The United Nations

Rule of Law Indicators

Implementation Guide and Project Tools

First edition

The
United Nations

Rule of Law Indicators

Implementation Guide and Project Tools

First edition

Acknowledgements

This document is a joint publication of the United Nations Department of Peacekeeping Operations (DPKO) and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The United Nations Rule of Law Indicators were endorsed, through the Rule of Law Coordination and Resource Group, by the Department of Political Affairs and the Office of Legal Affairs of the United Nations, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Office of the United Nations High Commissioner for Refugees and the United Nations Office on Drugs and Crime. All the members of the Rule of Law Coordination and Resource Group and the World Bank provided advice and support.

This publication was prepared with the assistance of the Vera Institute of Justice, in collaboration with other members of the Altus Global Alliance, and consultants based at the University of the Fraser Valley and Harvard University.

The publishers would like to express their appreciation to the Governments of Australia, Canada, Finland, Haiti, Liberia, Luxembourg, Norway, Sweden and the United Kingdom of Great Britain and Northern Ireland for their generous support for this project.

Department of Peacekeeping Operations
http://www.un.org/en/peacekeeping/

Office of the High Commissioner for Human Rights
http://www.ohchr.org/

United Nations publication
Sales No.: E.11.I.13
ISBN-13: 978-92-1-101247-7
e-ISBN-13: 978-92-1-054870-0

Contents

Introduction

1. Purpose of the Guide

Building and strengthening the "rule of law" in developing nations, particularly countries in transition or emerging from a period of armed conflict, has become a central focus of the work of the United Nations. As a result, there is growing demand throughout the United Nations system to better understand the delivery of justice in conflict and post-conflict situations and the impact of developments in this area. The United Nations Department of Peacekeeping Operations (DPKO) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), in cooperation with other United Nations departments, agencies, funds and programmes, have developed an instrument to monitor changes in the performance and fundamental characteristics of criminal justice institutions in conflict and post-conflict situations. The instrument consists of a set of indicators, the United Nations Rule of Law Indicators. This Guide describes how to implement this instrument and measure these indicators.

The United Nations Rule of Law Indicators and this Guide are part of an emerging body of empirically based approaches to measuring the strengths and effectiveness of law enforcement, judicial and correctional institutions. The instrument, in contrast to some other measurement tools, is designed to highlight apparent successes and shortcomings within institutions and to monitor changes over time *within* countries. It is not meant to support direct comparisons between countries or rank them. The instrument refers, as it should, to all relevant international human rights and criminal justice norms and standards, but is not designed to assess compliance with such norms and standards. Nor is the instrument a substitute for a detailed assessment of the capacity or performance of criminal justice institutions, including for programmatic purposes.

The instrument is to be implemented in collaboration with national Governments and potentially adopted by them as an ongoing monitoring mechanism. Participating countries will find this instrument very useful for monitoring their own progress in developing their criminal justice institutions and strengthening the rule of law. The instrument will also provide and summarize accurate information which the United Nations, donors and development partners will be able to use to plan and monitor the impact of their efforts to build the capacity of criminal justice institutions and, more generally, strengthen the rule of law. Additionally, the process of implementing the indicators will strengthen relationships between the United Nations and participating national Governments, relationships that are crucial to the Organization's objectives of promoting peace and security in conflict and post-conflict situations and building sustainable criminal justice institutions that provide equal access to justice for all individuals.

The Guide provides step-by-step instructions on how to implement the instrument, with United Nations support, in a conflict or post-conflict setting. It is meant for first-time users of the instrument who have a general knowledge of the United Nations system, previous experience working in such situations, a good knowledge of criminal justice institutions and a familiarity with social sciences research methods.

2. Rule of law indicators

The rule of law is a principle of governance. It is also a fundamental aspect of peacebuilding and related efforts to build effective and credible criminal justice institutions. Although the term "rule of law" is widely used and often linked to State-building efforts, there is no single agreed-upon definition. The definition below, articulated by the United Nations Secretary-General in a report to the Security Council in 2004, provides a foundation for the Rule of Law Indicators.

> It refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability

to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.[1]

While based on this definition, this first edition of the indicators has a more limited scope, focusing solely on criminal justice institutions, including the police and other law enforcement agencies, the courts, the prosecution and the defence, and corrections. The indicators measure the most fundamental aspects of these institutions as they relate to the rule of law. They focus on their capacity, performance, integrity, transparency and accountability. They also monitor how vulnerable social groups are treated by these institutions.

Individual indicators can identify specific problems or strengths in criminal justice institutions. When aggregated, they can also produce higher-level measures of attributes of criminal justice institutions, such as accessibility, responsiveness, transparency or accountability. As such, in the context of often rapid social and institutional changes, the indicators can provide a useful diagnostic tool and the means to refine interventions to address the most pressing problems. When measured regularly, the indicators most importantly offer an ability to monitor improvements and setbacks over time in the formal justice system.

The indicators are rooted in international human rights and criminal justice norms and standards and can be applied to both civil and common law systems. However, this first edition of the indicators does not purport to measure how informal, traditional or non-State justice and security mechanisms also contribute to resolving crime and other disputes. Furthermore, they do not measure the functioning or impact of justice mechanisms established to hold individuals accountable for war crimes and other offences committed during a conflict, even when those justice mechanisms operate within national systems.

3. Organization of the Guide

The Guide is organized into three parts:

- Part one offers an overview of the instrument, the indicators and the underlying principles that informed their development.
- Part two provides an overview of the timing, staffing and budgeting issues involved in planning the implementation of the instrument.
- Part three discusses each phase of the implementation of the instrument in detail.

A complete list of the indicators, as well as survey questionnaires, sampling methodologies and other technical guidance are included in a compendium of project tools at the end of this Guide.

1 Report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies (S/2004/616), para. 6.

Part one
The indicators

Indicators are indirect measures of elements that, taken together, can be used repeatedly and over time to assess progress towards specific goals and objectives. They often have the dual role of spurring reform and holding agencies and individuals accountable for their past performance.

The use of indicators is becoming increasingly popular in many areas of public policy, science and business as an accountability mechanism for public institutions and private companies, and as an early warning sign of disease, famine, economic crisis and other problems with widespread impact. For example, commonly used indicators include aggregate stock prices, the gross domestic product of countries or regions and changes in the rates of infectious disease. Indicators allow the synthesis of complex information to produce easily interpreted measures that are well suited to tracking changes over time and drawing comparisons between places.

The United Nations Rule of Law Indicators embody many of the qualities that make these instruments useful. They are simple enough to be interpreted by members of the general public, but precise enough to provide experts and officials with the information they need to determine those areas in which the performance of the police, the judicial system and the corrections service is improving, deteriorating or remains essentially unchanged. The following explains the general principles that guided the design of this instrument, followed by a list of the 135 indicators.

1. Principles

The usefulness of indicators lies in their simplicity; however, this is also a potential danger. Indicators can simplify complex information to the point where it loses context and in fact masks important differences. An indicator that uses average income as a proxy measure of economic prosperity, for example, says little about the experiences of people living in poverty and will miss changes in income disparity between the richest and poorest, an important measure of economic development. The United Nations Rule of Law Indicators attempt to address potential weaknesses by adhering to a number of methodological principles, which are described briefly below. These principles should also guide the implementation of the instrument and the interpretation of the indicators.

1.1. Using multiple data sources

Indicators that draw information from diverse data sources are usually more robust. While this approach may require a greater investment of resources than relying on one or two sources of information, the use of multiple data sources has a number of advantages and is an essential component of the instrument. The data required to populate the Rule of Law Indicators come from four sources: administrative data, enhanced when possible by field data; a survey of experts; a public survey; and a document review. By collecting data from a variety of sources the indicators describe the operation of justice institutions from multiple perspectives, providing a set of ratings that reflect the beliefs and concerns of a variety of stakeholders. In particular, by using the findings of both a public survey and a survey of experts, the instrument can yield a more nuanced and complete picture of justice institutions and also build credibility for projects among diverse groups. This approach is particularly appropriate in conflict and post-conflict situations where allegiances may be polarized as a result of the conflict and where there may be little confidence in the integrity of officials or the motivations of international organizations.

The sources of data should be complementary. Analysing the administrative data routinely collected by justice institutions, for example, is often the only way to understand the capacity or the daily activities of an institution, such as the number of police officers employed, the average salary of corrections officers, or the proportion of judges and magistrates with guaranteed periods of tenure. Administrative data are particularly useful for tracking institutional progress over time and can be relatively straightforward to compile and analyse, if the records are complete. Public opinion data, in contrast, do not provide the same level of detailed information on the functioning of these institutions, but they can offer an important assessment of public perceptions of and confidence in the criminal justice system. A survey of experts allows the col-

lection of "normative" information based on the experience and expertise of people with specialised knowledge of the institutions. By collecting information from multiple sources, it is possible that one source of data will compensate for a weakness in another source. For example, in conflict and post-conflict situations, formal documentation of processes and administrative data on the functioning of the system are often lacking, and can be supplemented using the results of the survey of experts.

1.2. Flexibility

The indicators are designed to be flexible, allowing for implementation in diverse settings. As they are designed to track progress within a country over time rather than to make comparisons across countries, they can be tailored to a particular national situation. In effect, a certain amount of customization is possible when the instrument is first implemented in a country. The wording and definition of the indicators are expected to remain essentially the same regardless of where the indicators are being used, but some terms may have to be amended or defined more specifically to reflect the characteristics of the criminal justice system in a given country. For example, key terms and concepts will be defined the first time the indicators are applied in a country to take account of the particularities of each legal system. Similarly, the wording of questions on the public survey will be adapted to a given country to reflect both language and cultural norms. This flexibility makes it possible to adapt the instrument to the local context once, at the beginning of the implementation process.

Further adaptations of the instrument are also possible during subsequent implementations of the instrument, provided that care is taken to avoid affecting the validity and reliability of the indicators or limiting the possibility of drawing meaningful comparisons over time based on successive implementations of the instrument.

Another source of flexibility is found in the fact that several of the indicators direct the users to collect data from an alternative source, in addition to the specified primary data source. For example, an indicator may require the collection of data as part of the survey of experts, but also require additional data to be collected from administrative data sources. This strategy has been adopted in cases where information from a specified administrative data source would be an important addition to the indicators, but where there is some doubt about its quality and/or reliability. In such cases, the second source of data is meant to be used initially to assist in the qualitative interpretation of the primary source. Over time, the second source may

Definitions

Many of the basic concepts used by the indicators may be defined differently in different countries. In some instances, a concept may find its definition in some human rights standard or norm, as is the case with the concept of "child" as defined by the *Convention on the Rights of the Child*. In other instances, there is no real basis for preferring one definition to another. In both instances, what matters is to arrive at a definition that is meaningful in the country's own legal and cultural context, that will be easily understood by survey respondents, and that will be as easy as possible to use in interpreting and communicating the findings which will result from the application of the indicators. In many cases, local languages may also add to the difficulty of arriving at an operational definition of these concepts for the purpose of the present exercise.

It is impossible to resolve these definitional issues in advance. The best that can be achieved is to work with national stakeholders to operationalize these concepts in a meaningful way so as to maximize the validity of the measures that are being used. In some cases, where a concept may designate different realities, it may be useful to limit its scope. For example, it may be desirable to limit the use of the term "police" to one type of police, or even one particular police force.

The following are some examples of concepts that will likely need to be defined and operationalized at the local level. There may be others.

- Child: Article 1 of the *Convention on the Rights of the Child* defines "child" as follows: "[A] child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier." However, the definition of the child under criminal law and other statutes is also relevant to the exercise. Administrative data on children in conflict with the law (where they exist) will use the national definition.
- **Prisons:** There may be places of detention that are defined as prisons in the country. Police cells where people are detained are usually not considered to be prisons. There may be different types of prisons, falling under the responsibility of different administrations. Prisons may or may not include institutions where children are detained. All these things must be considered in arriving at a definition of "prisons" for the purpose of the present exercise.
- **Courts:** There are potentially many different types of courts able to hear criminal cases. There are usually also different levels of court. The definition of "courts" for the purpose of the present exercise will require some clear definition on a case-by-case basis.
- **Prosecutors:** There may be more than one service responsible for criminal prosecutions. In some cases, certain types of prosecution may be conducted by the police. Furthermore, the role of the prosecution with respect to the criminal investigations may also vary.
- **Prisoners:** The indicators use the word "prisoners" to include all people detained in prisons, whether they have been sentenced or not. Local use of the word may vary. This needs to be considered carefully in arriving at an operational definition.
- **Medical personnel:** This, in practice, may include various categories of professional and paraprofessional.

become the primary source of data for a given indicator if the data in question prove to be available and reliable.

Finally, many of the project tools provided in the companion compendium will need to be adapted to the national context, language(s) and culture, for example, the survey instruments. A certain amount of flexibility in the use of these tools is to be expected provided that it does not fundamentally affect the measurement of the indicators.

In all cases where discretion is exercised in operationalizing or refining some definitions, adapting tools or selecting data sources, the decisions made must be carefully *documented*, *reviewed and approved by the Project Steering Committee before proceeding any further*, and reported and explained in the final report.

1.3. Major dimensions

Criminal justice institutions, for the purpose of the indicators, are grouped into three categories: the police and other law enforcement agencies; the judiciary, including the judges, court personnel, prosecutors and defence counsels; and prisons. The relationships between these agencies can vary from one country to another. For example, police investigations may operate completely independently of prosecution in one country and be guided and overseen by the prosecution in another. Prisons may be administered by an independent correctional authority in one country or directly by the police in another. It is impossible to anticipate all possible organizational variations. However, the structure and organization of the indicators reflect the main, and usually relatively independent, functions of these components of criminal justice systems.

The indicators are designed to measure four major dimensions of each cluster of criminal justice institutions: performance; integrity, transparency and accountability; treatment of members of vulnerable groups; and capacity.

Definition of the main dimensions

- **Performance:** Institutions provide efficient and effective services that are accessible and responsive to the needs of the people.
- **Integrity, transparency and accountability:** Institutions operate transparently and with integrity, and are held accountable to rules and standards of conduct.
- **Treatment of members of vulnerable groups:** How criminal justice institutions treat minorities, victims, children in need of protection or in conflict with the law, and internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals.
- **Capacity:** Institutions have the human and material resources necessary to perform their functions, and the administrative and management capacity, to deploy these resources effectively.

1.4. Grouping indicators into baskets

The indicators are grouped into 25 baskets. The baskets include both rated (i.e., indicators that are expressed by a score between 1.0 and 4.0) and unrated indicators. Each basket contains a minimum of two and a maximum of nine rated indicators. Bundling indicators has a number of advantages. By aggregating the results of conceptually related indicators, it becomes possible to measure complex and multifaceted areas of institutional performance, such as transparency and accountability. Even just considering a group of related indicators together reduces ambiguities and biases that can arise when indicators are used in isolation. Measuring concepts using baskets of indicators drawn from a variety of data sources has the added advantage of compensating for potential limitations in any one source of data.

For example, in the basket on the "integrity, transparency and accountability" of the police, the ability to file complaints of misconduct against the police is an important indicator of accountability. However, it may be irrelevant if there are no effective procedures for alleged incidents of police misconduct or corruption to be investigated. The two indicators are complementary. A basket that combines an indicator drawing on experts' perceptions of the effectiveness of complaint mechanisms with an indicator drawing on public perception of police behaviour provides a more complete and nuanced view of accountability than any one individual indicator.

1.5. Measuring performance

The instrument supplements measures of resources and activities with measures of performance, such as public confidence in justice officials and the extent to which members of the public approach the police for services. It is obviously important to monitor the activities and the capacity of criminal justice institutions, but it is equally important to understand their ability to deliver justice and how their performance can be improved. Although the effectiveness of police, courts and prisons may be severely limited by resource constraints, additional resources do not necessarily lead to better outcomes. Building station houses or purchasing new cars and radios, for example, may have little impact in settings where public confidence in policing is crippled by corruption. Similarly, the existence of rules and procedural guarantees may be essential, but is never sufficient. It is therefore important for many of the indicators to measure the system's performance. Performance measures that focus on actions and experiences, as opposed to beliefs, can be particularly useful. Asking crime victims whether they contacted the police, for example, is usually more revealing than asking abstract questions about views of corruption or bias.

1.6. Paying attention to vulnerable groups

The experiences of individuals on the margins of society are an important litmus test for justice institutions. Rates

of criminal victimization are often highest among the poor and vulnerable, yet these groups typically experience the greatest barriers to accessing justice. They may live in remote rural areas far from police stations and courthouses, be too poor to bribe corrupt officials, lack the necessary education to complete forms, or be denied justice through explicit forms of bias and racism.

The instrument makes an implicit assumption: justice systems that avoid unfair discrimination, treat the most vulnerable members of society fairly and provide services that meet the needs of the poorest and most marginalized are also likely to provide the same benefits to those who are wealthier and less vulnerable. For each institution, the instrument includes a number of indicators to measure how the system treats minorities, victims, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals.

1.7. Tracking change over time

Indicators are most revealing and useful when the same measure is tracked over time. Successive data collection periods allow you to identify those aspects of justice institutions that are improving or deteriorating. Each indicator must be tracked in this way, providing a dynamic measure of change between data collection periods. Some of the indicators are rated. These "dynamic measures" can be aggregated at the basket and dimension levels, providing a description of wider trends that span the specific conditions, practices and beliefs measured by individual indicators. By comparing change over time at the dimension and basket levels, the instrument makes it possible to assess, for example, whether an overall increase in the perceived integrity of the police is the result of improvements in transparency, accountability and fairness, or if new police accountability mechanisms correlate with enhanced public confidence in law enforcement.

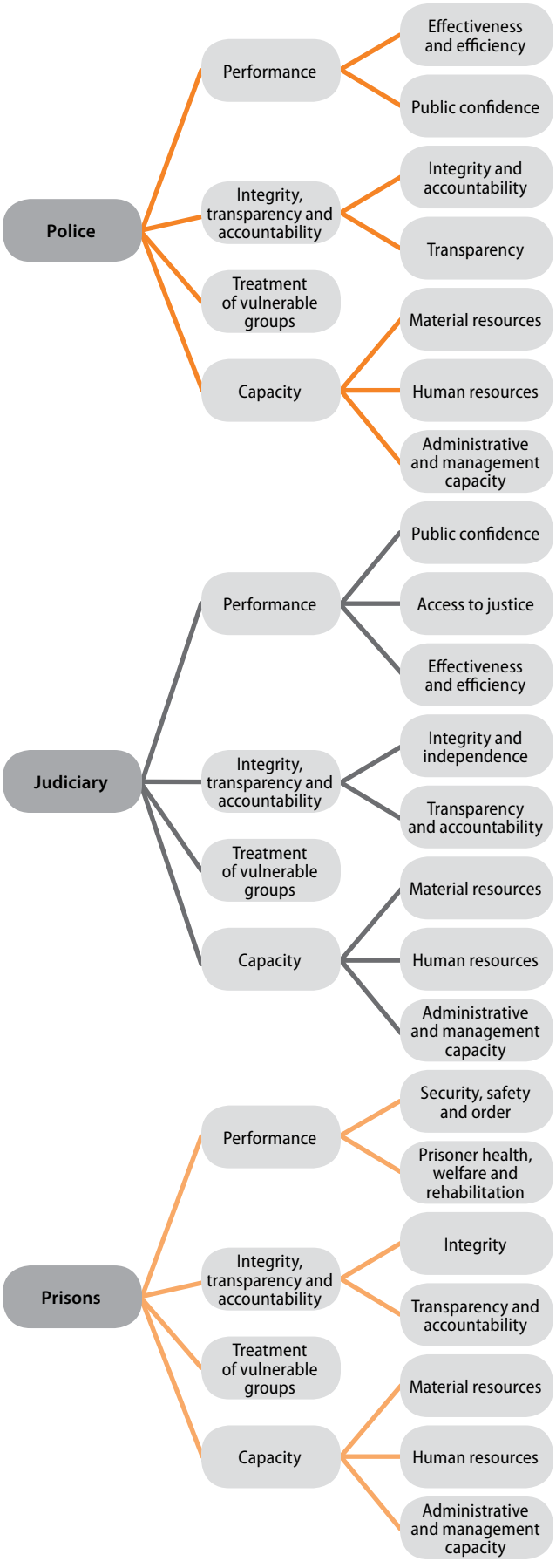
2. Structure of the indicators

2.1. Institutions, dimensions and baskets

As mentioned above, the 135 indicators are grouped under three institutions: the police (41 indicators); the judicial system (51 indicators); and prisons (43 indicators). For each institution, indicators are grouped into several baskets, each relating to one of the four main dimensions of these institutions (see figure).

For each institution, between one and three baskets are used to assess each dimension. Each basket includes several indicators assessing various facets of the concept in question. Some of these indicators are rated and receive a numeric score which can be averaged at the basket level. Some indicators are not rated but are subject to change over time and can also be used as a dynamic measure. For example, the capacity of the courts is measured using baskets of indicators describing the *availability of material resources*,

Structure of the instrument



the *availability of human resources*, and the *existence and quality of administrative and management capacity.* At the next level of detail, the basket measuring the availability of human resources includes six indicators measuring: (1) the percentage of judges who are women (not rated); (2) the competence of prosecutors; (3) the competence of judges; (4) the competence of defence counsels; (5) the remuneration of judges; and (6) the remuneration of prosecutors.

Although there is some symmetry between the dimensions and baskets for each institution, the structure is not identical across the three institutions. The number and type of baskets included under each institutional dimension reflect the need to cover crucial aspects of that institution and do not imply a value judgement about the relative importance of the institution or any particular concept. For example, because of the central nature of the independence of the judiciary as an aspect of the rule of law, one finds a basket on "integrity and independence" for the judiciary and no direct equivalent for the police or the prisons.

2.2. Summary measures

Each one of the rated indicators is eventually expressed as a numerical value ranging from 1 to 4 (1.0 to 4.0). This value is the result of averaging all the individual responses on a four-point scale ranging from 1 to 4, where 4 is the highest positive score possible for an indicator and 1 the lowest and most negative score. For ease of interpretation, the report that presents the ratings for the various indicators should also report in tabular or graphic form the distribution of the data on the scale, and a measure of standard deviation and the mode for that distribution.

A number of indicators are not rated but are expressed instead in the form of a percentage. This is especially the case for indicators based on administrative data. A percentage is a measure that summarizes the frequency of a particular event, behaviour or trait; for example, the "percentage of children in detention not wholly separated from adults" (indicator No. 116). This indicator is not rated, but a change in that percentage over time will indicate whether the prison service is making progress in complying with this important human rights standard and, therefore, improving the treatment of members of vulnerable groups. In a few other instances, indicators require the calculation of a rate or ratio that combines two pieces of information into a summary statistic by dividing one number (the numerator) by another (the denominator).

2.3. Rating the indicators

The individual indicators are designed to be rated in isolation and also to be combined to provide aggregate measures at the level of the baskets and major dimensions for *each institution*. Comparing an institution to itself over time is possible, although a rating of an institution overall is not advisable.

Although some concepts or issues may be perceived as more important than others, none of the indicators are weighted numerically to reflect the relative importance of the underlying concept being measured; the extent to which the indicator is an accurate reflection of that concept; the strong correlation between indicators measuring the same concept; or the degree to which an indicator reflects the experiences of an under-represented group. These are all valid reasons for weighting responses that are employed in a range of settings. However, for the sake of simplicity and ease of interpretation, and because of the inherent subjectivity involved in choosing which indicators to weight, all indicators are treated as having equal significance when generating summary ratings.

The indicators are also designed to measure change over time. This approach has a number of advantages over systems that only generate static, point-in-time ratings based on universal benchmarks or international human rights standards. States recovering from recent conflict generally perform poorly when measured against internationally accepted standards. An approach that either (a) registers poor performance against these standards year after year without the ability to highlight areas that are incrementally improving or deteriorating, or (b) downgrades standards to a more achievable level, has obvious problems. Moreover, in many cases, there is currently no universally agreed upon standard, for example, the minimum proportion of female officers required for a police force to meet the needs of women (which is not the same as being a "representative" force).

By implementing the instrument regularly, it becomes possible to generate a dynamic rating for each indicator that reflects progress, setbacks, or no significant change in whatever the indicator measures. These dynamic ratings can be aggregated at the basket and major dimension levels to measure broader trends, such as increases or decreases in police accountability (a basket-level analysis) and changes in the overall integrity of law enforcement (a dimension-level analysis).

Generating dynamic ratings relies on comparing data for two time periods and is therefore only possible in the second and subsequent rounds of implementing the instrument. The first time data are collected in a given country generates initial ratings for individual indicators. The second and subsequent times the instrument is implemented, measures of change and direction of change become possible.

2.4. Interpreting the indicators and narrative accounts

The indicators themselves, whether expressed as an initial rating or measures of change over time, become more meaningful and useful when placed in their proper context. This is why the methodology described here provides for the collection of additional quantitative and qualitative information which will be presented as a short narrative description of facts and factors that may help explain

How to use the instrument to measure change:

- Generate dynamic ratings for each of the indicators summarizing whether findings for consecutive rounds of data collection suggest *positive change*, *negative change*, or *no change* over time.
- These measures can be aggregated at the basket level to produce measures of overarching concepts such as transparency and representativeness.
- Basket-level ratings can be further aggregated to measure changes in major institutional dimensions such as capacity or performance. Some of the indicators can be compared across institutions using a few indicators measured for more than one institution.

Ratings you should not attempt to generate

- Indicators are not designed to produce a single rating for the country or to compare countries; this level of analysis will produce misleading results.
- It is not meaningful to draw direct comparisons between indicators, baskets, or dimensions, except in the case of cross-cutting indicators (which collect comparable information for more than one institution).

a certain rating or could be driving change or eroding progress. Equally important, these narratives should identify any ambiguities or weaknesses in the data that might affect the reliability of the results or aid in their interpretation. The final report will include brief narratives accompanying the ratings for each indicator.

The narratives must be based primarily on the data collected to populate the indicator, but can include any other relevant information gathered in the course of compiling administrative data, reviewing legislation and other documents, interviewing experts, conducting the public perception survey or consulting United Nations field personnel.

Narrative sections might describe, for example: the extent to which reported delays in receiving police salaries (indicator 36) are restricted to certain regions or time periods; whether crime reporting rates (indicator 8) differ by region of residence, gender or race; or whether reported undue delays in judicial proceedings (indicator 52) are limited to certain types of cases, certain courts, or certain regions. The narrative section should also report any available information on the validity and reliability of data being quoted, as well as details about the data sources, coverage (both in terms of geography and time period), and any caveats or potential shortcomings.

Narratives are particularly important where the indicator itself apparently fails to capture what is actually happening in the justice system. This could be the case, for example, if the total number of escapes from prison (indicator 93) declines yet still registers an increase in escapes per 1,000 inmates because information on some prisons is unavailable, skewing the results. It could also be the case if the number of individual escapes has increased, but the increase is clearly due to the number of prisoners who escaped as part of a single major group escape. In both of these cases, narrative accounts are essential to convey the actual change taking place and put it into its proper context.

The section of the Guide on how to analyse and present findings provides further details on the content and format of narrative descriptions.

3. Description of indicator baskets

The following section provides definitions for the concepts covered by each of the 25 baskets, followed by short descriptions of the indicators included in each basket. Complete definitions of the indicators and information about the relevant data sources as well as rating instructions are found in the annex.

3.1. Police

3.1.1. Performance

Basket 1: Effectiveness and efficiency assesses whether the police respond effectively and efficiently to requests for assistance and reports of criminal incidents.

- Police control of crime (indicator 1)
- Police response to requests for assistance (indicator 2)
- Satisfaction with police response to crime reports (indicator 3)
- Response to domestic violence incidents (indicator 4)
- Responses to sexual crimes against women and children (indicator 5)
- Control of vigilantism (indicator 6)
- Intentional homicide cases resolved by the police (indicator 7)

Basket 2: Public confidence assesses whether the public expresses confidence in the police, their competence and integrity, their concern for the well-being of the community and their respect for human rights.

- Crime reporting to the police (indicator 8)
- Crime reporting by women (indicator 9)
- Police service to the community (indicator 10)
- Gender and confidence in the police (indicator 11)
- Avoiding arrest by offering a bribe (indicator 12)

3.1.2. Integrity, transparency and accountability

Basket 3: Integrity and accountability assesses whether police violate human rights or abuse their power, and alleged incidents of police corruption, misconduct or lack of integrity are reported and investigated.

- Use of police powers (indicator 13)
- Use of force to obtain confessions (indicator 14)
- Investigation of police misconduct (indicator 15)
- Procedure for investigating police misconduct (indicator 16)
- Prosecution of police corruption or misconduct (indicator 17)
- Public perception of police behaviour (indicator 18)

Basket 4: Transparency assesses whether relevant information on the activities, decision-making processes, decisions and use of resources by the police is publicly available.

- Public availability of reports on police complaints (indicator 19)
- Public reports on police budgets and expenditures (indicator 20)
- Public reports on deaths in police custody or as a result of police actions (indicator 21)

3.1.3. Treatment of members of vulnerable groups

Basket 5: Treatment of members of vulnerable groups assesses whether the police treat vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination.

- Discrimination by the police (indicator 22)
- Police implementation of child-friendly policies and procedures (indicator 23)
- Police response to children in conflict with the law (indicator 24)
- Operational policies and procedures concerning mentally ill suspects and offenders (indicator 25)

3.1.4. Capacity

Basket 6: Material resources assesses whether the police have material resources that are adequate to perform their duties.

- Availability of equipment to perform basic police duties (indicator 26)
- Availability of private areas for receiving crime reports and holding cells (indicator 27)
- Availability of forensic test capacity (indicator 28)

Basket 7: Human resources assesses whether the police have sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated.

- Recruitment practices (indicator 29)
- Remuneration of police (indicator 30)
- Skills to gather and protect physical evidence (indicator 31)
- Vetting process for police officers (indicator 32)
- Public perception of the effectiveness of the vetting process for police officers (indicator 33)
- Gender balance in police personnel (indicator 34)
- Competence of front-line police officers (indicator 35)

Basket 8: Administrative and management capacity assesses whether the police have competent leadership and make effective use of resources.

- Salaries are paid on time (indicator 36)
- Record management capacity (indicator 37)
- Strategic planning and budgeting capacity (indicator 38)
- Administrative systems of the police (indicator 39)
- Public perception of police leaders (indicator 40)
- Ability of police leaders (indicator 41)

3.2. Judiciary

3.2.1. Performance

Basket 1: Public confidence assesses whether the public believes that the judicial system is fair and effective and respects individual rights.

- Judiciary's respect for the rights of defendants and victims (indicator 42)
- Impartiality of the courts (indicator 43)
- Confidence in public prosecution (indicator 44)

Basket 2: Access to justice assesses whether the judicial system offers access to criminal justice.

- Availability of interpreters (indicator 45)
- Protection of the rights of defendants and victims (indicator 46)
- Access to redress for miscarriage of justice (indicator 47)
- Fees to obtain access to courts (indicator 48)
- Availability of free legal assistance for indigent defendants (indicator 49)
- Quality of legal representation (indicator 50)
- Response to gender-based violence (indicator 51)

Basket 3: Effectiveness and efficiency assesses whether the judicial system meets its responsibilities in an efficient and timely manner.

- Undue delays (indicator 52)
- Public perception of undue delays (indicator 53)
- Pre-sentence detention (indicator 54)
- Children in pre-sentence detention (indicator 55)

3.2.2. Integrity, transparency and accountability

Basket 4: Integrity and independence assesses whether courts violate human rights or abuse their power and are free from undue influence of political and private interests.

- Independence of judiciary – tenure (indicator 56)
- Independence of judiciary – discipline (indicator 57)
- Public perception of judicial independence (indicator 58)

- Bribes to judges, prosecutors or court personnel (indicator 59)

Basket 5: Transparency and accountability assesses whether relevant information on the activities, decision-making processes, decisions and use of resources by the courts is publicly available, and the judges and prosecutors are held accountable for their actions.

- Public access to criminal trials (indicator 60)
- Publicly available information about complaints against judges (indicator 61)
- Investigation of prosecutor's misconduct (indicator 62)
- Investigation of judges' alleged misconduct (indicator 63)
- Judicial misconduct (indicator 64)
- Prosecutorial misconduct (indicator 65)
- Performance monitoring system for prosecution (indicator 66)
- Performance monitoring system for judges (indicator 67)
- Publicly available reports on court spending (indicator 68)

3.2.3. Treatment of members of vulnerable groups

Basket 6: Treatment of members of vulnerable groups assesses whether the judiciary treats vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination.

- Equal application of the law by judges (indicator 69)
- Treatment of children by the courts (indicator 70)
- Legal assistance for children in conflict with the law (indicator 71)
- Special procedures for child victims and witnesses of crime (indicator 72)
- Detention of children only as a last resort (indicator 73)
- Assessment of mentally ill offenders (indicator 74)

3.2.4. Capacity

Basket 7: Material resources assesses whether courts and prosecution services have the infrastructure and equipment they need to deliver services across the country.

- Material resources of the courts (indicator 75)
- Means to protect court personnel (indicator 76)
- Prosecution material resources (indicator 77)

Basket 8: Human resources assesses whether courts and prosecution services have sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated.

- Percentage of judges who are women (indicator 78)
- Competence (skills and knowledge) of prosecutors (indicator 79)
- Competence (skills and knowledge) of judges (indicator 80)
- Competence (skills and knowledge) of defence counsels (indicator 81)
- Remuneration of judges (indicator 82)
- Remuneration of prosecutors (indicator 83)

3.2.5. Administrative and management capacity

Basket 9: Courts and prosecution services have competent leadership assesses whether courts and prosecution services have competent leadership.

- Strategic planning and budgeting capacity of the courts (indicator 84)
- Strategic planning and budgeting capacity of prosecutors (indicator 85)
- Administrative systems of the courts (indicator 86)
- Administrative systems of the prosecutors (indicator 87)
- Salaries of judges are paid on time (indicator 88)
- Salaries of prosecutors are paid on time (indicator 89)
- Salaries or fees of publicly funded defence counsels are paid on time (indicator 90)
- Quality of court records (indicator 91)
- Quality of prosecution records (indicator 92)

3.3. Prisons

3.3.1. Performance

Basket 1: Security, safety and order assesses whether prisons ensure the safety and security of inmates and corrections officers.

- Prison escapes (indicator 93)
- Prison safety (indicator 94)
- Assaults on prison officers (indicator 95)
- Number of violent deaths per 1,000 prisoners (indicator 96)
- Public perception of the management of prisons (indicator 97)

Basket 2: Prisoner health, welfare and rehabilitation assesses whether prisons meet inmates' physical, health and welfare needs.

- Prisoners' nutrition (indicator 98)
- Clean water and sanitation (indicator 99)
- Women detained separately from male prisoners (indicator 100)
- Family visits (indicator 101)
- Quality of health-care services (indicator 102)
- Health examination at time of admission (indicator 103)
- Number of prisoners per prison medical staff (indicator 104)

- Number of non-violent deaths per 1,000 prisoners (indicator 105)

3.3.2. Integrity, transparency and accountability

Basket 3: Integrity assesses whether incidents of corruption, misconduct or lack of integrity within the prison service are prevented, reported, investigated and punished.

- Corruption of prison officers (indicator 106)
- Lawfulness of detention (indicator 107)
- Excessive use of force (indicator 108)

Basket 4: Transparency and accountability assesses whether relevant information on the activities, decision-making processes, decisions and use of resources by prison officials is publicly available, and these officials held accountable for their actions.

- Public reports on spending (indicator 109)
- Publicly available information on misconduct (indicator 110)
- Publicly available information on deaths in custody (indicator 111)
- Inspection of prisons by human rights organizations or mechanisms (indicator 112)
- Complaints procedure (indicator 113)
- Performance monitoring (indicator 114)

3.3.3. Treatment of members of vulnerable groups

Basket 5: Treatment of members of vulnerable groups assesses whether the prison system treats vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination.

- Discrimination (indicator 115)
- Children not detained separately from adults (indicator 116)
- Prisoners permitted to practise their religion (indicator 117)
- Care of mentally ill prisoners (indicator 118)

3.3.4. Capacity

Basket 6: Material resources assesses whether the prison service has material resources that are adequate to perform its duties.

- Prison overcrowding (indicator 119)
- Detention facilities for children (indicator 120)
- Detention facilities for women (indicator 121)
- Means of communication and transportation (indicator 122)

Basket 7: Human resources assesses whether the prison service has sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated.

- Number of prisoners per prison officer (indicator 123)
- Remuneration of prison officers (indicator 124)
- Competence of prison officers (indicator 125)
- Training on human rights (indicator 126)
- Training capacity of the prison service (indicator 127)
- Vetting process for prison officers (indicator 128)

Basket 8: Administrative and management capacity assesses whether the prison service has competent leadership and makes effective use of available resources.

- Prison inspections (indicator 129)
- Management of prisons and compliance with human rights standards (indicator 130)
- Salaries paid on time (indicator 131)
- Strategic planning and budgeting capacity (indicator 132)
- Administrative systems of the prison service (indicator 133)
- Record keeping and information management (indicator 134)
- Competence of prison leadership (indicator 135)

4. Core concepts and cross-cutting issues

The content of the indicators - in other words, what is being measured - reflects typical realities and priorities in conflict and post-conflict situations. There are some indicators in each institutional grouping that tap core concepts of particular concern in such environments, such as bias and corruption, the lack of mechanisms for holding officials accountable for their decisions, and the poor criminal justice response to gender-based violence. It may be of particular importance to track changes in these issues over time since progress is likely to signal increasing stability and regression could be a warning of instability to come.

While comparing institutions is discouraged, it can be informative to compare some indicators across institutions. For example, comparing identical or equivalent indicators that measure entry-level salaries for prosecutors, judges and court-appointed lawyers provides insights into the allocation of resources among different parts of the judicial system. The same is true for indicators based on public perceptions: comparing beliefs about the perceived impunity of police officers, judges and corrections officers can reveal important differences in public trust in the main justice institutions. There are a few such *cross-cutting indicators* measuring:

- Budgetary transparency (indicators 20, 68, 109)
- Availability of public information on complaints against officials (indicators 19, 61, 110)
- Perceptions of the ability to trigger investigations of misconduct (indicators 15, 62)

- Internal accountability and performance monitoring mechanisms (indicators 16, 66, 67, 114)
- Entry-level salaries (indicators 30, 82, 83, 124)
- Delays in the payment of salaries (indicators 36, 88, 89, 90, 131)
- Strategic planning and budgeting capacity (indicators 38, 84, 85, 132)
- Record management capacity (indicators 37, 91, 92, 134))
- Administrative systems (indicators 39, 86, 87, 133)
- Vetting of job applicants to identify former human rights abusers (indicators 32, 128)

While comparing these indicators across institutions can be illuminating, you should not aggregate the ratings to produce, for example, a rating of system-wide changes in budgetary transparency; the indicators are not designed to be aggregated to produce these kinds of measures.

5. Sources of data

There are four main sources of data for the various indicators. The most frequently used source of data is the survey of experts: data generated by that survey populate 78 of the 135 indicators (58% of the indicators). This obviously makes the successful conduct of that survey a pivotal element of the successful implementation of the whole instrument. The public survey produces data for a total of 24 indicators, while administrative and field data and the document review respectively populate 17 and 16 indicators. The field data refer to a small number of indicators which rely partly or completely on the collection of administrative data by United Nations field personnel (see project tool No. 9). It is assumed that United Nations field personnel (e.g., personnel from the Rule of Law or Human Rights Offices) are in a position to summarize the context in which the instrument is to be implemented and draw attention to information which is likely to facilitate the interpretation of the indicators. The field data in question are either already available to United Nations field personnel or can be collected by them as part of their regular activities. In some instances, these staff will be co-located with some of the criminal justice officials. For example, United Nations police (UNPOL) officers will be collecting data for police stations/depots they visit as a part of their routine activity.

The following table shows the number of indicators in each basket relying on each source of data. The table reveals at a glance that some baskets rely more heavily on certain sources of data. This is not surprising since certain sources of data are clearly more appropriate than others for measuring certain baskets of indicators. For example, public confidence indicators are more appropriately measured by public survey data than by any of the other types of data. On the other hand, we cannot expect the public, who have no direct access to the prisons, to have information on the conditions of imprisonment; that information is more likely to be available from administrative data or from the survey of experts.

Table 1
Number of indicators in each basket relying on each source of data

Sector/Basket	Public survey	Expert survey	Document review	Administrative and field data	Indicators in basket	Rated indicators
Police						
Effectiveness and efficiency	2	4	0	1	7	6
Public confidence	5	0	0	0	5	5
Integrity and accountability	2	3	1	0*	6	6
Transparency	0	0	3	0	3	3
Treatment of members of vulnerable groups	1*	1	2	0	4	4
Material resources	0	2	0	1	3	3
Human resources	2	4	0	1	7	6
Administrative and management capacity	1	4	1	0*	6	6
Sub-total	**13**	**18**	**7**	**3**	**41**	**39**
Judiciary						
Public confidence	2	1	0	0	3	3
Access to justice	2	5	0	0	7	7
Effectiveness and efficiency	1	1	0	2	4	2
Integrity and independence	2	1	1	0	4	3

Sector/Basket	Public survey	Expert survey	Document review	Administrative and field data	Indicators in basket	Rated indicators
Transparency and accountability	0	5	4	0	9	9
Treatment of members of vulnerable groups	0	5	1	0*	6	6
Material resources	0	3	0	0	3	3
Human resources	0	5	0	1	6	5
Administrative and management capacity	0	7	0	2	9	9
Sub-total	**7**	**33**	**6**	**5**	**51**	**47**
Prisons						
Security, safety and order	1	1	0	3	5	2
Prisoner health, welfare and rehabilitation	0	4	0	4	8	4
Integrity	1	2	0	0	3	3
Accountability and transparency	0	3	3	0	6	6
Treatment of members of vulnerable groups	1	2	0	1	4	3
Material resources	0	4	0	0*	4	4
Human resources	1	4	0	1	6	5
Administrative and management capacity	0	7	0	0*	7	7
Sub-total	**4**	**27**	**3**	**9**	**43**	**34**
Total	**24**	**78**	**16**	**17**	**135**	**120**

* Indicates the possible use of an alternative or complementary source of data for an indicator in the basket.

Part two
Planning the implementation

This part of the Guide provides an overview of the typical phases and timeline for implementing the instrument and measuring the indicators, staffing requirements, budgetary considerations and issues to consider if you are repeating the project. It starts with a short note on working in a conflict or post-conflict situation.

1. Working in conflict and post-conflict societies

Although there are significant differences among conflict and post-conflict societies, they face many common challenges such as healing residual hatred and deep internal divisions, establishing a functioning Government that all residents consider to be credible and legitimate, maintaining political stability and providing public safety and security. Government leaders typically face these challenges while dealing with widespread poverty, malnutrition and disease, a crumbling infrastructure unable to provide basic services, endemic corruption and, often, a rise in crime.

Conducting empirical research in this kind of environment is inherently difficult, especially when the focus is on criminal justice institutions that are likely to be weak and the subject of criticism, and perhaps even scorn. The Guide suggests areas where caution needs to be exercised and possible solutions to problems you are likely to encounter. These range from how to assess the quality of uneven administrative data to working with vulnerable groups.

Equally important, and not covered explicitly in the Guide, is an understanding of the prior conflict, and in particular the role of the police, judges and other criminal justice officials during the conflict. A failing or deeply biased criminal justice system may have contributed to the cause of the conflict. Police and judges may have been used as a tool for the benefit of those in power. Whatever the history, there will never be ambivalence about the role of criminal justice institutions in a country transitioning from war to peace.

Conflict and post-conflict environments also demand considerable flexibility in the course of implementing the indicators. For example, a good working relationship with a senior Government official may have been established only to discover later that he or she has been replaced. High staff turnover, even at the ministerial level, is a feature of transitional governments that can disrupt this type of research. There may be a plan to collect data in a particular region of the country which will need to be cancelled because roads or airports have been closed or the security of the area has become precarious. In sum, much flexibility will be needed during the data collection period.

2. Project phases and timing

Before describing the main phases of the implementation process, it is important to note that the instrument does not necessarily have to be implemented all at once, or even in a whole country. There are economies of scale to be realized by implementing the instrument in a comprehensive manner, all at once. However, depending on circumstances, the priorities of stakeholders, the feasibility of collecting certain data and the general situation in a country, it may be advisable sometimes to implement the instrument in only part of the country. In other instances, it may be necessary to implement the instrument so as to cover only certain institutions. The instrument can be relatively easily adapted to these situations

The implementation of the instrument normally occurs in three phases: introduction and assessment; data collection; and analysis, interpretation and reporting. The instrument can be implemented over a period of 13-17 weeks, including 10-12 weeks in country. The timing and length of the implementation, however, will vary greatly depending on a number of factors such as: the size of the country; the extent of the conflict; the current security situation; the country's infrastructure; and the size and status of the United Nations peacekeeping mission and its relationship with national authorities. These phases can be summarized as follows. A sample timeline for implementing the instrument for the first time in a reasonably secure and stable environment and where the peacekeep-

ing mission has co-located staff in national institutions is included among the project tools (see project tool No. 3).

- **Phase one: Introduction and assessment.** During the introduction and assessment phase, you cultivate support for your project and identify and assess potential sources of data for each indicator. Your focus is building relationships and consulting with national authorities, local civil society leaders, the peacekeeping mission staff and other United Nations field personnel, international non-governmental organizations (NGOs), and any other actors in the country that are actively engaged in rule of law programming, criminal justice reform and human rights. By the end of this phase, you are equipped with the support and knowledge necessary to start collecting data in the country.

  During this phase you will engage in discussions with some experts and the United Nations field personnel to review the instrument and determine how it can be adapted, if necessary, to the local context. This will include reviewing and adapting key definitions if necessary and reviewing the data collection instruments with the United Nations field staff (and, if necessary, a few experts) to anticipate difficulties that may arise due to the local context, legal culture, or the institutional organization of the national criminal justice system, and adapting the instruments as required. It should also include a review of how the field personnel will organize the collection of the field data (see project tool No. 9).

  During this phase, it will also be necessary to recruit and brief the members of the panel which will eventually be tasked with the review and rating of the data collected through the review of official documents (and perhaps also, in some cases, the field data supplied by United Nations personnel).

  The length of the phase varies depending on the factors mentioned above and the size and expertise of the project team. In most cases, a team of three experts can build relationships with national and international stakeholders, receive permission to access data, and assess whether the available information is reliable and relevant in four to five weeks—if the experts are United Nations employees or consultants working in partnership with the United Nations peacekeeping mission (or a local civil society organization) that already has established credibility and relationships with national stakeholders.

- **Phase two: Data collection.** During the data collection phase, you obtain the data necessary to "populate" each indicator. Activities during this phase include collecting administrative data from various criminal justice institutions; conducting a national public opinion survey; surveying experts; reviewing documents (narrative reports, legislation and results of surveys and assessments previously conducted) and preparing them for rating by the review panel. By the end of this phase, you will have collected data for each of the indicators and will be ready to start the process of analysing the data.

  The time it takes to complete these activities varies according to the size of the country and the transportation infrastructure, the intensity of any residual conflict, political stability, the enthusiasm of the national Government for your project, weather conditions, holidays, and other factors that can cause delays. Assuming that a team of three experts with the skills and capacity to conduct research collaborates with one or two United Nations field staff, it will take four to seven weeks to complete the data collection phase.

  There are various scenarios for conducting this work as a team. One efficient way is for team members to divide their responsibilities by institutional or substantive expertise areas (e.g., law enforcement, judicial system, corrections, human rights, etc.), rather than data source (i.e., administrative data, observation, expert survey, document review, public survey). In this case, it should take four to six weeks for each expert to review documents, collect administrative data and conduct observations for the institutions that fall within his or her expertise in four cities (the capital and three other sites outside the capital). Surveying experts takes two to four weeks and can be conducted simultaneously alongside other data collection activities, with each team member conducting 20 to 40 interviews for a minimum total of 100 interviews. Obviously, other ways of dividing up the work are possible.

  When the public survey is conducted by a local civil society organization (which will usually be the case), the project team should start discussions with that organization on sample size, site selection, budget, staffing, quality control and timeline at least one month prior to the commencement of data collection, including a meeting during the introduction and assessment phase. The team should expect to spend time in the country with the relevant staff in the organization to sign and agree upon a contract, finalize the questionnaire and fieldwork site selections, and provide training. Ideally, the public perception survey can be conducted simultaneously with other data collection activities.

- **Phase three: Analysis and reporting.** During this phase, you rate the individual indicators and also calculate summary ratings for each basket and dimension. The rating of the data assembled during the document review must be completed by a review panel consisting of at least three people (see project tool No. 10). That review must be completed in country before the research team (if not from the country) leaves. By the end of this phase, you have a draft country report that features a summary of findings and the indicators as well as a detailed description of all findings, along with a brief overview of your project, background information on the country and

your methods of data collection (see section 3.4 below). The draft report is then reviewed by designated key national stakeholders and the United Nations field staff for input and possible clarification. The report is then finalized and communicated to the Project Steering Committee for official transmission to national authorities.

The analysis and reporting phase entails the compilation and analysis of the data and writing of the report and should normally take approximately four to six weeks to complete.

3. Staffing

The instrument can be implemented in part or in total by a local or international organization, working under a contract with the United Nations or another sponsor or funding agency. Of course, the scope of the project and also the size and diversity of the country have an impact on the number of staff needed and, to a lesser extent, the required competencies. Every project requires a team of skilled professionals with expertise in criminal justice as well as project administration and empirical research, as described in their respective roles below. Competency in the local language(s) is essential and can be ensured through staffing, local partnerships and/or interpretation/translation services.

- **Project managers.** Project managers are responsible for building support for your project with national stakeholders, negotiating terms of reference and contracts with project partners, coordinating the timing and execution of tasks under the project and report writing. Successful implementation of the instrument depends on vetting and developing partnerships with key stakeholders, including national authorities, the United Nations peacekeeping mission, civil society leaders and others with the authority to release data and/or use the indicators. The brokering and management of such relationships is difficult and potentially time-consuming in conflict and post-conflict environments. A misstep can significantly delay the implementation of your project or ruin it entirely. Accordingly, project management requires excellent communication and interpersonal skills, including competency in the local language even if a translator is also employed. It also requires experience in negotiating budgets and contracts and the ability to effectively address logistical issues and challenges. Knowledge of the country's legal tradition (civil law, common law, Islamic law) and the main characteristics of its criminal justice system is essential to navigate the hierarchical processes of obtaining access to data, as is knowledge of best practices in criminal justice reform and relevant human rights standards and norms.
- **Researchers.** Researchers are responsible for designing a sampling method for each type of data you plan to collect, identifying potential sources of data and assessing their quality, training relevant partners in data collection, producing ratings for the indicators and analysing the results, engaging specialists, such as survey statisticians, at particular stages of your project, and report writing. To ensure successful data collection and credible results, strong research skills are needed. Such skills are typically acquired through prior advanced training in research methods, including quantitative and qualitative data analysis, and through extensive experience conducting research internationally and cross-culturally, especially in a post-conflict context and in the area of criminal justice reform.

4. Budget considerations

In addition to routine project expenditures, such as staff salaries, travel expenses, consultant fees, office supplies and equipment and communications, a significant portion of your budget should be allocated to cover the costs of data collection, particularly the significant expense of implementing a nationally representative public perception survey. Financial feasibility should guide decisions about the organization you hire to conduct the survey, and the size and geographic scope of the survey. This should be a primary focus during the introduction and assessment phase of your project.

The cost of a public perception survey is influenced by a myriad of factors, including the size of the country and availability of relevant resources and personnel throughout the country, the transportation infrastructure and travel costs, diversity of language and of ethnic and cultural groups, weather conditions that can limit or complicate travel, and other factors specific to working in conflict and post-conflict situations. These may include additional security measures and special transportation arrangements for travel to areas that are not readily accessible to the general public. The sampling strategy should take into account alternative implementation options and ensure flexibility in the choice of approach.

Although less costly, you also need to carefully consider the financial aspects of surveying experts and gathering data through direct observations and incorporate these costs into your budget early on.

5. Repeating the implementation of the instrument

When the instrument is implemented a second time to produce a new set of ratings and capture changes, an abbreviated implementation period should be possible. This does not imply, however, that the initial assessment phase can be skipped entirely. The situation in a conflict and post-conflict environment can change very quickly. Data collected one year may not be available in subsequent years;

on the other hand, new sources and types of data are likely to become available as the infrastructure and stability of the Government improves. As such, it is important to assess whether the new sources of data are reliable and comparable to information provided by the sources you used previously. Similarly, you may need to forge relationships with new Government officials and any new staff at the United Nations peacekeeping mission and refresh commitment among your partners in Government and civil society. Perhaps most importantly, you should take advantage of the assessment phase to build support for using the instrument to inform practical criminal justice reforms.

Part three
Phases of the implementation

This part of the Guide describes in detail the three phases of the implementation of the instrument, highlighting the core activities and what you will accomplish before you move on to the next phase.

1. Phase one. Introduction and assessment

What is it about?	This section explains what you will need to accomplish prior to data collection.
Why is it important?	It prepares you for data collection and helps you address potential obstacles and challenges.
What comes next?	You will be able to start collecting data.

Overview

This section describes the process of building relationships with key stakeholders who can help you better understand the context in which you are implementing the indicators and, in some cases, provide access to data. You will learn about the process of identifying and assessing potential sources of data, the primary data collection activities, and the skills and capacities needed. This section also briefly discusses some of the challenges and obstacles you are likely to encounter during data collection and how to prepare for them in advance. In sum, the section discusses three things you will need to consider or accomplish prior to data collection: (1) building relationships; (2) identifying potential data sources; and (3) anticipating likely challenges and obstacles.

By the end of the assessment phase of your project, you should be familiar with relevant characteristics of the criminal justice system, be knowledgeable about existing sources of data and their strengths and weaknesses, and be ready to formulate a viable workplan for collecting the best data available.

1.1. Building relationships

The indicators pinpoint areas of the criminal justice system that are weak or failing as well as areas where service delivery is strong or improving and, therefore, can help to guide reforms. Whether or not the indicators yield this benefit depends on the extent to which responsible officials trust your endeavour and have confidence in the instrument and your process of implementing it. Confidence is developed through relationships. Most of the work at the outset of your project involves building these relationships and explaining carefully what the exercise will accomplish and what is expected of various groups of stakeholders and participants. You cannot collect the data necessary to populate the indicators in the absence of trust and a network of committed and supportive partners in the country. In addition, close cooperation and coordination with United Nations field personnel will also be necessary.

You can start the process of building relationships by frequently communicating and meeting with potential stakeholders and participants to acquaint them with your project. These exchanges provide opportunities for people to share their perspectives with you, ask questions, contribute ideas, facilitate access to information and become part of the process. These engagements also allow stakeholders to better understand the benefits of your project for strengthening the rule of law and to become more familiar with the indicators and how to use them. Frequent interactions with key stakeholders are important to maintain momentum and convey the seriousness of your efforts.

In order for your project to be viewed as unbiased and, hence, legitimate, you must engage with national authorities, United Nations staff and civil society leaders on all sides of the conflict who have the authority to instigate reforms or facilitate data collection. In addition to building awareness of and support for your project, these meetings give you an opportunity to understand the priorities, challenges and needs of each stakeholder institution or individual and to identify any potential risks in forming a partnership with that stakeholder.

In a conflict or post-conflict setting, powerful interest groups may seek to dominate or influence your project

to fit their needs. It is particularly important to maintain your independence and objectivity and to carefully vet potential partners in civil society in order to engage the most legitimate organizations without forming alliances that appear to be politically motivated. Additionally, focus attention on the shared benefits of your project when discussing it in public among individuals representing more than one faction. In order to succeed, your project must be widely viewed as beneficial and trustworthy. Finally, thoughtful consideration should be given to including national partners in discussions about findings and in their dissemination. Where feasible, the legitimacy of the exercise can be enhanced by a joint publication and/or the release of the findings generated through the use of the indicators.

From the start of your project, you need to build relationships with six categories of people: (1) experts; (2) project champions; (3) project implementation partners; (4) potential project spoilers; (5) data collection partners; and (6) potential members of a three-person review panel which will assist with the rating of certain indicators. Some people may fill more than one role. The six categories are described below.

Experts

Experts are individuals who possess particular or expert knowledge about the country in which you are implementing the instrument and may be able to contribute useful information for the implementation of the instrument, or on major issues of the rule of law in the country and/or the challenges the country may be facing. They include the personnel of the United Nations peacekeeping mission in that country. Your purpose in engaging them is to learn about the context in which you will be implementing the indicators, potential project partners and their capacities to facilitate or contribute to the data collection process, specific data that may be available to you, and any prior relevant work that may have been conducted in the country.

Experts can include:

- National Government authorities
- Staff of local and international civil society organizations
- Desk officers at United Nations Headquarters in New York or the United Nations Office in Geneva
- Staff in the United Nations peacekeeping mission
- United Nations agency staff and consultants
- Academics
- Diaspora leaders
- Retired senior public servants and political, civil and religious leaders

Local and international civil society organizations may have particularly useful information—and perhaps a different perspective from that of Government officials—about how residents who are poor or otherwise marginalized experience the rule of law. Many of these organizations have been monitoring and reporting human rights violations, gender-based violence and other forms of injustice for some time. In addition, these discussions help you understand the prior conflict and its impact on State-building, including the development and/or reform of criminal justice activities. As you deepen your relationships with civil society leaders in the country, they may be more likely to share information they have gathered as part of their research and monitoring activities.

You should also use your conversations to begin to identify and assess civil society organizations with the capacity to carry out the public perception survey and perhaps also the expert survey that are cornerstones of your data collection process.

Prior to any meetings, it is essential to consult United Nations desk officers in New York or Geneva who are serving as focal points for corrections, justice, police, military operations and human rights for the country. They can describe the main challenges confronting the United Nations in the country and begin to explain the peacekeeping mission's data collection activities and its capacity to facilitate or contribute to your data collection process. They can lead you to others within the missions who have more in-depth information in these areas.

Develop a list of questions about staffing within the mission, reporting practices within the mission and between the mission and United Nations Headquarters in New York and/or the United Nations Office in Geneva and data collection, and submit the list to each desk officer before each consultation to help guide your conversations. If you are working as a United Nations contractor, you might send these questions to a designated project focal point at the mission who will then forward them to the appropriate sections at the mission in advance of any meetings. This way, each section or unit will have a chance to come to the meeting prepared with the information you need.

Various staff in the United Nations peacekeeping mission or other United Nations agencies in the country that are working in the area of the rule of law or human rights, including UNPOL staff, political affairs officers, judicial affairs officers and corrections personnel, can be experts and may be able to introduce you to national Government officials and further your relationships with those officials. Moreover, they may already be collecting data in partnership with national Governments that are useful for your project.

Project champions

Project champions have more than knowledge and expertise to share: they have the power and authority to provide the support your project needs to succeed and also to instigate or influence reform based on the results of implementing the indicators. Project champions typically include Government authorities, senior United Nations staff in the country and civil society leaders.

Arguably, national officials are the people you need most to be project champions. Although the United Nations supports and assists countries in transition from war to peace, fostering a culture of rule of law must be a nationally owned process. To achieve long-term impact, it must be sustained by national authorities. Therefore, the use of the indicators to guide reform in a country is worthwhile only if national authorities understand the benefits of developing this capacity. Your meetings with national authorities provide a platform for you to present and explain these benefits. In particular, because the indicators are designed to identify problem areas and track changes over time, national authorities and donors can use them to illustrate the need for new or additional resources and to identify those aspects of law enforcement, court processes and correctional services that deliver the greatest benefit for the people of their country.

In addition to cultivating general support for your project, you need to seek and obtain permission from national authorities to:

- Engage their staff and any United Nations co-located staff in their institution during the data collection process and perhaps ask them to augment their routine data collection activities by collecting additional data necessary for the indicators
- Access administrative data, including the records of law enforcement agencies, court systems and correctional services
- Observe the operation of law enforcement agencies, court systems and correctional services
- Obtain reports and other documents that may contain data relevant to your project

Some of your project champions in Government may also be good candidates for participating in your expert survey.

Project spoilers

These individuals may not have the power to initiate reforms, but they do have the power to block them and your project. Early on, you should identify potential project spoilers. Their names are likely to emerge in the course of your discussions with experts and project champions. Try to understand why they might want to block or delay rule of law indicators work and how they might proceed. In some instances, that information and a genuine offer to include them in the project (attend joint meetings, participate in the expert survey, review the indicators and provide feedback, etc.) may be able to assuage their fears and concerns. If your attempts to win them over are unsuccessful, you have to develop a strategy to mitigate their likely opposition. In all instances, it is important to exercise some discretion before involving some of these difficult individuals in the project, as their involvement may sometimes affect the credibility of the whole project.

Project implementation partners

Project implementation partners may or may not be the ultimate end-users of the indicators, but they can coordinate logistics and mobilize resources that are necessary to implement your project. They typically include representatives from the following organizations:

- DPKO, OHCHR, the United Nations Development Programme (UNDP) and the United Nations Office on Drugs and Crime (UNODC)
- United Nations peacekeeping missions
- National NGOs
- International NGOs

Data collection partners

Data collection partners are those organizations that either provide data or facilitate your access to data. Data collection partners typically include staff from:

- National criminal justice institutions
- National and international NGOs
- United Nations peacekeeping missions
- Other United Nations agencies
- The national statistical office

In localities where data collection and management systems are in place, your partners in national criminal justice institutions should be able to provide administrative data that they collect as part of their routine functions and/or possibly gather new data that the indicators call for. Your data collection partners may also permit you to review their records and observe their facilities, and they might be experts to survey potentially useful methods of data collection whenever administrative data are unavailable or inaccessible.

The United Nations peacekeeping mission and other United Nations agencies also should be able to share whatever information they collect as part of their regular monitoring and reporting functions and may be able to facilitate your access to Government data.

As mentioned, civil society organizations often have useful data to share. It is of paramount importance that you find a capable and reliable organization to carry out the public perception survey and, if possible, also to survey experts nationally, working closely with you to ensure quality in the process. It is important to identify this organization during the introduction and assessment phase, thoroughly vet their reputation and qualifications, and build a trusting relationship prior to data collection. The choice of this organization should be reviewed and confirmed by the Project Steering Committee.

Members of the review panel

Your conversations during the initial phase can also help you identify a minimum of two individuals who will be able to serve on a review panel to assist in the rating of certain indicators. You will need to identify a member of

the United Nations field personnel involved in the rule of law sector and a credible and knowledgeable person unofficially representing local stakeholders. The latter should be a national with a reputation for good judgement and integrity.

Working as a United Nations contractor

If you are implementing the project as a United Nations contractor, your project implementation partners may include a Headquarters-based United Nations Rule of Law Indicators Project Steering Committee, the United Nations peacekeeping mission in the country in which you are working and, more specifically, a designated project focal point in the United Nations peacekeeping mission who may be able to coordinate logistics and meetings with peacekeeping mission staff and connect with the relevant personnel in the mission and United Nations agencies.

The United Nations peacekeeping mission also may be able to further your relationships with national Government partners and facilitate access to administrative data they collect and keep. The project focal point at the mission will serve as the primary liaison between your team and the mission staff and will be responsible for requesting all official meetings with the mission staff and forwarding to each section or unit in the mission your requests to meet with national partners. It is important to remember that the project is only one of many initiatives headed by the United Nations and that multiple priorities are being balanced by any mission at any particular time.

Ideally, it is best for the project focal point to be someone with substantial knowledge of United Nations involvement in rule of law activities in the country, and who is well versed in local politics and understands the protocols required to arrange meetings at the ministerial level. For data collection focal points, it may be best to select one person from each rule of law unit (i.e., police, corrections, justice, human rights) in the mission.

1.2. Understanding the local context

You need to understand the local context in which you are collecting data and how it affects your work. In particular, the country's formal legal system and the presence and influence of customary justice systems, administrative divisions, demographics and political situation influence the kinds of data that are available and your choices of what information to collect and from where. These factors are described below.

Formal and customary justice systems

To understand how criminal justice is delivered in a country, you must be familiar with the country's legal system, how justice institutions operate and interact with each other, and who has the power to guide legal reform in the country and the authority to grant access to Government information. In many conflict and post-conflict environments, formal State institutions are either absent or extremely limited in their capacity to deliver services, especially in rural areas. Accordingly, the workings of the State justice system may not be particularly relevant to people living in these areas, especially those who are poor or marginalized and who may look to customary practices and other informal mechanisms to ensure safety and justice in their communities. Even when formal State institutions have a presence, customary justice systems may be the most prevalent and preferred means of seeking justice. Furthermore, the jurisdictions of such mechanisms may be formally recognized by the State. This does not necessarily mean, however, that they comply with the norms of a human rights-based approach to the administration of justice. The prevalence and diversity of customary justice systems, as well as the limitations of and lack of access to formal justice mechanisms, often explain why some members of the public might not approach the formal system for services or protection.

Population characteristics and administrative divisions

Familiarity with the country's population characteristics and administrative divisions is essential to conduct a public opinion survey that is representative of the country and its population. Large-scale surveys that sample residents from across a country are difficult to implement and can be too expensive to carry out and replicate on a regular basis.

To plan a more manageable survey that still reaches a diverse and representative sample of the population who might have different experiences with, and views of, justice systems, you need to determine how many people to interview and from where. To make those decisions, you need country maps, census data and other resources to help you understand the administrative units and demographics of the population such as conflict experience, urbanization level, race/ethnicity, religion, etc. (for more guidance, consult the public survey sampling strategy presented in project tool No. 5). This knowledge will also be crucial when it comes time to interpret differences between groups that show up in your findings, such as why one group differs from another in terms of its access to courts.

Country maps can usually be found in the United Nations Cartographic Section (http://www.un.org/Depts/Cartographic/english/htmain.htm), which produces maps for UNPOL and the military units in a given country. In some countries, you will be able to obtain maps depicting rule of law infrastructure and the location of police stations. Census data can be obtained through national agencies or the United Nations, but may be out of date. In extreme cases, no census data will be available, or the data will be so outdated that they are useless.

Politics

In post-conflict societies, shifting politics affects daily life. It is essential to stay well informed about political parties, tensions and emerging influences. In some cases, a rule of law

platform may be used to secure a leadership position or to oust someone from his/her position. It is important to have an understanding of both national and regional politics.

1.3. Identifying sources of data

As mentioned above, during this first phase of your project you are learning about past, current and planned data collection activities in the country that you might draw on to populate the indicators. Many indicators rely on data that can only be obtained from administrative records. Now is the time for the researchers on your staff to engage in in-depth, technical discussions with appropriate staff in the relevant national criminal justice institutions (law enforcement, the courts and corrections) and United Nations agencies. Senior officials who are already familiar with your project can introduce you to staff who collect and manage data as part of their regular responsibilities.

These consultations should involve national and United Nations co-located staff in local criminal justice institutions, United Nations field monitors, United Nations military observers and others from civil society or national agencies that may be recording data on a regular basis. Such meetings help your staff understand how information is being collected and managed and whether this information would be available on an annual basis. While your focus is on identifying useful administrative data, you may also learn about data that could be gathered through document review.

Working with you to implement the indicators must not be overtaxing for national Government officials or mission staff. For this reason, you should not seek to overhaul processes within any institution for the collection of data. In order for the indicators to be used regularly to track changes and guide reforms, however, the necessary data collection activities should become part of routine oversight and monitoring activities by Government and, in some cases, by United Nations personnel. Accordingly, another objective of the assessment phase is to identify this potential.

Using data collection worksheets

A data collection worksheet is included in project tool No. 4. It is designed specifically to capture detailed information about potential data sources for each indicator, information the researchers on your staff need to choose the best data source for each indicator and note viable alternatives. Using these worksheets as a guide during consultations with national Government and United Nations officials, you can document the nature of each potential data set (e.g., what variables are captured and over what time period), the methods used to collect and store the data and whether and how your staff might access it, among other crucial information, including a contact person at each agency who is able to retrieve and provide the data you need in a reliable and timely fashion.

Conducting data observation tours

In the process of identifying and assessing potential data sources, it is essential that you observe first-hand the quality of the information that is recorded and stored by criminal justice institutions. Data observation tours of these institutions, including national corrections facilities, police stations and legal clinics, allow you to observe conditions and see whether administrative records are available, accessible to you, obtainable without significant costs or effort, and reliable for the purpose of the project and for the long-term use of the indicators. Parallel tours of relevant United Nations agencies and any civil society organization that collects data are equally important.

Experienced researchers should conduct the data observation tours. They should ask staff to show them their record books and files, explain the steps necessary to obtain the data, and how long it might take to provide the data following a formal request. Important considerations include how recent the data are and whether staff cross-check and verify the information they record. A single tour (i.e., visit) may not be sufficient, and the process may take some time to complete. Success is reliant on receiving permission and cooperation from senior officials in each institution, which may require letters of support and other reassurances from relevant ministers.

Your data observation tours should not be conducted in the country's capital alone. It is essential to visit and meet with those who are working outside the capital, especially in more rural areas, since the indicators are designed to capture information that is nationally representative and inclusive of the experiences of those who are poor or marginalized. These meetings help you to understand the availability and quality of information that may be available outside the country's capital and whether record keeping there differs substantially from similar practices in the capital. As mentioned previously, in some instances, circumstances may dictate that the instrument be implemented in only one part of the country or that certain parts of the country be excluded from the scope of the exercise.

Identifying and partnering with a local organization to conduct a public perception survey

As discussed, one of your primary objectives in engaging with local civil society organizations during the assessment phase is to identify a potential partner to implement a national public perception survey. The selection of an appropriate organization is central to building the capacity and knowledge locally that will lead to long-term use of the instrument. Using a local organization is also cost-effective. That said, finding a suitable organization can be challenging, given the scarcity of this capacity in post-conflict environments. You can start the process by asking experts to recommend possible candidates and then researching the organization's prior work. Those organizations that have been nominated more than once and have conducted surveys in the past are likely candidates

for further vetting. In some instances, particularly in large countries, it may be necessary to partner with more than one organization to conduct the survey as a whole.

All contract negotiations and quality controls should be formalized early on to avoid unreasonable expectations. A mismanagement of the relationship can jeopardize the legitimacy of the survey and perhaps your entire project. Accordingly, consultations with each civil society organization should include discussions of the organization's prior experience in conducting public surveys, the organization's current capacity to conduct surveys, its survey methodology, and any challenges the organization has encountered and addressed in the course of this kind of research.

Once you have identified and selected a partner organization, you will need to determine whether your budget will allow the organization to conduct the survey in accordance with the recommended sample size, sampling strategy, time frame and variety of locations (consult the public perception survey sampling strategy presented in project tool No. 5 for more information). This will involve budget negotiations, site selections and detailed discussions on the methods, staffing and resources your partner will use to conduct the survey. After you and your partner have reached an agreement on these issues, you will need to draw up a contract or binding memorandum of understanding (MOU) that states the terms of the public survey implementation and payment.

It is crucial to involve your partner in the process of selecting interview sites and adapting the questionnaire as needed to fit the context and culture of the country or locality. This process includes defining "vulnerable" groups and rewording questions that might be difficult for local residents to understand. In addition, you will need to determine specific timelines and procedures for monitoring the progress of the fieldwork and for the collection and transfer of data. You and your partner will need to meet several times and your decisions should be incorporated into the contract or MOU.

Shortly before the implementation of the public survey, you also will also need to provide the necessary training to ensure that all interviewers understand the wording of the questionnaire, interview protocols and ethical guidelines. This can be done by reviewing the questionnaire and appropriate protocols with whomever will be training the interviewers and/or participating in the actual training of the interviewers.

1.4. Addressing potential challenges and obstacles

A number of obstacles and challenges can arise when conducting research in a post-conflict environment. Although you will not be able to prevent or control these developments, such as the course of political events or the weather, there are a number of things you can do to prepare for them and modify your activities accordingly. Below are several examples of potential obstacles and challenges you may encounter in the course of your data collection and suggestions on how you can respond effectively.

Limited geographical access

There are likely to be portions of the country that are inaccessible: remote villages surrounded by bodies of water or mountains, or locations where roads are blocked or non-existent. Although inhabited, these places may be impossible to reach within your time frame and budget. It is important to consider the demographic characteristics of the population in these inaccessible areas and identify a more accessible locality whose population is similar demographically. In addition, it may be safe to assume that your inability to access these areas for research purposes also means that the local population has limited or no access to State-operated justice services.

Inclement weather or climate

Several countries around the world, including those in Asia, Africa and Latin America, experience extended periods of rain, hindering travel internally. In many parts of West Africa, for example, where the rainy season lasts approximately six months, roads become impassable and transportation very difficult. You should avoid scheduling field research during such periods. This is especially important when choosing an implementation period for the national public perception survey.

Political instability

Political instability is a feature of post-conflict societies, and violence frequently erupts whenever there is regime change or the potential for it, either through legitimate elections or by a coup d'état. You should consider the timing of upcoming national events, especially elections, when scheduling your work. Even if these events occur without unrest or violence, it is usually more difficult to meet and work with national and United Nations staff during these periods. The threat of unrest also makes it important to back up all electronic data frequently and archive data in a secure location.

"No go" zones

In many countries that have experienced recent conflict, there are "no-go zones" that are controlled by paramilitary groups. While it is safer and easier to collect data only in districts under Government control, limiting data collection in this way can produce biased measures of the progress of justice institutions and fail to capture ongoing security problems, masking the need for reforms.[1] Therefore, if you are unable to personally access information

1 J. Parsons, M. Thornton, B. Kutateladze, A. Bang and A. Yaya, Rule of law indicator instruments: A literature review. A report to the steering committee of the United Nations rule of law indicators project, Vera Institute of Justice, 2008, p. 12.

from these zones, it is important to consult those who are experts in these areas and to state your limitations at the outset. You may also find useful information from written reports that were produced by individuals who were granted special access to these areas, for example to monitor the local situation or provide medical and humanitarian assistance.

Tensions between ethnic or religious groups

It is crucial to fully understand the origin of the conflict and its impact on various ethnic/religious groups. Accordingly, various groups must be involved in the data collection process. This is important in all aspects of your project, but is particularly important to the success of the public perception survey. You will need to interview members of the public from multiple ethnic/religious groups. Members of ethnic and religious groups, however, are more likely to give honest answers to the survey if they are interviewed by someone of the same ethnicity or religion, or someone they view as neutral and trustworthy. As mentioned earlier, the local organization implementing the survey should be credible in the eyes of the public and not be associated with a particular group. It must also employ a sufficient number of interviewers representing the various ethnic and religious groups in the country.

Lack of national infrastructure

In many post-conflict environments, the country's infrastructure is weak, broken, or extremely underdeveloped. As a result, administrative records—if they ever existed—may have been destroyed or may be incomplete to the extent that they cannot be used to populate the indicators. In such situations, public and expert opinion and first-hand observations may be alternative sources of data. Some experts may have worked with administrative records before they were lost or destroyed or have access to documents presenting data from such administrative records. You also may be able to use information from newspapers or reports by international, national and local civil society organizations.

Lack of Government support

Despite your efforts to build relationships with senior Government officials, you may find that their support does not ensure cooperation from lower-level officials when the time comes to collect data. In this case, you might request explicit letters of support from senior Government officials, including the Minister of Justice, the Minister of the Interior and the Chief Justice. It might also be helpful to prepare a covering note to accompany these letters summarizing what you plan to do in the country, the benefits of implementing the indicators and the support you expect to receive during the course of your work. These are also precautionary steps you can take to increase the chances that officials at all levels provide the cooperation necessary for the success of your project.

Limited capacity of the United Nations peacekeeping mission

Some countries have large, well-established United Nations missions with sufficient personnel while others have small missions with a minimal number of staff. If you are implementing the indictors in a country where the mission's capacity is very limited, it is important to increase the frequency of your meetings with Government officials and/or increase the size of your staff in order to build these relationships with less support from the mission. Establishing a data-collection plan that partners approve is an essential step.

2. Phase two. Collecting and assessing the data

What is it about?	This section of the Guide explains how to collect data and prepare for data analysis.
Why is it important?	It discusses logistical and research issues necessary to consider when collecting data.
What comes next?	You will be prepared for data analysis.

Overview

Accessing data and assessing their quality is always challenging. In post-conflict countries, there may be little available data because Government departments responsible for data collection and analysis are under-resourced, crippled by conflict, or non-existent. Even when information is available, it may be outdated, incomplete, or compromised to mask inefficiency or wrongdoing. Evaluating and compiling information in data-poor environments requires flexibility, drawing on multiple data sources and using some data to estimate or check the validity of others. It also requires building strong partnerships with those who maintain the information you seek. Although building such relationships does not ensure access to data, it does improve the chances.

This section of the Guide describes the types of data you are likely to collect, how to gather data and what skills are required to do so, and how to assess whether the available data can be used to "populate" the indicators, including specific guidelines about when to reject a data set. Steps to ensure that your research activities adhere to strict moral and ethical codes are also provided. In addition to discussing voluntary participation and informed consent, you will learn about additional precautions to take when interviewing members of vulnerable populations. Finally, you will learn about data entry and management, including creating, cleaning and validating spreadsheets.

2.1. Sources of data

Administrative data

These are quantitative information compiled routinely by criminal justice institutions, international organizations, civil society groups and occasionally, customary justice systems. Such data may be computerized or stored as hard copies. Most indicators that rely on administrative data require more than one data source. For example, the number of prisoners per medical staff (indicator 104) requires two sets of administrative data: (a) the total number of prisoners; and (b) the total number of medical staff.

Administrative data are used to help populate several indicators. In some cases, the review of those data will produce a score (on a four-point scale) which can be expected to vary over time. In other cases, the review will produce a finding which will not be rated/scored the first time the instrument is implemented in a given country, but which will nevertheless allow for the measurement of change over time.

Field data

Field data refer to data that are already available or can be collected by United Nations field staff, individuals working in the rule of law or human rights sector. They must be provided with tools to facilitate this task and given an opportunity to discuss with your researchers the purpose and scope of that task. See project tool No. 9.

Document review

This is information culled from written documents, including national constitutions, a criminal code or criminal procedure code, judicial rulings, prosecutorial decisions, customary justice rules and decisions, administrative acts, budgets, fiscal reports and reports from NGOs. Document reviews typically focus on the existence of a particular law or text, rather than measuring its application. However, in some cases, document reviews focus on the existence of a "system" for evaluating behaviour or collecting information. For example, indicator 67 assesses whether courts have performance guidelines and a performance monitoring system that holds judges accountable for unnecessary delays, case backlog or absenteeism. In this case, it is important to understand whether the system exists and whether it is applied in practice. This information can be obtained by talking to experts and requesting materials related to implementing the procedure, such as annual review forms or records of prosecutors disciplined for absenteeism or misconduct. If you are told about a procedure but are not able to access a written document, then the requirement is not met. Such developments, however, should be captured in narrative accounts wherever possible.

Survey of experts

This is information you gather confidentially from individuals with specialized knowledge based on their experience or professional position using the written questionnaire in project tool No. 8. For example, respondents with knowledge of *either* policing *or* gender issues would be asked for their views on whether the police have implemented adequate policies and procedures to respond to children in conflict with the law and protect their rights (indicator 24). None of the expert survey questions ask for information on actual frequencies or rates since a potentially wide range of estimates from different experts could be misleading and difficult to reconcile.

The advantage of a survey of experts is that one can draw conclusions using a much smaller number of interviews than would be safe with more traditional representative sampling. The reason this is possible is that the respondents in an expert survey are intended to be reporting on their expert understanding of a situation rather than on their own personal experience. If, however, the experts answer the questions based on their own experience rather than their understanding of the experience of many others or the field as a whole, the ability to generalize from a small sample is lost.

For example, if we want to know whether judges are routinely paid on time, we could survey a representative sample of judges and ask them about their own pay. Alternatively, we could survey a small sample of "experts" on judicial pay practices. If we do the latter, we need to select experts each of whom knows about the pay experiences of many judges. If the experts are judges, and if they answer the question based on whether or not they themselves are paid on time, the reliability of the expert survey is lost, as we are simply left with a traditional survey of judges but with too small a sample to achieve any reasonable statistical significance. Questions in a survey of experts must stress that the respondent is being asked for an expert opinion about a general practice, not his or her own experience. This has been addressed in designing the survey instrument. The choice of experts is crucial and must be tailored to the questions being asked. An expert on one topic is often unlikely to be an expert on an unrelated issue.

Public perception survey

This is information you gather through an anonymous, nationally representative survey of the general public. The questionnaire and sampling strategy are included among the project tools (see project tools No. 5 and No. 6). Survey results are used to generate ratings for indicators based on public perception, such as the public perception of the effectiveness of the vetting process for police officers and whether individuals who have committed gross human rights abuses and other serious crimes are identified and prevented from serving as police officers (indicator 33). In some cases, you may encounter surveys carried out by other organizations and, if they include similar questions and cover the relevant geographical area and time period, results from those surveys can be used as a supplement to original data collection.

2.2. Accessing existing data

You will be retrieving data from both primary and secondary sources. Accessing existing data is likely to be one of the biggest challenges in your work. As discussed, it is important to invest enough time and energy at the beginning of the project to introduce yourself and build a trusting relationship with local stakeholders.

Administrative data

You are likely to collect administrative data from criminal justice institutions, international organizations and civil society groups. Only skilled and experienced researchers who have some familiarity with the country's criminal justice system can evaluate and collect these types of data.

Before starting to collect administrative data, it is always helpful to distinguish between data that are publicly available and those requiring special permission to obtain and use. The former may be found on a website, at a library, or via other public sources, and all you will need to do is to acknowledge the source. The latter, on the other hand, likely require permission from the head of the agency.

When working in post-conflict settings, it is often the case that data you might expect to be in the public domain are confidential (e.g., judicial decisions, statistics on the number of deaths in police custody and the entry-level salary of correctional officers). Your guiding principles on whether and how to seek permission should be:

Principle 1	Every time you want to use data, you should explore whether permission is required. Seek advice from United Nations staff or individuals working for local governments with whom you already have a good relationship.
Principle 2	Whenever in doubt, seek formal permission.
Principle 3	Permission should be obtained before requesting data. You might jeopardize a person's position if he or she provides you with data without your having obtained clearance first.
Principle 4	Permission should be obtained from a person occupying as high a position as possible. For example, when obtaining police data, authorization by a police chief may be insufficient and you might need to obtain support at a ministerial level. The stronger the ties you develop with Government partners when introducing your project, the easier it is to obtain permission later on.
Principle 5	Use appropriate protocols to request permission. You may not be able to contact directly some senior officials (e.g., at the ministerial level) and you will often have to rely on the assistance of senior United Nations officials to establish such contacts. When requesting permission, you will benefit by stressing the point that the purpose of the project is not to rank criminal justice institutions or countries but to track progress over time and contribute to positive developments in the justice sector by supporting a learning process. It is essential that you convey the message that the project is meant to support national efforts.
Principle 6	Do not ask permission prematurely, or if you are certain your request will be denied. Even if the situation changes, an official who has denied access may be reluctant to overturn a prior decision.
Principle 7	Wait until you know all the data you will need from a source before requesting any data. Administrative staff will appreciate your efforts to be efficient and minimize the burden on them.

Once you have permission, you may start requesting the data. A series of follow-up requests will improve your chances of obtaining the data, so you should make sure that your initial request is submitted well in advance of your data collection deadline. Also, you should remember that it may be impossible for an institution to make copies of the data you seek, so access to a copier is essential. Once you obtain the information, you may need additional assistance to make sense of the data. The data may not be organized in a systematic manner; table columns may have no headings; numbers may not add up. Understanding the agency's process of recording and aggregating the data is crucial.

Document review

The indicators include the review of several laws, regulations, policies and procedures. Laws are public documents, but it may be a challenge to find them in their most recent version. In the transition from war to peace, laws may change rapidly and the text of a statute may have been amended numerous times since the date it was originally published. Conducting legislative reviews requires patience, skill and experience.

As for reports and other published information, you need to make sure that the time frame covered by the documents provided aligns with the period covered by other data you are collecting (in most cases, the year immediately preceding the start of data collection). Whenever documents are not in the public domain, you will have to build

a relationship with an organization providing such documents and request access in the same way as described for administrative data.

The document review, once completed, will yield a report and a tentative rating of the relevant indicators which will then be submitted to a review panel normally consisting of three individuals, one of the researchers (normally someone who was involved in the document review), a member of the United Nations field personnel involved in the rule of law or human rights sector, and a national familiar with the local criminal justice system who is ideally not currently working in the criminal justice system and has a reputation for integrity and good judgement. The review panel reviews all the tentative ratings and their justification, as prepared by the researchers, and arrives at a consensus on the rating of each indicator populated by data generated by the document review. *If a consensus cannot be reached, the indicator is not rated.*

2.3. Collecting your own data

In addition to using secondary data, you need to collect your own data through a public perception survey, an expert survey and direct observations.

Public perception survey

Many of the indicators rely on public perceptions about the administration of justice or the extent to which people approach justice institutions to respond to crime and resolve disputes. For this reason, a public survey is an essential component of your project. Unless your organization is based in the country and has sufficient research capacity, you will outsource this part of the data gathering work to a local organization (perhaps more than one). As discussed, it is crucial to identify a civil society organization with experience in conducting large public surveys. Such an organization will bring capacity, local knowledge and relationships with local populations that are impossible to build in a short period of time. Even when working with organizations that have conducted public perception surveys in the past, you need to make sure that their staff are sufficiently trained in interviewing techniques, ethical research, question sensitivity and personal safety. Additional training should be provided to familiarize the data collectors with the specificities of your project and the survey instrument.

Peoples' views and experiences are likely to differ, perhaps substantially, between urban and rural areas, and perhaps also among individuals living in different regions of a country. You will select representative areas of the country to survey and then select respondents at random following a multistage sampling technique described in project tool No. 5. Of course, in many countries emerging from conflict, certain areas will be inaccessible. The survey methods included are designed to help you compensate for this limitation and others. If resource limitations prevent you from travelling long distances to carry out fieldwork, for example, you may be forced to randomly select a number of urban settlements and then conduct interviews in neighbouring rural jurisdictions.

If your budget or other restrictions make it impossible to survey people living in rural areas, you can limit the survey to cities and towns, or even to the country's capital if a broader survey is unfeasible. No matter where you conduct the survey, the selection of households and respondents must be made on a random basis following the methodology described in project tool No. 5.

In addition to the substantive items, the survey includes a few questions about the respondent's demographic characteristics for the purpose of disaggregating the results. The questionnaire is in project tool No. 6.

The following is an outline of 10 basic steps for conducting a public perception survey:

Step 1	Using the sampling strategy included in project tool No. 5, select the sites at which the survey will be administered.
Step 2	Identify the languages into which the questionnaire will be translated (see discussion below).
Step 3	Identify the number of research staff needed. This number depends on the size of the country and sample characteristics for both types of survey.
Step 4	Hire research staff, unless your organization already has a sufficient number of qualified researchers.
Step 5	Provide training, create teams and assign field interviewers to sites.
Step 6	Address logistical needs, such as transportation, accommodation and payment: who goes where, when, for how long, by what means, stays where, is supervised by whom, and receives how much money and when.
Step 7	Distribute sufficient numbers of public perception survey questionnaires in appropriate languages to staff and provide instructions on when and how to return both completed and uncompleted questionnaires.
Step 8	Collect questionnaires and store them in a locked cabinet.
Step 9	Collect the information necessary to estimate response rates from surveyors upon their return from the field.
Step 10:	Enter data into statistical or spreadsheet software (see Data entry and management).

Depending on the languages spoken in the country, you may need to translate the questionnaire in project tool No. 6 into other languages. To determine whether to translate the questionnaire and into how many languages, follow these four steps:

Step 1	Translate the questionnaire into the official language(s) of a country, if other than English.
Step 2	Select sites at which to administer the public and expert survey questionnaires in accordance with the sampling strategy included in project tool No. 5.
Step 3	Identify the predominant languages spoken and the proportion of the population not speaking the official language(s) at selected sites.
Step 4	Translate the questionnaire into all the languages spoken by at least 20% of the population at selected sites who do not speak the official language(s).

Be careful that the translation does not change the meaning of a question. A technique known as back-translation—for example, asking someone to translate the reworded questions into French or English and then compare the result with the question in the original French or English version of the questionnaire—may reveal whether the meaning was altered.

In some areas of a country, or among a portion of the population in an area, there may be no written language, so you will have to recruit local interviewers who can interpret and pose questions in the local languages/dialects. In such situations, additional training should be provided to ensure accurate interpretation.

Additionally, the content of the questionnaires may be too technical for certain local contexts. While the questionnaire generally uses clear and simple language, additional steps may be necessary to make certain questions even clearer. You should seek input from your partner organization on appropriate question wording (see preceding section) and then pre-test the questionnaire among a small and select group, marking questions that are consistently difficult to follow. You will then reword them accordingly, being careful not to alter the meaning.

In addition to verifying the clarity of the questions, you should also be aware that certain questions may be highly sensitive in some contexts. Questions that can be easily answered by persons in one country or region may cause humiliation, anxiety, and even confrontation in another country or region depending on the nature of the recent conflict and current conditions in the country. Questions about victimization and reminders of recent events may be particularly traumatic. Pay special attention to such questions when testing the questionnaire and training interviewers and, if you believe that training will not minimize potentially adverse affects, consider eliminating those questions.

Survey of experts

Seventy-eight indicators draw on the opinions of experts, namely, anyone with in-depth knowledge about the issues covered by the indicators.[2] These experts should have significant experience in or knowledge of law enforcement, the judicial system, prisons, or human rights (see project tool No. 8 for a fuller list).

The process of choosing experts to survey typically unfolds by identifying a few individuals, who then nominate others.[3] It is important to engage a diverse group of experts in order to elicit multiple perspectives on an issue. You should identify as many experts as possible from different sectors in society, including Government, civil society and academia, aiming to survey at least 100 experts. It is not necessary to have the same number of experts from each sector, but an attempt should be made to achieve a reasonable balance among them. Interpreters will need to be used to cover different languages, as necessary. In some instances, translation will have to be arranged for the interviews to be conducted in a language that is understood by local experts.

You will need to record the identity of experts in order to contact them again during subsequent rounds of data collection, making every effort to re-interview as many experts from the initial pool as possible. By reaching out to the same experts, you are more likely to generate results that reflect actual changes in the delivery of justice rather than differing opinions among experts. However, you may not be able to reconnect with all experts during subsequent implementation of the instrument. International staff may be reassigned to other countries, for example, and Government officials may no longer hold the same positions and may be reluctant to take part in the survey.

Experts should be interviewed in person using the questionnaire in project tool No. 8. In addition to asking closed-ended questions, the survey process allows experts to elaborate on many of their responses, providing valuable contextual information. In some cases, experts are asked to provide some specific supplementary information. For example, experts who responded in the negative to the question of whether or not children and youth who are accused of a criminal offence are represented in court by an advocate or legal counsel (indicator 71) are invited to provide additional comments on why some children are not represented. That kind of feedback from the experts in the open-ended sections of the interview may change your interpretation of their answers. You may learn, for example, that some judges are not required to have formal legal training, something that may qualify the interpretation of the indicator on the competence of judges (indicator 80). Interviews of experts must be conducted in a confidential format in accordance with the guidelines provided in the survey methodology (see project tool No. 8).

The following is an outline of eight basic steps for conducting a survey of experts:

2 M. Meyer and J. Booker, *Eliciting and Analyzing Expert Judgment*: *A Practical Guide*, American Statistical Association-Society for Industrial and Applied Mathematics Series on Statistics and Applied Probability 7, 2001, p. 85.

3 Ibid, p. 88.

Step 1	Select experts to participate and obtain their contact information.
Step 2	Identify the languages spoken by the experts and translate the questionnaire as needed.
Step 3	Identify the number of staff needed for interviewing the experts.
Step 4	Train the interviewers to ensure that they have a solid understanding of the project as well as good interviewing techniques.
Step 5	Address logistical needs such as transportation, accommodation and payment.
Step 6	Provide interviewers with questionnaires in appropriate languages and instructions on when and how to return both completed and uncompleted questionnaires.
Step 7	Collect questionnaires, assign codes to each expert, separate identification sheets from actual questionnaires and store the identification sheets in a locked cabinet. You will need to do the same with the questionnaires after you enter the data into a computer file. Make sure that the identification sheets and questionnaires are stored in two different locked cabinets.
Step 8	Enter data into statistical or spreadsheet software (see Data entry and management).

2.4. Ethical considerations in data collection

Regardless of what type of data you are using and what country you are working in, you should always adhere to the strict moral and ethical codes of the social sciences. In this way you will minimize the chances that individuals will be harmed in the course of your research and enhance the reputation of your project and your ability to collect data in future years.

Protection of human subjects in public perception and expert surveys

Responsibility for the ethical conduct of this project is vested in your organization. The importance of being aware of potentially adverse affects on public perception and expert survey respondents, protecting them from harm and ensuring their voluntary participation cannot be overstated. The following precautions will maximize the potential of achieving all these goals:

1. **For public and expert surveys.** Seek review by and approval from an ethics committee, if such a committee or its equivalent exists in: (a) the country where your organization is based; (b) at least one of the funding countries; or (c) the country in which surveys will be implemented. Although this project may have been approved by an ethics committee of one institution in one country, public perception and expert survey questionnaires may require additional revisions when applied in new settings. When the risk to the respondent is too high, you should simply not proceed with the interview. In all cases, you should take measures to reduce the potential risk to respondents. Some of the ways in which you can do this is by choosing a more appropriate time and place for an interview, excluding certain vulnerable groups from your sample, rewording certain questions, or even eliminating problematic items from the questionnaire. You should document the nature of the measures and precautions you have taken to minimize the potential risks to respondents.
2. **For the public survey.** Conduct public perception surveys anonymously—in other words, without requesting names and contact information. Because you will not be following the same participants over time, personal identifiers are of no value. You may have to conduct follow-up surveys in the same area, but new respondents will be selected again at random.
3. **For the expert survey.** Given that individuals are selected as experts because of their specialized knowledge, you already know who they are, which makes it impossible to conduct expert surveys in an anonymous format. You need to record the identity of the experts as a way of knowing who has responded to the survey, to describe their background and affiliation, and to be able to contact these experts to participate in subsequent applications of the survey. You also need to record that informed consent was given by the respondent. However, you should ensure the confidentiality of participants and their responses by removing all identifiers from completed questionnaires and the resulting data sets. Such identifiers include, but are not limited to, respondents' name, date of birth, address, contact information, and their job title if it betrays their identity. For example, if a respondent is identified as the head of a department of corrections, it is easy to identify the person (for more guidance on how to ensure the confidentiality of experts, see project tool No. 8).

   Protect respondents by replacing personal identifiers with codes and by restricting access to research databases. Additionally, all documents with participants' names and codes should be stored in a locked cabinet or other secure place separate from the database containing their responses. That way, if the database ever becomes available to individuals outside your research team, they will not be able to identify participants and match them with their responses.
4. **For the public and expert surveys.** To ensure that participation in the surveys is truly voluntary, you must obtain *verbal informed consent* prior to each interview and hand out a document providing a short description of the project and the contact information for a chief researcher and/or research advisers. Participants must be able to understand the nature of your project and any possible risks before they consent to the interview. Interviewers must also explain that even after consenting, they can refrain from answering certain questions or discontinue the interview at any point.

Be aware that even when participants know about their right to stop an interview, they may be reluctant to do so. They may feel obligated to deliver what they promised, or want to please the interviewer. Furthermore, in certain cultures, initial consent may be understood as morally binding. Therefore, interviewers must be attentive to participants' discomfort and anxiety levels, and encourage them to skip uncomfortable questions or discontinue the interview if necessary.

Working with members of vulnerable groups

Although you will not be interviewing children, institutionalized adults and the visibly mentally ill, that does not mean that you will not encounter members of other vulnerable groups, especially when conducting research in post-conflict settings. In many cases, women and minorities may also find themselves in a vulnerable position.

In view of the prevalence of sexual and gender-based violence, normalization of domestic violence and spousal rape, existence of harmful traditional practices (such as female genital mutilation) and an inferior position of women in many cultural settings, a request for an interview may put women in a difficult position where they have to choose between answering questions (e.g., Have you been a victim of a violent crime and, if so, did you report it to the police?) and respecting the traditional values of obedience to husbands, other family members and community leaders, as well as tolerance of sexual abuse. There are several ways in which you can minimize the risks of discomfort among female respondents:

- As is the case with all respondents, you need to make sure that vulnerable respondents understand that it is perfectly acceptable to refrain from answering any question and to discontinue the interview if they so wish.
- Your team should include a sufficient number of female interviewers so they can be assigned to female respondents as needed. Women may feel more comfortable sharing their experiences and perceptions with other women. Moreover, in some settings, women will not be allowed to speak with male interviewers.
- Make sure that interviews are conducted in private areas where others cannot listen to your conversation.
- Try to conduct the interview at a time when women feel most at ease talking. In certain cases, your respondents may ask you to visit their households later in the day. Although this may not be possible in all cases (e.g., a team may have to leave for another site later that day), you should try your best to satisfy respondents' scheduling needs.

Respondents from some ethnic, racial and religious groups may require special attention. Interviewers should be sensitive to the fact that members of such groups may have been particularly victimized during a conflict and that, for example, a question about victimization may spark traumatic or painful recollections.

2.5. *Assessing the data*

Assessing the quality and usefulness of data is crucial, perhaps especially when the data are compiled by someone other than your own researchers or contractors. This section discusses issues to consider and standards to follow when assessing data.

Minimum standards

- **Data must be recent:** The various data you collect must all be recent. This is important because your primary goal is to track changes over time, and also because you will be aggregating data from different sources to produce measures at the basket and dimension levels. In particular, it is essential that administrative data cover a time period not far removed from your surveys, document reviews and observations. Therefore:

  Aim to only use administrative data that refer to a time period that precedes other data collection activities (surveys, observations, etc.) by *no more than 12 months*.

  When you obtain data for less than a 12-month period and you need the information on what happened *within the last 12 months*, use whatever data you have to estimate the numbers for the entire period, but only if you have data for *at least four months* (not necessarily four consecutive months). Make sure that the fact that the data are based on an extrapolation is clearly stated.

- **Data must not contain many missing cases or much missing information:** You may discover that the data you have collected are far from complete. You should be aware of two distinct problems related to missing data:

  Problem A — Cases that should be included in the data set are missing.

  Example 1: Your plan was to gather administrative data about pre-sentence detention from all detention facilities, yet you managed to do so from only 50% of them.

  Example 2: You wanted to interview 2,000 respondents, but because some respondents were unreachable or unwilling to participate, your team managed to survey only 1,400 (70%) of them.

  Problem B — All expected cases are present but some information about them is missing.

  Example 1: You have a complete list of active judges, but your data set contains information about the formal legal education of only 90% of them.

  Example 2: You interviewed 1,400 respondents but 500 (36%) refused to state whether they had been a victim of a crime.

If the missing or incomplete cases are not very different from the ones that are present in your data set, this is not a problem. In most cases, you are interested in percentages, and if a percentage of a sample that answered a certain way on a survey is similar to the same percentage of the population, your findings are still valid.

The problem is that most of the time you will not know the extent to which the missing or incomplete cases are similar to the ones in your data set. For example, the reason 36% of your survey respondents did not respond to your victimization question may be because they were recently victimized by a family member or a friend and are fearful of disclosing incriminating information.

How to address these problems?

Solution to problem A: Unfortunately, if cases are missing and there is no alternative data source to provide a clue if their absence appears to be random, you may not be able to use this data set (see below). If you know or suspect why some of the cases are missing, you can analyse the data that you have and in reporting the findings acknowledge the limitations of the data set and explain how the results may be biased.

Solution to problem B: This is a common problem that you will probably not be able to avoid. If only a small percentage of cases—up to 20%—are missing certain values, simply run your analyses using only those cases with all values. If the proportion exceeds 20%, you should assess whether there is any systematic bias in responses: did proportionately fewer women answer the questions about victimization, for example, or is information on legal education only available for magistrates and junior judges? If you detect biases in reporting, then you may need to estimate the missing values through an advanced form of statistical analysis such as using modes or average values, or via multiple regressions or multiple imputation. In any case, you should report response rates and potential biases in the narrative section of indicator summaries.

Determining whether to use or discard a data set: Whether or not to use whatever data are available can be a difficult decision. On the one hand, you should aim to exhaust all the available data instead of reporting no findings for a specific indicator. On the other hand, it is important to avoid reporting findings that may be false or misleading. While you can sometimes estimate missing values, this is not always possible. In the latter case, you have to decide if your data should be excluded based on the following guidelines.

- **Public survey:** If at least 50% of your respondents answered the question (not including any questions that are legitimately missed because they do not apply to some respondents), you can use the data.
- **Survey of experts:** If at least 20 experts answered the question, you can use the data.
- **Administrative data:** If you believe that your data set contains at least 50% of all cases (e.g., there might be 1,000 cases in the universe and you were able to obtain 500 of them) and 40% of all cases in your data set have values for the variable of interest (i.e., 200 cases have values), you can use the data. The following table should guide you when making this decision.

Your decision is complicated by the fact that in most situations you will not know what percentage of cases in the universe is included in your sample. Therefore, you should make some estimates. For example, if you managed to collect data from some states/regions but not others, you can calculate what proportion of the population is reflected in your data based on the population of each state/region.

Table 2
Determining when to use a data set with missing cases

Per cent of missing cases in a data set	Per cent of total data in a data set									
	100	90	80	70	60	50	40	30	20	10
10	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
30	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
40	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
50	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
60	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
70	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
80	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
90	No	No	No	No	No	No	No	No	No	No
100	No	No	No	No	No	No	No	No	No	No

Note: Yes = Use data; No = Do not use data.

- **Data must cover the entire country and time period:** When they are applied at the national level, a number of indicators call for administrative data covering the entire country for a 12-month period. However, in a conflict or post-conflict situation, data collection activities are rarely regular and systematic. This means that data may not be available for all regions or cover the necessary time period without interruption.

  It is acceptable, and sometimes logistically necessary, to use data from a sample of places and times (e.g., from only a few states or months/weeks), but this decision should be made by you and not by the agency providing the data. One way to determine whether data are biased is to attempt to validate them from another source. For example, informal discussions with United Nations mission staff may be helpful if you have questions about the validity of administrative data provided by another source.
- **Data must not be politically compromised:** Maintaining political neutrality is essential, albeit often difficult in a post-conflict environment where the political situation can be tense and the cultures of transparency and accountability are likely to be weak. Researchers should always exercise caution and good judgement when collecting secondary data in order to prevent being manipulated by political interests. Knowing how data are collected, for what purpose and by whom will help you remain objective and neutral. You should conduct such an assessment for every data source that you are planning to use. If you have a reason to believe that the data are compromised (e.g., some cases were intentionally deleted, fabricated, or otherwise edited), you should not use them.

Choosing among data sources

There is a recommended data source for every indicator and, in some cases, an alternative source of data is also suggested. The recommended data source should be used whenever possible; the alternate source should also be used, making it possible at the time of analysis to use the data obtained from one source to qualify the data obtained from the other source, or to choose the more robust way of populating and rating the indicator.

You may find that administrative data are available from a number of sources. If Government partners, multilateral and bilateral organizations each collect data on the same issue, you may be able to obtain data from all of them. In most cases, you will be dealing with two data sources at the most: Government agencies and the United Nations peacekeeping mission (if the United Nations is present in the country). A simple comparison of the data sets provided by different organizations will be the first step toward validating the data and choosing which data to use.

If the information that you receive from the United Nations corroborates data provided by the national Government, for example, this is positive, but does not mean that the data are necessarily reliable. It may be that the United Nations simply collected data from Government agencies, or vice versa. In either case, mistakes may have been made when conducting initial counting (before these data travelled from one agency to another). Therefore, you should seek to learn what agency compiled the data originally and at least verify that the data you have are what the agency produced and transmitted to the agency that gave you the data. It is also important to check the reliability of administrative data by consulting with a knowledgeable Government partner or other experts with whom you have a trusted relationship (i.e., do the numbers make sense and how do they compare with the information for previous periods?).

In other cases, the two data sets will not match. This is not necessarily a sign that the data are unreliable. In fact, you should expect some discrepancies between the data provided by national partners and the United Nations peacekeeping mission. This is particularly the case when administrative data cover long periods of time (e.g., 12 months). In some cases, for example, certain regions may be excluded from the data set. In other cases, a "12-month period" was understood as "this year". Most administrative data are collected quarterly or annually and obtaining data for *the 12 months preceding other forms of data collection* may not be possible. Ideally, you can request information on a month-by-month, place-by-place (e.g., county-by-county) or item-by-item (e.g., offence-by-offence) basis to resolve discrepancies. In this process, you should look for unusual occurrences (e.g., values that are unusually high or low) and also recalculate totals using monthly data as a check against computational errors.

It is important to point out any differences in the two data sets to both agencies as this may prompt a conversation that explains the discrepancy. These discussions should be approached with tact and caution, however. If after these consultations you are unable to ascertain which data source is accurate, you will need to make a decision about which data set to use and to describe your choice and reasoning in your final report.

Choosing indicators for multiple law enforcement agencies

In many countries law enforcement services are provided by several agencies, including Government security services, national and regional police forces and, in some cases, the military (e.g., the gendarmerie). Developing measures that capture the provision of law enforcement in such settings is extremely challenging and, in places where there are more than two or three law enforcement agencies, it is practically impossible to develop separate measures of integrity, capacity and outcomes for each agency.

When working in these settings, the primary consideration should be to define an indicator and measure it in a manner that reflects the priorities within the country. For example, in places where the capacity of the national police force has been crippled by recent conflict, a combination of local militias, traditional law enforcement agen-

cies and military police forces may emerge in an effort to maintain order. In such settings, the priority should be to understand the problems that are preventing the national police from re-establishing their authority, and the indicators should focus accordingly.

In other countries, a patchwork of autonomous local, regional and/or national police forces may pre-date the conflict. In these settings, it is important to first determine: (a) which of these entities are legitimate; (b) if there is one agency that provides the majority of policing services, or has overall jurisdiction over the others; and (c) if problems with particular agencies are impacting the effectiveness or legitimacy of policing services as a whole. Once you have the answers to these questions, you can make an informed decision about which one or two agencies to focus on. These decisions should be based on discussions with local experts, including senior police officials, members of civil society groups and representatives from the United Nations peacekeeping mission. Although there is no established rule on how to adapt an indicator to the situation in a country with multiple law enforcement agencies, the following table provides some suggestions for reaching these decisions and the following section of the Guide provides rules on how to generate ratings using data from more than one agency.

The expert and public surveys provide an additional opportunity to gather information on a wide range of law enforcement agencies within the time and resource constraints of the project. If there are several such agencies, you may decide to include questions that ask respondents to report on each separately, or to compare the views and experiences of each. The section on crime reporting may also provide an opportunity to describe the extent to which members of the public approach each of a number of agencies to resolve crime. At a minimum, the wording of surveys should clearly state which agency or agencies the questions refer to. Of course, this approach will only be possible if you have a good reason to believe that expert respondents and members of the public are able to distinguish between their experiences with and perceptions of one agency versus another.

2.6. Data entry and management

Because your project relies on multiple types of data, the following text describes the process of entering a data set into separate spreadsheets, as well as staffing requirements related to this task.

Data entry

- **Administrative data:** Much administrative data will be based on case files from the police, prosecutor's office, courts and correctional facilities. The concept of case files should be understood very broadly given that these data are collected and recorded in all forms imaginable. A police occurrence book documenting crime reports, a chalkboard showing a number of arrestees and a court clerk who remembers a great number of judges' decisions with astonishing thoroughness and accuracy are only a few examples of the data formats you are likely to encounter in conflict-ridden and poor countries. Accordingly, your research team will spend hours compiling the data and assessing their usefulness. No matter what the source or format, each data set should be entered into an electronic spreadsheet, making it possible for you to run automated analyses and also to revisit your data over time.
- **Document review:** In most cases, the indicators based on data obtained from the document review require a rating on a four-point scale. Specific instructions on how these indicators should be rated, with the assistance of a review panel, are presented in project tool No. 10. It is also important to record the source of the information, including a brief description and any concerns about its validity.

Table 3
Adapting an indicator to a situation where there are multiple law enforcement agencies

Scenarios	Suggestions
There are multiple law enforcement agencies but one is the dominant force.	Focus on the main law enforcement agency and describe others in narrative sections.
There are multiple law enforcement agencies among which two seem to be equally dominant.	Populate a separate set of indicators for each of the two agencies. Then assess both sets of findings to produce a single dynamic rating for each variable. Describe similarities and differences between the agencies in narrative sections.
There are multiple law enforcement agencies among which more than two seem to be equally dominant.	Identify one or two law enforcement agencies, then populate the indicators accordingly and assess both sets of findings to produce single ratings. Describe these agencies and the similarities and differences between them in narrative sections.
There are multiple law enforcement agencies with each active in a different area/region of the country.	Focus on only two agencies, use two different sets of indicators, and then assess both sets of data to produce a single rating. Describe the agencies and the similarities and differences between them in narrative sections.

- **Survey of experts:** Once the completed questionnaires are returned, data should be entered in a spreadsheet with columns corresponding to the questions and rows listing the experts identified by codes assigned to them to ensure confidentiality. If your team carried out interviews in linguistically diverse settings, you will receive completed questionnaires in multiple languages. Make sure that your data entry staff are fluent in these languages. This will minimize the possibility of error.
- **Public survey:** If your team carried out interviews in linguistically diverse settings, you will receive completed questionnaires in multiple languages. Make sure that your data entry staff are fluent in these languages. This will minimize the possibility of error.
- **Field data:** All completed data checklists should be entered in separate spreadsheets.
- **Data validation and cleaning:** Data cleaning usually occurs after you enter all data and typically involves running what is known as a "frequency distribution" to see if there are any unusually suspicious patterns in your data set. For example, if you expect roughly 50% of respondents to be female and your frequency shows that 75% of them are male, you may have to go back to the original source (e.g., completed questionnaires) and verify a sample of entries. If this first-stage verification identifies multiple data entry errors, you may need to recheck or re-enter the full data set.

  Moreover, it is always a good idea to have another person double-check the data entries. You do not necessarily have to validate every entry; instead, you can randomly pick 5-10% of all cases to check. If this process shows that mistakes are common, then you may have to examine or even re-enter all values. It is important to employ data entry specialists or to thoroughly train individuals who have no previous experience in data entry.

3. Phase three. Analysing the data and presenting results

What is it about?	This section discusses what to do with the data you have collected and entered.
Why is it important?	It explains how to convert raw data for each of the indicators into summary metrics and narrative reports that can be easily read and understood.
What comes next?	This is the last step in collecting and analysing data, but just the beginning of the process of communicating the information to those who need it.

Overview

This chapter provides detailed guidance on methods for converting information collected for each of the indicators into standardized ratings, combining these ratings into aggregate measures, and producing detailed narrative accounts to accompany both the indicators and aggregate ratings.

Your primary aim in using the indicators is to track change over time, producing measures that suggest the evolving quality of justice institutions and the impact of development efforts. Based on guidance provided in this section of the guide, you will: (1) summarize indicator ratings and information; (2) develop "dynamic" ratings, suitable for describing changes in indicators over time; and (3) combine these ratings to provide summary measures for baskets and major dimensions of each institution.

This section also describes how to generate "initial" ratings the first time you implement the indicators.

The section concludes with guidance on how to present your findings in a country report that includes quantitative results (i.e., indicator ratings at various levels of analysis) and narrative sections that provide contextual information to aid in the interpretation of the ratings.

3.1. Developing indicator ratings

If you have collected information for at least two successive time periods, you can measure and describe change over time in three ways:

1. Dynamic ratings that compare current findings with the results from the previous round of data collection indicating *positive change, negative change*, or *no change*.
2. Narrative descriptions that provide contextual information to aid in the interpretation of ratings and include information that is not captured elsewhere.
3. Trend data, summarizing the results of all rounds of data collection, to show recent changes as well as change over a longer period of time.

There may be instances where you are not able to collect information for consecutive data collection periods. It may not be possible to secure the necessary permission to revisit the courts within the time you have available, for example, or temporary technological problems within the police may delay the production of official statistics during one round of data collection. Nevertheless, it is possible to generate dynamic ratings in these cases, even when there is a gap in data collection. You should use the scoring approach described below and include a footnote to any tables or narrative descriptions explaining that the results reflect change over a longer, and non-equivalent, time period.

Assigning dynamic ratings

Dynamic ratings reflect positive, negative, or no change for each indicator based on a comparison of findings for

the current and prior rounds of data collection. The following guidelines suggest minimum standards for assessing change over time for different types of indicators and assigning dynamic ratings. The annex, which lists the indicators, includes a column specifying how a dynamic rating is to be applied to each indicator.

Dynamic ratings

- Positive change over time
- No change over time
- Negative change over time

Measuring change over time in indicators expressed as percentages

There are two recommended methods for determining how much variation in a percentage score is required before it constitutes meaningful change over time. The choice depends on the type of data. (Some fluctuation will occur just as a result of random variation in small differences between survey sites or administrative data sources from year to year.)

For survey data, the preferred method is to calculate whether the change meets criteria for statistical significance at the $p<.05$ level, using a Chi Square test of difference in proportions—a variation on the traditional use of significance tests to estimate the likelihood that observations from a subpopulation are indicative of an actual difference in the population at large.

Statistical significance cannot be used to assess changes in indicators based on administrative data, as the data collected for these indicators usually violate basic assumptions of random sampling and inference that underpin most statistical tests. For indicators, use the cut-offs suggested in table 4 to guide your decisions. They are based on the principle that even small degrees of change can be meaningful when working with larger samples and, conversely, when working with small samples, the actions of one or two individuals can lead to fairly large percentage shifts in the results. For example, if you have information on the percentage of prosecutors with a law degree (competence (skills and knowledge) of prosecutors - indicator 79) for 67 individuals, you would need to document a change of at least 7 percentage points in either direction to indicate a meaningful change over last year's results.

As mentioned, you should aim to repeat successive rounds of data collection using identical sampling units (e.g., by visiting the same courthouses, police stations or geographic regions and trying to contact the same experts). This helps to reduce random fluctuations in the outcomes you are measuring (i.e., sampling error) based on variation in the sites and/or individuals selected in successive applications of the indicators.

Table 4

Determining the cut-off for percentage changes in different-sized samples

Number of cases in your sample	Percentage points required
<10 cases	Too few cases to code change in most instances
11-50 cases	At least 10 percentage points upward or downward required
51-150 cases	At least 7 percentage points upward or downward required
151-1,000 cases	At least 4 percentage points upward or downward required
>1,000 cases	At least 3 percentage points upward or downward required

Measuring change over time in indicators expressed as rates

Rates can be used to generate a single number. For example, if there are three violent deaths recorded in prisons during the previous year and the national prison population is 8,500, the number of violent deaths per 1,000 prisoners within the last 12 months (indicator 96) can be expressed as .35 (3/8, 500*1,000). If, the next time data are collected, the prison population has grown to 9,500 and there are five violent deaths, the 66% increase from .35 deaths per 1,000 inmates to the new rate of .53 deaths should be coded as a negative change. As a general rule, *a rate should register at least a 10% variation compared to the previous year in order to be coded as a positive or negative change.*

Examples of assessing change in indicators expressed as rates

(a) The number of prisoners per prison officer (indicator 123) increases by 15%, from .0150 to .0173.

Result: positive change

(b) The same number decreases by 5.4%, from 13 to 12.3.

Result: no change

Measuring change over time in indicators expressed as ratios

As discussed, ratios compare the behaviour or experiences of two different groups using the same measure, for example, the ratio between the percentage of one group versus another selected to reflect racial, ethnic, linguistic, religious and other forms of discrimination who report having been searched by the police and other law enforcement agencies within the last 12 months (indicator 22). When using risk ratios to assess change over time, it is important to remember that the relative change varies depending on the absolute value. For example, the difference between a risk ratio of 1 and 1.2 represents a 20% increase in the likelihood of being stopped between the two groups (.2/1) whereas a change from 2 to 2.2 represents a 10% increase

in probability between groups (.2/2). A proportionate change of at least 5% indicates significant change. Calculating proportionate change in risk ratios is more straightforward if you use the group with the highest rate as the numerator. For example, in response to the public survey question about crime reporting rates by gender (indicator 11) you find that 50% of victimized women contacted the police compared to 40% of men. In this case, you would describe the female-to-male ratio (50/40 = 1.25). If male victims reported crime at a higher rate, you would describe the male-to-female ratio. In practical terms, this means that the risk ratio will always be greater than 1.

Examples of assessing change in indicators expressed as rates

(a) In year one the risk ratio for the proportion of victimized men who report a crime compared to victimized women (indicator 11) is 1.6; the following year it is 1.57, a proportionate change of 1.9%.

Result: no change

(b) If the ratio increased over the course of the last 12 months from 1.6 to 1.78, the proportionate change is 11.2%.

Result: positive change

3.2. Combining ratings into aggregate measures

Indicators can be used individually, but they are most powerful when they are analysed in combination. By grouping indicators into baskets and dimensions you provide holistic assessments of multiple aspects of integrity, capacity and outcomes for law enforcement agencies, the judicial system and corrections. The indicators grouped together under dimension and basket headings are designed to address different facets of the same concept, as well as minimizing the impact of ambiguities or flaws in a particular set of data by combining indicators drawn from a variety of data sources. Following the guidance in this section, you can produce three types of aggregate measures by combining individual indicator ratings.

1. **Measures of change at the basket level.** During the second and subsequent rounds of data collection and analysis, you can produce basket-level dynamic assessments that reflect the collective trend for the indicators in each basket: positive, negative, mixed, or constant (no change over time). These measures are important to identify progress and setbacks in key areas of the four justice institutions.
2. **Measuring change at the dimension level.** At the highest level of assessment, for each of the three main justice institutions you will produce eight or nine measures that aggregate dynamic basket assessments related to the four main dimensions of each institution. Ratings of these major dimensions should be used with caution and never in isolation because they can sometimes be misleading. For example, they could mask whether a middle-of-the-range integrity rating for the courts is a reflection of overall mediocre performance or acute problems in one or two areas that require immediate attention.

Rules for generating measures of change at the basket level

Dynamic ratings at the basket level are generated by aggregating the individual dynamic assessments for each of the indicators within a basket (i.e., positive, negative, or no change) and then applying the following assessment rules. The arrows in parenthesis following each assessment definition provide sample combinations of positive, negative and neutral indicators that would qualify under that definition. These aggregate measures can be produced for baskets that contain at least three indicators.

Developing measures of change at the basket level

- Positive: the basket includes either (a) only indicators registering positive change; or (b) at least one indicator registering positive change along with others that register no change.
  (e.g., ⇧⇧⇧, ⇧⇧⇔⇔, ⇧⇔⇔)

Mixed positive: the basket includes indicators registering both positive and negative change, but the positive change indicators outnumber those showing negative change.
(e.g., ⇧⇧⇩, ⇧⇧⇧⇩)

No change: all indicators in the basket register no change.
(e.g., ⇔⇔⇔)

Mixed: the basket includes indicators registering both positive and negative change and there are equal numbers of each.
(e.g., ⇧⇔⇩, ⇧⇧⇩⇩)

Mixed negative: the basket includes indicators registering both positive and negative change, but the negative change indicators outnumber those showing positive change.
(e.g., ⇧⇩⇩, ⇧⇔⇩⇩)

Negative: the basket includes either (a) only indicators registering negative change; or (b) at least one indicator registering negative change along with others that register no change.
(e.g., ⇩⇩⇩, ⇩⇩⇔, ⇔⇔⇩)

Rules for generating measures of change at the general dimension level

To produce dynamic ratings at the general dimension level—the highest level of aggregation—you combine basket ratings to produce 16 measures that assess change over time in the integrity, capacity and outcomes for each

of the three institutions. These dimension ratings suggest whether the indicators grouped under that dimension tend to register distinctly positive or negative change, moderately positive or negative change, or if the results show no change since the previous assessment or are mixed. Because dimension-level results combine large amounts of information into a single one, they are a useful measure of the general direction of change but do not reveal the forces or conditions underlying the trend and, therefore, should not be used in isolation.

To generate dimension ratings, you first convert basket ratings into numerical values. These values are then averaged across baskets to provide a score ranging from -2 (indicating a consistently negative trend) to 2 (indicating a consistently positive trend).

Summarizing change at the dimension level

1. First, assign numerical scores to all baskets, as follows:
   - Positive = 2 points
   - Mixed positive = 1 point
   - No change = 0 points
   - Mixed = 0 points
   - Mixed negative = -1 point
   - Negative = -2 points
2. Second, average scores for all baskets grouped under each dimension and assign the following descriptive results:
   - Scores between 1 and 2 = positive
   - Scores between .201 and .99 = moderately positive
   - Scores between -.2 and .2 = little or no change/ mixed result
   - Scores between -.201 and -.99 = moderately negative
   - Scores between -1 and -2 = negative

For example, the following dynamic basket scores for outcomes of courts would be combined as follows:

- Basket 24 Confidence in the judicial system: dynamic basket score = "mixed" = 0 points
- Basket 25 Accessibility of the judicial system: dynamic basket score = "mixed positive" = 1 point
- Basket 26 Responsiveness of the judicial system: dynamic basket score = "mixed positive"= 1 point

Dynamic dimension rating for court outcomes = .66 (0+1+1/3) or "moderately positive"

3.3. Producing initial ratings

For most of the indicators (120 out of 135), you will assign initial ratings during the first round of data collection using a four-point rating system. The rating method for each indicator is presented in the list of indicators found in the annex. Generally speaking, for the two surveys, the indicator is rated by using the average score of respondents on a four-point scale corresponding to the four response categories. For other sources of data, the indicators are rated on a four-point scale as determined by a panel, or by converting a percentage into four possible rating categories. All these ratings can be aggregated at the level of baskets or dimensions.

The narrative sections that accompany each of the baskets and indicators provide an opportunity to supplement these rough measures with contextual information.

3.4. Producing narrative descriptions

Ratings alone do not provide the detail necessary to understand the nature of the changes occurring within a country's justice system. To put your results in context, you will produce brief narrative descriptions to accompany ratings for individual indicators and at the basket and dimension levels. These descriptions should include relevant information about policies, practices and conditions not revealed by the indicators themselves. It is important, however, to avoid making statements that are based on mere speculation, drawing conclusions about cause and effect not supported by data, inserting your own value judgements about particular policies or practices (or lack thereof), and setting priorities or recommending reforms based on the indicator findings. These kinds of statements, while seemingly helpful, run the risk of undermining the neutrality and credibility of the assessment produced by the instrument and may alienate the very partners that you are trying to engage.

At the indicator level, these one- or two-paragraph narratives should focus on:

- Changes that have taken place since the last round of data collection (to accompany dynamic ratings)
- Information obtained during data collection that is not directly captured by the rating but is nonetheless important for their interpretation
- The extent to which the changes captured by an indicator are meaningful (noting, for example, if the accounts of spending produced by institutions are widely viewed as inaccurate or incomplete)
- Early signs of improvement or deterioration that have yet to reach fruition or have not registered as changes for some other reason
- Caveats relating to the relevance and quality of data you used

At the basket level, the narrative summary should pull together the results of individual indicators into a description that explains the aggregate ratings. Basket-level narratives should stand alone; that is, they should convey the key trends and important caveats, without readers having to refer to the more detailed indicator narratives. If the basket-level dynamic rating registers "mixed posi-

tive" change, for example, the narrative should mention those indicators that show improvement as well as those that have not changed or register deterioration over time. Basket-level narratives provide an opportunity to describe underlying trends reflected in a number of indicators and note methodological strengths and weaknesses that may explain disparities in findings within the basket.

3.5. Reporting results

This last section offers some general guidelines on how to report your findings. Unless otherwise directed by the Project Steering Committee, your report should follow a standard format and enable readers to easily navigate through it and find the information they are looking for. The care you take presenting and contextualizing your findings is arguably as important as the care you give to gathering and analysing the supporting data. Your report should highlight the challenges facing criminal justice institutions honestly, objectively and constructively while avoiding harsh criticisms of any institution, agency, or individual. The report should also avoid making comparisons between institutions.

Your report should normally include the following sections: (1) acknowledgments; (2) a brief summary; (3) an introduction; (4) a section on the methodology; (5) a brief overview of the findings and, when applicable, of how they compare to previous findings, some of it in tabular form; (6) a detailed presentation of each of the indicators, their rating and dynamic rating, the supporting data and any relevant narrative comment; and (7) a country fact sheet, as an appendix. The format of the report varies a little when the rule of law indicators have been measured more than once and some dynamic measures of change can be reported.

Introduction

The introduction should present the instrument (United Nations Rule of Law Indicators), what it is meant to measure and how it came to be used and implemented in the country. If it is not the first time that the instrument is applied, some information should be given about the previous applications of the indicators and how earlier findings will be used to measure change. A general reference to the United Nations Rule of Law Indicators Project should also be included. The following text could be used:

> The United Nations Rule of Law Indicators Project (the Project) was formed to develop a set of measures (the indicators) that can be used to assess and monitor a country's law enforcement agencies, courts and other judicial operations, and corrections agencies and to monitor transformation in these institutions over time. The underlying objective is to assist the efforts of national authorities to strengthen the rule of law, including by developing national rule of law strategies, and to help donors and other stakeholders make more informed decisions about how to allocate their resources and support. The indicators measure the performance, integrity, transparency, accountability and capacity of these institutions as well as the manner in which they treat members of vulnerable groups.
>
> This Project is a joint initiative of the Department of Peacekeeping Operations and the Office of the High Commissioner for Human Rights in cooperation with the Department of Political Affairs, the Office of Legal Affairs, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Development Fund for Women (now part of the United Nations Entity for Gender Equality and the Empowerment of Women, UN-Women), the Office of the United Nations High Commissioner for Refugees, the United Nations Office on Drugs and Crime and the World Bank.

Methodology

The aims of the methodology section of the report are twofold: (1) to provide enough information to allow the reader to interpret the findings; and (2) to explain the role that national stakeholders played in the process of collecting and interpreting data. It is neither necessary nor desirable to include a detailed methodological discussion in country reports. However, the country report should include information on the four main methods of data collection, arranged by data source, including the number and affiliation of experts surveyed (to the extent possible while ensuring confidentiality); sources of administrative data and documents; and some details on how the public survey was conducted, the sampling method and the characteristics of the sample of respondents.

This section should also provide information on the number of indicators that have been populated for each data source and a brief explanation of why certain indicators could perhaps not be populated. General information about difficulties encountered in accessing the necessary data can also be included.

Special attention should be paid to changes you might have made to the methodology described in the Guide to accommodate conditions in the country. For example, if your pool of experts does not include as diverse a group of people as suggested in the Guide, you should explain the underlying reasons.

Finally, this section should describe the limitations of your data collection and analyses. The following hypothetical situations suggest the kinds of limitations that merit discussion:

- If administrative data are only available for certain regions or there are other limitations that should be considered when interpreting the results
- If logistical barriers or resource constraints meant that you were unable to travel to certain parts of the country to conduct observations
- If there are significant regional differences in the provision of some services due to religious laws

Overview of findings

This section presents your findings in summary format, using both short narrative summaries of the findings and a summary table. This overview of findings highlights key findings of the indicators as they relate to the main dimensions of the three main justice institutions. The summary table will present the ratings for each of the rated indicators and the aggregated scores for each basket and dimension. When the indicators have been measured more than once, a table summarizing the changes in all 135 indicators should also be included.

Detailed presentation of the indicators

This section should be organized by institution and therefore contain three main subsections. Under each subsection, the detailed presentation of all the indicators should include, for each one, the name of the indicator, the definition, its rating and dynamic rating, the supporting data, and the relevant narrative accounts or comments. In the case of survey data, the supporting data must include a table showing the frequency distribution for the different response categories, the mode and the standard deviation. Each subsection should include an institutional summary table of all the baskets and dimensions. For each institution, a table should be presented to summarize the dynamic ratings for each dimension and the baskets under that dimension.

Appendix - Country fact sheet

In order to provide context for the findings and orient readers who do not have detailed background knowledge of the country, you will need to produce a country fact sheet describing important features of the country, its political system and the structure of justice institutions. The country fact sheet should include a description and history of the United Nations presence in the country and information on the Government structure, legal system, governance structures for each justice institution and a brief history of the conflict. A fact sheet template is included in project tool No. 11.

Annex
Compendium of project tools

Introduction

The present compendium of project tools offers a number of tools designed to help the implementation of the United Nations Rule of Law Indicators. That monitoring instrument is meant to be implemented over a period of approximately 13-17 weeks (see project tool No. 3), nine or 10 of which involve work by some members of the implementation team in the country where the instrument is being implemented. The preceding Implementation Guide provides a detailed explanation of how the instrument should be implemented and frequent references to the tools included in this compendium. We recommend that the Guide be reviewed carefully before using any of the tools.

The United Nations Rule of Law Indicators is a monitoring instrument that was developed to allow a fair amount of flexibility in how it is implemented. As a result, many of the tools presented here, particularly those relating to various forms of data collection, will likely require some adaptation to local circumstances before they are used. Any significant change to the tools should be well documented, as this will become relevant when it is time to analyse and interpret the findings, and all substantial changes should be submitted to and approved by the United Nations Steering Committee for the Rule of Law Indicators Project.

Project tool No. 1 lists and describes all the indicators, by basket, dimension and institution. It also provides information on the source of data and the manner in which each indicator is to be rated the first and every subsequent time it is applied. Project tool No. 2 is a basic reference tool that allows members of an implementation team to become familiar with and understand the human rights and criminal justice standards that are relevant to the various indicators they will be measuring. In particular, members of the implementation team who will be responsible for interviewing experts must be very familiar with the relevant standards as those standards may become part of the experts' discussion with these respondents.

Tool No. 4 (Administrative data collection worksheet) offers a suggestion for organizing the collection of administrative data from various sources. Tools No. 5 and No. 6 will support the conduct of the public perception survey. The first one offers detailed guidance on the sampling strategy for that survey and the second one is the sample survey questionnaire for that survey. Tools No. 7 and No. 8 will help guide the conduct of the survey of experts and offer a sample questionnaire. Tool No. 9 offers some guidance for the collection of field data by United Nations field personnel. Tool No. 10 offers guidance on collecting data through a document review, and No. 11 provides a template for producing a country fact sheet.

Project tool No. 1

United Nations Rule of Law Indicators

Dimensions/ Baskets		Indicators	Data source*	Measurement
Police				
Performance - Police				
Effectiveness and efficiency *(The police respond effectively and efficiently to requests for assistance and reports of criminal incidents)*	**1.**	**Police control of crime** The population's perception of the ability of the police to control crime in the community	PS	*Question*: "How effective do you think the police are at controlling crime in your area?" *Rating*: Average score of all respondents on a four-point scale corresponding to the four response categories: very effective (4); effective (3); ineffective (2); very ineffective (1). *Dynamic*: Direction and level of change in average score over time.
	2.	**Police response to requests for assistance** Diligence of the police in responding to public requests for assistance	ES	*Question*: "To what extent do you agree that the police respond promptly to requests for assistance from the public?" *Rating*: Average score of the relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	3.	**Satisfaction with police response to crime reports** Level of public satisfaction with police response among individuals who reported a crime to the police	PS	*Question*: "Overall, how satisfied were you with the response by the police?" *Rating*: Average score of all respondents on a four-point scale corresponding to the four response categories: very satisfied (4); somewhat satisfied (3); dissatisfied (2); very dissatisfied (1). *Dynamic*: Direction and level of change in average score over time. *Note*: This question is asked of public survey respondents who reported a crime to the police during the last 12 months.
	4.	**Response to domestic violence incidents** Whether the police respond seriously and competently to incidents of domestic violence	ES	*Question*: "To what extent do you agree that the police respond seriously and competently to incidents of domestic violence (violence occurring in the family)?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in score over time. *Note*: Experts who disagree with the statement are asked to comment on how the police response to incidents of domestic violence is inadequate or how it could be improved.

* Data sources:

PS = Public survey
ES = Expert survey
DR = Document review
AD = Administrative data
FD = Field data gathered by United Nations field personnel

Dimensions/ Baskets	Indicators	Data source*	Measurement
Police (*continued*)			
Performance - Police (*continued*)			
Effectiveness and efficiency (*continued*)	**5. Responses to sexual crimes against women and children** Whether police officers respond seriously and competently to incidents of sexual crimes against women and children		*Question:* "To what extent do you agree that the police respond seriously and competently to incidents of sexual crimes against women and children?" *Rating:* Average score of relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic:* Direction and level of change in score over time. *Note:* Experts who disagree with the statement are asked to comment on how the police response to sexual crimes against women and children is inadequate and how it could be improved.
	6. Control of vigilantism Ability of the police to prevent people from taking the law into their own hands (e.g., vigilantism, mob violence)	ES	*Question*: "How effective are the police at preventing people from taking the law into their own hands?" *Rating*: Average score of the relevant experts on a four-point scale corresponding to the four response categories: very effective (4); effective (3); ineffective (2); very ineffective (1). *Dynamic*: Direction and level of change in average score over time.
	7. Intentional homicide cases resolved by the police Reported intentional homicides for a 12-month period resulting in an arrest	AD	*Measurement*: The number of persons arrested for intentional homicide in a given year divided by the number of reported intentional homicides in the same year (the most recent year for which data are available). *Rating*: Not rated. *Dynamic*: Direction and level of change in the percentage over time. *Note*: "Arrest" can be replaced with some another form of case resolution if arrest data are not available.
Public confidence *(The public expresses confidence in the police, their competence and integrity, their concern for the well-being of the community and their respect for human rights)*	**8. Crime reporting to the police** Percentage of victimized individuals who reported their victimization to the police within the last 12 months	PS	*Questions*: "Were you a victim of a crime within the last 12 months?" For those who responded "yes": "Did you report it to the police or other authority?" *Rating*: Based on the percentage of people who reported the incident to the police: very poor (less than 25%) (1); poor (25-49%) (2); good (50-74%) (3); very good (75-100%) (4). *Dynamic*: Change in the percentage (resulting or not in a change of score). *Note*: Supplementary questions are asked of respondents who replied "yes" to having been a victim of crime in order to determine the authority to which the crime was reported and the respondent's satisfaction with the response.
	9. Crime reporting by women Percentage of victimized women who reported their victimization to the police within the last 12 months	PS	*Questions*: Responses to the previous question are disaggregated by gender. *Rating*: Based on the percentage of women who reported the incident to the police: very poor (less than 25%) (1); poor (25-49%) (2); good (50-74%) (3); very good (75-100%) (4). *Dynamic*: Change in the percentage (resulting or not in a change of score). *Note*: A supplementary question is asked of respondents who did not report the crime to the police: "Did you report it to other authorities (elders, chiefs, etc.)?"

Dimensions/ Baskets	Indicators	Data source*	Measurement
	10. Police service to the community Whether the police are perceived by the population to be doing as much as they can to be of service to the community	PS	*Question*: "To what extent do you agree that the police do as much as they can to be of service to the community?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	11. Gender and confidence in the police Ratio of percentage of women and men respondents to the public survey who say they trust the police	PS	*Question*: "To what extent do you agree that the police in your area can be trusted?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). A ratio is calculated on the basis of the scores for male and female respondents. *Dynamic*: Direction and level of change in average score over time.
	12. Avoiding arrest by offering a bribe Public perception of whether it is possible to avoid arrest by offering a bribe to a police officer	PS	*Question*: "To what extent do you agree that it is possible to avoid arrest by offering a bribe to a police officer?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (1); partly agree (2); disagree (3); strongly disagree (4). *Supplementary question*: "Were you asked to pay a bribe by a police officer in the last year?" *Dynamic*: Direction and level of change in average score over time.
Integrity, transparency and accountability – Police			
Integrity and accountability *(Police do not violate human rights or abuse their power, and alleged incidents of police corruption, misconduct or lack of integrity are reported and investigated)*	**13. Use of police powers** Whether the police use their law enforcement powers (e.g., arrest, search, seizure and detention) in strict accordance with the law	ES	*Question*: "To what extent do you agree that the police generally use their powers (e.g., arrest, search, confiscation, seizure, detention) in strict accordance with the law?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: Supplementary questions are asked about existing laws on police powers and whether they are sufficient to protect people's rights.
	14. Use of force to obtain confessions Whether and to what extent the police are perceived to be using force to obtain confessions	PS	*Question*: "How often do you think the police resort to force to obtain a confession?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: never (4); rarely (3); often (2); very often (1). *Dynamic*: Direction and level of change in average score over time.
	15. Investigation of police misconduct Ability of members of the public to trigger an investigation of alleged misconduct by the police	ES	*Question*: "To what extent do you agree that people are usually able to trigger an investigation of alleged misconduct by the police?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Police (*continued*)			
Integrity, transparency and accountability – Police (*continued*)			
Integrity and accountability (*continued*)	**16. Procedure for investigating police misconduct** Whether there is a formal procedure set in law for an independent investigation of serious incidents of police misconduct	DR	*Measurement*: Review of documents to determine whether the law provides a formal procedure to independently investigate serious incidents of alleged police misconduct. *Rating*: Law provides for independent investigation (score: 4); law does not provide for independent investigation (score: 1). *Dynamic*: This indicator only changes when there is a change in the relevant laws.
	17. Prosecution of police corruption or misconduct Whether alleged incidents of police misconduct or corruption are seriously investigated and, when required by law, prosecuted	ES AD	*Question*: "To what extent do you agree that alleged incidents of police corruption or misconduct are seriously investigated and, when required by law, prosecuted?" *Rating*: Average score of the relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: Additional administrative data will be used, when available, to calculate the percentage of investigations of alleged incidents of police misconduct which, in a given year, resulted in a disciplinary action or the prosecution of a police officer. *Rating*: Not rated. *Dynamic*: Increase or decrease in the percentage.
	18. Public perception of police behaviour Whether the population perceives the police to be abusive in their contacts with people	PS	*Question*: "In your experience, how often are police officers abusive in their contacts with people?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: never (4); rarely (3); often (2); very often (1) *Dynamic*: Direction and level of change in score over time.
Transparency *(Relevant information on the activities, decision-making processes, decisions and use of resources by the police is publicly available)*	**19. Public availability of reports on police complaints** Whether the police regularly produce complete and publicly available information on complaints against police which describes the nature of the complaints and how they were resolved	DR	*Measurement*: Review of existing reports on police complaints, if there are any, and how they are resolved, to determine whether these reports are complete, accurate and published regularly. *Rating*: The document review establishes that: complete and accurate reports are produced and made public regularly (at least once a year) (4); complete and accurate reports are only occasionally produced and made public (3); such reports are published and made public but are incomplete or provide limited information (2); such reports are not produced or made public (1). *Dynamic*: Direction and level of change in score over time. *Note*: Additional information will be collected to document as much as possible the nature of the investigative authority and whether the procedures in place reflect the requirement of an "independent investigative body".
	20. Public reports on police budgets and expenditures Whether the police regularly produce a complete and publicly available account of their budgets and expenditures	DR	*Measurement*: Review of existing reports on police budgets and expenditures, if there are any. *Rating*: The document review establishes that: complete and transparent accounts of police budgets and expenditures are produced and made public regularly (at least once a year) (4); such reports are only occasionally produced and made public (3); such reports are produced and made public but are either incomplete, not properly itemized or insufficiently detailed (2); such reports are either not produced or not made public (1). *Dynamic*: Direction and level of change in score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	21. Public reports on deaths in police custody or as a result of police actions Whether the police regularly produce publicly available, complete and accurate information on the number of deaths due to their action, or while an individual is in their custody	DR	*Measurement*: Review of existing reports on deaths in police custody or as a result of police actions, to establish whether they are complete, accurate, include the cause of death and are produced regularly. *Rating*: The document review determines whether: complete and accurate reports on deaths in police custody or as a result of police actions are produced regularly (at least once a year) and include the cause of death (4); such reports are only occasionally produced and made public (3); reports are produced and made public regularly but are incomplete or provide limited information (2); such reports are not produced regularly or made public (1). *Dynamic*: Direction and level of change in score over time. *Note*: Where the data are available, the number of investigations of incidents of death in police custody and the number of investigations resulting in disciplinary actions or prosecutions will be reported together with the findings.
Treatment of members of vulnerable groups – Police			
Treatment of members of vulnerable groups *(The police treat vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination)*	**22. Discrimination by the police** Whether the population perceives the police as treating people of all groups fairly and without discrimination	PS	*Question*: "Do you agree that the police treat people of all groups fairly and without discrimination?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked: "Have you been searched or checked for identification by the police within the last 12 months?" *Analysis*: A ratio is calculated between the percentage of one group versus the percentage of another selected to reflect risk of discrimination who report having been searched or checked for identification by the police within the last 12 months.
	23. Police implementation of child-friendly policies and procedures Whether the police have adopted and implemented policies and procedures regarding child-friendly interviewing and investigation practices in cases involving child victims or witnesses of crime	DR	*Measurement*: Documents are reviewed to determine whether the operational policies and procedures currently in effect within the police force include guidance or direction concerning child-friendly interviewing and investigation practices in cases involving child victims and witnesses. *Rating*: Using a four-point scale to rate the following four categories: existing policies and procedures are clear and provide adequate guidance about child-friendly interviewing and investigation practices (4); some partial policies and procedures are in place (3); existing policies and procedures are very inadequate (2); policies and procedures are silent about these matters (1). *Dynamic*: Direction and level of change in score over time.
	24. Police response to children in conflict with the law Whether the police have implemented adequate policies and procedures to respond to children in conflict with the law and protect their rights	ES	*Question*: "Would you agree that the police follow adequate policies and procedures to respond to children in conflict with the law and protect their rights?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in score over time. *Note*: An additional qualitative question is asked in order to obtain information on what policies and procedures need improvement.

Dimensions/ Baskets		Indicators	Data source*	Measurement
Police (*continued*)				
Treatment of members of vulnerable groups – Police (*continued*)				
Treatment of members of vulnerable groups (*continued*)	**25.**	**Operational policies and procedures concerning mentally ill suspects and offenders** Whether the operational policies and procedures currently in effect within the police force provide adequate guidance to police officers dealing with mentally ill suspects or offenders	DR	*Measurement*: Review of existing operational policies and procedures in effect within the police force to determine whether they provide adequate guidance to police officers dealing with mentally ill suspects or offenders. *Rating*: Existing policies and procedures are rated on the basis of the following four-point scale: existing policies and procedures are clear and provide adequate guidance for dealing with mentally ill suspects or offenders (4); some partial policies and procedures are in place (3); existing policies and procedures are very inadequate (2); policies and procedures are silent about these matters (1). *Dynamic*: Direction and level of change in score over time.
Capacity – Police				
Material resources *(The police have material resources that are adequate to perform their duties)*	**26.**	**Availability of equipment to perform basic police duties** Whether the police have adequate equipment to perform their basic duties	ES	*Question*: "To what extent would you agree that the police have adequate equipment to perform their basic duties?" *Rating*: Average score of responses by experts on a four-point scale for the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in score over time. *Note*: A supplementary question is asked to identify the specific challenges encountered by the police with respect to their equipment.
	27.	**Availability of private areas for receiving crime reports and holding cells** Availability in police stations of: (a) a private area for receiving crime reports; and (b) a separate cell for holding suspects	FD	*Measurement*: Field data on the availability in police stations of a private area for receiving crime reports and a separate cell for holding suspects. *Rating*: Based on the percentage of police stations which have both: very good 75-100% (4); good (50-74%) (3); poor (25-49%) (2); very poor (0-24%) (1). *Dynamic*: Either a change in the percentage or in the score.
	28.	**Availability of forensic test capacity** The police have an adequate forensic test capacity (equipment and capacity to use it)	ES	*Question*: "How would you rate the capacity of the police to conduct forensic tests?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in score over time.
Human resources *(The police have sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated)*	**29.**	**Recruitment practices** Whether police recruiting practices are perceived to be fair and effective	PS	*Question*: "To what extent would you agree that police recruitment practices are fair and effective?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in score over time.
	30.	**Remuneration of police** Whether entry-level salaries for police officers are sufficient to recruit and retain qualified individuals	ES	*Question*: "To what extent would you agree that police officers' entry-level salaries are sufficient to recruit and retain qualified individuals?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	31. Skills to gather and protect physical evidence Whether police officers have the necessary skills to gather and protect physical evidence	ES	*Question*: "To what extent do you agree that police officers have the necessary skills to gather and protect physical evidence?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in score over time.
	32. Vetting process for police officers Whether the existing vetting process is adequate to ensure that individuals who committed gross human rights abuses and other serious crimes are identified and prevented from serving as police officers	ES	*Question*: "How would you rate the current vetting process for ensuring that those who committed gross human rights abuses and other serious crimes are identified and prevented from serving as police officers?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (no process in place) (1). *Dynamic*: Direction and level of change in score over time.
	33. Public perception of the effectiveness of the vetting process for police officers Public perception of whether individuals who have committed gross human rights abuses and other serious crimes are identified and prevented from serving as police officers	PS	*Question*: "How often are people who committed serious human rights abuses or serious crimes identified and prevented from serving or being recruited as police officers?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: very often (4); often (3); rarely (2); never (1). *Dynamic*: Direction and level of change in score over time.
	34. Gender balance in police personnel Percentage of police personnel who are women	AD	*Measurement*: Percentage of police personnel who are women. *Rating*: Not rated. *Dynamic*: Direction and level of change in the percentage over time.
	35. Competence of front-line police officers Perceived general competence of front-line police officers	ES	*Question*: "How would you describe the general level of competence of front-line police officers?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: very high; (4); high (3); low (2); very low (1). *Dynamic*: Direction and level of change in average score over time.
Administrative and management capacity *(The police have competent leadership and make effective use of resources)*	**36. Salaries are paid on time** Whether police officers experience frequent delays in receiving their salary	ES	*Question*: "How often do police officers experience delays in receiving their salary?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the following four response categories: never (4); rarely (3); often (2); very often (1). *Dynamic*: Direction and level of change in score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Police (*continued*)			
Capacity – Police (*continued*)			
Administrative and management capacity (*continued*)	**37. Record management capacity** The quality and accuracy of police records of individuals held in custody	ES	*Question*: "How would you rate the quality and accuracy of police records of individuals held in police custody?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in score over time.
		FD	*Alternative indicator:* Review of a sample of police files on individuals held in police custody to determine whether they include information on: (a) their identity; (b) grounds for the deprivation of liberty; (c) whether they are adults or children; and, when relevant, (d) the date of their arrest. *Rating*: Rated on a four-point scale corresponding to the following four categories: 100% of files (very good = 4); 75-99% of files (good = 3); 50-74% of files (poor = 2); less than 50% of files (very poor = 1). *Dynamic*: Direction and level of change in score over time.
	38. Strategic planning and budgeting capacity The police have a current strategic plan and budget projections	DR	*Measurement*: Review of available documents to determine whether the police have a current strategic plan and budget projections (forecast). *Rating*: The score based on the review of available documents will use the following categories: the documents reveal that the police have very good both strategic planning and budget projection capacities (very good = 4); the documents reveal that the police have a capacity, but the plans and projections are not updated regularly (good = 3); the documents reveal that the police have a limited planning and budgeting capacity (poor = 2); the documents reveal that the police have a very limited planning and budgeting capacity (very poor = 1). *Dynamic*: Direction and level of change in score over time.
	39. Administrative systems of the police The police have in place effective administrative systems to support key management functions such as the management of finances, assets, human resources and procurement.	ES	*Question*: "How would you rate the administrative systems on which the police rely to perform key management functions such as the management of finances, assets, human resources and procurement?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in score over time. *Note*: A supplementary question is asked to help understand what the strong and weak aspects of existing systems are.
	40. Public perception of police leaders Public confidence in police leaders	PS	*Question*: "To what extent do you agree that police leaders are doing a good job?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	41. Ability of police leaders Perceived ability and determination of police leaders to improve the capacity, integrity and performance of the police	ES	*Question*: "How would you rate the police leaders' ability and determination to improve the performance of the police?" *Rating*: Average score of all relevant experts on a four-point scale for the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets		Indicators	Data source*	Measurement
Judiciary				
Performance – Judiciary				
Public confidence *(The public believes that the judicial system is fair and effective and respects individual rights)*	**42.**	**Judiciary's respect for the rights of defendants and victims** Public perception of how respectful judges and prosecutors are of the rights of defendants and victims	PS	*Question*: "To what extent do you agree that judges and prosecutors are generally respectful of the rights of defendants and victims?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	43.	**Impartiality of the courts** Whether the courts are perceived by the population to be treating people fairly and impartially regardless of their income, race, national or social origin, gender or religion	PS	*Question*: "To what extent do you agree that courts treat people fairly regardless of their income, race, national or social origin, gender or religion?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	44.	**Confidence in public prosecution** Whether the public believes that prosecution decisions are made in a fair, efficient and effective manner	ES	*Question*: "Do you agree that the public believes that prosecution decisions are made in a fair, efficient and effective manner?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
Access to justice *(The judicial system offers access to criminal justice)*	**45.**	**Availability of interpreters** How available are the services of interpreters to assist defendants and victims of crime	ES	*Question*: "How would you rate the availability of interpreters to assist victims and defendants during criminal proceedings?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to help determine whether interpreters are available to only one of these groups.
	46.	**Protection of the rights of defendants and victims** Whether the rights of victims and defendants are sufficiently protected during criminal court proceedings	ES	*Question*: "To what extent do you agree that the rights of victims and defendants are sufficiently protected during criminal court proceedings?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	47.	**Access to redress for miscarriage of justice** Whether victims of miscarriage of justice have access to effective legal recourse and redress	ES	*Question*: "To what extent do you agree that people who are wrongfully convicted are able to receive compensation or other forms of redress?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets		Indicators	Data source*	Measurement
Judiciary				
Performance – Judiciary				
Access to justice *(continued)*	**48.**	**Fees to obtain access to courts** Whether, according to public survey respondents, victims of crime have to pay an official or unofficial fee to have their complaints proceed to court	PS	*Question*: "How often do victims of crime have to pay an official or unofficial fee to have their complaints proceed to court?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: never (4); rarely (3); often (3); very often (4). *Dynamic*: Direction and level of change in average score over time.
	49.	**Availability of free legal assistance for indigent defendants** Whether and to what extent indigent defendants receive free legal assistance at all stages of criminal proceedings against them	ES	*Measurement*: How often do indigent people accused of serious crimes actually receive free legal assistance at all stages of proceedings against them? *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very often (4); often (3); rarely (2); never (1). *Dynamic*: Direction and level of change in average score over time.
	50.	**Quality of legal representation** The quality of the legal representation generally available to defendants during criminal proceedings	ES	*Question*: "How would you rate the legal representation generally available to defendants during criminal proceedings?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.
	51.	**Response to gender-based violence** Whether the population believes that women who are victims of sexual and other gender-based violence are treated fairly by the courts	PS	*Question*: "To what extent do you agree that women who are victims of sexual or other gender-based violence are able to receive a fair hearing in court?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: The analysis of the responses to this question includes a gender-based comparison of responses.
Effectiveness and efficiency *(The judicial system meets its responsibilities in an efficient and timely manner)*	**52.**	**Undue delays** Ability of the judicial system to hear and conclude criminal cases without undue delays	ES	*Question*: "How would you rate the ability of the judicial system to hear and conclude criminal cases without undue delays?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.
	53.	**Public perception of undue delays** Whether the public perceives that the courts complete criminal proceedings without unnecessary delays	PS	*Question*: "To what extent do you agree that the courts complete criminal proceedings without any unnecessary delay?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	54. Pre-sentence detention Percentage of all detainees who have been held in detention for more than 12 months while awaiting sentencing or a final disposition of their case	AD	*Measurement*: Percentage of prison detainees on a given date who have been held in detention for more than 12 months while awaiting sentencing or another final disposition of their case (excluding appeals). *Rating*: Not rated. *Dynamic*: Direction and level of change in the percentage over time. *Note*: Data on child detainees should also be collected and reported when available.
	55. Children in pre-sentence detention Number of children in pre-sentence detention per 100,000 child population.	AD	*Measurement*: Number of children in pre-sentence detention per 100,000 child population. *Rating*: Not rated. *Dynamic*: Direction and level of change in the number over time.
Integrity, transparency, and accountability – Judiciary			
Integrity and independence *(Courts do not violate human rights or abuse their power and are free from undue influence of political and private interests)*	**56. Independence of judiciary – tenure** Percentage of judges who are appointed for fixed terms that provide a guaranteed tenure, which is protected until retirement age or the expiration of a defined term of substantial duration	DR	*Measurement*: Percentage of judges who are appointed for fixed terms that provide a guaranteed tenure, which is protected until retirement age or the expiration of a defined term of substantial duration. *Rating*: Not rated. *Dynamic*: Direction and level of change in the percentage over time.
	57. Independence of judiciary – discipline Whether judges are protected from arbitrary removal or punishment	ES	*Question*: "To what extent do you agree that judges are protected from arbitrary removal or punishment?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	58. Public perception of judicial independence Whether the population believes that judges are able to make decisions free from direct or indirect interference by Government or politicians	PS	*Question*: "Do you think that judges are able to make decisions without direct or indirect interference by Government or politicians?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: always able (4); sometimes able (3); rarely able (2); never able (1). *Dynamic*: Direction and level of change in average score over time.
	59. Bribes to judges, prosecutors or court personnel Whether the population believes that people can avoid a conviction or receive a more lenient sentence by paying a bribe to a judge, a prosecutor or other court personnel	PS	*Question*: "How often does it happen that people can avoid a conviction or receive a less severe punishment by paying a bribe to a judge, a prosecutor or other court personnel?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: never (4); rarely (3); often (2); very often (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Judiciary (*continued*)			
Integrity, transparency, and accountability – Judiciary (*continued*)			
Transparency and accountability *(Relevant information on the activities, decision-making processes, decisions and use of resources by the courts is publicly available, and the judges and prosecutors are held accountable for their actions)*	**60. Public access to criminal trials** Whether members of the public are allowed to attend criminal trials (notwithstanding any legal exceptions for cases involving children, sexual violence or national security)	ES	*Question*: "How often are members of the public allowed to attend criminal trials (notwithstanding any legal exceptions for cases involving children, sexual violence or national security)?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: always (4); often (3); rarely (2); very rarely (1). *Dynamic*: Direction and level of change in average score over time.
	61. Publicly available information about complaints against judges Whether courts produce publicly available information on complaints against judges which describes the nature of the complaints and how they were resolved	DR	*Data*: A review of documents to establish whether courts produce publicly available information on complaints against judges which describe the nature of the complaints and how they were resolved. *Rating*: Average score on a four-point scale corresponding to the following four response categories: complete and transparent accounts are made public (4); somewhat incomplete accounts are made public (3); accounts are rarely made public, or are hard to access, or are not very transparent (2); no accounts are published (1). *Dynamic*: Direction and level of change in average score over time.
	62. Investigation of prosecutor's misconduct Whether lawyers, judges, or members of the public are able to trigger an investigation of alleged misconduct by a prosecutor	ES	*Question*: "To what extent do you agree that it is possible for someone (a lawyer, a judge, or a member of the public) to trigger an investigation of alleged misconduct by a prosecutor?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	63. Investigation of judges' alleged misconduct Whether lawyers, judges and members of the public are able to trigger an investigation of alleged misconduct by a judge	ES	*Question*: "To what extent do you agree that it is possible for someone (a lawyer, a judge, or a member of the public) to trigger an investigation of alleged misconduct by a judge?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	64. Judicial misconduct Likelihood of judges being removed from their posts or otherwise disciplined in cases of serious misconduct	ES	*Question*: "How likely are judges found responsible for serious misconduct to be removed from their post or otherwise disciplined?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very likely (4); somewhat likely (3); unlikely (2); very unlikely (1). *Dynamic*: Direction and level of change in average score over time.
	65. Prosecutorial misconduct Likelihood of prosecutors being removed from their post or otherwise disciplined in cases of serious misconduct	ES	*Question*: "How likely are public prosecutors who are found responsible for serious misconduct to be removed from their post or otherwise disciplined?" *Rating*: Average score of all relevant experts based on a four-point scale corresponding to the following four response categories: very likely (4); somewhat likely (3); unlikely (2); very unlikely (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	66. Performance monitoring system for prosecution Whether internal procedures and mechanisms exist within prosecution services to assess and monitor compliance with departmental performance guidelines	DR	*Measurement*: Review of documents to determine whether prosecution services have performance guidelines and a performance monitoring system that holds prosecutors accountable for unnecessary delays in proceedings, case backlog, or absenteeism. *Rating*: Very good performance guidelines and monitoring system (4); good performance guidelines and monitoring system (3); poor performance guidelines and monitoring system (2); very poor performance guidelines and monitoring system (1). *Dynamic*: Direction and level of change in average score over time.
	67. Performance monitoring system for judges Whether courts have performance guidelines and a system for monitoring performance that holds judges accountable for unnecessary delays in proceedings, case backlog, or absenteeism.	DR	*Measurement*: Review of documents to determine whether courts have performance guidelines and a performance monitoring system that holds judges accountable for unnecessary delays in proceedings, case backlog, or absenteeism. *Rating*: Very good performance guidelines and monitoring system (4); good performance guidelines and monitoring system (3); poor performance guidelines and monitoring system (2); very poor performance guidelines and monitoring system (1). *Dynamic*: Direction and level of change in average score over time.
	68. Publicly available reports on court spending Whether courts periodically produce a publicly available account of spending which is reasonably complete and itemized	DR	*Measurement*: Review of documents to determine whether courts periodically produce a publicly available account of spending which is reasonably complete and itemized. *Rating*: Reports are produced and made public regularly (4); such reports are only occasionally produced and made public (3); such reports are produced and made public but are incomplete, not properly itemized or not sufficiently detailed (2); such reports are not produced or made public (1). *Dynamic*: Direction and level of change in average score over time.
Treatment of members of vulnerable groups – Judiciary			
Treatment of members of vulnerable groups *(The courts treat vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination)*	**69. Equal application of the law by judges** Whether judges impose different punishments for the same type of crime based on a defendant's or victim's personal or ethnic characteristics	ES	*Question*: "How likely are judges to impose different punishments for the same type of crime, for example an armed assault, based on the defendant's or the victim's personal or ethnic characteristics?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very unlikely (4); somewhat unlikely (3); likely (2); very likely (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Judiciary (*continued*)			
Treatment of members of vulnerable groups – Judiciary (*continued*)			
Treatment of members of vulnerable groups (*continued*)	**70. Treatment of children by the courts** Whether judges who adjudicate criminal cases involving children as defendants apply procedures specifically designed for children	ES AD	*Question*: "To what extent do judges who adjudicate cases involving children as defendants apply procedures designed specifically for children?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: always (4); sometimes (3); rarely (2); never (1). *Dynamic*: Direction and level of change in average score over time. *Note 1*: The indicator cannot be measured when the laws of the country do not provide for any special procedure for dealing with children (as required by the Convention on the Rights of the Child). *Note 2*: Whenever possible, administrative data on the frequency of diversion will be obtained and reported.
	71. Legal assistance for children in conflict with the law Whether child defendants are represented by an advocate or legal counsel.	ES	*Question*: "How often are children who are accused of a criminal offence represented in court by an advocate or legal counsel?" *Rating*: Average score of all relevant experts based on a four-point scale corresponding to the following four response categories: very often (4); often (3); rarely (2); never (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to qualify the respondent's response to the main question.
	72. Special procedures for child victims and witnesses of crime Whether child-friendly measures have been adopted by the courts and the prosecution for dealing with cases involving child victims or witnesses of crime	DR	*Measurement*: Laws and other documents are reviewed to assess the comprehensiveness of the child-friendly measures adopted by the courts and the prosecutions for dealing with child victims and witnesses of crime. *Rating*: Very comprehensive measures (4); some important measures (3); few measures (2); no measures. *Dynamic*: Direction and level of change in average score over time.
	73. Detention of children only as a last resort Whether detention is used only as a measure of last resort and for the shortest possible period of time in all cases involving children as defendants	ES AD	*Question*: "Would you agree that detention is used only as a measure of last resort and for the shortest possible period of time in all cases involving children as defendants?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: strongly agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: When national juvenile justice sentencing data exist, the percentage of sentenced children receiving a custodial sentence in a given year will be calculated and reported together with the main findings in order to help quantify the justice system's reliance on detention as a response to youth crime.
	74. Assessment of mentally ill offenders Whether the courts have access to and make proper use of medical assessments of mentally ill defendants	ES	*Question*: "How frequently do the courts make use of professional medical assessments of mentally ill defendants?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: always (4); sometimes (3); rarely (2); never (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets		Indicators	Data source*	Measurement
Capacity – Judiciary				
Material resources *(Courts and prosecution services have the infrastructure and equipment they need to deliver services across the country)*	**75.**	**Material resources of the courts** Whether the material resources available to the courts are adequate	ES	*Question*: "With respect to the courts across most of the country (not just the capital), to what extent do you agree that courts have the material resources they need to consult the law, record proceedings, schedule cases, and store and maintain records?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to determine the specific challenged faced by the courts in this regard.
	76.	**Means to protect court personnel** Whether the courts have the means and resources to protect judges from threats, harassment, assault, assassination or intimidation	ES	*Question*: "To what extent do you agree that courts have the means and resources to protect judges from threats, harassment, assault, assassination or intimidation?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to determine the specific challenges faced by the courts in this regard.
	77.	**Prosecution material resources** Whether prosecutors have the material resources necessary to record testimonies, store and maintain evidence, and keep track of pending cases and hearing dates	ES	*Question*: "To what extent do you agree that prosecutors have the means and resources to record testimonies, store and maintain evidence, and keep track of pending cases and hearing dates?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to determine which aspects of this capacity are particularly lacking.
Human resources *(Courts and prosecution services have sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated)*	**78.**	**Percentage of judges who are women** Percentage of judges who are women	AD	*Measurement*: Percentage of judges who are women. *Rating*: Not rated. *Dynamic*: Changes over time in the percentage of judges who are women
	79.	**Competence (skills and knowledge) of prosecutors** Whether prosecutors have the professional skills, legal training and knowledge required to conduct successful and lawful prosecutions	ES	*Question*: "To what extent do you agree that prosecutors have the professional skills, legal training and knowledge required to conduct successful and lawful prosecutions?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	80.	**Competence (skills and knowledge) of judges** Whether judges possess the professional skills, legal training and knowledge to properly adjudicate criminal cases	ES	*Question*: "To what extent do you agree that judges have the professional skills, legal training and knowledge required to properly adjudicate criminal cases?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Judiciary (*continued*)			
Capacity – Judiciary (*continued*)			
Human resources (*continued*)	**81. Competence (skills and knowledge) of defence counsels** Whether publicly funded defence counsels have the professional skills, legal training and knowledge required to effectively represent defendants in criminal cases	ES	*Question*: "To what extent do you agree that defence counsels have the professional skills, legal training and knowledge required to effectively counsel, assist and represent defendants in criminal cases?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	82. Remuneration of judges Whether judges' salaries are sufficient to attract and retain qualified judges	ES	*Question*: "To what extent do you agree that judges' salaries are sufficient to attract and retain qualified judges, enabling them to live in a reasonably secure environment without having to resort to other sources of income?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	83. Remuneration of prosecutors Whether entry-level salaries for prosecutors are sufficient to recruit and retain qualified professionals	ES	*Question*: "To what extent do you agree that entry-level prosecutors' salaries are sufficient to recruit and retain qualified professionals?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
Administrative and management capacity *(Courts and prosecution services have competent leadership)*	**84. Strategic planning and budgeting capacity of the courts** Whether the courts have an efficient strategic planning and budgeting capacity	ES DR	*Question*: "How would you rate the courts' capacity to plan their operations strategically and to budget efficiently?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A document review will also establish whether recent strategic plans and budget forecast documents exist.
	85. Strategic planning and budgeting capacity of prosecutors The public prosecution office's strategic planning and budgeting capacity	ES DR	*Question*: "How would you rate the public prosecution office's capacity to plan its operations strategically and to budget efficiently?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A document review will also establish whether recent strategic plans and budget forecast documents exist.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	86. Administrative systems of the courts Whether the courts have in place effective administrative systems to support key management functions such as the management of finances, assets, procurement and human resources	ES	*Question*: "How would you rate the administrative systems on which the courts rely to perform key management functions such as the management of finances, assets, procurement and human resources?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in score over time. *Note*: A supplementary question is asked to identify the main strengths and weaknesses of these systems.
	87. Administrative systems of the prosecutors Whether the prosecutors have in place effective administrative systems to support key management functions such as the management of finances, assets, procurement and human resources.	ES	*Question*: "How would you rate the administrative systems on which prosecutors rely to perform key management functions such as the management of finances, assets, procurement and human resources?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in score over time. *Note*: A supplementary question is asked to identify the main strengths and weaknesses of these systems.
	88. Salaries of judges are paid on time Whether judges experience delays in receiving their salaries	ES	*Question*: "How frequently do judges experience delays in receiving their salaries?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very rarely (4); sometimes (3); often (2); very often (1). *Dynamic*: Direction and level of change in average score over time.
	89. Salaries of prosecutors are paid on time Whether prosecutors experience delays in receiving their salaries	ES	*Question*: "How frequently do prosecutors experience delays in receiving their salaries?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very rarely (4); sometimes (3); often (2); very often (1). *Dynamic*: Direction and level of change in average score over time.
	90. Salaries or fees of publicly funded defence counsels are paid on time Whether publicly funded defence counsels experience delays in receiving their professional fees or salaries	ES	*Question*: "How frequently do publicly funded defence counsels experience delays in receiving their salaries or professional fees?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very rarely (4); sometimes (3); often (2); very often (1). *Dynamic*: Direction and level of change in average score over time.
	91. Quality of court records Whether courts maintain apparently complete records on pending cases, including at a minimum the date the case was transferred to the court, the charge(s) involved and the date of the next hearing or other action	FD	*Measurement*: Field data gathered from a sample of court records to determine whether they contain complete information on the date the case was transferred to the court, the charge(s) involved and the date of the next hearing or other action. *Rating*: The indicator is rated using a four-point scale corresponding to the following four categories: 100% of files contain the relevant information (very good = 4); 75-99% of files contain the relevant information (good = 3); 50-74% of files contain the relevant information (poor = 2); less than 50% of files contain the relevant information (very poor = 1). *Dynamic*: Direction and level of change in percentage over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Judiciary (*continued*)			
Capacity – Judiciary (*continued*)			
Administrative and management capacity *(Courts and prosecution services have competent leadership)*	**92. Quality of prosecution records** Whether prosecutors' offices maintain apparently complete records on: (a) all cases accepted for prosecution; (b) cases dismissed; and (c) charges for each case	FD	*Measurement*: Field data gathered from a sample of active prosecution files to determine whether they contain complete information on: (a) when the case was accepted for prosecution; (b) the action taken in the case; (c) the nature of the charges for each case; and (d) the date of the next appearance. *Rating*: The indicator is rated using a four-point scale corresponding to the following four categories: 100% of files contain the relevant information (very good = 4); 75-99% of files contain the relevant information (good = 3); 50-74% of files contain the relevant information (poor = 2); less than 50% of files contain the relevant information (very poor = 1). *Dynamic*: Direction and level of change in percentage over time.
Prisons			
Performance – Prisons			
Security, safety and order *(Prisons ensure the safety and security of inmates and corrections officers)*	**93. Prison escapes** Number of prison escapes per 1,000 prisoners within the last 12 months	AD	*Measurement*: The number of individual prisoners who have escaped within the last 12 months divided by the prison population on a representative day during the period, multiplied by 1,000. *Rating*: Not rated. *Dynamic*: Changes in the number of escapes over time.
	94. Prison safety The level of safety that generally prevails in prisons	ES	*Question*: "How would you rate the level of safety that generally prevails in the prisons?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.
	95. Assaults on prison officers Number of assaults on prison officers per 1,000 prisoners in a 12-month period	AD	*Measurement*: The number of assaults on prison officers that occurred in a 12-month period divided by the number of prisoners (average monthly count), multiplied by 1,000. *Rating*: Not rated. *Dynamic*: Changes in the rate of assaults on prison officers over time.
	96. Number of violent deaths per 1,000 prisoners Rate of violent deaths per 1,000 prisoners within the last 12 months	AD	*Measurement*: The rate of violent deaths per 1,000 prisoners within the last 12 months. *Rating*: Not rated. *Dynamic*: Changes in the number of violent deaths over time. *Note*: If the administrative data available allow a disaggregation by age, the rate of violent deaths of children in prison per 1,000 child prisoners is also calculated.
	97. Public perception of the management of prisons The population's perception of the management of prisons	PS	*Question*: "In your view, how well are prisons managed in this country?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: very well (4); well (3); not very well (2); not well at all (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Prisoner health, welfare and rehabilitation *(Prisons meet inmates' physical, health and welfare needs)*	**98. Prisoners' nutrition** Whether prisons provide food of sufficient nutritional value for the prisoners to remain healthy and strong	ES	*Question*: "To what extent do you agree that prisons generally provide prisoners with food of sufficient nutritional value to remain healthy and strong?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
		FD	*Note*: Supplementary information is collected and reported, if available (based where possible on field data), on the average percentage of minimum recommended daily calories received by prisoners in selected prisons.
	99. Clean water and sanitation The quality of the prisons' clean water and sanitation installations	ES	*Question*: "How would you rate the prisons' supply of clean water and sanitation installations?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.
	100. Women detained separately from male prisoners Whether and to what extent female prisoners are kept separate from male prisoners	AD	*Measurement*: Percentage of female prisoners who are held completely separately from male prisoners. *Rating*: Not rated. *Dynamic*: Changes in the percentage over time.
	101. Family visits Whether families are allowed to visit their imprisoned relatives without any kind of official or unofficial fee	ES	*Question*: "Do you agree that families of prisoners are generally allowed to visit their imprisoned relatives without any kind of official or unofficial fee?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
		AD	*Note 1*: A supplementary question is asked to help determine whether this is also true of family visits in the case of children in detention. *Note 2*: Where administrative data exist, the percentage of children in detention who have been visited by, or visited, a parent, guardian, or family member in the last three months will be calculated and reported.
	102. Quality of health-care services Whether the professional health care generally available to prisoners is adequate	ES	*Question*: "How adequate is the professional health care generally available to prisoners?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very adequate (4); adequate (3); inadequate (2); very inadequate (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to help determine whether the same is true for women prisoners.
	103. Health examination at time of admission Percentage of prisoners who have been examined by a qualified medical professional at the time of their admission to prison	AD	*Measurement*: The percentage of prisoners admitted to prison during a year who were examined by a qualified medical professional at the time of their admission. *Rating*: Not rated. *Dynamic*: Changes in the percentage over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Prisons (*continued*)			
Performance – Prisons (*continued*)			
Prisoner health, welfare and rehabilitation (*continued*)	**104. Number of prisoners per prison medical staff** Number of prisoners per prison medical personnel	AD	*Measurement*: Number of prisoners (e.g., average monthly count) divided by the number of prison medical personnel on a given day. *Rating*: Not rated. *Dynamic*: Changes in the number of prisoners over time.
	105. Number of non-violent deaths per 1,000 prisoners Number of non-violent deaths per 1,000 prisoners within the last 12 months	AD	*Measurement*: Number of non-violent deaths of prisoners within the last 12 months divided by the prison population (e.g., average monthly count), multiplied by 1,000. *Rating*: Not rated. *Dynamic*: Changes in the number of non-violent deaths over time. *Note*: When possible, data disaggregated by gender and by age will be used. This makes it possible to determine how many children, if any, died a non-violent death while in prison.
Integrity, transparency and accountability – Prisons			
Integrity *(Alleged incidents of corruption, misconduct or lack of integrity within the prison service are reported, investigated and prevented)*	**106. Corruption of prison officers** Whether the population perceives corruption of prison officials as a serious problem in the prison system	PS	*Question*: "In your view, how serious is the problem of corruption of prison officials in this country?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: not a problem (4); not a very serious problem (3); a serious problem (2); a very serious problem (1). *Dynamic*: Direction and level of change in average score over time.
	107. Lawfulness of detention Whether people are held in prison without a valid judicial order, or beyond the expiration of such an order	ES	*Question*: "How common is it for people to be held in prison without a valid judicial order (or warrant), or beyond the expiration of such an order?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: almost never (4); rarely (3); commonly (2); very commonly (1). *Dynamic*: Direction and level of change in average score over time.
	108. Excessive use of force Whether corrections officers use excessive force against prisoners	ES	*Question*: "To what extent do you think that corrections officers use excessive force (e.g., use of excessive physical force, use of restraints as punishment) against prisoners?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: almost never (4); rarely (3); commonly (2); very commonly (1). *Dynamic*: Direction and level of change in average score over time.
Transparency and accountability *(Relevant information on the activities, decision-making processes, decisions and use of resources by prisons officials is publicly available, and these officials are held accountable for their actions)*	**109. Public reports on spending** Whether the prison service periodically produces a publicly available account of its spending which is reasonably complete and itemized	DR	*Measurement*: A review of official documents to determine whether the prison service periodically produces a publicly available account of spending which is reasonably complete and itemized *Rating*: Very good public account of spending (4); good public account of spending (3); poor public account of spending (2); very poor or no public account of spending (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	110. Publicly available information on complaints of misconduct Whether the prison service periodically produces publicly available information on complaints made against prison officials which describe the nature of the complaints and how they were resolved	DR	*Measurement*: A review of documents to establish whether prisons produce publicly available information on complaints against prison officials which describe the nature of the complaints and how they were resolved. *Rating*: Complete and transparent accounts are made public (4); somewhat incomplete accounts are made public (3); accounts are rarely made public, or are hard to access, or are not very transparent (2); no accounts are published (1). *Dynamic*: Direction and level of change in average score over time. *Note*: "Periodically" refers to a minimum of annual reporting.
	111. Publicly available information on deaths in custody Whether the prison service periodically produces publicly available information on the number and causes of deaths in custody for all deaths in custody	DR	*Data*: A review of official documents to determine whether the prison service periodically produces publicly available information on the number and causes of deaths in custody for all deaths in custody. *Rating*: Very good public account of deaths in custody (4); good public account of deaths in custody (3); poor public account of deaths in custody (2); very poor or no public account of deaths in custody (1). *Dynamic*: Direction and level of change in average score over time. *Note*: "Periodically" refers to a minimum of annual reporting.
	112. Inspection of prisons by human rights organizations or mechanisms Whether human rights organizations are able to visit prisons to monitor prison conditions	ES	*Question*: "To what extent do you agree that human rights organizations or mechanisms are generally able to visit the country's prisons to monitor prison conditions?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to help determine whether prison inspections are also taking place in juvenile detention institutions.
	113. Complaints procedure How adequate are existing mechanisms for hearing complaints registered by prisoners about their treatment in prison	ES	*Question*: "To what extent do you agree that there exist adequate mechanisms for hearing complaints registered by prisoners about their treatment in prison?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: Supplementary questions are asked to determine whether adequate complaint mechanisms also exist in juvenile detention facilities and how they could be improved.
	114. Performance monitoring Whether the prison service has a performance monitoring system that holds officers accountable for infractions of prison regulations, absenteeism or poor performance	ES	*Question*: "How would you rate the prison service's system for measuring performance and holding officers accountable for infractions of prison regulations, absenteeism or poor performance?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Prisons (*continued*)			
Integrity, transparency and accountability – Prisons			
Treatment of members of vulnerable groups *(The prison system treats vulnerable individuals, such as members of minorities, children in need of protection or in conflict with the law, internally displaced persons, asylum-seekers, refugees, returnees, and stateless and mentally ill individuals, fairly and without discrimination)*	**115. Discrimination** Whether the population believes that unfair discrimination against certain groups of prisoners is a problem in the country's prisons	PS	*Question*: "To what extent do you agree that discrimination against certain groups of prisoners is a problem in the country's prisons?" *Rating*: Average score of respondents on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	116. Children detained separately from adults Whether and to what extent children in detention are kept wholly separate from adult prisoners	AD	*Measurement*: Percentage of children in detention not wholly separated from adults, divided by the total number of children in detention, multiplied by 100. *Rating*: Not rated. *Dynamic*: Changes in the percentage over time.
	117. Prisoners permitted to practise their religion Whether and to what extent prisoners of all faiths and denominations are permitted to freely practise their religion	ES	*Question*: "To what extent do you agree that prisoners of all faiths and denominations are permitted to freely practise their religion in prison?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	118. Care of mentally ill prisoners The quality of the mental health care available to prisoners	ES	*Question*: "How would you rate the quality of the mental health care available to prisoners?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.
Capacity – Prisons			
Material resources *(The prison service has material resources that are adequate to perform its duties)*	**119. Prison overcrowding** Whether overcrowding is a serious problem in the country's prisons	ES AD	*Question*: "How serious is the problem of overcrowding in the country's prisons?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: not a problem (4); a minor problem (3); a serious problem (2); a very serious problem (1). *Dynamic*: Direction and level of change in average score over time. *Note 1*: A supplementary question is asked to provide more information on where (region, type of institution) the problem is most severe. *Note 2*: Supplementary information is collected and reported, if possible, on the percentage of inmates housed in "overcrowded prisons" based on review of administrative data, when available, on prison capacity and prison population.
	120. Detention facilities for children How adequate are the facilities used to detain children	ES	*Question*: "How adequate are the facilities used to detain children?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very adequate (4); mostly adequate (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to determine the main issues with respect to the conditions of detention of children.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	121. Detention facilities for women How adequate are the facilities used to detain women and girls	ES	*Question*: "How adequate are the facilities used to detain women and girls?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: completely adequate (4); mostly adequate (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to determine the main issues with respect to the conditions of detention of women.
	122. Means of communication and transportation Whether prisons have adequate resources to transport inmates to court hearings	ES	*Question*: "To what extent do you agree that prisons have adequate resources to transport inmates to court hearings?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to help determine what the main issues are in this respect.
Human resources *(The prison service has sufficient personnel who are adequately screened, fairly recruited and sufficiently remunerated)*	**123. Number of prisoners per prison officer** Number of prisoners per prison officer	AD	*Measurement*: Number of prisoners divided by the number of prison officers on a representative, specified day of the year. *Rating*: Not rated. *Dynamic*: Changes in the ratio over time. *Note*: Wherever possible, administrative data on the number of children in detention will also be obtained and reported.
	124. Remuneration of prison officers Whether entry-level salaries for prison officers are sufficient to recruit and retain qualified professionals	ES	*Question*: "How adequate are entry-level salaries for prison officers in terms of recruiting and retaining qualified professionals?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very adequate (4); barely adequate (3); inadequate (2); grossly inadequate (1). *Dynamic*: Direction and level of change in average score over time.
	125. Competence of prison officers Whether prison officers have the necessary skills and training to respond to various prison situations without excessive use of force	ES	*Question*: "To what extent do you agree that prison officers generally have the necessary skills and training to respond to various prison situations without excessive use of force?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	126. Training on human rights The extent to which prison staff receive adequate human rights training	ES	*Question*: "How adequate is the human rights training received by prison staff?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: completely adequate (4); mostly adequate (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A supplementary question is asked to determine how such training should be improved.

Dimensions/ Baskets	Indicators	Data source*	Measurement
Prisons (*continued*)			
Capacity – Prisons (*continued*)			
Human resources (*continued*)	**127. Training capacity of the prison service** Whether the prison service has adequate resources and capacity to properly train new recruits	ES	*Question*: "How would you rate the prison service's resources and capacity to properly train new recruits?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.
	128. Vetting process for prison officers Whether the existing vetting process is adequate to ensure that individuals who committed gross human rights abuses and other serious crimes are identified and prevented from serving as prison officers	PS	*Question*: "To what extent do you agree that those who committed gross human rights abuses and other serious crimes are identified and prevented from serving as prison officers?" *Rating*: Average score of respondents on a four-point scale corresponding to the four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
Administrative and management capacity *(The prison service has competent leadership and makes effective use of available resources)*	**129. Prison inspections** Whether there is an efficient mechanism in place for regular prison inspections and for following up on the issues identified during such inspections	ES	*Question*: "To what extent do you agree that an efficient mechanism is in place for regular prison inspections and for following up on the issues identified during such inspections?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); partly agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time.
	130. Management of prisons and compliance with human rights standards Whether prisons are managed in compliance with human rights standards	ES	*Question*: "To what extent do you agree that prisons are managed in compliance with human rights standards?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: fully agree (4); agree (3); disagree (2); strongly disagree (1). *Dynamic*: Direction and level of change in average score over time. *Note 1*: A supplementary question is asked to determine which aspects of prison management are particularly problematic from the point of view of human rights and children's rights. *Note 2*: A second supplementary question is asked to determine whether experts believe that there is a difference with respect to compliance with children's rights.
	131. Salaries paid on time Whether prison staff experience delays in receiving their salary	ES	*Question*: "How frequently do prison staff experience delays in receiving their salary? *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very rarely (4); sometimes (3); often (2); very often (1). *Dynamic*: Direction and level of change in average score over time.

Dimensions/ Baskets	Indicators	Data source*	Measurement
	132. Strategic planning and budgeting capacity Whether the prison service has a strategic planning and efficient budgeting capacity	ES DR	*Question*: "How would you rate the prison service's capacity to plan its operations strategically and to budget efficiently?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: A document review will also establish whether recent strategic plans and budget forecast documents exist
	133. Administrative systems of the prison service The prison service has in place effective administrative systems to support key management functions such as the management of finances, assets, procurement and human resources	ES	*Question*: "How would you rate the administrative systems on which the prison service relies to perform key management functions such as the management of finances, assets, procurement and human resources?" *Rating*: Average score of relevant experts on a four-point scale corresponding to the four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in score over time. *Note*: A supplementary question is asked to identify the main strengths and weaknesses of these systems.
	134. Record keeping and information management Strength of the prison service's record keeping and information management capacity	ES FD	*Question*: "How would you rate the prison service's record keeping and information management capacity?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time. *Note*: Field data will also be collected on the quality of the information contained in a sample of prison files.
	135. Competence of prison leadership Ability and determination of prison leaders to improve the capacity, integrity and performance of the prison service	ES	*Question*: "How would you rate the ability and determination of prison leaders/managers to improve the performance of the prison service?" *Rating*: Average score of all relevant experts on a four-point scale corresponding to the following four response categories: very good (4); good (3); poor (2); very poor (1). *Dynamic*: Direction and level of change in average score over time.

Project tool No. 2

Relevant human rights and criminal justice standards

The United Nations Rule of Law Indicators is not an instrument designed to measure the compliance of criminal justice institutions with applicable human rights principles and criminal justice standards. Many of the indicators, however, are directly inspired by those standards. The following provides a quick reference to the standards in question. The standards themselves may be consulted at:

- The International Law page of the OHCHR website (www2.ohchr.org/english/law/).
- UNODC, *Compendium of United Nations standards and norms in crime prevention and criminal justice* (New York: United Nations, 2006). Available at: www.unodc.org/pdf/compendium/compendium_2006.pdf.
- The website of the United Nations (www.un.org).

Indicators relating to policing

Indicator 2 – Police responses to requests for assistance

Code of Conduct for Law Enforcement Officials, art. 1: "Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession." Commentary, para. (c) : "Service to the community is intended to include particularly the rendition of services of assistance to those members of the community who by reason of personal, economic, social or other emergencies are in need of immediate aid."

Indicator 4 – Response to domestic violence incidents

See: Declaration on the Elimination of Violence against Women, which states that States must "exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women" (art. 4 (c)), and the definition of violence against women contained in articles 1 and 2 of the Declaration. See also: Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, in particular article 8, in which Member States are urged, inter alia, within the framework of their national legal systems: "(a) to ensure that the applicable provisions of laws, codes and procedures related to violence against women are consistently enforced in such a way that all criminal acts of violence against women are recognized and responded to accordingly by the criminal justice system; (b) to develop investigative techniques that do not degrade women subjected to violence and that minimize intrusion into their lives, while maintaining standards for the collection of the best evidence; (c) to ensure that police procedures, including decisions on the arrest, detention and terms of any form of release of the perpetrator, take into account the need for the safety of the victim and others related through family, socially or otherwise, and that these procedures also prevent further acts of violence."

Indicator 5 – Police response to sexual crimes against women and children

See: Declaration on the Elimination of Violence against Women and Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

Indicator 10 – Police service to the community

Code of Conduct for Law Enforcement Officials, art. 1: "Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession." Commentary: "(c) Service to the community is intended to include particularly the rendition of services of assistance to those members of the community who by reason of personal, economic, social or other emergencies are in need of immediate aid."

Indicator 12 – Avoiding arrest by offering a bribe

Code of Conduct for Law Enforcement Officials, art. 7: "Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts." Commentary: "(a) Any act of corruption, in the same way as any other abuse of authority, is

incompatible with the profession of law enforcement officials. The law must be enforced fully with respect to any law enforcement official who commits an act of corruption, as Governments cannot expect to enforce the law among their citizens if they cannot, or will not, enforce the law against their own agents and within their agencies; (b) while the definition of corruption must be subject to national law, it should be understood to encompass the commission or omission of an act in the performance of or in connection with one's duties, in response to gifts, promises or incentives demanded or accepted, or the wrongful receipt of these once the act has been committed or omitted; (c) the expression 'act of corruption' referred to above should be understood to encompass attempted corruption."

United Nations Convention against Corruption, art. 15 (a) : "Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally: (a) the promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties."

International Code of Conduct for Public Officials, para. 9: "Public officials shall not solicit or receive directly or indirectly any gift or other favour that may influence the exercise of their functions, the performance of their duties or their judgement."

Indicator 13 – Use of police powers

International Covenant on Civil and Political Rights, art. 9:

"1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

"2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

"3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.

"4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

"5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation."

Indicator 14 – Use of force to obtain confessions

The Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture in article 1 as follows: "... 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons." Article 2 states: "Any act of torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights [and other international human rights instruments]."

Code of Conduct for Law Enforcement Officials, art. 2: "In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons." These rights are defined in other instruments, including the Declaration mentioned above. Article 3 of the Code stipulates: "Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty."

Indicator 15 – Investigation of police misconduct

Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials, sect. I. B, para. 4: "Complaints by members of the public: particular provisions shall be made ... for the receipt and processing of complaints against law enforcement officials made by members of the public, and the existence of these provisions shall be made known to the public."

Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, principle 23: "Persons affected by the use of force and firearms or their legal representatives shall have access to an independent process, including a judicial process..."

Indicator No. 22 – Discrimination by the police

See: International Covenant on Civil and Political Rights, art. 26: "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Indicator 23 – Police implementation of child – friendly policies and procedures

See: Convention on the Rights of the Child and Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

Indicator 24 – Police response to children in conflict with the law

See: Convention on the Rights of the Child; United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines); and United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

Indicator 32 – Vetting process for police officers

Updated Set of Principles for the protection and promotion of human rights through action to combat impunity, principle 36: "States must take all necessary measures, including legislative and administrative reforms, to ensure that public institutions are organized in a manner that ensures respect for the rule of law and protection of human rights. At a minimum, States should undertake the following measures: (a) public officials and employees who are personally responsible for gross violations of human rights, in particular those involved in military, security, police, intelligence and judicial sectors, shall not continue to serve in State institutions. Their removal shall comply with the requirements of due process of law and the principle of non-discrimination. Persons formally charged with individual responsibility for serious crimes under international law shall be suspended from official duties during the criminal or disciplinary proceedings."

Indicator 37 – Record management capacity

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 12, para. 1: "There shall be duly recorded: (a) the reasons for the arrest; (b) the time of the arrest and the taking of the arrested person to a place of custody as well as that of his first appearance before a judicial or other authority; (c) the identity of the law enforcement officials concerned; (d) precise information concerning the place of custody."

International Convention for the Protection of All Persons from Enforced Disappearance, art. 17, para. 3: "Each State Party shall assure the compilation and maintenance of one or more up-to-date official registers and/or records of persons deprived of liberty, which shall be made promptly available, upon request, to any judicial or other competent authority or institution authorized for that purpose by the law of the State Party concerned or any relevant international legal instrument to which the State concerned is a party. The information contained therein shall include, as a minimum: (a) the identity of the person deprived of liberty; (b) the date, time and place where the person was deprived of liberty and the identity of the authority that deprived the person of liberty; (c) the authority that ordered the deprivation of liberty and the grounds for the deprivation of liberty; (d) the authority responsible for supervising the deprivation of liberty; (e) the place of deprivation of liberty, the date and time of admission to the place of deprivation of liberty and the authority responsible for the place of deprivation of liberty; (f) elements relating to the state of health of the person deprived of liberty; (g) in the event of death during the deprivation of liberty, the circumstances and cause of death and the destination of the remains; (h) the date and time of release or transfer to another place of detention, the destination, and the authority responsible for the transfer."

Indicators relating to the judiciary

Indicator 42 – Judiciary's respect for the rights of defendants and victims

See: International Covenant on Civil and Political Rights, in particular art. 14. See also: Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, in particular articles 4, 5 and 6.

Indicator 43 – Impartiality of the courts

International Covenant on Civil and Political Rights:

Article1 4, para. 1: "All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law..."

Article 2, para. 1: "Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Indicator 46 – Protection of the rights of defendants and victims

See: International Covenant on Civil and Political Rights. See also: Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

Indicator 47 – Access to redress for miscarriage of justice

International Covenant on Civil and Political Rights, art. 14, para. 6: "When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him."

Indicator 51 – Response to gender – based violence

See: Declaration on the Elimination of Violence against Women, art. 1: "For the purposes of this Declaration, the term 'violence against women' means any act of gender-based violence that results in, or is likely to result in, physi-

cal, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."

See also: Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

Indicator 55 – Children in pre – sentence detention

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) :

Rule 13.1: "Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time."

Rule 13.2: "Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an educational setting or home."

Rule 20.1: "Each case shall from the outset be handled expeditiously, without any unnecessary delay."

United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules), rule 6.1: "Pre-trial detention shall be used as a means of last resort in criminal proceedings, with due regard for the investigation of the alleged offence and for the protection of society and the victim."

Indicator 56 – Independence of judiciary – tenure

Basic Principles on the Independence of the Judiciary, principle 12: "Judges, whether appointed or elected, shall have guaranteed tenure until a mandatory retirement age or the expiry of their term of office, where such exist."

The Universal Charter of the Judge (of the International Association of Judges-Union International des Magistrats, available at: www.iaj-uim.org), art. 8, para. 3: "Security of office: A judge must be appointed for life or for such other period and conditions, that the judicial independence is not endangered."

Indicator 57 – Independence of judiciary – discipline

Basic Principles on the Independence of the Judiciary:

Principle 17: "A charge or complaint made against a judge in his/her judicial and professional capacity shall be processed expeditiously and fairly under an appropriate procedure. The judge shall have the right to a fair hearing. The examination of the matter at its initial stage shall be kept confidential, unless otherwise requested by the judge."

Principle 18: "Judges shall be subject to suspension or removal only for reasons of incapacity or behaviour that renders them unfit to discharge their duties."

Principle 19: "All disciplinary, suspension or removal proceedings shall be determined in accordance with established standards of judicial conduct."

Universal Charter of the Judge:

Article 10 - Civil and penal responsibility: "Civil action, in countries where this is permissible, and criminal action, including arrest, against a judge must only be allowed under circumstances ensuring that his or her independence cannot be influenced."

Article 11 - Administration and disciplinary action, third paragraph: "Disciplinary action against a judge can only be taken when provided for by pre-existing law and in compliance with predetermined rules of procedures."

Indicator 58 – Public perception of judicial independence

Basic Principles on the Independence of the Judiciary:

Principle 1: "The independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all governmental and other institutions to respect and observe the independence of the judiciary."

Principle 2: "The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason."

Principle 4: "There shall not be any inappropriate or unwarranted interference with the judicial process, nor shall judicial decisions by the courts be subject to revision. This principle is without prejudice to judicial review or to mitigation or commutation by competent authorities of sentences imposed by the judiciary, in accordance with the law."

Indicator 59 – Bribes to judges, prosecutors or court personnel

Bangalore Principles of Judicial Conduct:

Paragraph 4.14: "A judge and members of the judge's family, shall neither ask for, nor accept any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties."

Paragraph 4.15: "A judge shall not knowingly permit court staff or others subject to the judge's influence, direction or authority, to ask for, or accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done in connection with his or her duties or functions."

Indicator 64 – Judicial misconduct

See: Basic Principles on the Independence of the Judiciary:

Principle 17: "A charge or complaint made against a judge in his/her judicial and professional capacity shall be processed expeditiously and fairly under an appropriate procedure. The judge shall have the right to a fair hearing. The examination of the matter at its initial stage shall be kept confidential, unless otherwise requested by the judge."

Principle 18: "Judges shall be subject to suspension or removal only for reasons of incapacity or behaviour that renders them unfit to discharge their duties."

Principle 19: "All disciplinary, suspension or removal proceedings shall be determined in accordance with established standards of judicial conduct."

Indicator 65 – Prosecutorial misconduct

Guidelines on the Role of Prosecutors:

Guideline 21: "Disciplinary offences of prosecutors shall be based on law or lawful regulations. Complaints against prosecutors which allege that they acted in a manner clearly out of the range of professional standards shall be processed expeditiously and fairly under appropriate procedures. Prosecutors shall have the right to a fair hearing. The decision shall be subject to independent review."

Guideline 22: "Disciplinary proceedings against prosecutors shall guarantee an objective evaluation and decision. They shall be determined in accordance with the law, the code of professional conduct and other established standards and ethics and in the light of the present Guidelines."

Indicator 68 – Publically available reports on court spending

United Nations Convention against Corruption, art. 10 - Public reporting: "Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia: (a) adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public; (b) simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities; and (c) publishing information, which may include periodic reports on the risks of corruption in its public administration."

Indicator 69 – Equal application of the law by judges

See: The Bangalore Principles of Judicial Conduct, principle 2.1: "A judge shall perform his or her judicial duties without favour, bias or prejudice."

International Code of Conduct for Public Officials, para. 3: "Public officials shall be attentive, fair and impartial in the performance of their functions and, in particular, in their relations with the public. They shall at no time afford any undue preferential treatment to any group or individual or improperly discriminate against any group or individual, or otherwise abuse the power and authority vested in them."

Indicator 70 – Treatment of children by the courts

See: Convention on the Rights of the Child, art. 40:

"1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

"2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

"(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

"(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

"(i) To be presumed innocent until proven guilty according to law;

"(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

"(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

"(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

"(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

"(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

"(vii) To have his or her privacy fully respected at all stages of the proceedings.

"3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

"(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

"(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to

judicial proceedings, providing that human rights and legal safeguards are fully respected.

"4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence."

See also: Committee on the Rights of the Child, general comment No. 10 (2007) – Children's rights in juvenile justice.

See further: United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) :

Rule 14.1: "Where the case of a juvenile offender has not been diverted (under rule 11), she or he shall be dealt with by the competent authority (court, tribunal, board, council, etc.) according to the principles of a fair and just trial."

Rule 14.2: "The proceedings shall be conducive to the best interests of the juvenile and shall be conducted in an atmosphere of understanding, which shall allow the juvenile to participate therein and to express herself or himself freely."

Indicator 71 – Legal assistance for children in conflict with the law

Convention on the Rights of the Child, art. 40:

"1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

"2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

"...

"(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

"...

"(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

"..."

See also: Convention on the Rights of the Child, art. 37 (d) : "Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action."

Indicator 72 – Special procedures for child victims and witnesses of crime

See: Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, art. 8:

"As stated in international instruments and in particular the Convention on the Rights of the Child as reflected in the work of the Committee on the Rights of the Child, and in order to ensure justice for child victims and witnesses of crime, professionals and others responsible for the well-being of those children must respect the following cross-cutting principles:

"(a) *Dignity*. Every child is a unique and valuable human being and as such his or her individual dignity, special needs, interests and privacy should be respected and protected;

"(b) *Non-discrimination*. Every child has the right to be treated fairly and equally, regardless of his or her or the parent's or legal guardian's race, ethnicity, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability and birth or other status;

"(c) *Best interests of the child*. While the rights of accused and convicted offenders should be safeguarded, every child has the right to have his or her best interests given primary consideration. This includes the right to protection and to a chance for harmonious development:

"(i) *Protection*. Every child has the right to life and survival and to be shielded from any form of hardship, abuse or neglect, including physical, psychological, mental and emotional abuse and neglect;

"(ii) *Harmonious development*. Every child has the right to a chance for harmonious development and to a standard of living adequate for physical, mental, spiritual, moral and social growth. In the case of a child who has been traumatized, every step should be taken to enable the child to enjoy healthy development;

"(d) *Right to participation*. Every child has, subject to national procedural law, the right to express his or her views, opinions and beliefs freely, in his or her own words, and to contribute especially to the decisions affecting his or her life, including those taken in any judicial processes, and to have those views taken into consideration according to his or her abilities, age, intellectual maturity and evolving capacity."

Indicator 73 – Detention of children only as a last resort

See: Convention on the Rights of the Child, art. 37 (b) : "States Parties shall ensure that: ... the arrest, detention or

imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time."

See also: United Nations Rules for the Protection of Juveniles Deprived of their Liberty, para. 2: "Juveniles should only be deprived of their liberty in accordance with the principles and procedures set forth in these Rules and in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules). Deprivation of the liberty of a juvenile should be a disposition of last resort and for the minimum necessary period and should be limited to exceptional cases. The length of the sanction should be determined by the judicial authority, without precluding the possibility of his or her early release."

See further: United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules):

Rule 13.1: "Detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time."

Rule 13.2: "Whenever possible, detention pending trial shall be replaced by alternative measures, such as close supervision, intensive care or placement with a family or in an educational setting or home."

Rule 19.1: "The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period."

Indicator 79 – Competence (skills and knowledge) of prosecutors

Guidelines on the Role of Prosecutors:

Guideline 1: "Persons selected as prosecutors shall be individuals of integrity and ability, with appropriate training and qualifications."

Guideline 2 (b) : "States shall ensure that: ... prosecutors have appropriate education and training and should be made aware of the ideals and ethical duties of their office, of the constitutional and statutory protections for the rights of the suspect and the victim, and of human rights and fundamental freedoms recognized by national and international law."

Indicator 80 – Competence (skills and knowledge) of judges

Basic Principles on the Independence of the Judiciary, principle 10: "Persons selected for judicial office shall be individuals of integrity and ability with appropriate training or qualifications in law. Any method of judicial selection shall safeguard against judicial appointments for improper motives. In the selection of judges, there shall be no discrimination against a person on the grounds of race, colour, sex, religion, political or other opinion, national or social origin, property, birth or status, except that a requirement, that a candidate for judicial office must be a national of the country concerned, shall not be considered discriminatory."

Indicator 81 – Competence (skills and knowledge) of defence counsels

See: Basic Principles on the Role of Lawyers, principle 9: "Governments, professional associations of lawyers and educational institutions shall ensure that lawyers have appropriate education and training and be made aware of the ideals and ethical duties of the lawyer and of human rights and fundamental freedoms recognized by national and international law."

Indicator 82 – Remuneration of judges

The Universal Charter of the Judge, art. 13, reads in part: "The judge must receive sufficient remuneration to secure true economic independence. The remuneration must not depend on the results of the judge's work and must not be reduced during his or her judicial service."

Indicator 83 – Remuneration of prosecutors

See: Guidelines on the Role of Prosecutors, guideline 6: "Reasonable conditions of service of prosecutors, adequate remuneration and, where applicable, tenure, pension and age of retirement shall be set out by law or published rules or regulations."

Standards of Professional Responsibility and Statement of the Essential Duties and Rights ofProsecutors, sect. 6 - Empowerment: "In order to ensure that prosecutors are able to carry out their professional responsibilities independently and in accordance with these standards, prosecutors should be protected against arbitrary action by governments. In general they should be entitled: ... (c) to reasonable conditions of service and adequate remuneration, commensurate with the crucial role performed by them and not to have their salaries or other benefits arbitrarily diminished."

Indicator 90 – Salaries or fees of publicly funded defence counsels are paid on time

See: Basic Principles on the Role of Lawyers, principle 3: "Governments shall ensure the provision of sufficient funding and other resources for legal services to the poor and, as necessary, to other disadvantaged persons. Professional associations of lawyers shall cooperate in the organization and provision of services, facilities and other resources."

Indicators relating to prisons

Indicator 98 – Prisoners' nutrition

Standard Minimum Rules for the Treatment of Prisoners, rule 20 (1) : "Every prisoner shall be provided by the administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 37: "Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of

a quality and quantity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements."

See also: United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules).

Indicator 99 – Clean water and sanitation

Standard Minimum Rules for the Treatment of Prisoners, rule 20 (2) : "Drinking water shall be available to every prisoner whenever he needs it."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 37: "... Clean drinking water should be available to every juvenile at any time."

Indicator 100 – Women detained separately from male prisoners

Standard Minimum Rules for the Treatment of Prisoners, rule 8: "The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus, (a) men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate… ."

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules), rule 1: "In order for the principle of non-discrimination embodied in rule 6 of the Standard Minimum Rules for the Treatment of Prisoners to be put into practice, account shall be taken of the distinctive needs of women prisoners in the application of the Rules. Providing for such needs in order to accomplish substantial gender equality shall not be regarded as discriminatory."

Indicator 101 – Family visits

Standard Minimum Rules for the Treatment of Prisoners, rule 37: "Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits."

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 19: "A detained or imprisoned person shall have the right to be visited by and to correspond with, in particular, members of his family and shall be given adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions as specified by law or lawful regulations."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 60: "Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel."

See also: United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules) :

Rule 26: "Women prisoners' contact with their families, including their children, their children's guardians and legal representatives shall be encouraged and facilitated by all reasonable means. Where possible, measures shall be taken to counterbalance disadvantages faced by women detained in institutions located far from their homes."

Rule 27: "Where conjugal visits are allowed, women prisoners shall be able to exercise this right on an equal basis with men."

Rule 28: "Visits involving children shall take place in an environment that is conducive to a positive visiting experience, including with regard to staff attitudes, and shall allow open contact between mother and child. Visits involving extended contact with children should be encouraged, where possible".

Indicator 102 – Qualityof health – care services

Standard Minimum Rules for the Treatment of Prisoners:

Rule 22: "(1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality. (2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers."

Rule 25: "(1) The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed. (2) The medical officer shall report to the director whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by *continued* imprisonment or by any condition of imprisonment."

See also: Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principles 49-55.

See further: United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules), rule 10: "1. Gender-specific health-care services at least equivalent to those available in the community shall be provided to women prisoners. 2. If a woman prisoner requests that she be examined or treated by a woman physician or nurse, a woman physician or nurse shall be made available, to the extent possible, except for situations requiring urgent medical intervention. If a male medical practitioner undertakes the

examination contrary to the wishes of the woman prisoner, a woman staff member shall be present during the examination." See also: rules 7, 8, 9, 11, 12, 13 and 15.

Indicator 103 – Health examination at time of admission

Standard Minimum Rules for the Treatment of Prisoners, rule 24: "The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work."

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 24: "A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and thereafter medical care and treatment shall be provided whenever necessary. This care and treatment shall be provided free of charge."

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules) :

Rule 2:

"1. Adequate attention shall be paid to the admission procedures for women and children, due to their particular vulnerability at this time. Newly arrived women prisoners shall be provided with facilities to contact their relatives; access to legal advice; information about prison rules andregulations, the prison regime and where to seek help when in need in a language that they understand; and, in the case of foreign nationals, access to consular representatives as well.

"2. Prior to or on admission, women with caretaking responsibilities for children shall be permitted to make arrangements for those children, including the possibility of a reasonable suspension of detention, taking into account the best interests of the children."

Rule 6: "The health screening of women prisoners shall include comprehensive screening to determine primary health-care needs, and also shall determine: (a) The presence of sexually transmitted diseases or blood-borne diseases; and, depending on risk factors, women prisoners may also be offered testing for HIV, with pre- and post-test counselling; (b) Mental health-care needs, including post-traumatic stress disorder and risk of suicide and self-harm; (c) The reproductive health history of the woman prisoner, including current or recent pregnancies, childbirth and any related reproductive health issues; (d) The existence of drug dependency; (e) Sexual abuse and other forms of violence that may have been suffered prior to admission."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 50: "Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention."

Indicator 106 – Corruption of prison officers

Code of Conduct for Law Enforcement Officials, art. 7: "Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts." Commentary: "(a) Any act of corruption, in the same way as any other abuse of authority, is incompatible with the profession of law enforcement officials. The law must be enforced fully with respect to any law enforcement official who commits an act of corruption, as Governments cannot expect to enforce the law among their citizens if they cannot, or will not, enforce the law against their own agents and within their agencies. (b) While the definition of corruption must be subject to national law, it should be understood to encompass the commission or omission of an act in the performance of or in connection with one's duties, in response to gifts, promises or incentives demanded or accepted, or the wrongful receipt of these once the act has been committed or omitted. (c) The expression 'act of corruption' referred to above should be understood to encompass attempted corruption."

United Nations Convention against Corruption, art. 15: "Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally: (a) the promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties."

International Code of Conduct for Public Officials, para. 9: "Public officials shall not solicit or receive directly or indirectly any gift or other favour that may influence the exercise of their functions, the performance of their duties or their judgement."

Indicator 107 – Lawfulness of detention

International Covenant on Civil and Political Rights, art. 9, para. 1: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 32:

"1. A detained person or his counsel shall be entitled at any time to take proceedings according to domestic law before a judicial or other authority to challenge the lawfulness of his detention in order to obtain his release without delay, if it is unlawful.

"2. The proceedings referred to in paragraph 1 of the present principle shall be simple and expeditious and at no cost for detained persons without adequate means. The detaining authority shall produce without unreasonable delay the detained person before the reviewing authority."

Indicator 109 – Public reports on spending

United Nations Convention against Corruption:

Article 9, para. 2 (b) : "Each State Party shall, in accordance with the fundamental principles of its legal system, take appropriate measures to promote transparency and accountability in the management of public finances. Such measures shall encompass, inter alia: (b) timely reporting on revenue and expenditure."

Article 10: "Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia: (a) adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public; (b) simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities; and (c) publishing information, which may include periodic reports on the risks of corruption in its public administration."

Indicator 111 – Publicly available information on deaths in custody

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 34: "Whenever the death or disappearance of a detained or imprisoned person occurs during his detention or imprisonment, an inquiry into the cause of death or disappearance shall be held by a judicial or other authority, either on its own motion or at the instance of a member of the family of such a person or any person who has knowledge of the case. When circumstances so warrant, such an inquiry shall be held on the same procedural basis whenever the death or disappearance occurs shortly after the termination of the detention or imprisonment. The findings of such inquiry or a report thereon shall be made available upon request, unless doing so would jeopardize an ongoing criminal investigation."

International Convention for the Protection of All Persons from Enforced Disappearance, art. 17, para. 3: "Each State Party shall assure the compilation and maintenance of one or more up-to-date official registers and/or records of persons deprived of liberty, which shall be made promptly available, upon request, to any judicial or other competent authority or institution authorized for that purpose by the law of the State Party concerned or any relevant international legal instrument to which the State concerned is a party. The information contained therein shall include, as a minimum: (a) the identity of the person deprived of liberty; (b) the date, time and place where the person was deprived of liberty and the identity of the authority that deprived the person of liberty; (c) the authority that ordered the deprivation of liberty and the grounds for the deprivation of liberty; (d) the authority responsible for supervising the deprivation of liberty; (e) the place of deprivation of liberty, the date and time of admission to the place of deprivation of liberty and the authority responsible for the place of deprivation of liberty; (f) elements relating to the state of health of the person deprived of liberty; (g) in the event of death during the deprivation of liberty, the circumstances and cause of death and the destination of the remains; (h) the date and time of release or transfer to another place of detention, the destination, and the authority responsible for the transfer."

Indicator 113 – Complaints procedure

Article 2 of the International Covenant on Civil and Political Rights provides for the right to seek and obtain remedy for violations of human rights.

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 33, para. 1: "A detained or imprisoned person or his counsel shall have the right to make a request or complaint regarding his treatment, in particular in case of torture or other cruel, inhuman or degrading treatment, to the authorities responsible for the administration of the place of detention and to higher authorities and, when necessary, to appropriate authorities vested with reviewing or remedial power."

Standard Minimum Rules for the Treatment of Prisoners:

Rule 35 (1) : "Every prisoner on admission shall be provided with written information about the regulations governing the treatment of prisoners of his category, the disciplinary requirements of the institution, the authorized methods of seeking information and making complaints, and all such other matters as are necessary to enable him to understand both his rights and his obligations and to adapt himself to the life of the institution."

Rule 36 (1), (2) and (3) : "(1) Every prisoner shall have the opportunity each week day of making requests or complaints to the director of the institution or the officer authorized to represent him. (2) It shall be possible to make requests or complaints to the inspector of prisons during his inspection. The prisoner shall have the opportunity to talk to the inspector or to any other inspecting officer without the director or other members of the staff being present. (3) Every prisoner shall be allowed to make a request or complaint, without censorship as to substance but in proper form, to the central prison administration, the judicial authority or other proper authorities through approved channels."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 24: "On admission, all juveniles shall be given a copy of the rules governing the detention facility and a written description of their rights and obligations in a language they can understand, to-

gether with the address of the authorities competent to receive complaints, as well as the address of public or private agencies and organizations which provide legal assistance. For those juveniles who are illiterate or who cannot understand the language in the written form, the information should be conveyed in a manner enabling full comprehension."

Indicator 115 – Discrimination

Standard Minimum Rules for the Treatment of Prisoners, rule 6 (1) : "The following [Rules of General Application] shall be applied impartially. There shall be no discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, principle 5, para. 1: "These principles shall be applied to all persons within the territory of any given State, without distinction of any kind, such as race, colour, sex, language, religion or religious belief, political or other opinion, national, ethnic or social origin, property, birth or other status."

Indicator 116 – Children detained separately from adults

Convention on the Rights of the Child, art. 37 (c) : "Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 29. "In all detention facilities juveniles should be separated from adults, unless they are members of the same family. Under controlled conditions, juveniles may be brought together with carefully selected adults as part of a special programme that has been shown to be beneficial for the juveniles concerned."

Standard Minimum Rules for the Treatment of Prisoners:

Rule 8 (d) : "The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus, (d) young prisoners shall be kept separate from adults."

Rule 85 (2) : "Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions."

Indicator 117 – Prisoners permitted to practise their religion

Standard Minimum Rules for the Treatment of Prisoners:

Rule 6, para. (2) : "... it is necessary to respect the religious beliefs and moral precepts of the group to which a prisoner belongs."

Rule 41: "(1) If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis. (2) A qualified representative appointed or approved under paragraph (1) shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times. (3) Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected."

Rule 42: "So far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty, rule 48: "Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination. If a detention facility contains a sufficient number of juveniles of a given religion, one or more qualified representatives of that religion should be appointed or approved and allowed to hold regular services and to pay pastoral visits in private to juveniles at their request. Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination."

Indicator 118 – Care of mentally ill prisoners

Standard Minimum Rules for the Treatment of Prisoners:

Rule 22: "(1) At every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality. (2) Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers."

Rule 24: "The medical officer shall see and examine every prisoner as soon as possible after his admission and thereafter as necessary, with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures; the segregation of prisoners suspected of infectious or contagious conditions; the noting of physical

or mental defects which might hamper rehabilitation, and the determination of the physical capacity of every prisoner for work."

Rule 25: "(1) The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness, and any prisoner to whom his attention is specially directed. (2) The medical officer shall report to the director whenever he considers that a prisoner's physical or mental health has been or will be injuriously affected by *continued* imprisonment or by any condition of imprisonment."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty:

Rule 49: "Every juvenile shall receive adequate medical care, both preventive and remedial, including dental, ophthalmological and mental health care, as well as pharmaceutical products and special diets as medically indicated. All such medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community."

Rule 50: "Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention."

Rule 51: "The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical or mental difficulties, should be examined promptly by a medical officer."

Rule 52: "Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by *continued* detention, a hunger strike or any condition of detention should report this fact immediately to the director of the detention facility in question and to the independent authority responsible for safeguarding the well-being of the juvenile."

Rule 53: "A juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. Steps should be taken, by arrangement with appropriate agencies, to ensure any necessary continuation of mental health care after release."

Indicator 121 – Detention facilities for women

See: United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules).

Indicator 125 – Competence of prison officers

Standard Minimum Rules for the Treatment of Prisoners:

Rule 46: "(1) The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institutions depends. (2) The prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used. (3) To secure the foregoing ends, personnel shall be appointed on a full-time basis as professional prison officers and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favourable in view of the exacting nature of the work."

Rule 47: "(1) The personnel shall possess an adequate standard of education and intelligence. (2) Before entering on duty, the personnel shall be given a course of training in their general and specific duties and be required to pass theoretical and practical tests. (3) After entering on duty and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending courses of in-service training to be organized at suitable intervals."

Indicator 126 – Training on human rights

Updated Set of Principles for the protection and promotion of human rights through action to combat impunity, principle 36 (e) : "States must take all necessary measures, including legislative and administrative reforms, to ensure that public institutions are organized in a manner that ensures respect for the rule of law and protection of human rights. At a minimum, States should undertake the following measures: (e) public officials and employees, in particular those involved in military, security, police, intelligence and judicial sectors, should receive comprehensive and ongoing training in human rights and, where applicable, humanitarian law standards and in implementation of those standards."

Indicator 128 – Vetting process for prison officers

Updated Set of Principles for the protection and promotion of human rights through action to combat impunity, principle 36 (a) : "States must take all necessary measures, including legislative and administrative reforms, to ensure that public institutions are organized in a manner that ensures respect for the rule of law and protection of human rights. At a minimum, States should undertake the following measures: (a) public officials and employees who are personally responsible for gross violations of human rights, in particular those involved in military, security, police, intelligence and judicial sectors, shall not continue to serve in State institutions. Their removal shall com-

ply with the requirements of due process of law and the principle of non-discrimination. Persons formally charged with individual responsibility for serious crimes under international law shall be suspended from official duties during the criminal or disciplinary proceedings."

Indicator 134 – Record keeping and information management

Standard Minimum Rules for the Treatment of Prisoners, rule 7: "(1) In every place where persons are imprisoned there shall be kept a bound registration book with numbered pages in which shall be entered in respect of each prisoner received: (a) information concerning his identity; (b) the reasons for his commitment and the authority therefor; (c) the day and hour of his admission and release. (2) No person shall be received in an institution without a valid commitment order of which the details shall have been previously entered in the register."

United Nations Rules for the Protection of Juveniles Deprived of their Liberty:

Rule 19: "All reports, including legal records, medical records and records of disciplinary proceedings, and all other documents relating to the form, content and details of treatment, should be placed in a confidential individual file, which should be kept up to date, accessible only to authorized persons and classified in such a way as to be easily understood. Where possible, every juvenile should have the right to contest any fact or opinion contained in his or her file so as to permit rectification of inaccurate, unfounded or unfair statements. In order to exercise this right, there should be procedures that allow an appropriate third party to have access to and to consult the file on request. Upon release, the records of juveniles shall be sealed, and, at an appropriate time, expunged."

Rule 21: "In every place where juveniles are detained, a complete and secure record of the following information should be kept concerning each juvenile received: (a) information on the identity of the juvenile; (b) the fact of and reasons for commitment and the authority therefor; (c) The day and hour of admission, transfer and release; (d) details of the notifications to parents and guardians on every admission, transfer or release of the juvenile in their care at the time of commitment; (e) details of known physical and mental health problems, including drug and alcohol abuse."

Project tool No. 3

Project timeline

The table below charts the different phases of the implementation of the instrument and their corresponding activities. The optimum scenario depicted here may vary depending upon circumstances and the size of the team assigned to the exercise. The first two phases must be conducted in the country while the instrument is being implemented. The last phase may be completed anywhere. The consultations on the draft report with key stakeholders and United Nations personnel could last more than one week; it should not normally take more than one week to complete the revisions to the draft report. The activities are shown sequentially, but, depending on the size of the team assigned to the project, there is no reason why, for example, the organization and compilation of the data should not start as soon as some of the data become available.

Timeline	Weeks												
Tasks/Activities	**01**	**02**	**03**	**04**	**05**	**06**	**07**	**08**	**09**	**10**	**11**	**12**	**13**
Phase one. Introduction and assessment													
1. Introduce project to United Nations mission, national stakeholders													
2. Meet with working-level staff in United Nations mission and national institutions to launch project and assess data availability													
3. Identify partner for public perception survey													
4. Identify and recruit members of review panel													
5. Construct initial list of experts													
6. Organize field data collection with United Nations field staff													
Phase two. Data collection													
1. Implement public perception survey													
2. Collect administrative data													
3. Collect documents													
4. Review documents													
5. Rating of document review indicators by panel													
6. Conduct expert surveys													
7. Collection of field data by United Nations field staff													
Phase three. Analysis and reporting													
1. Compile and organize data													
2. Analyse data													
3. Write draft report													
4. Write final report													

Project tool No. 4

Data collection worksheet

During the assessment phase of the implementation process, it will be important to start collecting information on what kind of administrative data maybe available and from what source.

In total, there are 19 indicators requiring the collection of administrative data, either to populate the indicator itself or to provide additional contextual information to help the interpretation of the indicators. These are:

Police

7. Intentional homicide cases resolved by the police
17. Prosecution of police corruption or misconduct
34. Gender balance in police personnel

Judiciary

54. Pre-sentence detention
55. Children in pre-sentence detention
70. Treatment of children by the courts
73. Detention of children only as a last resort
78. Percentage of judges who are women

Prisons

93. Prison escapes
95. Assaults on prison officers
96. Number of violent deaths per 1,000 prisoners
100. Women detained separately from male prisoners
101. Family visits
103. Health examination at time of admission
104. Number of prisoners per prison medical staff
105. Number of non-violent deaths per 1,000 prisoners
116. Children detained separately from adults
119. Prison overcrowding
123. Number of prisoners per prison officer

You can build a worksheet on which you will list indicators based on administrative data as rows and the following information criteria as columns:

Criteria	Answer choices
1. **Information exists**	Yes/No
2. **Information is available**	Yes/No
3. **How will you receive the information**	Mail, e-mail, phone, etc.
4. **Personally viewed information**	Yes/No
5. **By whom**	Name of your research staff member who reviewed the information
6. **Permission needed to obtain information (by whom)**	Yes/No (if yes, specify the name and position of a person who can give permission)
7. **Information source**	Name of organization/person collecting this information
8. **Name of organization providing information**	Name
9. **Name and position of a contact person**	Name and position
10. **Contact information of a contact person**	Address, phone number, fax, e-mail, etc.
11. **Organization collecting information**	If this is other than the organization providing the information
12. **Frequency of information collection**	Daily, weekly, monthly, quarterly, biannually, annually, yearly, etc.
13. **Months/years for which information is available**	List all months and years (e.g., 01, 03-07, 09, 12 of 2015)
14. **Format of information**	Microsoft Word, Excel, Power Point, printed hard copies, hand-written copies, chalkboards, etc.
15. **Geographical coverage**	Whole country, region, state, city, district, village, etc.
16. **Information disaggregation**	By country, region, state, city, district, village, etc.
17. **Information quality**	Information may be problematic due to missing cases, unreliability of a source providing it, etc.
18. **Institutions covered by information**	Police, courts, prosecution, defence, prisons, non-custodial, customary justice
19. **Topics covered by information**	Specific indicator-level information (e.g., prison overcrowding, police corruption, etc.)
20. **Additional notes**	Any relevant information that was not included above

The following is a description of the indicators which require administrative data and how they should be rated.

Police

Intentional homicide cases resolved by the police (indicator7)

Data: The number of persons arrested for intentional homicide divided by the number of intentional homicides reported in the same year.

Instructions: Use the most recent year for which data are available. Note the exact period covered by the data. If data do not cover the whole country, note the areas covered by the data.

Note: Data on "arrest" may not always be available. Another form of case resolution (case closed, case solved, charges laid, recommendation to lay charges sent to the prosecution) can be used instead of "arrest" when arrest data are not available. The notion of "intentional homicide" may be defined differently in different countries. The legal definition of intentional homicide should be recorded and reported. If the data do not distinguish between intentional and other forms of homicide, the data on all homicides can be used and the indicator adjusted accordingly.

Prosecution of police corruption or misconduct (supplementary data for indicator 17)

Data: Additional administrative data must be collected, when possible, to calculate the percentage of investigations of alleged incidents of police misconduct which, in a year, resulted in a disciplinary action or the prosecution of a police officer.

Instructions: Use the most recent year for which data are available. Note the period covered by the data. Note the exact period covered by the available data.

Gender balance in police personnel (indicator 34)

Data: Percentage of police personnel who are women.

Instructions: Use the most recent year for which data are available. Note the period covered by the data. Note the exact period covered by the available data. Calculate the percentage of women of the total number of police personnel.

Judiciary

Pre-sentence detention (indicator 54)

Data: Percentage of prison detainees, on a representative specified date, who have been held in detention for more than 12 months while awaiting a final sentence or other final disposition of their case.

Instructions: Use a specified date over the most recent 12-month period for which data are available.

Children in pre-sentence detention (indicator 55)

Data: Number of children in pre-sentence detention per 100,000 children in the population.

Note: The indicator requires the collection of snapshot information (data describing the situation on a specific date). This indicator includes only those children who are deprived of liberty before sentencing by a competent authority. This includes children who are awaiting trial and those who have been convicted but are detained while awaiting sentencing. It does not, however, include children awaiting the outcome of an appeal against a sentence.

Treatment of children by the courts (indicator 70)

Data: When administrative data on the frequency of cases which are diverted from the criminal justice process exist, they should be obtained and reported to assist in the interpretation of this indicator.

Detention of children only as last resort (additional data for indicator 73)

Data: When national juvenile justice sentencing data exist, the percentage in a given year of sentenced children receiving a custodial sentence should be calculated and reported to assist in the interpretation of this particular indicator.

Percentage of judges who are women (indicator 78)

Data: Calculate the percentage of judges who are women.

Instructions: Use the most recent year for which data are available. Note the exact period covered by the available data. Calculate the percentage of women judges of the total number of judges. Report both the number and the percentage. If data exist on different types of judge (or judges in different types of court, e.g., appellate level), please break the data down by type of judge or court.

Prisons

Prison escapes (indicator 93)

Data: The number of individual prisoners who have escaped within the last 12 months. In reporting the number, the rate per 1,000 prisoners (average monthly count) can also be calculated.

Assaults on prison officers (indicator 95)

Data: The number of assaults per 1,000 prisoners (average monthly count) in a 12-month period.

Number of violent deaths per 1,000 prisoners (indicator 96)

Data: The rate of violent deaths per 1,000 prisoners (average monthly count) within the last 12 months.

Women detained separately from male prisoners (indicator 100)

Data: Percentage of women in detention who are held completely separate from male prisoners.

Family visits (additional data for indicator 101)

Data: The percentage of children in detention who have been visited by, or visited, a parent, guardian or adult family member in the last threemonths.

Instructions: Calculate the number of children currently in a place of detention (prison, detention centre, reformatory, training school) who have been visited at least once over the last three months.

Health examination at time of admission (indicator 103)

Data: The percentage of prisoners admitted to prison during a year who have been examined by a qualified medical professional at the time of their admission.

Instructions: If it not possible to obtain data for a whole year, data for the last four months can be used to produce an estimated percentage for the whole year based on that extrapolation.

Number of prisoners per prison medical staff (indicator 104)

Data: The number of prisoners divided by the number of prison medical personnel.

Instructions: Both the number of prisoners and the number of medical staff should be captured on the same day, a day during the previous 12 months. The definition of medical staff used for the purpose of this indicator should be documented. In most instances, it will be the definition used by the prison service. If the data are disaggregated by type of medical personnel (doctor, nurse, others) or by type of institution, please note and report those data as well.

Number of non-violent deaths per 1,000 prisoners (indicator 105)

Data: Number of non-violent deaths of prisoners within the last 12 months divided by the number of prisoners (average monthly count), multiplied by 1,000.

Instructions: When possible, data disaggregated by gender and by age should also be obtained. This makes it possible to report how many children, if any, died a non-violent death while in prison.

Children detained separately from adults (indicator 116)

Data: Percentage of children in detention not wholly separated from adults on a given date. This indicator measures the percentage of children in detention who are not completely separated from adults.

Instructions: The number of children is calculated by counting all children detained in either of the conditions (1) or (2) below.

Children in different places of detention may experience different degrees of separation from adults. These may be described as follows:

(1) There is no formal separation of adults and children. Children are held in the same rooms, wards or cells as adults.

(2) Children are held in separate rooms or cells from adults but share facilities such as exercise, washing or dining areas with adults.

(3) Children are held in a separate section from adults and have separate facilities. Children may or may not be both out of sight and out of earshot of detained adults.

(4) The institution is for children only.

Prison overcrowding (additional data for indicator 119)

Data: The percentage of inmates housed in "overcrowded prisons" based on review of administrative data, when available, on prison capacity and prison population, on a given day.

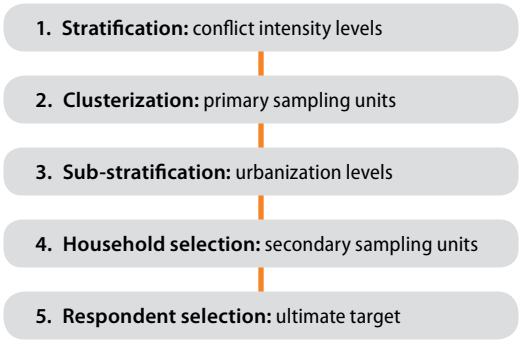
Number of prisoners per prison officer (indicator 123)

Data: The number of prisoners divided by the number of prison officers on a representative, specified day of the year.

Project tool No. 5

Public survey sampling strategy

This tool provides a detailed description of procedures for designing a *multistage stratified clustered sample* for your public perception survey. Such sampling techniques are typically used to select a sample of survey participants that represents a wide array of backgrounds. In a small country, it may be possible to conduct interviews in all regions but, in most cases, it will be necessary to choose a sample of administrative divisions and then randomly select sites and respondents from within these divisions.



The above diagram offers a brief overview of the five steps you will follow when selecting your sample. The first step combines administrative divisions (states, counties or other districts) into three groups, or strata, that reflect the intensity of recent conflict in that area. Second, you will randomly choose several divisions, or clusters, from each stratum. The third step involves dividing the settlements in each cluster into four groups based on population size and determining the number of settlements you will be visiting and the number of interviews you will be conducting in each, using probability proportional to size (PPS). Fourth, you will select households in each area using a random walk technique and, fifth, you will choose your survey respondent within each household based on age and other selection criteria.

The remainder of this tool provides a detailed description of each of these steps using a hypothetical example to illustrate the main points. At each stage of the process, the ideal approach, based on optimal conditions, is described followed by recommendations for dealing with the challenges that typically arise when working in conflict and post-conflict environments.

Materials required for constructing a sampling frame

1. Country maps.
2. Population estimates for settlements.
3. Any spreadsheet software or statistical package permitting running descriptive statistics (e.g., SPSS, SAS, Stata, S-Plus and R).
4. A random numbers table.
5. A numbered deck of cards.
6. Coins with two distinct sides.

Determining your sample size

First, determine the number of interviews that you are able to conduct. While there are no firm rules to govern your decision, you may consider running a power analysis.[1] In general, a total sample of 2,000 respondents should be sufficient to detect even small effects at a statistically significant level and to permit meaningful comparisons between groups. The examples included in this chapter assume a sample size of 2,000, but the approach is the same regardless of the number of people you are able to interview.

1. Stratification: conflict intensity levels

The first level of stratification involves dividing the country into administrative divisions. Some countries have regions, states, provinces and counties, and it may not be clear which level of administrative division to choose. Your choice should balance the need to include a sizeable proportion of the country in the final sample with your resource limitations. For example, if you divide a country into 500 counties and then select 10, it is likely that important areas will be missed. On the other hand, if a large country is divided into four regions, fieldworkers within these regions will have to cover large distances to

1 See J. Cohen, "A power primer", *Psychological Bulletin,* vol. 112 (1), July 1992, pp. 155-159; J. Cohen, *Statistical Power Analysis for the Behavioral Sciences* (2nd ed.) (New York: Routledge Academic Press, 1988).

visit interview sites and your attempt to conserve resources by selecting fewer administrative divisions may backfire.

Once the jurisdiction type has been selected, use discussions with demographers, academics, statisticians, sociologists, United Nations staff (e.g., military and human right officers of the peacekeeping mission) and any available documents or data to understand the intensity and reach of the conflict. Based on this knowledge, assign each administrative division to one of the following three conflict intensity strata:

1. Low-intensity stratum: areas with no or minimal conflict.
2. Middle-intensity stratum: areas with moderate conflict (i.e., some level of violence occurred but it did not result in mass killings, destruction and displacement).
3. High-intensity stratum: areas where conflict was especially widespread and damaging.

In situations where administrative divisions can be divided into only two groups based on the intensity of conflict, use low intensity and high intensity. If there is no clear geographical variation in the intensity of conflict (all regions were affected more or less the same), you may consider a different stratification variable. Bear in mind that the purpose of stratification is to ensure that minorities, which may be small in number and concentrated in certain areas of the country, are not missed by random selection of administrative division. For example, if in a religiously diverse country the majority of Christians live in one province or region, it may be more important to stratify by religion than by conflict intensity to ensure that Christians are included in your sample. There are two considerations when choosing a stratification variable: (1) there should be reason to believe that members of different groups have divergent views or experiences; and (2) there should be some geographic clustering of the groups. Following this example, if your variable is religion instead of conflict intensity, you may be able to divide a country's administrative areas into: (a) predominantly Muslim; (b) predominantly Christian; and (c) similar numbers of Muslims and Christians.

Example: The following table provides an example of the first level of stratification. This hypothetical country has a total population of 5,390,000 living in 18 states that were divided into three strata to reflect the intensity of recent conflict.

Table 1
Conflict intensity strata by number of states and population estimates

Conflict intensity strata	Number of states	Number of residents
1. Low-intensity stratum	5	1,860,000
2. Middle-intensity stratum	4	1,250,000
3. High-intensity stratum	9	2,280,000
Total	**18**	**5,390,000**

2 Clusterization: primary sampling units (selecting administrative divisions)

You will have to make two decisions here: first, choose a total number of administrative divisions (clusters) to include in your sample, and then distribute the clusters between strata.

While budgetary considerations largely dictate the number of administrative divisions you can sample, every stratum must be represented. The fewer you choose, the fewer places your researchers have to visit to conduct interviews, which translates into lower expenses. However, as a general rule, the fewer clusters you select, the less representative your sample of the general population will be.

Generally, aim to select 30-50% of divisions. In countries with many administrative divisions, the proportion you select is likely to be smaller. For example, if a country is divided into 50 divisions, you may only be able to select 15 (30%), whereas in a country with only 10 divisions, you should easily be able to select five (50%).

Example: In the hypothetical country with 18 states, researchers should choose nine states (50%).

While proportional representation of each stratum is the aim when selecting administrative divisions, in most cases it will not be possible to select an equal proportion from each stratum.

Example: In the hypothetical example, researchers selected four out of nine low-conflict states (44%) compared to three out of five high-intensity states (60%) (see table 2). Proportional differences at this stage can be rebalanced when you select the number of sites and interviews.

Table 2
Conflict intensity strata by number of selected states

Conflict intensity strata	Number of states	Selected states (i.e., strata)
1. Low-intensity stratum	5	4
2. Medium-intensity stratum	4	2
3. High-intensity stratum	9	3
Total	**18**	**9**

Once administrative divisions have been selected from each stratum, the next stage is to randomly select study sites within those divisions using a random number generator or other non-biased selection method.[2] Before randomly selecting study sites, it will be necessary:

(a) To include the jurisdiction that encompasses the country's capital city in the selected sites;

2 You can select these numbers by using either a table of random numbers or the random numbers generator available with Microsoft Excel, statistical packages such as SPSS (under "Transform" command) and also online at stattrek. com/ Tables/Random. aspx).

(b) To exclude from the list any "no-go zones" where it would be impossible to conduct survey fieldwork for reasons of physical access (e.g., because of a lack of roads, bridges or other infrastructure, seasonal weather conditions or other naturally occurring obstacles, or fieldworker safety concerns).

3. Sub-stratification: urbanization levels

The next stage of stratification is to select settlements of differing sizes within each of the selected administrative divisions. To complete this task, you will need a database that provides a list of inhabited areas, or settlements, in the country (including cities, towns, villages, refugee camps, etc.). This list should include the jurisdiction in which each settlement is located (state, county, region, etc.), some form of identifier (e.g., name or map coordinates) and most recent population estimates. Ideally, this list will be developed from recent census data. In settings where census data are out of date, or where large sections of the population have moved or been displaced since the last census was conducted, it may be necessary to use information from recent electoral rolls or, if these are unavailable, from historical projections adjusted for birth (fertility) and death (mortality) rates. The United Nations Population Fund (UNFPA) provides detailed guidance for constructing population estimates in data-poor environments.[3] Once you have this information, you will be able to create two lists:

1. The number of settlements falling into each of the four urbanization sub-strata and the total sub-strata population for every administrative division in the country (see table 3). You will use this table to determine the number of interviews to conduct at each site.
2. A list of settlements, including settlement identifiers (names or map coordinates), sorted by urbanization level, for each of the administrative divisions you selected to sample. You will use this list to randomly select settlements based on cluster and urbanization level.

The aim of this exercise is to ensure that your sample is distributed in a way that mirrors the population distribution in the country.

Table 3
Urbanization sub-strata by population size

Urbanization sub-strata	Sub-strata population size
Small settlements	< 1,000 residents
Mid-size settlements	1,000-19,999 residents
Large settlements	20,000-99,999 residents
Very large settlements	≥ 100,000 residents

3 For a general description of the procedures used in revising estimates of population dynamics, see Chapter VI - Methodology of the United Nations population estimates and projections (pp. 100-104) in *World Population Prospects*: *The 2004 Revision, Volume III*: *Analytical Report*.

Once you have this information, you will be able to reproduce the following two tables.

Example: Table 4 (next page) displays the number of settlements of varying sizes (and population) for each of the conflict strata. In this example, there are 400 settlements with fewer than 1,000 residents in the high-intensity conflict stratum with a total population of 240,000.

From this table, calculate the percentage of the total national population included in each of the cells.

Example: In our example, 4.5% of the national population lives in small settlements (less than 1,000 people) that are located in high-intensity conflict areas (240,000 / 5,390,000 = 4.5%) (see table 5 below). Once you have completed this exercise, you will know the percentage of the total sample of respondents assigned to different-size settlements for each of these strata. Table 6 (below) displays this same information as numbers of respondents (assuming a sample size of 2,000).

Choosing study sites and allocating interviews

Now you have information on the settlements where you will be interviewing respondents and the number of interviews to be conducted within settlements of varying sizes for low-, medium- and high-intensity conflict areas. This will ensure that your final sample includes individuals living in villages, towns and cities and in parts of the country that were more and less seriously affected by the conflict (assuming lower-impact areas exist).

The next step is to select the number of settlements within each cluster to be visited. First reproduce table 4, substituting information for the whole country with data describing only those administrative divisions that you selected.

Example: In the hypothetical example, nine of the 18 states were selected, with a total population of 2.5 million, living in 789 separate settlements of varying sizes (see table 7 below).

There will probably be too many individual settlements in the selected administrative divisions for you to conduct interviews in each place. For example, it would be expensive and time-consuming to visit 789 different settlements. To overcome this problem, you can choose a sample of settlements from each division. The number of settlements that you choose depends on a range of factors such as number of interviewers employed, geographical size of administrative divisions, existence and quality of roads and availability of transportation.

As a general rule, your sample should include at least 10% of the settlements in the selected districts (more if possible) and the sample should be arranged so that a minimum of three or four interviews are conducted at each site.

For practical reasons, you will want to select more of the large settlements.

Example: In the hypothetical example, researchers selected all of the large and very large settlements (20,001-100,000

Table 4
Number of settlements by level of conflict and urbanization (total population)

Conflict intensity strata	Number of states	Total population	<1,000 residents	1,000-20,000 residents	20,001-100,000 residents	>100,000 residents
1. Low intensity	9	2,280,000	600 (410,000)	95 (1,000,000)	10 (620,000)	1 (250,000)
2. Medium intensity	4	1,250,000	500 (250,000)	50 (500,000)	10 (500,000)	0
3. High intensity	5	1,860,000	400 (240,000)	35 (300,000)	4 (320,000)	1 (1,000,000)
Total	**18**	**5,390,000**	**1,500 (900,000)**	**180 (1,800,000)**	**24 (1,440,000)**	**2 (1,250,000)**

Table 5
Percentageof settlements by level of conflict

Conflict intensity strata	<1,000 residents	1,000-20,000 residents	20,001-100,000 residents	>100,000 residents	Total
1. Low intensity	7.6%	18.6%	11.5%	4.6%	42.3%
2. Medium intensity	4.6%	9.3%	9.3%	0.0%	23.2%
3. High intensity	4.5%	5.6%	5.9%	18.6%	34.5%
Total	**16.7%**	**33.4%**	**26.7%**	**23.2%**	**100.0%**

Table 6
Sample assignments by level of conflict and urbanization

Conflict intensity strata	<1,000 residents	1,000-20,000 residents	20,001-100,000 residents	>100,000 residents	Total
1. Low intensity	152	371	230	93	846
2. Medium intensity	93	186	186	0	464
3. High intensity	89	111	119	371	690
Total	**334**	**668**	**534**	**464**	**2,000**

Table 7
Determining how many settlements to select

Conflict intensity strata	Number of states selected	Total population in selected states	Number of settlements (n = 789)			
			<1,000 residents	1,000-20,000 residents	20,001-100,000 residents	>100,000 residents
1. Low intensity	4 (44%)	1,040,000	250	40	5	0
2. Medium intensity	2 (50%)	550,000	200	26	4	0
3. High intensity	3 (60%)	910,000	240	20	3	1
Total	**9 (50%)**	**2,500,000**	**690**	**86**	**12**	**1**

Table 8
Calculating thenumber of interviews to be conducted ateach site

Conflict intensity strata	<1,000 residents	1,000-20,000 residents	20,001-100,000 residents	>100,000 residents	Total respondents
	Sampling ratio				
	10%	25%	100%	100%	
1. Low intensity	25 (6.1)	10 (37.1)	5 (46)	1 (93)	846
2. Medium intensity	20 (4.6)	6 (30.9)	4 (46)	0	464
3. High intensity	24 (3.7)	5 (22.3)	3 (40)	1 (371)	690
Total	**69 (334)**	**21 (668)**	**12 (534)**	**2 (464)**	**2,000**

Note The number in brackets is the multiplier to be used to calculate the number of interviews.

and > 100,000 residents), 25% of mid-size settlements (1,000-20,000 residents) and 10% of small settlements (<1,000 residents). Random selection is a good way to choose among settlements within these population categories.

If your selected administrative divisions do not include settlements of a particular size, this cell should be left blank unless there are settlements of the same size in non-selected jurisdictions in the same conflict stratum.

Example: In the hypothetical example, the low-conflict stratum includes one large settlement with more than 100,000 residents (see table 7), but the administrative division where this city is located was not selected for inclusion in the sample earlier on. In this situation, you will need to select settlements of the requisite size in divisions that were not selected.

The final step in selecting your sample is to randomly choose the required number of sites for each settlement size, then allocate the number of interviews to be conducted among them (your final sample allocations will look something like table 8). The table you will build must describe the average number of interviews to be completed at each site based on level of urbanization and impact of conflict.

Example: In the hypothetical example, researchers will be interviewing 846 respondents in the low-conflict stratum, 464 respondents in the medium-intensity stratum and 690 in the high-intensity stratum (a total of 2,000). These numbers are broken down further for different urbanization sub-strata (see table 8).

4. Household selection: secondary sampling units

Since you now know how many sites you will need to visit and the number of respondents you need to interview at each site, you can start identifying places in those settlements, so called "starting points", from where the interviewers will start a random walk. The number of required starting points is calculated by dividing the number of interviewers by two, i.e., two interviewers per point. These paired interviewers should walk in opposite directions. Flip a coin to decide who goes where.

Before beginning a walk, each interviewer should ask another interviewer to select a card from a blind deck of 10 numbered cards. The number selected will serve as the criterion for choosing households (secondary sampling units). In other words, if the card with the number 7 is selected, the interviewer will visit every 7th household until he/she completes his/her quota of interviews. If it is not clear which house is 7th (there might be two houses facing one another), then the interviewer will flip a coin, with heads indicating the house on the right and tails indicating the house on the left. (It does not have to be in this order, as long as you are consistent.)

If you are in an area of apartment buildings, each interviewer should start on the top floor and, after asking another interviewer to select a numbered card from the deck, proceed to every nth apartment. Starting from the top floor in buildings without elevators decreases the chances that interviewers will divert from the selection process to avoid walking all the way to the top floor.

If family houses and apartment buildings are mixed together, count all the households in order. For example, if there are three family houses and then an eight-storey apartment building with one apartment per floor and you need to select every 7th household, you will need to visit the household on the 5th floor of the apartment building.

If your study site is a sparsely populated area with houses scattered without clear roads (multiple paths may lead to different houses from the starting point), you should follow the same instructions as above and flip a coin every time you have to choose between two households. If there are more than two paths leading to more than two houses, first flip a coin to choose between the two closest houses, and then flip a coin again to choose between the next two houses, and so forth. Remember that the number of people you will be interviewing in each area depends on the overall population of the area. You may have to interview only a few respondents in one village and as many as a few hundred in another.

5. Respondent selection: ultimate target

Once inside a household, the interviewer should ask what the total number of members of that household is. Special training is necessary to accurately determine household size.

After determining the household size, interviewers should exclude those members who are not currently at home, are under the age of 18 and/or suffer from a disease or a disorder that might substantially diminish their ability to understand the nature and the content of the interview, and then select potential respondents randomly by using a random number table or asking a household member to select a numbered card from a blind deck of cards. The goal is to interview one person per household.

If a selected household member is unwilling to participate for any reason, make a note of it and move on to a new household following the steps described above.

An informed consent form must be signed before the interview can begin.

In each household, interviewers must record: (a) how many individuals were asked to participate in the survey; (b) how many of the selected respondents agreed to the interview and were interviewed; and (c) how many of the selected respondents refused the interview. These raw numbers will be used to calculate participation rates.

Interviewers can now proceed with the questionnaire.

Project tool No. 6

Public survey questionnaire

United Nations Rule of Law Indicators

Public perception survey questionnaire

Interviewer: _____

Location of interview (name of city/village, province) : _____

Enumeration area (EA) name and number: _____

Language of interview: _____

Date (dd/mm/yy): _____ / _____ / _____ Time: _____

Oral consent was given: Yes _____ No _____

Signature of interviewer who administered consent: _____

Introduction and informed consent

Read this text to your potential respondent and sign the consent form above once you receive oral consent from her/him.

"Hello. We are conducting a public opinion survey as part of a United Nations project and would like to ask you to participate. I am from the [organization name]. I don't represent the Government or any political party. We would like to ask you about your views and experiences with the police, courts and prisons in the country. The survey will take approximately 20 minutes.

"We don't need to know your name and we will not be recording anything that will identify you. You don't have to answer any of the questions and you may stop the interview at any time.

"Would you like to participate?"

Note: If yes, proceed; if no, end the interview and say, "Thank you for your time".

Background Information

1. For purposes of comparison, may I ask how old you are?

a. _____ Years old **b.** _____ Don't know

c. _____ No answer

Note: If a respondent cannot answer, ask: "In what year were you born?" In _____

2. Are you male or female?
(Note: Mention first whatever they appear to be)

a. _____ Female

b. _____ Male

c. _____ Other

d. _____ No answer

3. What is your tribal affiliation or ethnic background (list below)? Are you... (name of tribe of ethnicity)

a. _____	**g.** _____
b. _____	**h.** _____
c. _____	**i.** _____
d. _____	**j.** _____
e. _____	**k.** _____
f. _____	**l.** _____

m. ____ Other (no category fits).
Please specify _____

n. ____ None

o. ____ Don't belong to any tribe

p. ____ No answer

4. How would you describe your religion? Are you...

a. _____ Christian (including Catholic, Protestant and others)

b. _____ Muslim

c. _____ Other (no category fits).
Please specify _____

d. _____ None

e. _____ Don't belong to any religious group or practise any religion

f. _____ No answer

5. What is the highest level of schooling you completed?

a. _____ No formal schooling

b. _____ Some primary

c. _____ Some secondary

d. _____ Completed secondary (high school diploma or equivalent)

e. _____ Trade or vocational education

f. _____ Some college/university

g. _____ College/university graduate

h. _____ Don't know

i. _____ No answer

6. What is the main source of income in your household?

a. _____ Job of one or more household member (s
(Please specify type of job)
_____

b. _____ Self-employment
(Please specify type of self-employment)
_____

c. _____ Farming/hunting/fishing

d. _____ Other.
Please specify _____

e. _____ Don't know

f. _____ No answer

7. Was the area where you lived affected by the war?

a. _____ Yes

b. _____ No

c. _____ Don't know

d. _____ No answer

7a. **If yes:** Did you have to move to a different area because of the war?

a. _____ Yes

b. _____ No

c. _____ Don't know

d. _____ No answer

7b. **If yes:** Have you returned to the place where you lived before the war?

a. _____ Yes

b. _____ No

c. _____ Don't know

d. _____ No answer

Police

This section is about police and other law enforcement agencies.

8. How effective do you think the police are at controlling crime in your area?

a. Very effective ☐ 4

b. Effective ☐ 3

c. Ineffective ☐ 2

d. Very ineffective ☐ 1

e. No answer ☐

9. Were you a victim of a crime within the last 12 months? (indicator 8)

a. _____ Yes
b. _____ No
c. _____ Don't know
d. _____ No answer

9a. If yes: Did you report it to anyone outside your family (e.g., the police, elders or chiefs)? If you were a victim more than once, please think of the most recent incident.

a. _____ Yes
b. _____ No
c. _____ Don't know
d. _____ No answer

9b. If yes: Whom did you report to? Please select multiple categories if applicable.

a. _____ To the police
b. _____ To other law enforcement agency. Please specify
_____
c. _____ To chief/elder/tribal governor/religious authority
d. _____ Other. Please specify _____
e. _____ Don't know/remember
f. _____ No answer

9c. If a: Overall, how satisfied were you with the response by the police? (indicator 3)

a. Very satisfied ☐ 4
b. Somewhat satisfied ☐ 3
c. Dissatisfied ☐ 2
d. Very dissatisfied ☐ 1
e. No answer ☐

9d. If c: Overall, how satisfied were you with the response by the chief/elder/tribal governor/religious authority?

a. Very satisfied ☐ 4
b. Somewhat satisfied ☐ 3
c. Dissatisfied ☐ 2
d. Very dissatisfied ☐ 1
e. No answer ☐

10. Within the last 12 months, have you been searched by the police? (indicator 22)

a. _____ Yes
b. _____ No
c. _____ No answer

11. To what extent do you agree that the police do as much as they can to be of service to the community? (indicator 10).

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

12. To what extent do you agree that the police in your area can be trusted? (indicator 11)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

13. To what extent do you agree that it is possible to avoid arrest by offering a bribe to a police officer? (indicator 12)[1]

a. Fully agree ☐ 1
b. Partly agree ☐ 2
c. Disagree ☐ 3
d. Strongly disagree ☐ 4
e. No answer ☐

14. Were you asked to pay a bribe by a police officer in the last year?

a. _____ Yes
b. _____ No
c. _____ No answer

15. How often do you think the police resort to force to obtain a confession? (indicator 14)

a. Never ☐ 4
b. Rarely ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

16. In your experience, how often are police officers abusive in their contacts with people? (indicator 18)

a. Never ☐ 4
b. Rarely ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

1 Please note that the responses to this question, unlike the others, are listed 1-2-3-4 instead of the reverse.

17. Do you agree that the police treat people of all groups fairly and without discrimination? (indicator 22)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

18. To what extent would you agree that police recruitment practices are fair and effective? (indicator 29)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

19. How often are people who committed serious human rights abuses or serious crimes identified and prevented from serving or being recruited as police officers? (indicator 33)

- **a.** Never ☐ 4
- **b.** Rarely ☐ 3
- **c.** Often ☐ 2
- **d.** Very often ☐ 1
- **e.** No answer ☐

20. To what extent do you agree that police leaders are doing a good job? (indicator 40)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

Judiciary

The next questions refer to the court system.

21. To what extent do you agree that judges and prosecutors are generally respectful of the rights of defendants and victims? (indicator 42)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

22. To what extent do you agree that courts treat people fairly regardless of their income, race, national or social origin, gender or religion? (indicator 43)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

23. How often do victims of crime have to pay an official or unofficial fee to have their complaints proceed to court? (indicator 48)

- **a.** Never ☐ 4
- **b.** Rarely ☐ 3
- **c.** Often ☐ 2
- **d.** Very often ☐ 1
- **e.** No answer ☐

24. To what extent do you agree that women who are victims of sexual or other gender-based violence are able to receive a fair hearing in court? (indicator 51)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

25. To what extent do you agree that the courts complete criminal proceedings without any unnecessary delay? (indicator 53)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

26. Do you think that judges are able to make decisions without direct or indirect interference by Government or politicians? (indicator 58)

- **a.** Always able ☐ 4
- **b.** Sometimes able ☐ 3
- **c.** Rarely able ☐ 2
- **d.** Never able ☐ 1
- **e.** No answer ☐

27. **How often does it happen that people can avoid a conviction or receive a less severe punishment by paying a bribe to a judge, a prosecutor or other court personnel? (indicator 59)**

- **a.** Never ☐ 4
- **b.** Rarely ☐ 3
- **c.** Often ☐ 2
- **d.** Very often ☐ 1
- **e.** No answer ☐

Prisons

The next few questions refer to the prisons.

In your view, how well are prisons managed in this country? (indicator 97)

- **a.** Very well ☐ 4
- **b.** Well ☐ 3
- **c.** Not very well ☐ 2
- **d.** Not well at all ☐ 1
- **e.** No answer ☐

28. **In your view, how serious is the problem of corruption of prison officials in this country? (indicator 106)**

- **a.** Not a problem ☐ 4
- **b.** Not a very serious problem ☐ 3
- **c.** A serious problem ☐ 2
- **d.** A very serious problem ☐ 1
- **e.** No answer ☐

29. **To what extent do you agree that discrimination against certain groups of prisoners is a problem in the country's prisons? (indicator 115)**

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

30. **To what extent do you agree that those who committed gross human rights abuses and other serious crimes are identified and prevented from serving as prison officers? (indicator 128)**

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

Thank you

Project tool No. 7

Expert survey methodology

1. Choosing respondents for the expert survey

The survey needs respondents who are experts with specialized knowledge about law enforcement, courts, prosecution, criminal defence, corrections, juvenile justice or human rights in a given country. Selected experts may be knowledgeable because they work as police commissioners, corrections officers, judges or prosecutors in the country; have been employed by international organizations to monitor and advise the police, the judicial system or prisons for a minimum of 12 months in the country; or because they are local NGO representatives, academics, community leaders or members of civil society organizations with a knowledge of the criminal justice system.

The key to choosing a sample of experts is to achieve a balance of experiences, beliefs and perspectives (see 3. Surveying expert respondents, below). Remember that the outcome of the survey will depend largely on whom you select as experts. Your goal should be to interview a minimum of 100 experts in the country from Government, civil society, academia and international organizations.

The following four criteria as offered as guiding principles when selecting experts:

1. Recruit a comparable numbers of experts from Government institutions, academia, and non-governmental and international organizations (see table below for examples).

Table 1
Selecting expert respondents, by source

A. Government
Police officers, police chiefs, police administrative staff (e.g., personnel or finance department)
Military officials
Security force officials
Investigators/detectives
Prosecutors, assistants to prosecutors
Defence counsels
Judges, judicial clerks
Prison administrators, corrections officers
Senior or mid-level staff from the Ministry of Justice (or its equivalent)
Senior or mid-level staff from the Ministry of Internal Affairs (or its equivalent)
Senior or mid-level staff from the Ministry of Gender (or its equivalent)
B. Academics and non-governmental organizations
Local university professors and researchers or international scholars
Employees of local and international human rights organizations, NGOs and think tanks
Human rights professionals and activists, members of professional associations
Journalists
Community leaders, tribal chiefs
Employees of ombudsman and oversight agencies
C. International organizations
United Nations desk officers covering justice or human rights in your country of analysis
United Nations peacekeeping mission staff in your country of analysis
Staff from other United Nations agencies, including UNDP, UNICEF and UN-Women
Staff from development banks (e.g., African Development Bank, Inter-American Development Bank and World Bank); development agencies (e.g., United Kingdom Department for International Development and United States Agency for International Development); international organizations (e.g. World Health Organization); humanitarian aid agencies (e.g., International Committee of the Red Cross, Médecins sans Frontières) and others.

2. Recruit a greater number of national rather than international experts. We encourage placing greater emphasis on national experts.
3. Recruit experts in both urban and rural areas. Although many experts employed by Government, academic institutions and international agencies may

reside in the capital city or other large urban areas, it is important to capture nationwide as opposed to city-based insights by identifying experts from more remote and rural areas of the country.

4. Recruit experts from at least two sides of the conflict. If the conflict divided the population by region, ethnic/tribal group or religion, it is important to include representatives from both sides of these divides.
5. Recruit at least 25 experts for each topic of expertise (mentioned below).

2. Identifying individual experts

You can use the so-called "snowball" technique of asking identified experts to recommend other potential participants, contact them and ask for more names, and so on until you reach the necessary number of experts. This approach is valuable because there will be no fixed list of experts readily available to you. An initial list of experts can be compiled from desk research and in consultation with members of local government, United Nations peacekeeping mission staff, civil society groups and international organizations. As some experts will be unavailable or unwilling to participate in the survey, you will need to compile a significantly longer list of experts than you will need. We recommend a list composed of at least twice as many experts as you will need.

3. Surveying expert respondents

A standard questionnaire has been developed for interviewing expert respondents across all institutions and sectors (see project tool No. 8 – Expert survey questionnaire). At the outset of each interview, each expert respondent will be asked to provide information on his/her current professional role, relevant training and experience, substantive areas of expertise and geographical regions of expertise. This information will then be used to determine which questions the expert should be invited to answer, thus targeting the questionnaire to the respondent's area of expertise.

The expert survey questionnaire is divided according to three general areas of expertise: police, judicial system and prisons. Before progressing to the substantive questions, interviewees should be asked to identify those areas where they have some expertise or specialized knowledge. Some of them may have expertise in juvenile justice or gender issues as they relate to all three of the areas. Those considering themselves to be experts in one area should answer questions pertaining to those areas, while those considering themselves to be experts in criminal justice or human rights in general should be asked to answer all the questions. Some experts may have expertise in more than one area. Those with expertise in more than one area should be invited to answer the questions covering all those areas for which they have the relevant expertise.

The questionnaire asks respondents to rate each aspect of the criminal justice system on a scale of 1 to 4. They may decide not to answer a question for some reason, in which case their response is recorded as "No answer". Experts' responses are not weighted on the basis of their background or opinion, as those questions that are outsidea respondent's expertise, and consequently answered with "I don't know" or "No answer", will be excluded from the analysis. In some instances, experts are asked an additional question to provide information that can hopefully be useful in interpreting the rating. In most instances, the questionnaire gives experts an opportunity to provide additional information pertaining to the questions. Respondents need not necessarily be asked to elaborate on each response – the interview is a rather long one – but they should be reminded that their additional comments and explanations are welcome. While their responses to the questions using a fixed set of answers are necessary to produce a quantifiable finding, their explanations will facilitate interpretation of the findings and can be reported eventually as part of the narrative comments that will accompany those findings.

Table 2
Matching indicators with respondents

Types of indicator	Types of respondent			
	Policing expertise	Judiciary expertise	Prison expertise	General expertise
Requiring specialized knowledge of the police				
Requiring specialized knowledge of the judiciary				
Requiring specialized knowledge of the prisons				
Requiring knowledge of the juvenile justice system				

Experts may also express varying views on a particular issue. For example, most judges may believe that their appointment was based on merit, while civil society representatives may believe otherwise. Surveying people from various sides of the conflict and from multiple sectors on the same issue is important as the results will offer a more balanced and realistic perspective on a particular issue than would otherwise be the case had the survey been conducted among a homogenous group of experts. The rating system is designed to ensure that a few unrealistically positive responses do not influence an indicator's overall rating, while the narrative comments provide an opportunity to present disaggregated results describing, for example, whether representatives from civil society organizations or international agencies tend to respond differently from Government employees.

There are myriad ways in which experts can be surveyed. The questionnaire can be administered in a variety of ways, including face-to-face interviews, telephone interviews, Internet portals, and mail or e-mail correspondence. In conflict and post-conflict environments, however, not all of these survey modes may be feasible or culturally appropriate. Accordingly, we recommend interviewing all experts in person, either face-to-face and/or over the phone, especially in locations with limited access to computers and electricity. Considering that a high level of literacy among all experts cannot be assumed, self-administered surveys may exclude important groups from participating. Self-administered surveys are also problematic in areas where postal systems do not exist, electricity is unavailable for more than a few hours a day and transportation means are limited. In some cultures, personal interaction is often the preferred or only means of communication and information sharing. Therefore, asking respondents to fill out paper or online questionnaires may not be feasible and will likely result in an exceptionally low response rate.

Lastly, consistency is essential. If you decide not to conduct personal interviews and select another method, you will need to use that method consistently; you cannot interview one group of experts personally and then use self-administered surveys with others. Remember that the method of surveying experts will have significant implications for their responses.

4. Ensuring experts' confidentiality

As mentioned earlier, the survey of experts should be conducted in a confidential format. Because experts have been identified and selected due to their specialized knowledge, their names and contact information are already known. To help ensure confidentiality, all identifying information should be kept separate from the completed questionnaires and the identifiers stored separately and in a secure place. It is obviously important that no member of the team identify any of the respondents to anyone outside the project team, including peacekeeping mission staff or other United Nations employees. It is possible to keep information provided by the experts themselves or obtained from other sources strictly confidential by following these steps:

1. As soon as an interview is completed, assign each participant a code and remove the identification sheet (with personal information) from the questionnaire. Make sure that the same code is written on both (a) completed questionnaires and (b) identification sheets; otherwise, you will not be able to link them together at a later date, should you need to.
2. Enter only codes into the dataset alongside responses to the questions. No personal information should appear in electronic files. Remember that even if you protect your files with passwords, they are never fully secure.
3. Store the questionnaires and identification sheets in two separate locked cabinets. If you travel with these documents, place them in different pieces of luggage. Ideally, one team member should carry the completed questionnaires and another team member the identification sheets. If you travel by air, do not check the bag with the identification sheets as your checked luggage is more likely to get lost than your carry-on luggage.
4. Allow only key research team members access to the identification sheets (ideally no more than two researchers).
5. Destroy the identification list as soon as it is no longer needed.
6. When reporting your findings, you can list only very general information regarding individual experts. For example, you can state that "among the 38 respondents who answered this question, there were 12 judges, 11 NGO representatives, 7 international staff, 3 prosecutors, 3 defence counsels, 1 academic and 1 journalist". This list cannot include any description, for example of a position, that may lead to the identification of a respondent. For example, instead of "the Minister of Justice," you should use "a high-level Government official", and instead of "the chief prosecutor", use simply "a prosecutor". The same applies to experts from international organizations. For example, instead of saying "a member of the Corrections Unit of a United Nations peacekeeping mission", you should say "a representative of an international organization".

Project tool No. 8

Expert survey questionnaire

United Nations Rule of Law Indicators

Expert survey questionnaire

Questionnaire code: _____

Interviewer: _____

Location of interview (name of city/village, province) : _____

Language of interview: _____

Date: (dd/mm/yy) _____/ _____/ _____ Time: _____

Oral consent was given: Yes _____ No _____

Signature of interviewer who administered consent: _____

Introduction and informed consent

Read this text to your potential expert respondent and sign the consent form above once you receive oral consent from her/him.

"We are conducting a survey as part of a United Nations-funded project, called the United Nations Rule of Law Indicators Project. The survey is about the perceptions of key experts who are familiar with the criminal justice institutions in this country. We invite you to participate in this survey. Participation is completely voluntary. If you do decide to take part, you can refuse to answer any questions and may stop the interview at any time.

If you agree to take part, we will keep a record of your name, e-mail address and/or telephone number but will keep this information separate from your answers to the questions. We will not use your name or other identifying information in any publications or reports that result from this work.

The interview will take between 45 minutes and one hour, depending on your answers.

Would you like to participate?

Note: If yes, proceed; if no, end interview and say, "Thank you for your time."

Questionnaire code: _____

Identifiers

What is your name? _____

What organization do you work for? _____

What is your position? _____

What is your professional responsibility? _____

_____

How long have you held this position? _____

In which area/region do you work? _____

How long have you worked in this area/region? _____

Have you worked in other areas/regions? _____ If yes, in which area/region have you worked before?

_____

_____

Would you consider yourself knowledgeable about the whole country or only specific regions?

a. _____ Country b. _____ Regions

Please specify regions _____

Could you please provide your contact information? (record separately)

Expertise

Could you identify one or more of the following areas that fall under your expertise (check all that apply) :

- ☐ Police and law enforcement
- ☐ Judicial system (courts, prosecution, criminal defence)
- ☐ Prisons - corrections service
- ☐ Juvenile justice
- ☐ All of the above

Note to interviewer: This questionnaire should be targeted based on the respondent's area of expertise. Those considering themselves experts in one area should answer questions pertaining to that area. Those considering themselves experts in all areas should be asked to answer all questions. Those who consider themselves experts in more than one area should be asked to respond to the questions in those areas. Experts with expertise in the area of juvenile justice should be asked to comment, whenever possible, on whether there are significant differences with respect to each question between the situation of children and that of adults.

Questionnaire code: _____

Police

This set of questions will be about the police. At this point, we are only interested in police and other forces that may have some policing functions.* We are not interested at this point in your perceptions of and experiences with the United Nations Police.

1. To what extent do you agree that the police respond promptly to requests for assistance from the public? (indicator 2)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

2. To what extent do you agree that the police respond seriously and competently to incidents of domestic violence (violence occurring in the family)? (indicator 4)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

2.1 If respondent disagrees with the statement: How is the police response to incidents of domestic violence inadequate? How could it be improved?

_____
_____
_____
_____
_____

3. To what extent do you agree that the police respond seriously and competently to incidents of sexual crimes against women and children? (indicator 5)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

3.1. If respondent disagrees with the statement: How is the police response to sexual crimes against women and children inadequate? How could it be improved?

_____
_____
_____
_____
_____

4. How effective are the police at preventing people from taking the law into their own hands? (indicator 6) (e.g., vigilantism, mob violence)

a. Very effective ☐ 4
b. Effective ☐ 3
c. Ineffective ☐ 2
d. Very ineffective ☐ 1
e. No answer ☐

Comment:

5. To what extent do you agree that the police generally use their powers (e.g., arrest, search, confiscation, seizure, detention) in strict accordance with the law? (indicator 13)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

5.1. Are existing laws on police powers sufficient to protect the people's rights?

a. Yes ☐ b. No ☐ c. No answer ☐

If no, what are their main flaws?

_____
_____
_____
_____
_____

* This must be clarified on the basis of the definition of the police that will be used in the country for the purpose of implementing the indicators.

6. To what extent do you agree that people are usually able to trigger an investigation of alleged misconduct by the police? (indicator 15)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

Comment:

7. To what extent do you agree that alleged incidents of police corruption or misconduct are seriously investigated and, when required by law, prosecuted? (indicator 17)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

Comment:

8. Would you agree that the police follow adequate policies and procedures to respond to children in conflict with the law and protect their rights? (indicator 24)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

Comment:

8.1. How could existing policies and procedures be improved?

_____

_____

_____

_____

_____

_____

9. To what extent would you agree that the police have adequate equipment to perform their basic duties? (indicator 26)

- **a.** Fully agree ☐ 4
- **b.** Partly agree ☐ 3
- **c.** Disagree ☐ 2
- **d.** Strongly disagree ☐ 1
- **e.** No answer ☐

Comment:

9.1. What kind of equipment is most urgently needed for the police to perform their basic duties?

_____

_____

_____

_____

_____

10. How would you rate the capacity of the police to conduct forensic tests? (indicator 28)

- a. Very good ☐ 4
- b. Good ☐ 3
- c. Poor ☐ 2
- d. Very poor ☐ 1
- e. No answer ☐

Comment:

11. To what extent would you agree that police officers' entry-level salaries are sufficient to recruit and retain qualified individuals? (indicator 30)

- a. Fully agree ☐ 4
- b. Partly agree ☐ 3
- c. Disagree ☐ 2
- d. Strongly disagree ☐ 1
- e. No answer ☐

Comment:

12. To what extent do you agree that police officers have the necessary skills to gather and protect physical evidence? (indicator 31)

- a. Fully agree ☐ 4
- b. Partly agree ☐ 3
- c. Disagree ☐ 2
- d. Strongly disagree ☐ 1
- e. No answer ☐

Comment:

13. How would you rate the current vetting process for ensuring that those who committed gross human rights abuses and other serious crimes are identified and prevented from serving as police officers? (indicator 32)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

14. How would you describe the general level of competence of front-line police officers? (indicator 35)

a. Very high ☐ 4
b. High ☐ 3
c. Low ☐ 2
d. Very low ☐ 1
e. No answer ☐

Comment:

15. How often do police officers experience delays in receiving their salary? (indicator 36)

a. Never ☐ 4
b. Rarely ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

Comment:

16. How would you rate the quality and accuracy of police records of individuals held in police custody? (indicator 37)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

17. How would you rate the administrative systems on which the police rely to perform key management functions such as the management of finances, assets, human resources and procurement? (indicator 39)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

17.1. Which aspects of these administrative systems would you say are the strongest or the weakest?

_____
_____
_____
_____
_____

18. How would you rate the police leaders' ability and determination to improve the performance of the police? (indicator 41)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

Questionnaire code: _____

Judiciary

This set of questions will be about the judiciary, which includes the courts (judges and court personnel), the prosecution and the defence. We are interested in courts at all levels, from the first instance courts to the highest level of appellate courts, as long as they adjudicate criminal cases. At this point, we are not assessing military courts, special tribunals, or civil and administrative courts. When asking about judges, we will be referring to everyone in the court system who adjudicates criminal cases.

19. Do you agree that the public believes that prosecution decisions are made in a fair, efficient and effective manner? (indicator 44)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

20. How would you rate the availability of interpreters to assist victims and defendants during criminal proceedings? (indicator 45)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

20.1 Is the availability of interpreters the same for both defendants and victims?

a. Yes ☐ b. No ☐ c. No answer ☐

If no, please explain how it is different.

_____

_____

_____

_____

21. To what extent do you agree that the rights of victims and defendants are sufficiently protected during criminal court proceedings? (indicator 46)

Prompt: The rights of defendants include, for example, the right to be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him; to have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing; to be tried without undue delay; to be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; and not to be compelled to testify against himself or to confess guilt.

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

22. To what extent do you agree that people who are wrongfully convicted are able to receive compensation or other forms of redress? (indicator 47)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

23. How often do indigent people accused of serious crimes actually receive free legal assistance at all stages of proceedings against them? (indicator 49)

a. Very often ☐ 4
b. Often ☐ 3
c. Rarely ☐ 2
d. Never ☐ 1
e. No answer ☐

Comment:

24. How would you rate the legal representation generally available to defendants during criminal proceedings? (indicator 50)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

25. How would you rate the ability of the judicial system to hear and conclude criminal cases without undue delays? (indicator 52)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

26. To what extent do you agree that judges are protected from arbitrary removal or punishment? (indicator 57)

Prompt: By "well protected", we mean that judges can only be removed or disciplined for specified reasons and following set procedures.

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

27. How often are members of the public allowed to attend criminal trials (notwithstanding any legal exceptions for cases involving children, sexual violence or national security)? (indicator 60)

a. Always ☐ 4
b. Often ☐ 3
c. Rarely ☐ 2
d. Very rarely ☐ 1
e. No answer ☐

Comment:

28. To what extent do you agree that it is possible for someone (a lawyer, a judge, or a member of the public) to trigger an investigation of alleged misconduct by a prosecutor? (indicator 62)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

29. To what extent do you agree that it is possible for someone (a lawyer, a judge, or a member of the public) to trigger an investigation of alleged misconduct by a judge? (indicator 63)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

30. How likely are judges found responsible for serious misconduct to be removed from their post or to be otherwise disciplined? (indicator 64)

a. Very likely ☐ 4
b. Somewhat likely ☐ 3
c. Unlikely ☐ 2
d. Very unlikely ☐ 1
e. No answer ☐

Comment:

31. How likely are public prosecutors who are found responsible for serious misconduct to be removed from their post or otherwise disciplined? (indicator 65)

a. Very likely ☐ 4
b. Somewhat likely ☐ 3
c. Unlikely ☐ 2
d. Very unlikely ☐ 1
e. No answer ☐

Comment:

32. How likely are judges to impose different punishments for the same type of crime, for an example, an armed assault, based on the defendant's or the victim's personal or ethnic characteristics? (indicator 69)

a. Very unlikely ☐ 4
b. Somewhat unlikely ☐ 3
c. Likely ☐ 2
d. Very likely ☐ 1
e. No answer ☐

Comment:

33. Does the law provide for special procedures designed specifically for children in conflict with the law? (This question is a prerequisite for question 34.)

a. Yes ☐ b. No ☐ c. No answer ☐

If yes: Please explain what the main procedures are.

_____

_____

_____

_____

_____

34. To what extent do judges who adjudicate cases involving children as defendants apply procedures designed specifically for children? (indicator 70)

a. Always ☐ 4
b. Sometimes ☐ 3
c. Rarely ☐ 2
d. Never ☐ 1
e. No answer ☐

Comment:

35. How often are children who are accused of a criminal offence represented in court by an advocate or legal counsel? (indicator 71)

a. Always ☐ 4
b. Sometimes ☐ 3
c. Rarely ☐ 2
d. Never ☐ 1
e. No answer ☐

Comment:

35.1. If rarely or never: Why are children not represented in court by an advocate or legal counsel?

_____

_____

_____

_____

36. Would you agree that detention is used only as a measure of last resort and for the shortest possible period of time in all cases involving children as defendants? (indicator 73)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

37. How frequently do the courts make use of professional medical assessments of mentally ill defendants? (indicator 74)

a. Always ☐ 4
b. Sometimes ☐ 3
c. Rarely ☐ 2
d. Never ☐ 1
e. No answer ☐

Comment:

38. With respect to the courts across most of the country (not just the capital), to what extent do you agree that courts have the material resources they need to consult the law, record proceedings, schedule cases, and store and maintain records? (indicator 75)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

38.1. What are the specific challenges faced by the courts in terms of their access to the material resources they need?

_____

_____

_____

_____

39. To what extent do you agree that courts have the means and resources to protect judges from threats, harassment, assault, assassination or intimidation? (indicator 76)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

39.1. What are the specific challenges faced by the courts in terms of their ability to protect judges?

_____

_____

_____

_____

40. To what extent do you agree that prosecutors have the means and resources to record testimonies, store and maintain evidence, and keep track of pending cases and hearing dates? (indicator 77)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

40.1. Are there specific aspects of that capacity that are particularly lacking?

_____

_____

_____

_____

41. To what extent do you agree that prosecutors have the professional skills, legal training and knowledge required to conduct successful and lawful prosecutions? (indicator 79)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

42. To what extent do you agree that judges have the professional skills, legal training and knowledge required to properly adjudicate criminal cases? (indicator 80)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

43. To what extent do you agree that defence counsels have the professional skills, legal training and knowledge required to effectively counsel, assist and represent defendants in criminal cases? (indicator 81)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

44. To what extent do you agree that judges' salaries are sufficient to attract and retain qualified judges, enabling them to live in a reasonably secure environment without having to resort to other sources of income? (indicator 82)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

45. To what extent do you agree that entry-level prosecutors' salaries are sufficient to recruit and retain qualified professionals? (indicator 83)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

46. How would you rate the courts' capacity to plan their operations strategically and to budget efficiently? (indicator 84)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

47. How would you rate the public prosecution office's capacity to plan its operations strategically and to budget efficiently? (indicator 85)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

48. How would you rate the administrative systems on which the courts rely to perform key management functions such as the management of finances, assets, procurement and human resources? (indicator 86)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

48.1. What are the main strengths and weaknesses of these administrative systems?

_____
_____
_____
_____

49. How would you rate the administrative systems on which prosecutors rely to perform key management functions such as the management of finances, assets, procurement and human resources? (indicator 87)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

49.1. What are the main strengths and weaknesses of these administrative systems?

_____
_____
_____
_____

50. How frequently do judges experience delays in receiving their salaries? (indicator 88)

a. Very rarely ☐ 4
b. Sometimes ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

Comment:

51. How frequently do prosecutors experience delays in receiving their salaries? (indicator 89)

a. Very rarely ☐ 4
b. Sometimes ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

Comment:

52. How frequently do publicly funded defence counsels experience delays in receiving their salaries or professional fees? (indicator 90)

a. Very rarely ☐ 4
b. Sometimes ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

Comment:

Questionnaire code: _____

Prisons

The following questions are about prisons.

53. How would you rate the level of safety which generally prevails in the prisons? (indicator 94)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

54. To what extent do you agree that prisons generally provide prisoners with food of sufficient nutritional value to remain healthy and strong? (indicator 98)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

55. How would rate the prisons' supply of clean water and sanitation facilities? (indicator 99)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

56. Do you agree that families of prisoners are generally allowed to visit their imprisoned relatives without paying any kind of official or unofficial fee? (indicator 101)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

56.1. Is this is also true of family visits in the case of children in detention? How is it different?

a. Yes ☐ b. No ☐ c. No answer ☐

_____
_____
_____
_____
_____

57. How adequate is the professional health care generally available to prisoners? (indicator 102)

a. Very adequate ☐ 4
b. Adequate ☐ 3
c. Inadequate ☐ 2
d. Very inadequate ☐ 1
e. No answer ☐

Comment:

57.1. Is the availability of health care the same for women? If not, how is it different?

a. Yes ☐ b. No ☐ c. No answer ☐

_____
_____
_____
_____

58. How common is it for people to be held in prison without a valid judicial order (or warrant), or beyond the expiration of such an order? (indicator 107)

a. Almost never ☐ 4
b. Rarely ☐ 3
c. Commonly ☐ 2
d. Very commonly ☐ 1
e. No answer ☐

Comment:

59. To what extent do you think that corrections officers use excessive force (e.g., use of excessive physical force, use of restraints as punishment) against prisoners? (indicator 108)

a. Almost never ☐ 4
b. Rarely ☐ 3
c. Commonly ☐ 2
d. Very commonly ☐ 1
e. No answer ☐

Comment:

60. To what extent do you agree that human rights organizations or mechanisms are generally able to visit the country's prisons to monitor prison conditions? (indicator 112)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

60.1. Do prison inspections also take place regularly in juvenile detention institutions? How are they different?

a. Yes ☐ b. No ☐ c. No answer ☐

_____

_____

_____

_____

_____

61. To what extent do you agree that there exist adequate mechanisms for hearing complaints registered by prisoners about their treatment in prison? (indicator 113)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

61.1. Do adequate complaint mechanisms exist in juvenile detention facilities?

a. Yes ☐ b. No ☐ c. No answer ☐

61.2. If yes: How could these mechanisms be improved?

_____

_____

_____

_____

_____

62. How would you rate the prison service's system for measuring performance and holding officers accountable for infractions of prison regulations, absenteeism or poor performance? (indicator 114)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

63. To what extent do you agree that prisoners of all faiths and denominations are permitted to freely practise their religion in prison? (indicator 117)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

64. How would you rate the quality of the mental health care available to prisoners? (indicator 118)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

65. How serious is the problem of overcrowding in the country's prisons? (indicator 119)

a. Not a problem ☐ 4
b. A minor problem ☐ 3
c. A serious problem ☐ 2
d. A very serious problem ☐ 1
e. No answer ☐

Comment:

65.1. If it is a serious problem, where is the problem most severe (region, type of institution)?

_____

_____

_____

_____

_____

66. How adequate are the facilities used to detain children? (indicator 120)

a. Very adequate ☐ 4
b. Mostly adequate ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

66.1. What are the main issues with respect to the conditions of detention of children?

_____

_____

_____

_____

67. How adequate are the facilities used to detain women and girls? (indicator 121)

a. Very adequate ☐ 4
b. Mostly adequate ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

67.1. What are the main issues with respect to the conditions of detention of women and girls?

_____

_____

_____

_____

68. To what extent do you agree that prisons have adequate resources to transport inmates to court hearings? (indicator 122)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

68.1. What are the main issues with respect to the transportation of prisoners to courts?

_____

_____

_____

_____

69. How adequate are entry-level salaries for prison officers in terms of recruiting and retaining qualified professionals? (indicator 124)

a. Very adequate ☐ 4
b. Barely adequate ☐ 3
c. Inadequate ☐ 2
d. Grossly inadequate ☐ 1
e. No answer ☐

Comment:

70. To what extent do you agree that prison officers generally have the necessary skills and training to respond to various prison situations without excessive use of force? (indicator 125)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

71. How adequate is the human rights training received by prison staff? (indicator 126)

a. Very adequate ☐ 4
b. Mostly adequate ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

71.1. How should it be improved?

_____

_____

_____

_____

_____

72. How would you rate the prison service's resources and capacity to properly train new recruits? (indicator 127)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

73. To what extent do you agree that an efficient mechanism is in place for regular prison inspections and for following up on the issues identified during such inspections? (indicator 129)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer ☐

Comment:

74. To what extent do you agree that prisons are managed in compliance with human rights standards? (indicator 130)

a. Fully agree ☐ 4
b. Partly agree ☐ 3
c. Disagree ☐ 2
d. Strongly disagree ☐ 1
e. No answer

Comment:

30.1. Which aspects of prison management are particularly problematic from the point of view of human rights and children's rights?

_____
_____
_____

30.2. Is there a difference with respect to compliance with children's rights?

_____
_____
_____

75. How frequently do prison staff experience delays in receiving their salary? (indicator 131)

a. Very rarely ☐ 4
b. Sometimes ☐ 3
c. Often ☐ 2
d. Very often ☐ 1
e. No answer ☐

Comment:

76. How would you rate the prison service's capacity to plan its operations strategically and to budget efficiently? (indicator 132)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

77. How would you rate the administrative systems on which the prison service relies to perform key management functions such as the management of finances, assets, procurement and human resources? (indicator 133)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

77.1 What are the main strengths and weaknesses of these administrative systems?

_____
_____
_____

78. How would you rate the prison service's record keeping and information management capacity? (indicator 134)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

79. How would you rate the ability and determination of prison leaders/managers to improve the performance of the prison service? (indicator 135)

a. Very good ☐ 4
b. Good ☐ 3
c. Poor ☐ 2
d. Very poor ☐ 1
e. No answer ☐

Comment:

Project tool No. 9

Field data collection

Six indicators rely partly on field data to be collected by United Nations field personnel in the areas of rule of law and human rights, two indicators for each institution. These data can be collected though observations conducted by field personnel who are well informed about the project as well as the criminal justice institution within which they will be making these observations. Observers are likely to receive many questions about the project, the handling of which may determine their access to the site being observed.

Indicators relying partly on field data	
Police	**27. Availability of private areas for receiving crime reports and holding cells** Availability in police stations of: (a) a private area for receiving crime reports; and (b) a separate cell for holding suspects
	37. Record management capacity The police maintain records on all individuals held in police custody including: (a) their identity; (b) grounds for the deprivation of liberty; and (c) when appropriate, the date of their release or transfer to another place of detention
Judiciary	**91. Quality of court records** Whether courts maintain apparently complete records on pending cases including, at a minimum, the date the case was transferred to the court; the charge(s) involved; and the date of the next hearing or other action
	92. Quality of prosecution records Whether prosecutors' offices maintain apparently complete records on: (a) all cases accepted for prosecution; (b) cases dismissed; and (c) the charges for each case
Prisons	**98. Prisoners' nutrition** Whether prisons provide food of sufficient nutritional value for the prisoners to remain healthy and strong
	134. Record keeping and information management Strength of the prison service's record keeping and information management capacity

The following is an outline of the eight basic steps for collecting the necessary field data:

Step 1:	Identify the number of observers needed. This number will depend on the total number of observation sites selected.
Step 2:	Recruit the field staff members who will be conducting the observations.
Step 3:	Provide detailed instructions to field staff; create lists of observers to visit sites.
Step 4:	Address logistical questions about collating observation data once collected by field staff.
Step 5:	Distribute sufficient numbers of observation checklists and provide instructions on when and how to return them.
Step 6:	Collect observation checklists and store them in a locked cabinet.
Step 7:	Collect information about specific challenges faced by field observers in the course of their research. This information will be useful when analysing and interpreting the data.
Step 8:	Enter data into statistical or spreadsheet software.

Police

There are two sets of field data to be collected on the police.

1. Percentage of police stations observed with: (a) private areas for receiving crime reports; and (b) separate rooms for holding suspects (indicator 27)

   Note: There should be at least two separate areas serving these functions. These areas can be separated by walls, doors, gates or railings.

   Field staff will need to conduct observations in at least 20 police stations in different parts of the country. Observations should be conducted in both urban and rural areas and in regions most and least affected by conflict.

   Rating: The rating of this indicator will be based on the percentage of police stations which have both facilities: 75-100% (very good = 4); 50-74% (good = 3); 25-49% (poor = 2); 0-24% (very poor = 1).

Date	Police station name/location	Private area for receiving crime reports Y/N	Separate room for holding suspects Y/N	Additional comments
	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			
	9.			
	10.			
	11.			
	12.			
	13.			
	14.			
	15.			
	16.			
	17.			
	18.			
	19.			
	20.			
	21.			
	22.			

2. Record management capacity (indicator 37)

   These data must be collected by reviewing a sample of police files on individuals held in police custody to determine whether they include information on: (a) their identity; (b) grounds for the deprivation of liberty; (c) whether they are adults or children; and (d) when relevant, the date of their release or transfer to another place of detention. Ideally, all the files of individuals held in custody on a given day should be reviewed.

   Ideally, this review should be conducted by United Nations field personnel in at least 20 police stations. The sample form below can be used for each police station.

   Rating: Once the data on all the observation sheets have been collated, the percentages are calculated and the indicator is rated using a four-point scale corresponding to the following four categories: 100% of files contain the relevant information (very good = 4); 75-99% of files contain the relevant information (good = 3); 50-74% of files contain the relevant information (poor = 2); less than 50% of files contain the relevant information (very poor = 1).

Name of police station/location: _____

Date of file review: _____

Review conducted by: _____

Individuals (No names should be given)	A Identity of individual in detention Y/N	B Grounds for the deprivation of liberty Y/N	C Date of arrest Y/N	D Whether individual is adult or child Y/N
Prisoner 1)				
Prisoner 2)				
Prisoner 3)				
Prisoner 4)				
Prisoner 5)				
Prisoner 6)				
Prisoner 7)				
Prisoner 8)				
Prisoner 9)				
Prisoner 10)				
Prisoner 11)				
Prisoner 12)				
Prisoner 13)				

Judicial system

General instructions: Field staff will need to visit at least 15 courts of different levels (e.g., first instance courts, appellate courts, regional courts, etc.) and 15 prosecutors' offices in different parts of the country. Observations should be conducted in both urban and rural areas and in regions most and least affected by conflict.

3. Quality of court records (indicator 91)

A sample of court records is reviewed to determine whether they contain complete information on the date the case was transferred to the court; the charge(s) involved; and the date of the next hearing or other action. Each sample should contain at least 20 files.

Rating: Once the data on all the observation sheets have been collated, the percentages are calculated and the indicator is rated using a four-point scale corresponding to the following four categories: 100% of files contain the relevant information (very good = 4); 75-99% of files contain the relevant information (good = 3); 50-74% of files contain the relevant information (poor = 2); less than 50% of files contain the relevant information (very poor = 1).

File No.	Court name/location	Court's files have information on			Additional comments
		Date case transferred to court Y/N	Charges involved Y/N	Date of next hearing or other action Y/N	
	1.				
	2.				
	3.				
	4.				
	5.				

File No.	Court name/location	Court's files have information on			Additional comments
		Date case transferred to court Y/N	Charges involved Y/N	Date of next hearing or other action Y/N	
	6.				
	7.				
	8.				
	9.				
	10.				
	11.				
	12.				
	13.				
	14.				
	15.				
	16.				
	17.				
	18.				
	19.				
	20.				

4. Quality of prosecution records (indicator 92)

Field data gathered from a sample of active prosecution records are reviewed to determine whether they contain complete information on: (a) when the case was accepted for prosecution; (b) the action taken in the case to date; (c) the nature of the charges for each case; (d) the date of the next appearance.

Rating: Once the data on all the observation sheets have been collated, the percentages are calculated and the indicator is rated using a four-point scale corresponding to the following four categories: 100% of files contain the relevant information (very good = 4); 75-99% of files contain the relevant information (good = 3); 50-74% of files contain the relevant information (poor = 2); less than 50% of files contain the relevant information (very poor = 1).

File No.	Prosecution office name/location	Active prosecution files have information on			Date of next appearance
		Case accepted for prosecution Y/N	Charges involved Y/N	Date of next hearing or other action Y/N	
	1.				
	2.				
	3.				
	4.				
	5.				
	6.				
	7.				

File No.	Prosecution office name/location	Active prosecution files have information on			Date of next appearance
		Case accepted for prosecution Y/N	Charges involved Y/N	Date of next hearing or other action Y/N	
	8.				
	9.				
	10.				
	11.				
	12.				
	13.				
	14.				
	15.				
	16.				
	17.				
	18.				
	19.				
	20.				

Prisons

General instructions: You will need to observe at least 10 prisons (housing among them at least 25% of prison inmates). Observations should be conducted in both urban and rural areas and in regions most and least affected by conflict.

5. Average percentage of minimum recommended daily calories received by inmates in prisons observed (indicator 98)

   Note: In addition to obtaining prison menus and any information on the amount of food served daily, inquire about the meals served throughout the day of your visit. List all products/ingredients (including cooking oil, sugar, etc.) by meal (breakfast, lunch, dinner) and their amount in kilograms (kg). Ask how typical "today's breakfast and dinner" were. Record the calorie information from the labels attached to boxes and containers. Finally, find out if meals are distributed only among inmates or also to prison staff. Use additional pages if you need to record more information.

   Add more cells as needed.

Date	Prison name/location	No. of inmates	No. of staff	Food description		
				No. of meals per day	Description of meals and amount (kg)	Shared with staff? Y/N
	1.					
	2.					
	3.					

Date	Prison name/location	No. of inmates	No. of staff	Food description		
				No. of meals per day	Description of meals and amount (kg)	Shared with staff? Y/N
	4.					
	5.					
	6.					

6. Record keeping and information management (additional data for indicator 134)

A sample of prisoners' files should be reviewed in at least 10 prisons and compared to a checklist of information that should be included in each file.

See UNODC, *Handbook on prisoner files management* (United Nations publication, Sales No. E.08.IV.3). Available at: *www.unodc.org/documents/justice-and-prison-reform/Prison_management_handbook.pdf*.

Project tool No. 10

Document review

There are 18 indicators relying on data provided through a document review. They are:

Police

16. Procedure for investigating police misconduct
19. Public availability of reports on police complaints
20. Public reports on police budgets and expenditures
21. Public reports on deaths in police custody or as a result of police actions
23. Police implementation of child-friendly policies and procedures
25. Operational policies and procedures concerning mentally ill suspects and offenders
38. Strategic planning and budgeting capacity

Judiciary

56. Independence of judiciary – tenure
61. Publicly available information about complaints against judges
66. Performance monitoring system for prosecution
67. Performance monitoring system for judges
68. Publically available reports on court spending
72. Special procedures for child victims and witnesses of crime
84. Strategic planning and budgeting capacity of the courts
85. Strategic planning and budgeting capacity of prosecutors

Prisons

109. Public reports on spending
110. Publicly available information on complaints of misconduct
111. Publicly available information on deaths in custody

1. The review panel

Once the documents have been assembled and analysed by a researcher and each indicator has been given a tentative rating, the results of the document review and the tentative ratings are reviewed by a "review panel" and the tentative rating will be accepted or amended (by consensus among the members of the panel).

2. Rating the indicators on the basis of the document review

2.1 Police

Procedure for investigating police misconduct (indicator 16)

Measurement: Review of documents to determine whether the law provides a formal procedure to independently investigate serious incidents of alleged police misconduct.

Rating: Law provides for independent investigation (score: 4); law does not provide for independent investigation (score: 1).

Public availability of reports on police complaints (indicator 19)

Measurement: Review of existing reports on police complaints, if there are any, and how they are resolved, to determine whether these reports are complete, accurate and published regularly.

Rating: The document review establishes that: complete and accurate reports are produced and made public regularly (at least once a year) (4); complete and accurate reports are only occasionally produced and made public (3); such reports are published and made public but are incomplete or provide limited information (2); such reports are not produced or made public (1).

Note to researcher: For the purposes of interpretation and analysis, it is important to try to document to the extent possible who the investigative authority is and whether the procedures in place reflect the requirements of an "independent investigative body".

Public reports on police budgets and expenditures (indicator 20)

Measurement: Review of existing reports on police budgets and expenditures, if there are any, to determine whether complete and transparent accounts of police budgets and expenditures are regularly made public.

Rating: The document review establishes that: complete and transparent accounts of police budgets and expenditures are produced and made public regularly (at least once a year) (4); such reports are only occasionally produced and made public (3); such reports are produced and made public but are either incomplete, not properly itemized or insufficiently detailed (2); such reports are either not produced or not made public (1).

Public reports on deaths in police custody or as a result of police actions (indicator 21)

Measurement: Review of existing reports on deaths in police custody or as a result of police actions, if there are any, to establish whether complete and accurate reports on deaths in police custody or as a result of police actions, including the cause of death, are produced regularly (at least once a year).

Rating: The document review determines whether complete and apparently accurate reports on deaths in police custody or as a result of police actions are produced regularly (at least once a year) and include the cause of death (4); such reports are only occasionally produced and made public (3); reports are produced and made public regularly but are incomplete or provide limited information (2); such reports are not produced regularly or made public (1).

Note to researcher: Where the data are available, the number of investigations of incidents of death in police custody and the number of investigations resulting in disciplinary actions or prosecutions will be reported together with the findings.

Police implementation of child-friendly policies and procedures (indicator 23)

Measurement: Review of documents to determine whether the operational policies and procedures currently in effect within the police force include guidance or direction concerning child-friendly interviewing and investigation practices in cases involving child victims and witnesses.

Rating: Using a four-point scale to rate the following four categories: existing policies and procedures are clear and provide adequate guidance about child-friendly interviewing and investigation practices (4); some partial policies and procedures are in place (3); existing policies and procedures are very inadequate (2); policies and procedures are silent about these matters (1).

Operational policies and procedures concerning mentally ill suspects and offenders (indicator 25)

Measurement: Review of operational policies and procedures in effect within the police force to determine whether they provide adequate guidance to police officers dealing with mentally ill suspects or offenders.

Rating: Existing policies and procedures are rated corresponding to the following four-point scale: existing policies and procedures are clear and provide adequate guidance for dealing with mentally ill suspects or offenders (4); some partial policies and procedures are in place (3); existing policies and procedures are very inadequate (2); policies and procedures are silent about these matters (1).

Strategic planning and budgeting capacity (indicator 38)

Measurement: Review of available documents to determine whether the police have a current strategic plan and budget projections (forecast).

Rating: The score based on the review of available documents will use the following categories: the documents reveal that the police have very good both strategic planning and budget projection capacities (very good = 4); the documents reveal that the police have a capacity, but the plans and projections are not updated regularly (good = 3); the documents revealed that the police have a limited planning and a limited budgeting capacity (poor = 2); the documents revealed that the police have a very limited planning and a very limited budgeting capacity (very poor = 1).

2.2. Judiciary

Independence of judiciary – tenure (background for indicator 56)

Measurement: Review of documents to determine the percentage of judges who are appointed for fixed terms that provide a guaranteed tenure that is protected until retirement age or until the expiration of a defined term of substantial duration.

Rating: Not rated.

Note to researcher: Laws and other documents establishing guaranteed tenure for judges should be collected and reviewed to provide background information for this indicator. Please refer to the Basic Principles on the Independence of the Judiciary. Principle 11 states: "The term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and the age of retirement shall be adequately secured by law." Principle 12 states: "Judges, whether appointed or elected, shall have guaranteed tenure until a mandatory retirement age or the expiry of their term of office, where such exists."

Publicly available information about complaints against judges (indicator 61)

Measurement: Review of documents to establish whether courts produce publicly available information on complaints against judges which describe the nature of the complaints and how they were resolved.

Rating: Average score of all relevant experts based on a four-point scale corresponding to the following four response categories: complete and transparent accounts are

made public (4); somewhat incomplete accounts are made public (3); accounts are rarely made public, or are hard to access, or are not very transparent (2); no accounts are published (1).

Performance monitoring system for prosecution (indicator 66)

Measurement: Review of documents to determine whether prosecution services have performance guidelines and a performance monitoring system that holds prosecutors accountable for unnecessary delays in proceedings, case backlog or absenteeism.

Rating: Very good performance guidelines and monitoring system (4); good performance guidelines and monitoring system (3); poor performance guidelines and monitoring system (2); very poor performance guidelines and monitoring system (1).

Performance monitoring system for judges (indicator 67)

Measurement: Review of documents to determine whether courts have performance guidelines and a performance monitoring system that holds judges accountable for unnecessary delays in proceedings, case backlog or absenteeism.

Rating: : Very good performance guidelines and monitoring system (4); good performance guidelines and monitoring system (3); poor performance guidelines and monitoring system (2); very poor performance guidelines and monitoring system (1).

Publically available reports on court spending (indicator 68)

Measurement: Review of documents to determine whether courts periodically produce a publicly available account of spending which is reasonably complete and itemized.

Rating: Reports are produced and made public regularly (4); such reports are only occasionally produced and made public (3); such reports are produced and made public but are incomplete, not properly itemized or not sufficiently detailed (2); such reports are not produced or made public (1).

Special procedures for child victims and witnesses of crime (indicator 72)

Measurement: Review of laws and other official documents to assess the comprehensiveness of the child-friendly measures adopted by the courts and the prosecution for dealing with child witnesses and victims of crime.

Rating: Very comprehensive measures (4); some important measures (3); few measures (2); no measures (1). Refer as necessary to the Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime.

Strategic planning and budgeting capacity of the courts (additional data for indicator 84)

Measurement: Review of documents to determine whether recent strategic plans and budget forecast documents exist.

Rating: Not rated.

Strategic planning and budgeting capacity of the public prosecution office (additional data for indicator 85)

Measurement: Review of documents to establish whether recent strategic plans and budget forecast documents exist.

Rating: Not rated.

2.3. Prisons

Public reports on spending (indicator 109)

Measurement: Review of official documents to determine whether the prison service periodically produces a publicly available account of spending which is reasonably complete and itemized.

Rating: Very good public account of spending (4); good public account of spending (3); poor public account of spending (2); very poor or no public account of spending (1).

Publicly available information on complaints of misconduct (indicator 110)

Measurement: Review of documents to establish whether prisons produce publicly available information on complaints against prison officials which describe the nature of the complaints and how they were resolved.

Rating: Complete and transparent accounts are made public (4); somewhat incomplete accounts are made public (3); accounts are rarely made public, or are hard to access, or are not very transparent (2); no accounts are published (1).

Publicly available information on deaths in custody (indicator 111)

Measurement: Review of official documents to determine whether the prison service periodically produces publicly available information on the number and causes of deaths in custody for all deaths in custody.

Rating: Very good public account of deaths in custody (4); good public account of deaths in custody (3); poor public account of deaths in custody (2); very poor or no public account of deaths in custody (1).

Strategic planning and budgeting capacity (additional data for indicator 132)

Measurement: Review of documents to establish whether recent strategic plans and budget forecast documents exist.

Rating: Not rated.

Project tool No. 11

Country factsheet template

Country facts

- Area: In km^2
- Administrative division: Number of regions, departments, states, provinces, counties, etc.
- Country (full name) : Country's official name
- Capital: Capital city name (and population)
- Government type: For example, republic, federal republic, Islamic republic, constitutional monarchy, parliamentary democracy, communist State, military junta, etc.
- Official language(s) : List all official languages and include a note on the prevalence of other languages

Population

- Size: Number of residents
- Median age: Age in years
- Urbanization: Percentage of total population living in urban areas
- Ethnicity: Ethnic groups as percentage of population
- Religion: Religious groups as percentage of population

United Nations presence

- Current United Nations peacekeeping mission: Name of mission and date (year) of first operation
- Past United Nations peacekeeping missions: List past peacekeeping missions and dates of operation

Government structure

- Describe the structure of Government that the constitution provides for (e.g., whether there are three major branches of Government – legislative, executive and judicial). If there are three branches of Government, describe them here:
- Legislative branch: Describe the persons or institutions responsible for making, amending and abolishing laws
- Executive branch: Describe the Government structure, e.g., who is the Head of State? Does the country have a Cabinet of ministers?
- Judicial branch: Describe the judiciary and state whether the judiciary is involved only in the application of the law or whether it has a law-making function (e.g., setting legal precedents)

Legal system

- Describe the legal system, e.g., does the country have a common law, civil law, customary law, Islamic law or hybrid legal system?

Conflict history and timeline	• Draw up a timeline of the conflict's history, including the major events leading up to the conflict, those occurring during the conflict and those leading to its resolution
Police or other law enforcement	• Describe the structure of the police or other law enforcement agency
Criminal law	• List the main criminal laws by date of adoption, along with major amendments
Prosecution	• Describe the agencies responsible for overseeing the investigation of crimes and bringing cases to court
Investigation	• Describe the agencies responsible for the investigation of crimes and whether they come under the authority of the police, the prosecutor's office or the judiciary
Criminal defence	• Describe the structure of the criminal defence institutions
Courts	• Describe the court structure
Corrections	• Describe the structure of the corrections system and the ministerial affiliation (e.g., justice vs. internal affairs)