to the fragmented structure of the programme	The NM, the NCCW, with the support of UNICEF, should build upon the successes and lessons learned from the evaluation to design a multi-stakeholder, holistic <i>Justice for Children</i> programme that is based on a TOC, results framework, clear roles and responsibilities and a budget. The implementation of the programme should be monitored and evaluated on a regular basis against the agreed indicators.	NM NCCW UNICEF	High
Limited capacity (human and financial resources) of the NM to ensure effective coordination of the <i>Justice for Children Programme</i>	<u>Short-term term</u> Participating ministries (Ministry of Justice, Ministry of Interior, MOWSS and MOH) should provide the NM with adequate resources in terms of budget, staff and training capacity. <u>Mid-long term</u> Restructure the NM at the Federal level: UNICEF and other justice for children stakeholders should advocate to the Prime Minister to re-establish the NM through a decree making it more representative and giving it capacity to coordinate other ministries participating in the NM. The re-established NM should be an administrative body with a dedicated budget and under the patronage of the President of the Republic. Enhance coordination within each state: The NM should establish NM coordination mechanism at state level, that report to the central NM. The state level NM should be composed of key <i>Justice for Children</i> actors in the state and work to enhance coordination between them. The mechanism should be directly budgeted by the state and co-chaired by the Ministry of Social Welfare. The re-established NM should be given a supervisory role and authority to engage all stakeholders on <i>Justice for Children</i> in order to: • Provide strategic direction and oversight for a holistic programmatic approach • Supervise and monitor implementation of the work plan	MOJ MOI MOWSS MOH UNICEF advocate to PM NM to enhance coordination mechanism	High Medium

Data information flow and reporting, including case management to follow-up and monitor children in contact with the law is insufficient	The NM, supported by UNICEF, should improve existing data systems (e.g. the Child Protection Information Monitoring System) to manage, follow-up and monitor individual cases involving children in contact with the law. This system should also capture reliable and disaggregated country wide statistics to detect trends and patterns relating to the protection of children, e.g. if more children are coming into contact with the law in a given state, what type of crimes are they subjected to, what types of crimes they are involved in, but also information on the actual support provided at the community levels etc.	NM	Medium
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Figure 136: Overall Approach and Coordination

Legislation

Although improved legislative framework is considered one of the principal achievements of the *Justice for Children* programme, there are gaps that need to be addressed to further strengthen the system.

Issues	Proposed remedies	Addressed to	Priority
Conflicting application of laws	The NCCW and UNICEF should advocate for Criminal Law of 1991 and the Personal Law Act of 1991 to be amended to ensure consistent application of the Child Act 2010	NCCW and UNICEF	Medium
Gaps in legislation	- The NCCW and UNICEF should advocate for the adoption of a national law banning FGM/C as well as national law banning child marriage - The NCCW should consider the possibility of promoting necessary regulatory reform to allow police to protect alleged child offenders against retaliation (protective custody)	NCCW UNICEF	Medium
Inadequate implementation of existing laws and regulations	- NCCW should advocate for rapid adoption of rules and regulations of the 2010 Child Act. Regulations being called for include: - Diversion outside the Judicial System - Community Service - Prohibited Sanctions in the Educational Settings - Regulation of Child Work - Regulation of Instruction Homes - Regulation on Positive Behaviour in the Educational Settings - NCCW, the MOI and NM should disseminate and provide training of regulations in force and new regulations as they are adopted to address low awareness among justice actors and limited distribution of regulations. They should specifically increase training for <i>Justice for Children</i> implementers on legislation, rules, regulations and SOPs	NCCW NCCW, MOI and NM	High

Figure 137: Recommendations Legislation

Service delivery

While impressive progress has been made in establishing and building the capacity of institutions protecting children in contact with the law, there are areas that need strengthening:

FCPU Specific

Issues	Proposed remedies	Addressed to	Priority
Rotation of police officers and the loss of knowledge and expertise it entails	<u>Immediate response:</u> NM should request the police authorities to issue immediately the following recommendations to enhance stability and the human resource management of the system:	NM	High

	• That all FCPU Police officers stay at their post for a predetermined and fixed period, e.g. 3 years • When moved between posts, officers should stay within the FCPU system to retain knowledge and experience • Ensure handover and coaching over a specific period of time when there is a change of staff, in particular of FCPU directors		
	<u>Mid-term response:</u> In order to ensure that there is minimum capacity and knowledge within the whole police force, the Ministry of Interior should: • Provide training for all police officers on children rights and child-sensitive police procedures. • Provide continuous training for police officers. Use of mobile teams should be considered to avoid disruption in services • Ensure, in collaboration with the NM, that the SOPs are disseminated to all FCPUs	MOI	Medium
	<u>Long-term response:</u> • The Ministry of Interior should establish a specific administration under the General Administration of the Police for Family and Child Protection. A key objective of this change would be to move the authority to rotate police officers from the states to the central authority.	MOI	Low
Limited coordination, direction and management of civilian and police staff within FCPU. The one-stop-shop concept is not always implemented	The Ministry of Interior should provide FCPU director with training, resources and establish clear roles of all actors within the FCPU, without interfering with the independence of the prosecutor and the judge. The FCPU director should have the authority and capacity to: • Coordinate the provision of holistic support to children in contact with the law • Set shared objectives for the FCPU • Coordinate FCPU members on agreed tasks • Allocate shared resources • Convey information within the FCPU • Engage with external actors on behalf of the FCPU The NM should conduct a comprehensive survey to identify FCPUs where the one-stop-shop concept is not implemented. Identify the challenges in having the one-stop-concept and address them. The NM should establish a uniform framework for the FCPUs to be implemented throughout Sudan.	MOI	High
Limited awareness of the helpline	The NM, MOSD and CBCPNs supported by UNICEF and partners should further disseminate information on the FCPU and its helpline number 9696, using different media channels and outreach activities.	NM MOSD CBCPNs UNICEF	High
Inadequate coverage of FCPUs	The MoI should continue scaling up the number of FCPUs and consider developing arrangements with IDP camp managers so that law enforcement can respond to crimes committed against children there.	MOI	High
Inadequate protection, waiting rooms and services for children	The MoI should identify and address reasons why not all children feel safe within the system. Remedies should include: • Training for staff and introduce monitoring to ensure that children are safe and benefit from child-friendly services		High

	- Improving the quality of waiting rooms, particularly ensuring that there are separate waiting rooms for girls - The NM should ensure adequate and nutritional food for detained children. - Regular recreation and education of detained children		
Many of the children say they did not receive relevant and effective social and PSS services	The NM should enhance the delivery of psycho-social services by ensuring the presence of social workers in FCPUs. - Where possible, this should be done through direct recruitment or secondments from MOSD/ SCCW. - If secondments or full-time social services are not possible, the NM should provide FCPUs with budget to recruit directly psychologists and social workers or to pay for services outside of the FCPU - The NM should ensure that all social workers and psychologists working within or for FCPUS benefit from training on child friendly procedures	NM	High

Other service providers

Issues	Proposed remedies	Addressed to	Priority
Inadequate legal aid	- The NM, MOJ and relevant professional associations of lawyers design a nationwide legal aid system specifically addressing the need of children for competent legal representation. - The MOJ and the Bar Association build the capacity of attorneys to represent children in all the states	NM MOJ	Medium
Problems in determining the age of a child	- The Ministry of Health shall make the Medical Commission responsible for age verification. - Ensure that age verification is free of charge for children and that adequate capacity to conduct age verification is at the disposal of <i>Justice for Children</i> actors, in particular, FCPUs.	Ministry of Health	High
Limited capacity of CBCPN and associated challenges in using diversion and alternative measures	The NCCW, UNICEF and INGOs should : - Provide support in building the capacity of. This should include mapping and scaling up best practices in ensuring the financial viability, legitimacy and linkages between CBCPN with state actors, without affecting their independence - Provide targeted support to enhance the capacity of CBCPN to implement and monitor diversion and alternative measures to the judicial process in collaboration with FCPUs - Give CBCPNs a bigger role in the case management at local levels, together with social workers, and develop their capacity to take on that role.	NCCW, UNICEF INGOs	High
Informal justice providers addressing criminal cases involving children without the participation of formal justice	The NCCW and UNICEF should: - Establish and disseminate clear guidelines on which criminal cases informal courts can address and how they should transfer those they have no jurisdiction over to the formal system. Train informal justice providers on the guidelines - Provide traditional leaders with training on child-sensitive procedures as stipulated by the national legal framework and international standards	NCCW UNICEF	High

Figure 138: Service delivery c Recommendations

7. SPECIFIC ISSUES FOR PROGRAMMING PER STATE

The table below provides a summary of key issues raised by respondents per state that require immediate attention in the ongoing programme. Annex C presents detailed findings per State.

State	Issue(s) raised by respondents	How to address	Likely actor
Khartoum ²³¹	a) 1 in 5 respondents state that their biggest disappointment is weak coordination.	a) Measures should be undertaken to enhance the capacity to coordinate <i>Justice for Children</i> actors in the state.	a) UNICEF and partners
Blue Nile ²³²	a) Blue Nile has the most children (75%) saying they did not receive relevant and effective social and PSS services. b) Half of the respondents' state that the biggest disappointment is inadequate coverage. c) Almost half of the respondents say their biggest disappointment is that justice actors lack training and experience. d) 1 in 8 state that FCPU services are not effective. e) Almost a third of respondents say that there has not been an increase in the use of diversion. f) Half of CSO do not think that the <i>Justice for Children</i> programme has created greater rights awareness.	a) This is requiring urgent action in the social welfare component of the programme in this state. b) This is requiring action to identify barriers to access and addressing them and expand FCPU c) This calls for measures identifying and addressing the lack of capacity. d) Measures should be undertaken to identify the problem and enhancing effectiveness through the appropriate measures e) This requires training, awareness-raising and capacity development of CBCPNs to implement diversion measures at local levels. Also requires building the capacity of CBCPN to follow-up and implement such cases. f) This requires taking stock of awareness-raising initiatives in the state, what worked and did not work and reaching out to communities and practitioners on children's rights.	a) MOSW and CBCPNs supported by UNICEF and partners MOI supported by UNICEF b) MOI and NM c) MOJ, MOI, NM and UNICEF d) NM and MOI e) MOI, General Prosecution's Office, Judicial and Legal Science Institute, Judiciary, MOJ and UNICEF f) NCCW, UNICEF and partners

²³¹ In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

²³² In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

Al Gezira ²³³	a) 1 in 5 state that their biggest disappointment is that services are not adequate. Moreover, 1 in 5 say that the Child Act is not fully implemented and that the <i>Justice for Children</i> programme has not contributed to governmental capacity. b) Almost 1 in 5 say that the waiting rooms are inadequate. c) Almost half of the respondents say that there has not been an increase in the use of diversion. d) Half of CSO do not think that the <i>Justice for Children</i> programme has created greater rights awareness and 1 in 10 say that lack of awareness is their biggest disappointment.	a) Measures should be undertaken to identify gaps in capacity and implementation of the Child Act and address it. b) This is calling for urgent measures to remedy the availability and quality of waiting rooms in the state. c) This requires training, awareness-raising and other measures to increase the use of diversion and alternatives to punishments. Also requires building the capacity of CBCPN to follow-up and implement such cases. d) This requires taking stock of awareness-raising initiatives in the state, what worked and did not work and reaching out to communities and practitioners on children's rights.	a) NCCW b) MOI and NM c) MOI, General Prosecution's Office, Judicial and Legal Science Institute, Judiciary, MOJ, CBCPN, and UNICEF d) NCCW, UNICEF and partners
Central Darfur ²³⁴	a) Almost 1 in 4 children in Darfur say they did not feel that they were protected and treated in privacy when their case was open. b) Half of the respondents state that the biggest disappointment is inadequate coverage. c) Almost half of the children say they did not receive relevant and effective social and PSS services d) Most respondents thought that the capacities of the <i>Justice for Children</i> system to deliver timely, coordinated and effective services had only increased to a limited degree.	a) This is demanding urgent action to work with the <i>Justice for Children</i> actors to improve this situation. b) This is requiring action to identify barriers to access and addressing them c) This is requiring urgent action in the social welfare component of the programme in this state. d) Measures should be taken to identify and address specific local problems with the coordination and delivery of these services.	a) NCCW, NM and UNICEF b) MOI and NM c) MOSW, NM and CBCPNs supported by UNICEF and partners d) MOI, General Prosecution's Office, Judicial and Legal Science Institute, Judiciary, MOJ, CBCPN, and UNICEF

²³³ In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

²³⁴ In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

River Nile ²³⁵	a) More than 1 in 3 state that the biggest disappointment is inadequate coverage and 1 in 5 say that access is unequal b) Almost half of the respondents say their biggest disappointment is that justice actors lack training and experience. c) 1 in 7 respondents state that FCPU services are not effective and 1 in 5 state that their biggest disappointment is that services are not adequate. d) 1 in 5 do not think that deprivation of liberty has not improved. e) Most respondents thought that the capacities of the <i>Justice for Children</i> system to deliver timely, coordinated and effective services had only increased to a limited degree. f) 1 in 5 children in River Nile say they did not feel that they were protected and treated in privacy when their case was open.	a) This is requiring action to identify barriers to access and addressing them b) This calls for measures identifying and addressing the lack of capacity. c) Measures should be undertaken to identify the problem and enhancing effectiveness through the appropriate measures d) This requires urgent measures to ensure that children are only deprived of their liberty as a last resort and are detained in child-friendly facilities. e) Measures should be taken to identify and address problems with the coordination and delivery of these services. f) This is demanding urgent action to work with the <i>Justice for Children</i> actors to improve this situation	a) MOI and NM b) - e) MOI, General Prosecution's Office, Judicial and Legal Science Institute, Judiciary, MOJ, CBCPN, and UNICEF f) NCCW, NM and UNICEF
South Kordofan ²³⁶	a) 1 in 3 state that the biggest disappointment is inadequate coverage. b) 1 in 5 state that their biggest disappointment is weak coordination. c) 1 in 10 say that lack of awareness is their biggest disappointment. d) Almost 1 in 5 children in South Kordofan say they did not feel that they were protected and treated in privacy when their case was open. e) Almost half of the children say they did not receive relevant and effective social and PSS services f) Most respondents thought that the capacities of the <i>Justice for Children</i> system to deliver timely, coordinated and effective services had only increased to a limited degree.	a) This is requiring action to identify barriers to access and addressing them b) Measures should be undertaken to enhance the capacity to coordinate <i>Justice for Children</i> actors in the state. c) This requires taking stock of awareness-raising initiatives in the state, what worked and did not work and reaching out to communities and practitioners on children's rights. d) This is demanding urgent action to work with the <i>Justice for Children</i> actors to improve this situation. e) This is requiring urgent action in the social welfare component of the programme in this state. f) Measures should be taken to identify and address problems with the coordination and delivery of these services.	a) MOI and NM b) NCCW and NM c) NCCW, UNICEF and partners d) NCCW, NM and UNICEF e) MOSW, NM and CBCPNs supported by UNICEF and partners f) MOI, General Prosecution's Office, Judicial and Legal Science Institute, Judiciary, MOJ, CBCPN, and UNICEF

²³⁵ In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

²³⁶ In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

Kassala ²³⁷	a) In Kassala half of the children say they did not receive relevant and effective social and PSS services. b) Almost half of the respondents say that there has not been an increase in the use of diversion. c) 1 in 10 say that lack of awareness is their biggest disappointment.	a) This is requiring urgent action in the social welfare component of the programme in this state. b) This requires training, awareness-raising and other measures to increase the use of diversion and alternative sentencing. Also requires building the capacity of CBCPN to follow-up and monitoring such cases. c) This requires taking stock of awareness-raising initiatives in the state, what worked and did not work and reaching out to communities and practitioners on children's rights.	a) MOSW, NM and CBCPNs supported by UNICEF and partners b) MOI, General Prosecution's Office, Judicial and Legal Science Institute, Judiciary, MOJ, CBCPN, and UNICEF c) NCCW, UNICEF and partners
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Figure 139: Key results of the fieldwork per state

²³⁷ In order to ensure that views expressed by children cannot be traced, sensitive answers by children are not presented per state.

Sampling method

Careful attention was given to developing a valid method for sampling and ensuring that all stakeholder groups were reached to ensure a representative sample. TI suggested a combination of three sampling approaches to reach stakeholders:

- Purposive sampling – especially of Key Informants

The method is defined as a non-probability sampling method that is characterized by a deliberate effort to gain representative samples by including groups or typical areas in a sample. The researcher relies on his/her own judgement to select sample group members.

- Snowball sampling

The method involves primary data sources nominating another potential primary data source to be used in the research. In other words, the snowball sampling method is based on referrals from initial subjects to generate additional subjects.

- Random sampling of direct beneficiaries

A random sample of children was drawn from the FCPU database. Using random samples maximised TI's chances of having a representative sample of beneficiaries notwithstanding the short space of time to conduct interviews in the field.

The FGDs with community members were purposive and spontaneous, especially around schools and sports events.

For all sampling methods, TI sought to ensure gender balance as well as representation of different age groups, cultures, populations and geographic locations, in particular, urban vs. rural.

Data analysis and reporting

This evaluation followed the principles of grounded theory, which is a research methodology that aims to conceptualize certain phenomena in diverse populations and is commonly used in the field of the social sciences, especially in qualitative research.²³⁸ Grounded theory differs from many other research models in that it is not based on a pre-existing theoretical framework but focuses on theory development. In other words, theory is developed through induction from data.²³⁹ Studies using this methodology start with an open-ended research question or qualitative data collection from which the researcher observes ideas or concepts that repeat themselves and which are then coded. Data is continuously analysed. Based on this, the codes can be categorized. A crucial element of grounded theory and post-categorization is the process of comparative analysis that takes place throughout the data processing and analysis. This ensures that categories are updated when more data is inputted. Finally, these categories can lay the foundation of a new theory.²⁴⁰

Data was collected manually and electronically (via Survey Monkey) and disaggregated by the age and sex of the respondents. Following this, TI created a database, digitalised and processed all data at its head office. The data was sent to the head office during the data collection process.

²³⁸ Lawrence, J. & Tar, U., 2013. The use of Grounded Theory Technique as a Practical Tool for Qualitative Data Collection and Analysis. *The Electronic Journal of Business Research Methods*. 1(1.) p.30.

²³⁹ Lawrence, J. & Tar, U., *The Electronic Journal of Business Research Methods*, p.35.

²⁴⁰ Willig, Carla., 2013. Grounded theory methodology. In: *Introducing Qualitative Research in Psychology*. 3rd ed. City University London p.71-73.

Post categorisation was applied for open questions and all data was processed in Excel, and consequently cleaned in STATA. The data sets were made available to UNICEF after submission of the final report. Graphs were produced and are be disaggregated by age, respondent category, sex and locality.

Quality Control

TI's in-house data analyst monitored the validity and quality of the data throughout the data collection period. Data entry and analysis were done gradually. Quality control mechanisms were furthermore built in through triangulation.

Triangulation

TI has developed a simple but effective methodology for ensuring triangulation of the data collected during evaluations. A master list of questions was developed and can be found in Annex B. It shows which respondent groups were asked each specific question. This table, showing how the data is triangulated is prepared during the inception phase, based upon which tools were developed and the outline of the report determined. Further triangulation was ensured by insights and data from secondary sources, and the programme's monitoring data.

Language and Translation

Data was collected in both Arabic and English. The enumerators were provided with the tools in English. Data was entered in English. Graphs and the report were produced in English.

ANNEX B. KEY STAKEHOLDERS OF *JUSTICE FOR CHILDREN*

National level

At the national level are institutions mandated to establish and implement laws, policies and programmes throughout Sudan, as well as coordinating national efforts to protect the rights of children in contact with the law. Key institutions include the NCCW, the NM for the FCPU, Child Prosecutors, Child Courts, the Ministry of Justice and the National Assembly. The roles of these and other relevant actors with respect to children in contact with the law are summarized below.

The **NCCW** is a specialised body tasked with managing child protection issues at national and state levels, and to institutionalise and promote child rights as integral components of national policy and planning. It coordinates child issues across the country among relevant entities, including the judiciary, police, Ministry of Justice, Ministry of Social Welfare and NGOs.²⁴¹ It is the primary government body responsible for following up enforcement of the Child Act (2010) through regulations, rules and orders. It can propose legislation with respect to child protection and is responsible for following up on the implementation of international child rights conventions.²⁴²

The NCCW is composed of the following members:

Number	Name
1	Prime Minister (chair)
2	Minister of Ministry of Security and Social Development (MOSSD) (co-chair)
3	Minister of local government
4	Minister of Interior
5	Minister of Justice
6	Minister of Finance and Economic Planning
7	Minister of Investment
8	Minister of International Cooperation
9	Minister of Higher Education and Scientific Research
10	Minister of Education
11	Minister of Information
12	Minister of Culture
13	Minister of Orientation and Endowment
14	Minister of Health
15	Minister of Youth and Sports
16	Governors of the State
17	Director of Security and Intelligence
18	Secretary General of the National Council of Strategic Planning
19	Director General of the Central Bureau of Statistics
20	Secretary General of the National Council of Child Welfare
21	Prosecutor General
22	Representative of Future Home organization
23	Representative of Child Development Organization
24	Representative of Sabah organization
25	Representative of safe child organization
26	Representative of Media for Children organization

Figure 1401: Members of the NCCW

²⁴¹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg. 19.

²⁴² Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 29.

The **NM for the FCPU** is a multi-sectoral committee including the justice pillars (law enforcement, judiciary, prosecution), social welfare, health and education sectors. It was established under instruction No. (3)2012 of the Director General of the Police and subsequently amended through orders 8/2015 and 8/2017 re-establishing the NM and amending its roles and responsibilities. In its current form, the NM has the responsibility to harmonise FCPU procedure and standards, monitor progress and challenges and facilitate solutions for any bottleneck that the FCPUs encounter or anticipate.²⁴³ The NM is co-chaired by the NCCW and the MOI. The NM is composed of the following members:

Number	Name
1	Major General of Police
2	Major General of Police
3	Representative of legal Administration in police headquarters
4	Representative of judiciary authority
5	Representative of prosecutor General
6	Representative of MOSSD
7	Representative of MOH
8	Representative of NCCW
9	Representatives of UN agencies
10	Representatives of NGOs

Figure 1412: Members of the NM

The **Child Prosecution Office and child prosecutors** treat criminal cases involving child victims and child perpetrators of crime. Child prosecutors are required to take specialized courses to make them competent in addressing the needs and vulnerabilities of children. The General Prosecution's Office together with the Judicial and Legal Science Institute is responsible for training child prosecutors. In 2017, a training manual was developed for prosecutors that addresses the rights of children in contact with the law.

Articles 60 and 61 of the Child Act lists the responsibilities of the Child Prosecution Office, including:

- Supervising the inquiries conducted by the FCPU.
- Conducting inquiries into delinquent children or victim's cases.
- Supervising inquiries in child cases and directing inquiry therein.
- Supervising the progress of the criminal suit.
- Addressing charge in the offences, committed against or by children.
- Conducting prosecution before the court.

The Child Prosecution Office can order the pre-trial detention of children in conflict with the law (article 64) but may also divert children in conflict with the law from formal legal proceedings (article 61(2)). Prosecutors should visit regularly the children in remand homes within their jurisdiction and take appropriate action, if required (article 66).

The NCCW has together with the General Prosecution Office, worked to establish child prosecutors in each state and in some localities.²⁴⁴ Already in 2015, there were 19 child prosecutors with representation in all 18 state capitals of Sudan.²⁴⁵ In 2017, the General Prosecution's Office was made

²⁴³ UNICEF, 2017, Terms of Reference: Independent Evaluation of the Family and Child Protection Units in Sudan. Pp. 2-4.

²⁴⁴ Meeting with the NCCW, 30 April, 2018.

²⁴⁵ IDLO & UNICEF, 2015. *Promotion of Diversion and Alternative Measures to Detention*, IDLO & UNICEF. Pg. 62.

independent from the Ministry of Justice. The former has since become solely responsible for recruiting, posting, managing and training general prosecutors and child prosecutors.

In accordance with the 2005 Constitution, the **Sudanese Judiciary** is competent to adjudicate on disputes and render judgments in accordance with the law.²⁴⁶ Its principal role in respect to children in contact with the law is to adjudicate on child cases by child judges, build the capacity of judges and the dissemination of precedents related to the interpretation of the Child Act 2010 and other laws relating to child protection.²⁴⁷

The Child Act, article 62(1), requires the establishment of specific **Child Courts**. According to article 63, these courts have jurisdiction over:

- Cases concerning victims of violations, submitted to the court by the Prosecution Attorneys Bureau, the Social and Psychological Service Office or next-of-kin to the child.
- The cases transferred thereto, by other courts, against delinquent Children.
- Transfer outside the judicial system.

As with child prosecutors, Child Court judges need to be specifically trained in how to deal with children as well as in laws and international agreements concerning children's rights (article 62(2) of the Child Act. To strengthen relevant training programmes, the Judicial and Legal Sciences Institute together with UNICEF finalized a training manual that will be integrated into the curriculum of the Institute in 2017.²⁴⁸ According to article 65(1), the Child Court applies procedures provided by the Child Act but where the law is silent on procedural matters, it shall follow the UN Minimum Rules of Juvenile Courts and the Beijing Rules. Criminal Circular No. 2/2016 directing judges to use the Beijing's Rules paved the way for more sustainable child-friendly due process in the child courts.

NCCW, in cooperation with the judiciary, established Child Courts in 18 states.²⁴⁹ In Child Notice 2016, UNICEF stated that the Ministry of Justice was also involved in their instalment.²⁵⁰ To increase stability in the system, the Chief Justice has announced that child judges should stay at their post for at least two years.²⁵¹ In areas where child courts do not exist, a child judge is appointed to deal with cases involving children. If no specialized child judge is available, a first instance judge handles such cases.²⁵²

Four Governmental Ministries at Federal level play important roles in respect to children in conflict with the law. **The Ministry of Justice** provides legal aid to children accused of serious crimes through legal counsel or through volunteer lawyers from the Bar Association.²⁵³ According to Child Notice 2016, specialist legal aid services for children do not exist in Sudan and few lawyers work in this field. In 2014, a special section to provide legal assistance to children was established at the Ministry providing assistance for all such matters, not only major offences.²⁵⁴ The **Ministry of Interior** exercises authority over the police and the FCPUs. Control over the latter is done through the FCPU directorate. The Ministry's Training Department approves mandatory training curricula and monitors its implementation. Under the Child Act, Article 59(1), the Ministry is also tasked with establishing remand homes for children awaiting inquiry or trial. The **MOWSS** is tasked with supervising the NCCW and

²⁴⁶ Constituent, 2018. *Sudan's Constitution of 2005*. Constituent. Pg. 45.

²⁴⁷ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 19.

²⁴⁸ UNICEF Sudan, *UNICEF Annual Report 2016*. Pg. 23.

²⁴⁹ Meeting with NCCW, 30 April, 2018.

²⁵⁰ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 30.

²⁵¹ UNICEF Sudan, 2016. *UNICEF Annual Report 2016*. UNICEF Sudan. Pg. 23.

²⁵² UNICEF-IDLO, *Promotion of Diversion and Alternative Measures to Detention*, Pg. 63.

²⁵³ National Council for Child Welfare, Director of Legislation and Justice for Children, Personal Communication, 12 October 2015.

²⁵⁴ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 45.

ensures that appropriate referral mechanisms are in place. In general terms, it develops policies and provides social protection services to vulnerable groups including children and works to strengthen the capacities and abilities of state/local service providers in delivering quality specialised child protection services.²⁵⁵ The **MOH** is responsible for health services provided in FCPUs and referrals from FCPUs to hospitals and specialised medical services when needed. They also prepare medical reports for court cases.

Other actors

Several other actors provide support and exercise influence over *Justice for Children* programmes. By way of example, the **Ministry of Guidance and Endowments** (religion) and the **Media** influence public perception about children's rights. The **Legislative Council and National Assembly/Parliament** are responsible for developing and approving legislation such as the Child Act 2010. According to Child Notice 2016, Children's Parliaments were established in all states in Sudan by 2014.²⁵⁶ **National NGOs and International Organisations** work to generate awareness and provide technical and financial support in respect of child rights and protection issues. They monitor, study and research child protection issues and lobby for changes when needed. **Training actors** including the Training Department of the Sudan Judiciary, the Judicial and Legal Science Institute and Police work to build the capacity of justice actors in terms of children's rights.

State level

The structure at the state level is similar to the structure at the national and local level with some minor differences in the titles of some institutions. While the strategies and policies are principally developed at the federal level, the actual implementation takes place at the state level through FCPUs and Child Prosecutors and Judges, the SCCW and the Department of Social Development. The roles of these institutions in providing *Justice for Children* are summarized below, see also annex D on stakeholder mapping.

The **SCCW represent the NCCW** in the 18 states of Sudan. Each is headed by the **Wali** (or state governor) and their role is to coordinate child protection in their respective states together with the NCCW.²⁵⁷

In terms of actual implementation of child justice at the state level, the **FCPUs** provide child-friendly services for children in contact with the law as well as engaging in prevention. According to the Child Act, article 57, **Social Service offices** are to be established within FCPUs. These offices notably prepare and submit reports about children in conflict with the law to the Prosecution Attorneys Bureau and the Court and take protective measures to help them.²⁵⁸ The role and functions of FCPUs are described in detail in chapter 2.4 above. Other actors include the **judiciary** (Sudanese judiciary and the Child Court), **prosecution** (Ministry of Justice and Child Prosecution Office), whose role is to assist child victims throughout the legal proceeding, as well as **correctional actors** (Instruction Home with supervision from the MOI, Remand Home, Youth Home, and Social Probation Officers).²⁵⁹ The **MOSD** manages social workers that help children in need and runs social welfare centres for the temporary accommodation of children in contact/conflict with the law. It operates under the supervision of the Ministry of Social

²⁵⁵ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg 18.

²⁵⁶ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 43.

²⁵⁷ Cuninghame, C., Mubarak, A., Ismail, H.E. & Farah, H.M., *Child Notice Sudan*, Pg. 29.

²⁵⁸ *The Child Act 2010*. (chapter XI, Article 57(2)). Khartoum: National Assembly.

²⁵⁹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping. Pg 18-19.

Welfare and Social Security and is in effect the representative of that ministry at the state level. **Schools** and educational institutions have a role in generating children's awareness and knowledge of their rights.

Community/locality level

Where state institutions do not have the reach or adequate capacity, community structures and private initiatives provide the ultimate layer of support for children in conflict with the law. Such efforts range from **Community-based Child Protection Committees and Networks (CPCBN)** to **NGOs** and **private lawyers**.

According to the NCCW, MOSSD and UNICEF 2015 Mapping of Child Protection Services in Sudan, CBCPNs can be involved in a range of children protection activities, depending on the context and environment.²⁶⁰ The CBCPNs are not legally registered but can be to SCCW and have a charter which governs their regular activities.²⁶¹ **They engage in a broad range of activities that contribute to the protection of children in contact with the law, namely:**

- Awareness-raising and dissemination of child rights and protection issues.
- Technical and financial support to children, families and communities.
- Provision of services for children especially in conflict-affected areas (CBCPNs).
- Lobbying for changing policies, strategies and legislation in favour of children.
- Monitoring child protection situations and the implementation of the international and regional and national obligations.
- Conducting studies and researches in relation to child protection issues.
- Importantly for *Justice for Children*, they can refer cases to FCPUs and receive children diverted from the justice system or sentenced to community services.

The main advantages of the CBCPN is that they can provide child protection services in areas where state services cannot reach for instance due to conflict or emergencies. They are mainly supported by NGOs (both international and national) and are perceived by the local communities as mandated and even 'obliged' to provide emergency services, including the following.²⁶²

- Identifying children at risk or children with protection needs.
- Providing interim care for children without parental care.
- Helping to trace families and reunite separated children with their families.
- Awareness-raising of child protection issues and campaigns for children's rights.
- Monitoring and documenting violations of children's rights.
- Establishing, re-establishing and supervising child-friendly spaces that offer educational and recreational activities, and PSS.
- Resuming all possible regular services for children as soon as possible, such as school and health care.
- Providing assistance and referral services for children and families.²⁶³

The Child Protection System Mapping also stated that CBCPNs member are mostly volunteers, with those working for the government not officially representing their respective ministries. This raises

²⁶⁰ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 57.

²⁶¹ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 57.

²⁶² NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 57.

²⁶³ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 57.

questions as to the sustainability, predictability, quality of service and accountability of the community-based child protection system.²⁶⁴ Although not fully integrated into the child protection systems, traditional authorities have been incorporated into several formal child protection structures, including the CBCPNs in North Darfur, West & South Kordofan and in Khartoum.²⁶⁵

NGOs form an important part of the FCPU referral network as FCPU refer children to NGOs for services such as psychological and medical help. There are instances where NGOs have assisted in furnishing and providing recreation kits to FCPUs. NGOs assist in providing children with birth certificates and, in coordination with SCCW, assist in FTR. National NGOs are a core implementation partner of UNICEF. International such as Save the Children provide training to social workers and officials in FCPUs and ministries, build the capacity of CBCPN, conduct awareness-raising, build friendly spaces etc.²⁶⁶ NGOs also engage in policy work together with national authorities, for instance in drafting the National Plan on Violence against children together with NCCW. Together with **independent lawyers**, NGOs provide legal advice and legal aid to children in conflict with the law on a voluntary basis.²⁶⁷

Social workers within FCPUs provide important services, they are part of the settlement / restorative process at the police and prosecution levels and provide legal assistance to children and their families. Their role is particularly relevant in respect of diversion, where they can recommend diversion, explain the conditions of this to the child and follow up diverted children.

Traditional courts play a prominent role in Sudan. They became part of the formal judicial system through the 2004 Town and Rural Courts Act, as the lowest tier. These courts are chaired by traditional leaders from the Native Administration. The distinctive feature of these courts is their application of customs which are consistent with the general law or public policy. A UNAMID article from 2012 emphasised the role of traditional informal justice system Judiyya and Ajaweed. Judiyya is a “framework for settling differences through local institutions rather than through the courts”, while Ajaweed refers to a group of people acting as the mediators between the quarrelling or disputing parties.”²⁶⁸

²⁶⁴ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 57.

²⁶⁵ NCCW, MOSSD and UNICEF, 2015, Child Protection System Mapping, Pg. 57.

²⁶⁶ Conversation with an NGO representative in Khartoum, November 2018

²⁶⁷ UNICEF-IDLO, *Promotion of Diversion and Alternative Measures to Detention*, Pg. 62.

²⁶⁸ UNAMID, 2012. “Reactivating Traditional Justice Mechanisms”. In: UNAMID, 2012, *Voices of Darfur*. UNAMID, pg. 24.

ANNEX C. KEY FINDINGS PER STATE

1. Most significant change per state

What is the Most Significant Change of the programme? by State (in percent)								
according to all respondents								
	Blue Nile	Central Darfur	El Gazira	Kassala	Khartoum	River Nile	South Kordofan	Total
The establishment of FCPUs	86%	65%	61%	84%	83%	81%	76%	78%
Community awareness of CP Mechanisms	76%	59%	78%	67%	63%	85%	35%	68%
Improved legislative framework (Child Act, SOPs, standards)	79%	50%	61%	47%	73%	77%	71%	65%
Establishment of child prosecutors and child judges	10%	15%	11%	19%	10%	13%	6%	13%
Improved system/coordination between child justice providers	21%	9%	11%	9%	18%	9%	6%	12%
Increased rights awareness among children	0%	9%	22%	5%	10%	17%	18%	11%
Increased protection	10%	12%	17%	7%	5%	6%	6%	8%
Better <i>Justice for Children</i>	0%	15%	11%	7%	10%	6%	6%	8%
Reduction in violations against children (including FGM)	0%	9%	6%	7%	3%	4%	24%	6%
Establishment of CBCPNs and CP activities	14%	0%	22%	0%	0%	0%	0%	4%
Creation of child care houses/child parliament	0%	0%	0%	5%	3%	2%	18%	3%
Provision of PSS services for children	0%	0%	0%	2%	3%	4%	6%	2%
Capacity development on <i>Justice for Children</i> and CP	3%	0%	0%	2%	3%	4%	0%	2%
Engagement of civil society in <i>Justice for Children</i>	0%	3%	0%	2%	3%	2%	0%	2%
Establishment of helpline	0%	0%	0%	0%	10%	0%	0%	2%
Children reunified/reintegrated	3%	0%	0%	0%	0%	0%	6%	1%
Total respondents	29	34	18	43	40	47	17	228

Figure 1423: What is the Most Significant Change of the programme?

2. Biggest disappointment per state

What is the biggest disappointment in the programme? by State (in percent)								
according to all respondents								
	Blue Nile	Central Darfur	El Gazira	Kassala	Khartoum	River Nile	South Kordofan	Total
Inadequate coverage	52%	50%	28%	10%	30%	40%	35%	34%
Staff lack training/experience	45%	9%	28%	24%	23%	47%	29%	30%
Services are not adequate	21%	12%	22%	17%	13%	30%	18%	19%
Weak coordination	14%	6%	17%	14%	25%	6%	24%	14%
Limited budget	17%	6%	11%	10%	15%	17%	6%	12%
Little community awareness	0%	3%	11%	12%	10%	9%	12%	8%
No child centers	10%	12%	6%	5%	0%	4%	12%	6%
Lack of capacity for the programme	0%	0%	17%	5%	8%	2%	6%	4%
Insufficient number of staff	7%	0%	11%	2%	5%	6%	0%	4%
Child Act and regulations not complete	3%	3%	0%	2%	5%	2%	6%	4%
Insufficient follow-up and monitoring	0%	0%	6%	12%	5%	0%	0%	4%
Waiting rooms are not enough/not comfortable	3%	3%	17%	5%	0%	0%	6%	4%
Laws not adequately followed/enforced	0%	0%	0%	2%	10%	2%	6%	3%
Inadequate means of transportation/communication	0%	3%	0%	2%	3%	6%	6%	3%
Lack of medical care inside FCPU	0%	0%	0%	5%	5%	0%	0%	2%
Insufficient child judges and child prosecutors	0%	0%	6%	5%	0%	2%	0%	2%
No measures for street children	0%	3%	6%	0%	0%	0%	6%	1%
One stop shop not implemented	0%	0%	0%	0%	0%	6%	0%	1%
The movement of the trained staff	0%	0%	0%	5%	0%	2%	0%	1%
Defamation of children	0%	0%	0%	5%	0%	0%	0%	1%
Total	29	34	18	42	40	47	17	227

Figure 1434: What is the biggest disappointment in the programme?

3. Negative side effects per state

Did the programme have any negative impact on the lives of children? by State (in percent)								
according to all respondents								
	Blue Nile	Central Darfur	El Gazira	Kassala	Khartoum	River Nile	South Kordofan	Total
No	100%	100%	72%	79%	100%	89%	88%	85%
Yes	0%	0%	28%	16%	0%	11%	6%	14%
I don't know	0%	0%	0%	5%	0%	0%	6%	2%
Number of respondents	29	34	18	43	40	47	17	228

Figure 1445: Did the programme have any negative impact on the lives of children?

Did the programme have any negative impact on the lives of children? by State (in percent)						
according to all respondents						
	Blue Nile	El Gazira	Kassala	River Nile	South Kordofan	Total
Stigma	0%	0%	55%	20%	0%	29%
Children used to commit crimes as not liable	0%	100%	9%	30%	0%	25%
Absence of follow-up	0%	67%	18%	0%	0%	14%
Psychological impact	0%	33%	9%	10%	33%	14%
Harassment through judicial proceedings	0%	0%	9%	0%	33%	7%
Children encouraged to commit crimes as not liable	0%	0%	0%	10%	33%	7%
Homeless children victims of exploitation	0%	0%	9%	10%	0%	7%
Untrained staff treating children	0%	0%	0%	10%	0%	4%
FGM and Child marriage	0%	0%	9%	0%	0%	4%
Excessive detention	0%	0%	0%	10%	0%	4%
Misunderstanding about protection offered	0%	33%	0%	0%	0%	4%
Risk of recidivism	0%	0%	0%	10%	0%	4%
Programme inadequate	100%	0%	0%	0%	0%	4%
Absence of safe areas/houses	0%	0%	9%	0%	0%	4%
Child trafficking	0%	0%	9%	0%	0%	4%
Children harassed by police	0%	33%	0%	0%	0%	4%
Number of respondents	1	3	11	10	3	28

Figure 1456: Did the programme have any negative impact on the lives of children?

4. Goal indicator A1 per state

Percent of respondents that state children are better protected from violence than ten years ago by State (in percent)								
according to child clients, social workers, community members and training providers								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	100%	93%	59%	89%	95%	79%	98%	89%
Somewhat	0%	2%	21%	2%	5%	18%	2%	6%
No	0%	2%	21%	0%	0%	4%	0%	3%
I don't know	0%	2%	0%	9%	0%	0%	0%	2%
Number of respondents	38	44	39	47	42	28	65	303

Figure 1467: Respondents on children being better protected from violence

Reasons why the respondents think children are better protected from violence now than 10 years ago by State (in percent)								
according to community adults, community children, child clients, parents, social workers and training providers								
	Algazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
FCPU established and treat children well	81%	60%	59%	80%	90%	78%	73%	74%
Better laws	33%	44%	15%	51%	36%	52%	31%	36%
More public awareness	39%	20%	13%	29%	31%	30%	31%	27%
Specific institutions protecting children	22%	18%	3%	10%	5%	7%	22%	13%
CBCPNs were established	6%	11%	3%	0%	2%	4%	16%	6%

Child Courts established	0%	0%	0%	2%	7%	0%	7%	3%
Provision of legal aid	0%	4%	3%	0%	0%	0%	4%	2%
Cessation of armed conflict	0%	2%	8%	0%	0%	0%	0%	1%
No corporal punishment	0%	2%	3%	0%	0%	0%	2%	1%
Education and PSS improved	0%	4%	0%	2%	0%	0%	0%	1%
International organisations have helped	0%	0%	0%	0%	0%	0%	7%	1%
I don't know	0%	4%	0%	0%	0%	0%	0%	1%
Number of respondents	36	45	39	41	42	27	45	275

Figure 1478: Reasons why respondents think children are better protected

Reasons why the respondents think children are not better protected from violence now than 10 years ago by State (in percent)								
according to community adults, community children, child clients, parents, social workers and training providers								
	Algazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Street children are not adequately protected	0%	0%	15%	0%	0%	0%	2%	3%
Many have no access to justice	0%	2%	18%	0%	0%	4%	0%	3%
Laws and institutions need improvement	0%	0%	0%	2%	2%	4%	0%	1%
Number of respondents	36	45	39	41	42	27	45	275

Figure 14849: Reasons why the respondents think children are not better protected

5. Goal Indicator A3 per state

Do you feel children have access to justice services if their rights are violated? by State (in percent)								
according to community members, social workers and training providers								
	Algazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	100%	79%	82%	92%	93%	95%	100%	92%
No	0%	19%	14%	0%	7%	0%	0%	6%
I don't know	0%	2%	5%	4%	0%	5%	0%	2%
Partially	0%	0%	0%	4%	0%	0%	0%	0%
Number of respondents	31	42	22	25	14	21	50	205

Figure 1490: Do you feel children have access to justice services?

Which justice services do children have access to if their rights are violated? by State (in percent)								
according to community members, social workers and training providers								
	Algazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Reporting/investigation of cases	61%	42%	61%	60%	62%	81%	79%	60%
Legal aid and services	50%	67%	67%	45%	85%	48%	28%	53%
The Judiciary	43%	9%	56%	35%	69%	71%	59%	45%
PSS	29%	18%	33%	45%	77%	52%	41%	38%
The Prosecution	39%	6%	44%	25%	62%	48%	28%	32%
Medical services	14%	18%	33%	40%	8%	5%	28%	21%
Child protection	7%	9%	17%	15%	8%	5%	14%	10%
FCPU services	4%	6%	11%	40%	0%	5%	3%	9%

Social services/Social care	7%	6%	17%	0%	0%	5%	7%	6%
Child judges	0%	3%	11%	0%	0%	0%	21%	6%
The helpline	4%	0%	0%	5%	46%	0%	0%	5%
All justice services	7%	0%	0%	5%	0%	0%	3%	2%
Accommodation	0%	3%	0%	5%	0%	0%	0%	1%
I don't know	0%	0%	0%	0%	0%	5%	3%	1%
Return missing children & reintegration with families	4%	3%	0%	0%	0%	0%	0%	1%
Access to education	0%	3%	0%	0%	0%	0%	0%	1%
Number of respondents	28	33	18	20	13	21	29	162

Figure 1501: Which justice services do children have access to if their rights are violated?

Do you think these services are effective? by State (in percent)								
according to community members, social workers and training providers								
	Algazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	55%	57%	45%	60%	50%	14%	48%	49%
Partially	39%	14%	41%	36%	50%	67%	48%	40%
No	6%	12%	5%	0%	0%	14%	2%	6%
I don't know	0%	17%	9%	4%	0%	5%	2%	6%
Number of respondents	31	42	22	25	14	21	50	205

Figure 1512: Do you think these services are effective?

6. Goal indicator A5 per state

To what extent the <i>Justice for Children</i> programme has contributed to government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse by state (in percent)								
according to attorney, international organisations, judiciary, ministries and NM/NCCW								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Substantial contribution	0%	50%	14%	70%	25%	20%	44%	43%
Better awareness and protection for children at community level	60%	60%	71%	17%	25%	10%	44%	35%
Institutional capacity built	20%	10%	14%	4%	25%	50%	33%	19%
Some contribution	20%	10%	14%	4%	0%	30%	33%	15%
Child Act helps protecting	60%	0%	0%	22%	25%	0%	0%	13%
More awareness within government	0%	10%	14%	9%	0%	20%	0%	9%
Enhanced capacity of justice providers	0%	20%	0%	0%	0%	20%	0%	6%
There are fewer violations against children	0%	0%	14%	0%	25%	0%	0%	3%
Child Act defines responsibilities	0%	0%	0%	0%	0%	10%	0%	1%
Number of respondents	5	10	7	23	4	10	9	68

Figure 1523: Improvement of capacities to promote and sustain child rights

To what extent the <i>Justice for Children</i> programme has not contributed to government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse by state (in percent)								
according to attorney, international organisations, judiciary, ministries and NM/NCCW								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Child Act is not fully implemented	20%	0%	0%	0%	0%	0%	0%	1%
Institutional arrangements for child protection are not fully in place	0%	10%	0%	0%	0%	0%	0%	1%
Lack of capacity	20%	0%	0%	0%	0%	0%	0%	1%
Number of respondents	5	10	7	23	4	10	9	68

Figure 1534: Non-improvement of capacities to promote and sustain child rights

7. Outcome indicator 2 per state

Do children have increased access to child-friendly mechanism to report violations of their rights? by State (in percent)								
according to attorney, civil society organisations, international organisations, judiciary and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Somehow	33%	29%	38%	63%	0%	100%	71%	51%
Yes	67%	71%	63%	38%	100%	0%	29%	49%
Number of respondents	9	14	8	8	6	13	7	65

Figure 1545: Do children have increased access to child-friendly mechanism?

Does the increased child-friendly mechanism to report violations of their rights apply to all children (girls, boys of different ethnic groups, age groups, rural and urban areas?) by State (in percent)								
according to attorney, civil society organisations, ministries, judiciary and international organisations								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	100%	57%	63%	63%	50%	8%	14%	49%
Only to some	0%	36%	38%	38%	33%	69%	86%	43%
No	0%	0%	0%	0%	17%	23%	0%	6%
I don't know	0%	7%	0%	0%	0%	0%	0%	2%
Number of respondents	9	14	8	8	6	13	7	65

Figure 1556: Does the mechanism to report violations of their rights apply to all

Reasons why the increased child-friendly mechanism to report violations of their rights apply to all children or not by State (in percent)								
according to attorney, civil society organisations, international organisations, judiciary and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Children in conflict and remote areas cannot access services	0%	30%	38%	50%	50%	69%	86%	47%
FCPU staff treats all children equally	38%	30%	25%	33%	50%	8%	0%	24%
Access is not equal	0%	30%	25%	0%	0%	23%	0%	14%
Access is equal	13%	10%	13%	0%	50%	0%	14%	12%
No discrimination	38%	0%	0%	17%	0%	0%	0%	7%

Judges treat all children equally	0%	0%	0%	33%	0%	0%	0%	3%
Helpline is not known and accessible to all	13%	0%	0%	0%	0%	0%	0%	2%
Number of respondents	8	10	8	6	5	8	7	58

Figure 1567: Reasons why the mechanism applies to all children or not

Do children have increased chances to actually obtain justice due to the <i>Justice for Children</i> programme? by State (in percent)								
according to attorney, civil society organisations, judiciary and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	89%	69%	63%	57%	100%	0%	17%	53%
Somehow	11%	31%	38%	43%	0%	92%	83%	45%
No	0%	0%	0%	0%	0%	8%	0%	2%
Number of respondents	9	13	8	7	6	13	6	62

Figure 1578: Do children have increased chances to actually obtain?

Reasons why the respondents think the FCPUs are not effective and accessible by State (in percent)								
according to community adults and children								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Lack of access due to insufficient coverage / FCPUs are overwhelmed	39%	55%	69%	75%	0%	50%	65%	58%
FCPU need more human capacity	6%	6%	0%	0%	0%	0%	5%	4%
I don't know	0%	12%	0%	0%	0%	0%	0%	4%
Not effective all time	6%	0%	0%	0%	0%	17%	10%	4%
Communities are not aware of FCPUs/Doesn't know where the FCPUs are	0%	6%	0%	0%	0%	0%	5%	3%
Cultural hindrance to accessing FCPUs	0%	3%	0%	0%	0%	0%	0%	1%
Sometimes don't interact with reporting	0%	0%	6%	0%	0%	0%	0%	1%
The FCPU is temporary	0%	0%	0%	8%	0%	0%	0%	1%
There is only FCPU deal with children in state and it is for them	0%	0%	0%	0%	0%	0%	5%	1%
They delay case procedures, with no services	0%	0%	6%	0%	0%	0%	0%	1%
They did not move to the new FCPU yet	0%	0%	0%	8%	0%	0%	0%	1%
Number of respondents	18	33	16	12	1	6	20	106

Figure 15859: Reasons why respondents think FCPUs are not effective and accessible

8. Outcome indicator 3 per state

Perceptions on whether the respondents agree with the statement: Fewer child offenders spend time deprived of liberty, for less periods of time, in child-appropriate facilities by State (in percent)								
according to attorney, civil society organisations, judiciary and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	44%	77%	100%	14%	67%	0%	57%	49%
A little	44%	8%	0%	71%	17%	77%	29%	37%
No	11%	15%	0%	14%	17%	23%	14%	14%
Number of respondents	9	13	8	7	6	13	7	63

Figure 1590: Agree with Fewer child offenders spending time deprived of liberty

9. Outcome indicator 4 per state

Do you agree with this statement: There has been an increase in the use of diversion from the judicial process, which has resulted in fewer children being subjected to formal court procedures by State (in percent)								
according to attorney, civil society organisations, judiciary and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	44%	69%	75%	29%	100%	92%	100%	73%
No	44%	31%	0%	43%	0%	0%	0%	18%
A little	11%	0%	13%	29%	0%	8%	0%	8%
I don't know	0%	0%	13%	0%	0%	0%	0%	2%
Number of respondents	9	13	8	7	5	13	7	62

Figure 1601: Agree with an increase in the use of diversion from the judicial process

10. Outcome indicator 5 per state

Do you think the <i>Justice for Children</i> programme has created greater awareness resulting in fewer violations of children's rights? by State (in percent)						
according to civil society organisations						
	El Gazira	Blue Nile	Central Darfur	Kassala	River Nile	Total
Yes	50%	67%	0%	33%	80%	55%
No	50%	33%	0%	0%	20%	27%
Partially	0%	0%	100%	67%	0%	18%
Number of respondents	6	6	2	3	5	22

Figure 1612: Has the Justice for Children programme has created greater awareness?

Perceptions on how the <i>Justice for Children</i> programme has created greater awareness resulting in fewer violations of children's rights by State (in percent)						
according to civil society organisations						
	El Gazira	Blue Nile	Central Darfur	Kassala	River Nile	Total
Awareness has increased	100%	75%	0%	0%	50%	47%
Child Act and other legislation protecting children is in place	0%	50%	0%	0%	0%	12%
FCPU's and other institutions established to protect children's rights	0%	25%	0%	0%	0%	6%
Fewer violations of children's rights are now reported	0%	0%	0%	0%	25%	6%
Increased awareness led to more cases being reported	33%	0%	0%	0%	0%	6%
Increased awareness within communities led to fewer violations	33%	25%	0%	25%	0%	18%
Increased punishment deters violations against children	0%	0%	0%	25%	25%	12%
It led to increased rights awareness among children and their families	0%	25%	0%	0%	0%	6%
There is better care for children	0%	25%	0%	0%	0%	6%
Number of respondents	3	4	2	4	4	17

Figure 1623: Perceptions on how the programme has created greater awareness

Perceptions on how the <i>Justice for Children</i> programme has not created greater awareness resulting in fewer violations of children's rights (in percent)						
according to civil society organisations						
	El Gazira	Blue Nile	Central Darfur	Kassala	River Nile	Total
More awareness needed	0%	0%	100%	50%	0%	24%
Number of respondents	3	4	2	4	4	17

Figure 1634: Perceptions on how the programme has not created greater awareness

11. Outcome indicator 6 per state

Do actors in the <i>Justice for Children</i> system have increased capacities to deliver coordinated, timely and effective <i>Justice for Children</i> services? by State (in percent)								
according to attorney, international organisations, training providers, judiciary and ministries								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Some	50%	43%	78%	50%	67%	73%	80%	67%
Yes	50%	57%	22%	50%	17%	18%	20%	29%
No	0%	0%	0%	0%	17%	9%	0%	4%
Number of respondents	4	7	9	4	6	11	10	51

Figure 1645: Do actors in the Justice for Children system have increased capacities?

12. Outcome indicator 7 per state

Do you believe that the services for children in contact with the law are sustainable? by State (in percent)								
according to judiciary and NM/NCCW								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Yes	50%	80%	100%	94%	20%	100%	0%	71%
Some	50%	20%	0%	0%	80%	0%	100%	26%
No	0%	0%	0%	6%	0%	0%	0%	3%
Number of respondents	2	5	2	16	5	2	3	35

Figure 1656: Are the services for children in contact with the law sustainable?

Perceptions on why the respondents believe that the services for children in contact with the law are sustainable? by State (in percent)								
according to judiciary and NM/NCCW								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Child protection plan exists	0%	0%	100%	0%	25%	50%	33%	29%
FCPU make it sustainable	100%	0%	0%	0%	25%	50%	33%	29%
Specific aspects of work (reintegration, FTR, education)	0%	0%	0%	50%	0%	0%	33%	14%
It would continue without UNICEF support	0%	100%	0%	0%	0%	0%	0%	7%
Number of respondents	1	1	1	2	4	2	3	14

Figure 1667: Reasons why the respondents believe services for children are sustainable

Perceptions on why the respondents believe that the services for children in contact with the law are not sustainable? by State (in percent)								
according to judiciary and NM/NCCW								
	El Gazira	Blue Nile	Central Darfur	Kassala	Khartoum	River Nile	South Kordofan	Total
Additional support and training is needed	0%	0%	0%	50%	75%	0%	33%	36%
It needs enhanced coordination and laying out clear roles for JfC actors	0%	0%	0%	50%	50%	0%	0%	21%
Number of respondents	1	1	1	2	4	2	3	14

Figure 1678: Reasons why the respondents believe services for children are not sustainable

Independent Evaluation of the Family and Child Protection Units in Sudan

Terms of Reference

Purpose	To conduct an independent evaluation of the Justice for Children with more focus on the Family and Child Protection Units National Programme during the period 2006-2016
Expected fee and level	60,000 \$ total consultancy fees
Location	Khartoum with selected visits to the states
Duration	5 months
Proposed period	January 2018 – May 2018
Reporting to	Chief Child Protection
Budget Code/Grant No	SC149906
Project and activity codes	Output 1: At- risk boys and girls including adolescents have improved access and benefit from age specific integrated psycho-social support, and child friendly policy, legal, diversion and alternative measures to detention and alternative care. Activity 1.5.2: Support access to justice services

1. INTRODUCTION

The UN Convention on the Rights of the Child (CRC) requires States to promote the establishment of laws, policies, procedures institutions and services specifically applicable to children in contact with the law either who are victims of violence, abuse and exploitation, alleged offenders or witnesses of crimes.¹ More specifically, the UN Committee on the Rights of the Child requires that States parties establish a justice system, whose principal aim is to reintegrate children into their communities and society.² Despite the significant progress on provision of services to victims through the Family and Child Protection Units (FCPU), the justice systems in Sudan continue to focus on punishment rather than reintegration, and on prosecution and detention rather than on diversion from judicial proceedings and the various community-based alternative to custody that can best support the reintegration of children in contact with the law. Sudan continues to be inspired to have Justice system that fully meets the standard set by the CRC and other UN international standards and norms and as part of the regional initiative on diversion and alternatives of detention. Sudan is leading a promising programme on diversion and alternative to detention.

The 'Committee on the Rights of the Child' encourages States parties, including all countries in the MENA-region Which includes Sudan, to develop and implement a comprehensive justice for children system and policy to prevent and address violence against children based on and in compliance with the 'Convention on the Rights of the Child'.²⁶⁹ An important component of such a policy is the

introduction of measures for dealing with children in conflict with the law without resorting to formal judicial proceedings.²⁷⁰ This is called 'diversion'. When formal judicial proceedings cannot be avoided, the juvenile justice system should provide for ample opportunities to deal with children in conflict with the law by using social and/or educational measures, and to strictly limit the use of deprivation of liberty, and in particular pre-trial detention, as a measure of last resort and for the shortest appropriate period of time.²⁷¹ Whenever appropriate a 'restorative justice approach' is promoted, which implies that the child in conflict with the law, (child-) victim and, where appropriate, other individuals or community members affected by a crime participate together in the resolution of matters arising from the offence.²⁷²

The United Nations Children's Fund (UNICEF), guided by international and regional standards ratified by Sudan, has been supporting the Government of Sudan to establish a comprehensive child justice system through adapting of justice for children common approaches to ensure that children are better served and protected by justice systems with well trained and qualified staff. It aims specifically at ensuring the full application of international norms and standards for all children who come into contact with justice systems as victims, witnesses and alleged offence.

2. BACKGROUND

In 2006, UNICEF had gradually started working on Justice for Children to prevent and respond to the sexual and physical violence against children in the context of poverty, conflicts and displacement. In recognition of lack of specialized protection system, UNICEF advocated and supported several initiatives for legal reform and child protection system strengthening aiming at:

- Develop legal instrument that in alignment with international standard
- Establish specialized police units that able to apply child and gender sensitive procedures and ensure linkages continuum of care and protection including reintegration.
- Ensure that staff in the specialized units are trained to deal with children in contact with law.
- Provide multiple services in one place, including psycho-social support, social work services, legal aid and forensic investigation
- Secure proper investigation of cases involving children as victims and ensure that perpetrators are prosecuted and held accountable for their crimes
- Strengthen the legal system to ensure due process that are in line with the UN justice for children common approach
- Raise awareness among local communities about sexual and gender-based violence, the role of and services provided by the specialized units, and encourage communities to report to the system

In 2007, the first Family and Child Protection Unit (FCPU) was established in Khartoum State as pilot project implemented jointly by Sudan Police Forces and UNICEF. However, this programme did not have a formulated result framework. UNICEF supported capacity and institutional strengthening, development to of the child act to govern the implementation of the justice of children, establishment

of helpline and establishment of the National Mechanism to oversee the implementation of the Khartoum FCPU and initiate the process in the other states. The programme also been supported by community out-reach interventions to sensitize, children, families and communities on protection from violence, abuse, neglect and exploitation Under the leadership of the Commander General of Sudan's Police Force the Minister of Interior had committed to scale the FCPU from Khartoum to other states. Gradually, the number of FCPU increased from 1 to 18 at all capitals of the states and in 43 localities across Sudan. The Family and Child Protection Units were designed to provide a 'one-stop-shop' of professional services to children who survived and or witnessed crimes or are accused of having committed an offence. In 2012, a new Ministerial Decree to re-establish the National Mechanism to scale up and coordinate the FCPUs in all Sudan. The enactment of the Child Act (2010) and the lesson learnt and best practices of Khartoum FCPU had encouraged the United Nations Children's Fund (UNICEF) to support the Government of Sudan (GoS) to strengthen the existing mechanism to build national and states mechanisms including FCPUs and other justice mechanism to enforce the Child Act (2010) articles which are guided by international and regional standards ratified by Sudan.

During the last decade, with the support of UNICEF, the National Mechanism for the implementation of FCPU²⁷³ played important role to harmonize procedures standards, monitor and facilitate solutions for emerging bottlenecks. The FCPUs programme used to be 90 % financially supported by UNICEF. Based on the expenditure analysis of the Khartoum FCPU in 2012, the Ministry of Interior gradually picked up the cost and the management of the FCPU, which showed that UNICEF only contribute by 3.8% of the total financial support by the end of 2012. This has allowed substantial part of programme interventions to continue till now.

Table (1) The analysis of the financial resources of the FCPUs in Khartoum 2007-2012:

Year	Contribution in SDG in Khartoum State			
	Government	UNICEF	Total	% of UNICEF
2007				
2008	430,566.8	285,080	715,646.80	39
2009	694,414.7	337,000	1,031,414.7	33
2010	1,069,446.96	396,168.36	1,465,615.32	27
2011	2,664,280	266,428	2,930,708	10
2012	2,809,165.38	73,228.75	2,882,394.13	3.8

To give a snap shot to the progress, from January to June 2016 with the support of UNICEF and in collaboration with different government institutions and CSOs a total of 5,267 (2,590 Boys, 2,677 Girls) children victims of violence including children in conflict with the law in 18 states benefited from child - friendly child protection and other social services that provided by (FCPU). Children victims of violence represent almost 53% from which 1,447 are victims of sexual offences and are 594 witnesses of crimes. A total of 920 different sexual offences committed by children. Progress also showed that UNICEF support to capacity building programme for Justice actors who handle children and adopted diversion and alternative measures to detention resulted in 519 (336 Boys, 183 Girls) children in conflict with the law cases were addressed outside the judicial system. Several prosecution and verdict to perpetrators ensured and justice for victims were claimed.

²⁷³ The National Mechanism is a multi-sectors committees including the justice pillars (law enforcement, judiciary, prosecution), Social Welfare, Health and Education sectors. The National Mechanism co-chaired by Ministry of Interior and the National Council for Child Welfare.

Despite the significant progress on scaling up and increasing coverage of child protection services through the FCPUs, child court and child prosecution and the community- based outreach and strengthening the child protection through the adoption of the Child and regulations, the SOPs for FCPU professionals, there are still challenges hinder the impact on children:

- The physical scale up and increase coverage of the FCPUs undermined the quality of services that are provided due to limited financial resources and capacities due to turn- over of staff.
- Remote localities and areas of displacement and conflict have limited accessibility to FCPUs and justice services.
- The implementation of diversion and alternative measures to detention and the community outreach are still scarcely used.
- The sensitivity of addressing sexual and gender- based violence against boys and girls and the weak implementation of Child Act 2010 and enforcement of the Criminal Act 1991 instead, which is not in line with Child Act 2010

In recognition of the importance of the FCPUs as a major pillar of Justice for Children in Sudan, the government namely the National Mechanism for FCPUs and the National Council for Child Welfare (NCCW) have requested UNICEF to support an independent evaluation to take a stock of the performance and effectiveness of the system in the last 10 years given the fact that there was not any formal and independent assessment has been done for the last decade. At the same time, UNICEF received also requests from donors who are contributed to support the Justice for Children including the FCPUs to initiate the process to assess progress and the impact of the programme on children in contact with the law including victims, witnesses, and alleged offenders. UNICEF, as part of its preparation of the development of the new country programme, has planned to conduct in-dependent evaluation of its contribution to Justice for Children aiming at assessing and reinforcing the impact of UNICEF's work on the most vulnerable children and ensure that the recommendation of the evaluation will be utilized to inform the new child protection programme direction.

3. THE EVALUATION PURPOSE, OBJECTIVES AND SCOPE

3.1 Purpose

The purpose of this joint evaluation is to assess the extent to which Justice for children system reforms in Sudan during the period 2006-2016 have contributed to (a) protection of children in contact with law as victims, witnesses and alleged offenders (b) reducing deprivation of liberty for children in conflict with the law, (c) increasing the use of diversion from the judicial process. d) impact of the Family and Child Protection Units National programme on the national policy revision and development ;e) sustainability of services for children in contact with the law (budgetary implication)These five results are necessary in ensuring the adequate response , services and child's reintegration into the community. In addition, Sudan is part of the regional initiative on justice for children (RLA) and the evaluation will generate evident lessons learnt, best practices and recommendations that contribute strengthening child protection systems in the region.

The evaluation review will UNICEF's support to system level changes and assesses the extent to which this support contributed to the five above-mentioned results. This evaluation aims to demonstrate how reduction of equity gaps and impact results were made possible through changes in the national and local systems and document UNICEF's contribution to such changes. The evaluation findings, conclusions and recommendations will be used by Government, Donors, UN agencies/UNICEF, CSOs,

State Authorities and Communities to enhance the justice for children system in general and child friendly services for children in contact with the law in particular.

3.2 Objectives

The objectives of the evaluation are:

- ✓ To assess relevance, effectiveness, efficiency, coverage, impact and sustainability of the holistic approach adopted by the Government of Sudan with the support of UNICEF.
- ✓ To assess the role stakeholders and adequacy and quality of the Steering/ coordination mechanisms that have been established at the national and states levels to maximize the effectiveness of interventions.
- ✓ To provide recommendations, identify lessons learned, capture good practices, and generate knowledge to inform the refinement of the programme model and approach as well as to inform the shape of future programming on Justice for Children and related programme initiatives at National and Regional levels.

3.3 The scope

The evaluation will assess relevance, effectiveness, coverage, efficiency, impact and sustainability of the holistic approach adopted by the Government of Sudan with the support of UNICEF. It also will cover the implementation and the results of the UNICEF supported Justice for Children more specifically FCPUs during the period 2006-2016. It is intended that as much as possible the evaluation will provide a comprehensive assessment of the Family and Child Protection Units (FCPUs) with reference to other pillars (law enforcement, judiciary, prosecutions and the social welfare) of the programme scope and their interconnections at National and State levels. At National and states levels the evaluation will analyze achievements over the last 10 years, specifically what have been the successes, missed opportunities, and constraints. At the community level - assessing how the FCPUs and related justice system, particularly by implementing partners on the ground, have created favorable community-level conditions and led to positive changes in the lives of children victims of violence, abuse, neglect and exploitation. Furthermore, the evaluation will also touch upon the role of the programme on shaping the regional thinking and contributing to overall frameworks related to justice for children in the region. The evaluation, tentatively, will focus on Khartoum and one state from each region (Central Darfur, South Kordofan, Blue Nile, Red Sea and Gazira States). Final selection will be done by the National Mechanism in consultation with the evaluation team and UNICEF.

4. EVALUATION METHODOLOGY AND APPROACH

The evaluation will examine the expected outcomes and outputs outlined in the original and revised logical frameworks if exist and review, inter alia, the overall coherence of the set of interventions implemented. The evaluation will take into consideration the analysis of the capacity of the FCPUs to mainstream gender, human rights and result based services.

The evaluation will follow UNEG Norms and Standards for Evaluation in the UN system and abide by the UNEG Ethical Guidelines and Code of Conduct and other relevant ethical codes. Ethical considerations (of respondents and data collectors) will be of utmost priority in determining the most appropriate

methods and their implementation, and will be documented and included in all reports. To access the UNEG web page please visit: <http://www.uneval.org/index.jsp>

The National Mechanism, which constitutes of high level representative of Ministries of Interior, Justice, Social Affairs, health, Judiciary, civil society organisation and other UN agencies and the NCCW will ensure the leadership and coordination of the inception, completion of the field work, review, validation and dissemination of the evaluation of the findings and recommendations of the assessment. Regular meeting will be organized by the National Mechanism in order to obtain consensus and engage national stakeholders about the purpose and the intended use of the evaluation, discuss the inception report, facilitate field work and interviews with stakeholders and to discuss findings and recommendations and the elaboration of consequent actions. In addition, small peer review group will be selected to provide the needed technical guidance and will be called the evaluation Reference Group.

4.1 Evaluation questions

The Evaluation Reference Group (REG) in coordination with the National Mechanism will validate, add and delete the indicative evaluation questions. The questions are based on five evaluation criteria and are focused on expected outputs from the original and revised logical frameworks if any. The evaluation questions have taken into consideration key cross-cutting issues (including gender equality, and cultural sensitivity and human rights perspective).

Relevance: The extent to which the objectives of the Justice for Children/FCPU are consistent with national needs (in particular vulnerable group needs) and are aligned with programme country government priorities as well as with UNICEF policies and strategies.

- What strategies were used and how appropriate are the strategies promoted and used by the Justice for children/FCPU
- To what extent have the strategies and interventions been contextualized at the national level through local-level consultation, national needs (including country government priorities) consideration and capacity assessment
- Did the objective articulate changes in children's life and wellbeing and that for their families and communities
- Were potential right holders (children and their families) involved in developing programming?
- Is programme response relevant to identified needs

Effectiveness: The degree of achievement of the outputs and the extent to which outputs have contributed or are likely to contribute to the achievement of the outcomes of the Justice for children/FCPU.

- Have inputs resulted in the outputs targeted?

- What difference has come about right-holders (children and their families) in term of life skills, knowledge, and psychosocial wellbeing?
- What factors contributed to the success or failures with regard to the targeted changes (enablers and bottle necks)

Efficiency: The extent to which the outputs of the Justice for Children/FCPU have been achieved or are likely to be achieved with the appropriate amount of resources/inputs (funds, expertise, time, administrative costs, etc).

- What are the institutional, financial, operational capacities of FCPUs at national, state, locality and community levels both compare to the resources input from Government and UN Agencies (UNICEF), including detail analysis of the costing of the services provided by FCPUs.
- Have the total inputs during the last 10 years resulted in the outputs targeted.
- To what extent were the resources available adequate to achieve the expected outputs?
- To what extent has the programme been able to complement implementation with related interventions, initiatives and resources at the country level from other partners, regional and global levels to maximize its contribution to the Justice for Children/ FCPU?

Coverage and protection : The extent the programme reach the geographical site, targeted population and have the need capacities to reach the targeted and served children by the Justice for Children/FCPU

- Has the programme reached the planned targeted population?
- Have potentially targeted children in contact with the law been reached?
- Have the needs and capacities of different age and gender groups be appropriately?
- Does the project contribute to protection children by strengthening the child protection mechanisms, like legislation, services, community norms, etc

Coordination: Have agencies and institutions worked well together toward the common goal to strengthen the Justice for Children System/FCPU

gaps;

- How efficient was programme coordination between UNICEF and relevant stakeholders including clarity of roles and accountabilities; use of data/evidence for decision making; monitoring and reporting; reduction of transaction costs and potential added value?
- How efficient/effective was the National Mechanism on coordinating the overall national and state programme?

- How adequate and responsive has been the National Mechanism and the NCCW on supporting in providing necessary guidance?
- What are the current nature of the representation of all justice actors and the coordination relationships?

Impacts: The extent to which the benefits from the Justice for Children/ FCPUs are likely to continue, after it has been completed.

- Has the central goal of the programme –the needs that provided the rationale for the intervention been meet?
- What are the recognized changes attributed to the programme and can be identified in the lives of children, families, communities and overall protective environment?
- Did any negative changes results from the programming?

Sustainability The extent to which the benefits from the Justice for Children/ FCPUs are likely to continue, after it has been completed.

- Sustainability of the budget for FCPUs: analysis of the state budget and future allocation to the FCPUs.

5. Data collection and analysis tools

The evaluation of the Justice for Children/FCPUs will follow a mixed methods approach utilizing both quantitative and qualitative data collection and analytical methods. Measures will be taken to ensure data quality, validity and credibility of both primary and secondary data gathered and used in the evaluation. Specific data collection methods will include:

Review of documents and secondary data: A list of relevant documents together with electronic copies of key documents will be shared with the evaluation team by the National Mechanisms and the Evaluation Peer Review Group during the inception phase. The set of documents will be identified in consultation with the stakeholders. In addition, UNICEF, FCPUs, NM, NCCW will be responsible for responding to requests for information (both qualitative and quantitative) based on secondary data and information that are readily available. The information shared will be reviewed and analyzed during the inception phase to determine the need for additional information and finalization of the detailed evaluation methodology.

Key informant interviews: Interviews will be conducted at several levels and in phases by the evaluation team. A few key staff from the FCPUs programme within UNICEF and Government institutions and other agencies at national and states level will be interviewed.

Focus group discussions: with selected programme participants/children and their families, service providers, and decision/policy makers/NGOs. The specific plans for focus group discussions will be developed during the inception phase. When organizing a focus group discussions and interviews, attention will be given to ensure gender balance, geographic distribution, cultural sensitivity, representation of population groups and representation of the stakeholders/duty bearers at all levels (policy/service providers/parents/community). Children who are part of the programme or benefited from the programme will be consulted.

Surveys: An internet based survey to assess programme achievements, adequacy of guidance and technical support, challenges and needs, etc. may be considered to generate additional information for the evaluation. The justification, scope and timing of such a survey will be provided in the inception report.

Case study approach/ significant change approach: the evaluation team will conduct case studies from four states not countries. A desk review will inform the selection of case studies. This will involve a consideration of specific programme contexts including differences in programme commencement date, implementation maturity (programme implementation rate) and any other relevant aspects including geographical and cultural diversity.

Case-control method by selecting localities with no FCPU services and compare with the localities having FCPU services

EVALUATION PROCESS

The main elements of the evaluation are as follows: (i) a comprehensive inception and desk review phase which includes a country visit to facilitate the initial consultation with main stakeholders; (ii) country visit for data collection and states initial reports and (iii) report preparation resulting in a final evaluation (synthesis) report presenting findings, conclusions and recommendations. The evaluation will consist of a total of 4 phases in the course of which several methodological stages will be developed, namely:

The main elements of the evaluation are as follows: (i) a comprehensive inception and desk review phase which includes a country visit to facilitate the initial consultation with main stakeholders; (ii) country visit for data collection and states initial reports and (iii) report preparation resulting in a final evaluation (synthesis) report presenting findings, conclusions and recommendations. The evaluation will consist of a total of 4 phases in the course of which several methodological stages will be developed, namely:

Preparation phase -during this phase UNICEF and the National Mechanisms will finalize the TOR for the Evaluation with involvement of the main donors contributing to the programme. The recruitment process of the consultant/consultancy firm and selection process of the evaluation team through tender process. During this phase the joint EMG with contributions from the joint ERG will prepare the terms of reference for the evaluation and select the evaluation team via a tender process.

Design and desk review phase -the evaluator/the evaluation team will conduct a desk review collecting and analyzing all relevant information and data obtained from UNICEF and partners. The purpose of the review is to identify knowledge gaps, to identify key issues and finalize and validate the evaluation

questions for the evaluation. The desk review together with the country visit will inform the inception report. The team leader will present a first draft inception report to the Evaluation Peer Review Group. The report will:

- ✓ Present the final set of evaluation questions and rationale (with the respective explanatory comments).
- ✓ Specify the methodological tools that will be used in the field and reporting phases to respond to the evaluation questions;
- ✓ Detail the framework for synthesizing and analyzing data collected;
- ✓ Confirm the selection for in-depth review and field visits and a precise specification of the scope and design (including data collection methods and analysis) for the case studies;
- ✓ Present a detailed work plan, specifying the organization and time schedule for the evaluation process and country visits;

Present the approach to ensure quality assurance throughout the evaluation including the state's case study reports. Time will be dedicated to give substantive comments and feedback to the draft inception report. The evaluation team and the member of the EPRG and or the National Mechanisms will then conduct a pilot testing in Khartoum to assess the evaluation approach, evaluation questions, methodology tools, and identify necessary documentation needed to conduct the evaluation, including the country case studies. The pilot testing will increase the quality and usefulness of the evaluation design and raise the likelihood of formulating well-targeted and useful evaluation questions. The inception report will be submitted for comments and feedback before the data collection.

Data collection and field phase - Following the satisfactory completion of the design and desk review phase, the evaluation team will proceed data collection and states visits. Prior completion of each state visit the evaluator/evaluation team will conduct a debriefing session with the stakeholders at the state levels including UNICEF, SCCW, and FCPU's presenting the main findings of the field mission seeking to validate the information gathered. The data from Khartoum and the selected states will be consolidated.

-Reporting Phase –The report will present an overall synthesis of national and state level findings, conclusions, and forward looking recommendations. The overall length of the final evaluation report should not be greater than 30 pages (including the executive summary but excluding annexes). Additional information on overall context, programme or aspects of methodology and analysis should be confined to the annexes. The Annexes should include the list of people met, documentation reviewed, terms of reference, and any other information which contains factual basis used in the evaluation.

The conclusions and recommendations must be ranked and prioritized according to their relevance to the evaluation and their importance; conclusions should be cross-referenced back to recommendations. In general, the recommendations will be: (i) linked to the conclusions; (ii) prioritized and targeted at specific addressees; (iii) useful and operational. The draft and final versions of the evaluation report will be quality assessed by the management group (see Annex 5 – Evaluation Quality Assessment Grid). The aim is to ensure that the evaluation report complies with professional standards while meeting the information needs of their intended users. Once completed the EQA grid will be published together with the final evaluation report. The final report will be formally approved by the National Mechanism and UNICEF representative.

-Dissemination and Follow-up Phase

The emphasis of this evaluation is on lesson learning. Hence, it is important that the evaluation is designed in a way that allows maximum feedback to the concerned actors throughout the evaluation process. The organization of a meeting during the reporting phase is a key element of the dissemination and feedback strategy. The evaluation should also be designed and organized to ensure that learning opportunity through workshop will be organized. UNICEF and the Government will organize a dissemination event following the completion of the evaluation. The purpose is to disseminate the findings, conclusions of the evaluation and discuss the lessons and recommendations and the management response. The evaluation team may be requested to assist in dissemination and follow-up activities, participating in, for instance, webinars and conference presentations on the findings and conclusions of the evaluation. In the dissemination and follow-up phase, relevant units will jointly prepare a management response to the recommendations in the final report which will be received by the National Mechanism.

6. GOVERNANCE AND MANAGEMENT OF THE EVALUATION

The independent evaluation will be conducted by UNICEF in consultation with the National Mechanisms. UNICEF will take the overall responsibility for management of the evaluation process including hiring and managing the team of external consultants. The consultant/the firm will be under the supervision of the Chief of Child Protection and working closely with the Justice for Children Specialist in close collaboration with the technical supervision of Planning, Monitoring and Evaluation section.

The Evaluation Peer Review Group (consist of academic professionals, specialists from other UN agencies and, SIDA representative) is responsible for ensuring the quality and independence of the evaluation and to guarantee its alignment with UNEG Norms and Standards and Ethical Guideline Governance and management of the evaluation. The National Mechanism that co-chaired by the NCCW and Ministry of Interior will be responsible for the overall organisation and consultative process of the evaluation. The National Mechanism will ensure the leadership and coordination of the completion, review, validation and dissemination workshop of the findings and recommendations of the evaluation.

Regular meeting will be organized by NM for FCPU in order to obtain consensus and engage national stakeholders about the purpose and the intended use of the evaluation, discuss the inception report, facilitate field work and interviews with stakeholders and to discuss findings and recommendations and the elaboration of consequent actions.

7. TIMEFRAME OF DELIVERABLE AND PAYMENT SCHEDULE

Key Deliverables	Payment
1-Inception report and evaluation tools	25%
2-Facilitation and final report of the consultative workshop with partners on the inception report	10%
3-Report of completion of Field Data collection/Client satisfaction survey including collection of series of routine data from State Line Ministries on Health, Nutrition and WASH	15%
4-Data processing completed	10%

5-First draft of comprehensive evaluation report available for review/consultations and comments	20%
5- Workshop of Stakeholders organized; Final revised and quality edited report approved by UNICEF and HAC	20%

The effective duration of this evaluation will be around five months when the evaluation team will be on board in mid- December 2016. The preliminary draft report will be presented in January 2016. The workshop of stakeholders for discussions of findings and recommendations and the development of actions plan will take place in April 2017.

The field work will be completed from January – February 2017 and the final approved report is expected to be delivered end of April 2017 in order to inform Government-UNICEF Annual Work Plan 2017 and the strategic formulation of the new cycle of country programme of cooperation Government-UNICEF CPD 2018-2022.

8. Ethics and confidentiality of data and information

The institution should respect the confidentiality of all counterparts' data as well as any country specific documents that will be produced throughout the consultancy process. The institution can use the documents and the datasets only for the tasks related to these terms of reference.

As Government is strictly requesting, institution and field data collection team will respect the local culture during the individual and focus group discussions.

General conditions of management of the institution within UNICEF contract will be applied to the institution to be recruited by UNICEF.

9. Indicators to evaluate the institution's performance:

- Working with teams and satisfactory deliverable.
- Timely and quality submission of the deliverables.
- Timely and quality progress of the assessment processes.
- Comprehensive strategic and analytical ability to
- Production of quality Assessment findings with feasible and practical recommendations that is simple and easy to be implemented.

10. Firm Evaluation Criteria (See the annex)

11. Requirements:

Working experience in the field of law, human rights, political sciences or public Administration;

- Be a reputable institution with ten years of proven track record in producing high quality analytical research and consulting experience on law, human rights, legal aid and social issues;
- Evaluation experience on related child protection programmes is an asset.
- Demonstrated managerial competence and experience in analyzing, organizing, leading and coordinating multi-disciplinary work;
- Familiarity of Justice for children and rule of law is an asset;
- Extensive working experience in countries applying the common law system; preferably working in Sudan with justice institutions;

- Experience working with the UN and familiar with UN programming requirements is an advantage;
- Excellent oral, written, communication and reporting skills;
- Extensive experience and knowledge in conducting institutional capacity assessment;
- Strategic management and organization development;
- Have extensive experience in assessing justice or any human rights institutions preferably in the Region;
- Ability to deliver on time

12. General Conditions:

- The institution is responsible to collect needed data at national and state level- if needed- with the assistance of national consultants.
- UNICEF will provide necessary stationary and printing of handout materials.
- The institution will receive the first payments monthly upon the submission and approval of the designated deliverables by the Supervisor.
- The consultancy fee covers all other costs of the consultancy.
- institution is entitled to payment of DSA upon traveling to states. All remuneration must be within the contract agreement.

Prepared by:

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Title: Child Protection Specialist

Signature: _____

Date: _____

Endorsed by:

Name: Souad Al-Hebshi

Title: OIC Chief of Child Protection Section
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Signature: _____

Name: Aala Mahmoud Rahamtalla

Title: OIC/Chief Planning, Monitoring &

Signature: _____

Reviewed by:

Name: Christopher Adomati

Title: OIC/ Chief Human Resources Manager

Signature: _____

Date: _____

Approved by:

Name: Kannan Nadar

Title: OIC/Deputy Representative

Signature: _____

Date: _____

ANNEX E. INCEPTION REPORT

See separate document

ANNEX F. MASTERLIST OF QUESTIONS

Goal level indicators A		Questions to respondents
A1	% of children (boys, girls), parents and community members that state that children are better protected from violence	a) Do you think that children are better protected from violence now than 10 years ago? Yes/no/somewhat Please explain (children (clients FCPU) and parents and community members (adults and children), training providers)
A2	% of respondents that attribute this to a functioning justice for children system	a) If yes to A1. Do you think this is related to a better functioning Justice for Children system? (MSC)
A3	Community and child perceptions (boy, girls) on access to, and effectiveness of, child justice services	a) Do you feel children have access to justice services if their rights are violated? Yes/no b) If yes which services are you referring to? c) Do you think these services are effective? Yes/no/partially please explain (community (adults and children), social workers, training providers)
A4	Unexpected negative impacts of the intervention (do no Harm)	a) Did the programme have any negative impact on the lives of children? (all respondents – tool MSC)
A5	Contribution of the program to UNICEF's core commitments for children have been fully attained (referring to output 9.1 of the 2014-2015 RWP: In humanitarian settings, government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse are strengthened)	a) To what extent do you think the justice for children programme has contributed to government and local community capacities to promote and sustain girls' and boys' rights to protection from violence, exploitation and abuse? (Line ministries, Judiciary, Attorney, IOs, National Mechanism, NCCW) b) From your point of view, what is the Most Significant Changes that has resulted so far from the programme (all respondents (MSC))
Outcome indicator 1 Legislation, legal instruments, policies and regulations for children in place and enforced		B.1 MsC
Output indicators		Questions to respondents
1.1	Perceptions of Government, Judiciary, Attorney, IOs and CSOs on the completeness and effectiveness of legislation on children and enforcement instruments	a) Do you think the legislation on children instruments are complete now? Yes/no Please explain b) Do you think the enforcement instruments are effective? Yes/no/partially Please explain (ministries, judiciary, attorney, IOs, NCCW)
1.2	Legislation, legal instruments, regulations and services are aligned with international standards	a) Do you think the Legislation, regulations and other legal instruments are aligned with international? Yes/no Please explain b) Do you think services are aligned with international? Yes/no Please explain (ministries (no 1.2d), judiciary, IOs, NCCW)
1.3	# of regulations and procedures to implement the new legislation finalized, adopted and implemented	a) How many regulations and procedures are there to implement the new legislation?

		b) What are the names/titles of these legal documents (regulations and procedures)? c) Are they finalized, adopted and implemented? Please explain. (ministries, judiciary, attorney)
1.4	Perceptions on the levels of participation and consultative processes of child related legislation and policy reform	a) How would you evaluate the levels of participation and consultative processes of the child related legislation and policy reform? High/medium/low/absent (ministries, IOs, NCCW)
1.5	Number of States with laws prohibiting FGM/C	Program data
Outcome indicator 2 All boys and girls have increased access to child friendly mechanism to report violations of their rights, as per the revised legal framework, and obtain justice.		C1 Do children have increased access to child friendly mechanism to report violations of their rights? Yes/somehow/no C2 Does this apply to all children (girls, boys of different ethnic groups, age groups, rural and urban areas?) Yes/no/ only to some children Please explain C2 Do children have increased chances to actually obtain justice due to the justice for children programme? Yes/somehow/no (ministries, judiciary, attorney, IOs (no 2nd C2) and CSOs)
Output indicators		Questions to respondents
2.1	# of FCPUs (per State) established and operational	a) Program data on numbers b) How many FCPUs in this State are actually operational? (MoI,)
2.2	The extent to which FCPUs apply child sensitive procedures and ensure continuum of care, protection and reintegration support	a) Are the FCPUs applying child sensitive procedures? Yes/no/partially Please explain b) Are the FCPUs ensuring a continuum of care, protection and reintegration support? Yes/no/partially If no why not, if yes how? (ministries, judiciary (only 2.2d), attorney, IOs and CSOs)
2.3	# of boys and girls supported by FCPUs per State (victims, alleged offenders and witnesses)	FCPU data base
2.4	Children are treated in accordance with norms and regulations outlined in legislation and FCPU SOP	a) Do you know the Standard Operation Procedures for FCPUs? Yes/no b) If yes, can you show me a copy of it (at the spot check)? Yes/no c) Do you think children are treated in accordance with norms and regulations outlined in legislation and FCPU SOP? Yes/no/somehow What are the challenges? (FCPU staff, Attorney (no 2.4g), National Mechanism)
2.5	# of FGM, sexual violence, child marriage cases reported to FCPUs and the results	FCPU data base on numbers a) What are the most frequent results of reporting cases of FGM, sexual violence and child marriage? FGM: Sexual violence: Child Marriage:

		(FCPU staff, judiciary, attorney, social workers)
2.6	# of children that called helpline in 2017 (per State)	Data base FCPU on numbers per State a) Do you know the helpline for children? Yes/No (children clients of FCPU and community children)
2.7	Client satisfaction with helpline and follow-up	a) Are you satisfied with the helpline and follow up? Please explain. (children that called the helpline)
2.8	Client satisfaction with outcome of the cases reported through child prosecutors and child judges (children and families)	a) Are you satisfied with the outcome of your case reported through child prosecutor and child judge? Yes/No/Partially Please explain. (children and families - clients FCPU)?
2.9	# of children in contact with the law supported with legal aid in FCPU	a) Where you supported with legal aid in FCPU? (children and families - clients FCPU)? Yes/No b) Do children in contact with the law have easy access to legal aid? Yes/No (CSO, judiciary, attorney, MoJ)
2.10	# of boys and girls provided with PSS and social services during and after their cases	Programme info FCPU, Social workers a) Is there sufficient capacity to provide PSS and social services during and after children's cases? Yes/no/partially Please explain (CSOs, FCPUs, social workers)
2.11	Client satisfaction of FCPU services and treatment (children and parents)	a) Are you satisfied with the FCPU services and treatment? Yes/No/Partially Please explain. (children clients of FCPU and parents)
2.12	Community (adults and children) perceptions on effectiveness and accessibility of FCPUs	a) Do you know what are FCPUs? Yes/No b) Do you think the FCPUs are effective and accessible? Yes/No/Partially Please explain. c) Do you think the FCPUs provide timely services? Yes/No/Partially d) How do you rate the quality of the services offered by the FCPU? Poor/ reasonable/ good/excellent (community members (adults and children), CSOs)
2.13	Client satisfaction of Child prosecutors and Child Judges (children and parents)	a) Are you satisfied with the Child prosecutors and Child Judges? Yes/No/Partially Please explain. (children clients of FCPU and parents, social workers)
2.14	Perceptions of Judiciary, Attorney and FCPU staff on the functioning and effectiveness of FCPUs	a) What do you think of the functioning and effectiveness of the FCPUs? Highly effective, effective, reasonable, weak b) What are the main challenges? (judiciary, attorney and FCPU staff)
Outcome indicator 3 Fewer child offenders spend time deprived of liberty, for less periods of time, in child-appropriate facilities		D1 Do you agree with this statement: Fewer child offenders spend time deprived of liberty, for less periods of time, in child-appropriate facilities no/a little/yes (ministries, judiciary, attorney and CSOs)
Output indicators		Questions to respondents

3.1	Children deprived of their liberty per 100,000 child population	Statistics via UNICEF a) Do you think that due to the establishment of FCPUs more or less children are deprived of their liberty? Less/Same/More Please explain (judiciary, attorney and FCPU staff, CSOs)
3.2	% of boy and girl offenders provided with alternative measures to detention	Statistics Judiciary
3.3	Quality, quantity and gender responsiveness of “waiting rooms” in FCPUs	a) What do you think of the quality of the “waiting rooms” in FCPUs? Poor/fair/good/very good b) Are there enough “waiting rooms” in FCPUs? Yes/no c) Are there separate spaces for girls? Yes/no (attorney and FCPU staff)
3.4	# of children arrested and held in waiting rooms per year	Statistics FCPU
3.5	% of children at pre-trial held for longer than 3 and 7 days (per State)	Statistics FCPU and Mol
3.6	# and types of alleged child offenders deprived of their liberty in other facilities than FCPUs (e.g. CAAFAG, Children accused of related to violent extremism etc.)	a) How many child offenders are deprived of their liberty in other facilities than FCPUs (e.g. CAAFAG, Children accused of related to violent extremism etc.)? b) What type of child offenders are deprived of their liberty in other facilities than FCPUs? (attorney and FCPU staff, CSOs (no 3.6e))
3.7	Capacities of institutions to implement and monitor alternative measures to detention (such as community service)	a) What are the capacities of institutions to implement and monitor alternative measures to detention (such as community service)? (judiciary and FCPU staff, social workers, CSOs)
Outcome indicator 4 Increase in the use of diversion from the judicial process results in fewer children being subjected to formal court procedures		E1 Do you agree with this statement: There has been an increase in the use of diversion from the judicial process, which has resulted in fewer children being subjected to formal court procedures (Ministries, Judiciary, Attorney and CSOs)
Output indicators		Questions to respondents
4.1	% of FCPU cases diverted outside the judicial system	Statistics (number of FCPU cases of child offenders and % of diverted)
4.2	# of community conferencing implemented as a diversion to judicial proceeding	a) How many community conferencing are implemented as a diversion away from judicial proceeding? b) What are the main challenges? (FCPU staff, CSOs (including CBCPNs), social workers)
4.3	Perceptions on effectiveness of diversion follow-up (parents, judiciary) by MOSD, Community CP networks etc.	a) How effective is the diversion follow-up (by MOSD, CBCPNs networks etc.)? b) What are the main challenges? (parents, judiciary, CSOs, social workers)
Outcome indicator 5 Greater awareness and fewer violations of children’s rights		F1. Do you think the justice for children programme has created greater awareness resulting in fewer violations of children’s rights? Yes/no/partially If yes how? (CSO)
Output indicators		Questions to respondents

5.1	Awareness among local communities and children about the roles of and services provided by the FCPUs and the CBCPNs and how to resort to those services (community leaders, teachers, boys and girls)	a) Do you know what the FCPUs are? Yes/no b) If yes, what do they do? c) Do you know how to access those services? Yes/no please explain d) Do you know what CBCPNs are? Yes/no e) What do you think are the roles of CBCPNs? (community leaders, teachers, boys and girls)
5.2	% of the community members and children that have knowledge on the Child act	a) Do you know the Child Act? Yes/No b) If yes, do you know what is the key content of the Act? (community members (children and adults) and child clients of FCPUs)
5.3	# and type of awareness training activities rolled out for community children on their rights, the child act and services (FCPU, Helpline etc.)	Programme Statistics
5.4	# of media products and cross-sector public advocacy initiatives on justice for children	Programme statistics on: # of media products # of advocacy initiatives
Outcome indicator 6 Increased capacity of actors in the justice for children system to deliver coordinated, timely and effective justice for children services		G1. Do actors in the justice for children system have increased capacities to deliver coordinated, timely and effective justice for children services? No/some/yes (ministries, judiciary, attorney, IOs, training providers)
Output indicators		Questions to respondents
6.1	# of child judges and prosecutors in place per State	Statistics Judiciary and Attorney
6.2	# of social service workers per State trained in justice for children and operational	Statistics training providers and MoWSS/MOSD
6.3	# of police officers, prosecutors and judges trained on procedures and regulations on children in contact with the law	Statistics training providers
6.4	Effectiveness of training and post-training support	a) Do you think the training you received/provided was effective? Highly, medium, not much Please explain how you measure this b) Was there post training support? Yes/No If yes, what training support was received. If yes, was the post training support: Good / medium / bad (trainees – judiciary, attorney and FCPU staff, social workers, training providers)
6.5	Adequacy of human resource capacity in place to support the implementation of the programme (all institutions)	a) Is there adequate human resource capacity to support the implementation of the justice for children programme? Yes/no/somewhat (ministries, FCPU, social workers, CSOs, IOs)

6.6	# of active community-based child protection networks established, trained on justice for children, and functioning	Statistics UNICEF a) How many community-based child protection networks are functioning well? b) What are the main challenges? (social workers, CSOs)
6.7	Increased capacity of justice for children actors in reception and interim care establishment, age verification, case management/documentation, referral to PSS and other social services	a) Do you think there has been an improvement in the capacity of justice for children actors in reception and interim care establishment? yes/no/some b) Do you think there has been an improvement in the capacity of justice for children actors in age verification, case management/documentation? yes/no/some c) Do you think there has been an improvement in the capacity of justice for children actors in referral to PSS and other social services? yes/no/some (social workers, CSOs, IOs, National Mechanism, NCCW)
6.8	Availability of a functional information system to follow-up and monitor children in contact with the law	a) Is there a functional information system to follow-up and monitor children in contact with the law? yes/no b) How often is such information collected and disseminated amongst stakeholders? (judiciary, attorney and FCPU staff, CSOs, IOs, National Mechanism, NCCW)
6.9	Perceptions of effectiveness, relevance and efficiency of UNICEF support	a) What do you think of the effectiveness, relevance and efficiency of UNICEF support? (judiciary, attorney, CSOs, IOs, National Mechanism, NCCW)
6.10	Effectiveness of one-stop-shop concept, with multiple services provided in one place, including psycho-social support, social work services, legal aid, opening of cases, health investigations of victims, and forensic investigation	a) Do you think the one-stop-shop concept is effective? Yes/no/somehow Please explain (judiciary, attorney, FCPU, IOs, National Mechanism, NCCW)
6.11	# and type of referrals to and from FCPUs (e.g. to specialised services)	FCPU statistics: # of referrals to and from FCPUs and by/to whom? a) What type of referrals are there to and from FCPUs? To: From: (FCPUs, CSOs (including CBCPNs), social workers)
6.12	# of children in contact with the law supported (per State) with: - Social services (and by who) - Health services (and by who) - Psycho social services (and by who)	Statistics FCPU (per service)
6.13	% of children in conflict or contact with the law that perceive they are protected and treated in privacy	a) Do you feel you are/were protected and treated in privacy when your case was open? Yes/no please explain b) Can you make a drawing of how you felt when you were at the FCPU?

		(children clients of FCPU)
6.14	% of children in conflict or contact with the law (and their mothers) that perceive they are and supported with effective and relevant social and psycho-social support	a) Do you think you/your child was supported with effective and relevant social and psycho-social support? Yes/no/Partially Please explain (children clients of FCPU)
6.15	Perceptions of actors in the justice for children system on effectiveness of coordination mechanism and oversight at national, State and locality levels	b) What do you think of the effectiveness of coordination mechanism and oversight at national, State and locality levels? Federal: High/Medium/Low/Absent State: High/Medium/Low/Absent Locality: High/Medium/Low/Absent Please explain what the challenges are. (line ministries, judiciary, FCPU, IOs, National Mechanism, NCCW, social workers)
Outcome indicator 7 Services for children in contact with the law are sustainable		H. Do you believe that the services for children in contact with the law are sustainable? Yes/no/some Please explain (judiciary, social workers, National Mechanism, NCCW)
Output indicators		Questions to respondents
7.1	Amount of funds raised for Justice for children programming from UNICEF, NGOs, Donors, Government and private sector (amounts and percentages of total)	Financial programme documentation from different actors
7.2	Government budget allocations to justice for children programs as percentage of total government budget allocations for justice and RoL	Financial programme documentation from different actors
7.3	% of people trained who are still in their positions	Statistics of MoI, MoSD, Judiciary, Attorney per State Statistics from training providers a) Amongst those who are trained, how many – percentage wise – are still in their positions? Less than 10%, between 10 and 40 %, about 50%, 80%, almost 100% (line ministries, judiciary and training providers)
7.4	Perceived likelihood and challenges of the continuation of programme activities without external support at community, provincial and central levels	a) Do you think the programme activities are likely to continue without external support at federal, state and locality levels? Yes / no / partially b) What do you think are the challenges for continuing the programme activities without external support at federal, state and locality levels? (line ministries, attorney, FCPU (no 7.4c), CSOs, National Mechanism, NCCW, training providers)
7.5	The extent to which the program as a whole, and UNICEF's contribution, is regarded as value for money	a) Do you think the Justice for Children programme has created value for money? Yes/No/partially, please explain b) Do you think UNICEF's contribution to the Justice for Children programme was value for money? Yes/No/partially, please explain

		c) What is the estimated cost for opening a case for one child, including psycho-social support, costs of trial, FCPU services and follow-up? (line ministries, judiciary, attorney, IOs, National Mechanism, NCCW, training providers)
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Sensitivity

The research raised complex sensitivities and ethical consideration as it involved children who are/were in contact with the law and might be victims of violence, abuse and exploitation, alleged offenders or witnesses of crimes. Moreover, the presence of interviewers in the community could be highly visible and a source of local interest. Due to the sensitivity of the subject, TI worked to ensure full buy-in of relevant government entities before starting the research. Moreover, UNICEF and the evaluation steering committee were reviewing the questions and topics covered in the research tools, to ensure that controversial words were avoided. Tools and terminology were tested and adapted as needed to ensure that they were context-appropriate. In addition, the presence of a female enumerator facilitated accessing households.

Locations of the interviews and FGDs

The security of participants was guaranteed to the fullest extent possible. A risk assessment had been carried out at the start of the field study. In general, the researchers conducted the interviews as close as possible to the participant's homes, schools, sports centres or workplaces, as preferred by the participant. The team conducted the FGDs in community centres or other closed spaces identified by community leaders. For women and girls, more private locations such as a room in a health clinic, at a women's organisation or the head teacher's office in a school were often suitable locations. Before the interview, the team asked the respondent for the preferred place. TI respected their concerns and moved to a different location before the interview was conducted or continued, if necessary. In cases where this was untenable, the interviews were postponed or cancelled altogether.

Referrals and follow-up assistance

It is possible that the interviews affected informants emotionally and/or that they reveal actionable information such as on criminal activities or children in a harmful situation. In such cases, the TI team referred the informants to a response team that was set-up by UNICEF and partners. In case children or other informants were upset by questions, the interviewer paused and assessed, together with the interviewee, whether the interview could continue. All child respondents were provided with the contact information of the response team.

Confidentiality and protection

No electronic recording took place in order to encourage free speaking. Beneficiaries of the programme enjoyed anonymity. No names of children, young people, parents and community members were recorded during the interview. Also, no recording equipment was used during the data collection, as people are generally less open to discuss important, yet sensitive, topics in the presence of such equipment. All researchers respected the confidential nature of the information collected. TI protected all data files with passwords, to facilitate safe transfer of data, and by making regular backups.²⁷⁴ No pictures of the children, or their families, revealing their identity were taken.

Due to the potentially sensitive nature of the information disclosed, priority was given to one-on-one interviews. UNICEF, FCPU and governmental interviewees did not enjoy anonymity as they speak in an official capacity and might be quoted for this evaluation.

²⁷⁴ Kuner, C. & Marelli, M. 2017. Handbook on data protection in humanitarian action. ICRC: Geneva. p. 37.

Protection services for incarcerated children or young people

TI recognises the particular importance of protecting incarcerated children and young people. The risk assessment conducted by TI thus looked into whether the interview increased the risk to such informants. Protection measures included:

- Transcribing the data collected in a folder protected by a password. The written accounts of the interviews were securely stored in a safe place on the same day that they were produced.
- Critically assessing the sensitivity of the questionnaire for incarcerated children and young people. It was reasonable to assume the interview with incarcerated children might be monitored by authorities. Therefore, sensitive questions that may put the child at risk were not asked.

TI realized that it cannot promise any material advantages such as reduction in detention time, improvements in general living conditions, medical care, quality of food or amenities, in exchange for participating in the study (although in Iraq similar TI's reports on living conditions led to follow-up actions by UNICEF).

Informed Consent

TI developed consent forms, and at the end of our assignment the hard copies were left in secure storage with UNICEF. Researchers respected the principles of voluntary participation and informed consent. In line with the International Committee of the Red Cross (ICRC) "Handbook on data protection in humanitarian action", it was important that the researcher ensures the child has understood "the risks and benefits involved in a processing operation and to exercise his/her right to object and to provide valid consent where applicable."²⁷⁵ The decision to participate was based on free will and participants were made aware that they may withdraw from the research at any time. Risks to the respondents were explained to the child before the consent was obtained. In addition, it is important to note the "subject's vulnerability should be taken into account when considering the validity of consent."²⁷⁶

Verbal Informed Consent forms were developed where the researcher read out the form and required verbal consent. The form was signed by the researcher, who noted only the location, age and sex of the child. Each consent form contained a statement explaining the confidentiality of the consent form and the anonymity of the interview. The informed consent documents were designed to meet the standards as set in the UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis.²⁷⁷ (See consent form in annex E - Inception report).

Depending on the circumstance and local sensitivities, it may not be possible to have formal consent from parents or caretakers (e.g. when interviewing community children at sports clubs, youth centres, schools etc.). If in such situations the child was 15 years or older, only the consent of the child was sought. For younger children, consent of a parent, guardian or caregiver was always ensured.

The informed consent form included a description of the length of the interview, the purpose of the study, how the responses were to be used, potential risks and mitigation measures. Participants were informed that they were not required to indicate names or sign the consent form as in this research

²⁷⁵ Kuner, C. & and Marelli, M. P. *Handbook on data protection in humanitarian action.*, 46.

²⁷⁶ Kuner, C. & and Marelli, M. P. *Handbook on data protection in humanitarian action.*, 46.

²⁷⁷ UNICEF Division of Data, Research and Policy (DRP), 2015. *UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis*; Document Number: CF/PD/DRP/2015-001. Effective Date: 01 April 2015. UNICEF.

they enjoyed full anonymity. Also, all participants provided a third-party contact (UNICEF) in case participants had any questions or complaints regarding the interview, as well as the telephone number of a response team, set-up with UNICEF for the purpose of this evaluation.

Gender

TI was gender-sensitive in its data collection methods and segregated all data by sex and age. Further, the analyses included gender analyses, and girls and mothers were interviewed by a female enumerator.

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