

## **Section 3**

### **Call-down Contract**

### **Terms of Reference**

## **Summative evaluation of DFID's anti-corruption programming in the Caribbean**

### **Introduction**

1. The Department for International Development (DFID) seeks a Supplier to conduct a summative evaluation of DFID's anti-corruption programming in the Caribbean. This is an exciting opportunity to develop an innovative methodology/design to address the significant challenges of evaluating the outcomes of anti-corruption programming. Given the limited evidence base in this area, DFID would like this evaluation to gather and share lessons around what works in anti-corruption programming; in particular in testing the effectiveness of the technical assistance model that DFID has supported in Jamaica and, to a lesser degree, the Eastern Caribbean.
2. DFID has been supporting anti-corruption programming in the Caribbean since 2009. The current programme, the Caribbean Anti-Corruption Programme (CACP), started in 2015 and builds on the results and learning of three previous programmes. Recognising that corruption is an interrelated, multi-faceted issue, the CACP takes a multi-pronged approach; supporting three Jamaican anti-corruption agencies and one regional agency. DFID would like the Supplier to undertake a theory-based evaluation to test this approach. This will include refining and testing the programme's theory of change; to better understand the outcomes of the CACP, assess their likely contribution towards overall impact, and assess the influence of other (including contextual) factors. The evaluation will need to consider activities within the previous programmes and their contribution towards outcomes, where relevant.
3. This will be a two phase summative evaluation. The first phase beginning in early 2017, with the option of a second phase later in the programme cycle (up to 2020, but likely for late 2019).
4. The CACP is funded by DFID and is delivered through local Government and regional partners. The programme's partners welcome DFID's steps to commission an evaluation of the programme. DFID would like the evaluation to use a participatory methodology.

### **Context**

5. Instability in the Caribbean is fuelled by a cycle of violence, organised crime and corruption. Violence is exacerbated by organised crime, particularly drug trafficking and money-laundering. Although Caribbean

states have democratically elected governments and reasonably well structured legislative systems, corruption still presents a significant issue for many states.

6. Jamaica has more extreme governance problems than the rest of the Caribbean. Its inner cities are amongst the most violent in the world. Jamaica has the sixth highest murder rate in the world, of which 65% are estimated to be gang-related. It has the 11th highest child homicide rate.
7. Crime and violence in Jamaica is linked to an economic crisis that has persisted since the mid-1970s, direct political support for criminal gangs, and the fact that the Caribbean still serves as an important international hub for trafficking in narcotics and firearms, and for money laundering.
8. In the mid-1970s gangs competed for territorial control, and – depending on their size and level of influence – extort funds from local companies and controlled access to jobs. Larger, more organised groups refocused their activities from active political conflict to protection rackets, drug trafficking, and control of government contracts. The volume of cocaine trafficking, and the reach of traffickers into politics in the mid-2000s was extensive. The intense political violence allowed criminal groups to develop strong connections with the political elite at home and with organised criminal networks abroad – and in time, to rely less on their political masters for supply of weapons. The social services and benefits provided by gang leaders, or “dons”, in their communities helped to legitimise the dons while reducing dependence on elected officials.
9. Criminal proceeds, such as those used to buy off politicians; and to distort the political process, for example through vote-buying, fuelled corruption. Criminals also use their assets to subvert government officials and judicial processes, and often use government contracts to launder money.
10. In part a result of crime and corruption, there is a high level of inequality of opportunity, and extreme levels of poverty, particularly in highly violent communities where policing and state services have at times effectively been withdrawn and replaced by organised criminals. This has led to marginalisation and high unemployment, especially amongst young men. Gender violence is extreme in Jamaica and is particularly acute in volatile urban areas.
11. There is evidence that crime has a negative impact on inward investment and long term economic growth. Where so much income is dependent on tourism, reputation and image are critical factors for economic success. The 2014 Global Competitiveness Report lists crime as the number one barrier to doing business in Jamaica. The cost of crime and violence to the domestic economy has been estimated at 7% of GDP. The World Bank estimates that a reduction in the homicide rate to the global average (8 per 100,000) could increase the country's GDP by 5.4%

## **DFID Programme**

12. Given this context, DFID has traditionally focused our programme on governance and security. DFID Caribbean has a comparative advantage and a history of supporting anti-corruption and organised crime initiatives in the region. DFID has historically built strong relations of trust with Jamaica's Ministers of National Security and Finance. Reflecting the value of DFID's support to date, these Ministers have consistently asked DFID to extend support to help safeguard Jamaica's national security.
13. Caribbean legal and law enforcement frameworks are based on the UK model. The UK is a global leader in fighting corruption and in specialist areas such as money laundering. Our partners are keen to benefit from the expertise of UK technical assistance because UK mentors' experience is directly applicable in the Caribbean context and they bring cutting-edge anti-corruption methodologies and practices.
14. DFID is providing £17 Million under the Caribbean Anti-Corruption Programme (CACP) to increase state accountability and to combat corruption and organised crime across the region. CACP builds on the success and results of three previous programmes: The Jamaican Constabulary Force (JCF) Accountability Programme which ended in March 2015, the Caribbean Criminal Assets Recovery Programme (CCARP) which ended in November 2015, and the Eastern Caribbean Financial Investigations Advisory Team (ECFIAT) which ended in 2012.
15. The CACP is designed to reduce crime through support for asset recovery and law enforcement and supports the following agencies in Jamaica:
  - The Major Organised Crime and Anti-Corruption Agency (MOCA) to combat corruption perpetrated by prominent public officials and the police, and to disrupt organised crime networks and activities in Jamaica.
  - The Financial Investigations Division (FID) to recover the assets of corrupt public officials and top tier criminals.
  - The Independent Commission of Investigations (INDECOM) to investigate and prosecute public officials' abuse of power and specifically to reduce extra-judicial killings perpetrated by the police.
16. In the Eastern Caribbean, DFID support is helping to establish permanent financial investigations expertise in the Regional Security System (RSS) (a sub-regional institution based in Barbados) to combat organised crime and corruption by stripping criminals of their assets.
17. The support to the three operational agencies in Jamaica (MOCA, FID, and INDECOM) is largely provided through technical assistance (having international advisers embedded in each of the three agencies), and the provision of core and activity funding. The international advisers alongside the agency heads identify capacity requirements of agency staff and aim to address these through training and mentoring. DFID also provide funding for salaries of core staff and equipment. A number of other

international donors also support these agencies, for example, by funding training and equipment.

Agency	Mission	Sector
Major Organised and Anti-Corruption Agency (MOCA)	To target major organised criminal networks, those who facilitate these illicit activities and those involved in public sector corruption. <i>Currently reports to Ministry of National Security but legislative plans to make it an autonomous agency.</i>	Corruption and organised crime
Financial Investigations Division (FID)	To effectively deal with financial crime – to ‘take the profit out of crime’. <i>Semi-autonomous but under Ministry of Finance.</i>	Criminal asset recovery
Independent Commission of Investigations (INDECOM)	To investigate actions by members of the Security Forces and other agents of the State that result in death or injury to persons or the abuse of the rights of persons. <i>Autonomous parliamentary commission.</i>	Abuse of power by police and other public officials

### CACP’S Theory of change

18. The theory of change for CACP is to be found in annex 1 (including assumptions behind the theory of change). DFID recognises that the theory of change and the programme’s success is highly dependent upon external factors, in particular the continuation of political support to address corruption in the Caribbean.

19. At the **impact level** CACP targets “*better governance in Jamaica and the OECS due to a reduction in corruption and organised crime*”.

20. At the **outcome level** it seeks to ensure “*public agencies in Jamaica and the OECS combat corruption and serious organised crime more effectively*”. The programme seeks to do this by supporting progress towards the following four sub-outcomes.

- (i) *Effective, efficient and highly skilled anti-corruption organisations*
- (ii) *Effective disruption of criminal networks*
- (iii) *Efficient processes for achieving convictions and recovering criminal assets*
- (iv) *Strong regional oversight and skills to fight corruption and organised crime*

21. The programme will provide support to five institutions in Jamaica and the Eastern Caribbean. **Project outputs** cover each institution. The programme supports:

Output 1: The Jamaican Major Organised Crime and Anti-Corruption Agency (MOCA). MOCA combats corruption and organised crime

perpetrated and facilitated by Politically Exposed Persons (PEPs), police officers and High Value Targets (HVTs);

Output 2: Jamaica's Financial Investigations Division (FID). FID investigates and recovers assets acquired through corruption or organised crime;

Output 3: The Independent Commission for Investigations (INDECOM). INDECOM hold public officials in Jamaica to account for their abuse of power. It is currently focused on extra-judicial killings by the security services;

Output 4: Other anti-corruption institutions in Jamaica. Under this output, it was conceived that DFID would support a planned Integrity Commission (IC) and may support civil society;

Output 5: The Regional Security System (RSS). RSS helps Organisation of Eastern Caribbean States (OECS) jurisdictions recover assets acquired by corruption and organised crime.

22. Corruption is multifaceted and requires a holistic approach that tackles the control environment and enforcement. For the greatest impact, interventions need to reinforce each other and work simultaneously.
23. The three Jamaican agencies supported in the current programme (CACP) were also supported through the technical assistance model in the previous programmes. Whilst the evaluation will assess the outcomes of the current programme it is essential that activities and outputs as well as lessons from previous programmes are considered.
24. **As part of the evaluation's inception phase, the evaluation team will facilitate a theory of change workshop with DFID Caribbean and the programme's partners to refine the theory of change to inform the theory-based evaluation.** This discussion will focus on the theory of change as it applies to Jamaica, the focus of the programme and this evaluation (see below). Broader regional considerations within the theory of change will be inputted by the programme team and partners, through the workshoping process.

### **Purpose**

25. The **purpose** of the summative, theory-based evaluation is to better understand what outcomes (both intended and unintended) are being achieved under DFID's support to anti-corruption programming in the Caribbean, the contribution of these outcomes to impact, and the contextual variables that influence these outcomes. The findings will help to inform future programming decisions in the DFID Caribbean Team as well as share learning around what works in supporting countries to reduce corruption (we anticipate interest from across the DFID anti-corruption network in the findings of the evaluation. We anticipate particular interest in the findings as regards the work on asset recovery).

26. As this is a theory-based evaluation it is not expected to establish attribution, but should instead assess the contribution of DFID's support to achieving outcomes in light of contextual and other factors. The evaluation should also assess which contextual variables appear to facilitate or prevent progress towards achieving project outcomes to help DFID and others understand whether this type of intervention (or components of) may be feasible /replicable in other contexts.
27. The DFID Caribbean Team and their partners (in particular MOCA, FID, and INDECOM) are the primary stakeholders for this evaluation. The evaluation should enable the team to make evidence based decisions in response to the following questions:
- Has DFID's support to anti-corruption programming contributed to achievement of CACP's stated outcomes in Jamaica?
  - What other factors have helped facilitate or prevent the achievement of these outcomes (both internal and external to the programme)?
  - In light of external factors, to what extent, if any, is DFID's support to anti-corruption programming in Jamaica contributing towards achieving the stated impact (under the CACP)?
  - Are there any recommendations on how the programme can be adapted to improve effectiveness, relevance, sustainability and progress towards meeting outcomes?
28. The answers to these questions will help inform strategic decision making by the DFID Caribbean Team and their partners including around allocation of resources for anti-corruption programming in Jamaica and strategies supporting transition away from DFID support. The programme is also designed to be adaptive and be able to respond to changes in the context and seize opportunities, where appropriate. The evaluation findings should support the team's ability to do this by helping to assess the continuing relevance and the sustainability of the programme.
29. There are no grand theories around what works to reduce levels of corruption. Since DFID has been supporting anti-corruption programming in the region since 2009, there is high potential for learning to inform the design and implementation of anti-corruption programming in other contexts. Therefore DFID teams and other donors (e.g. U4 partners) focusing on anti-corruption programming in other contexts are important secondary stakeholders of this evaluation.
30. The evaluation should provide some evidence to support teams to make evidence-based decisions in relation to the following question:
- How replicable is this programme of support in other contexts?

- What combination of external factors and elements of the intervention may be required to maximise the potential for piloting or providing this type of support in other contexts?
  - What lessons are transferrable to other contexts? For example, programmes where the Jamaica programme has adapted to achieve outcomes in spite of unsupportive contextual factors.
31. This will be the first time that programme outcomes are evaluated by an independent third party. The evidence base for this type of intervention is very limited. As such, the evaluation has both a learning and accountability purpose, although with a strong focus on developing learning around what works in donor support for addressing corruption and organised crime.

### **Scope**

32. The **scope** of the evaluation is as follows:

- Gathering and assessing evidence around achievement of outcomes (as stated in the CACP theory of change), their contribution towards achieving overall impact, and the influence of contextual factors.
- The evaluation should assess the theory of change of the current programme but should consider the activities, achievements and learning of the previous anti-corruption programmes in Jamaica supported by DFID (CCARP and JCF). The most relevant elements of the previous programmes contributed to the achievement of the outcomes and the development of the three Jamaican agencies supported by CACP. Please see annex 2 for further details on the previous programmes.
- As part of the inception phase's theory of change workshop, key inputs, activities and outputs provided and delivered under the previous programmes should be considered when refining the current theory of change. The Supplier should then consider to what extent it is necessary and appropriate to retrospectively assess components of the previous programmes.
- As the CACP focuses primarily on supporting agencies working to tackle corruption in Jamaica, the primary focus on the evaluation will be assessing the context and outcomes within the Jamaican context. However, the programme's theory of change assumes that outcomes cannot be fully achieved in Jamaica without strengthening capacity and oversight at the regional level. It is anticipated therefore that a future evaluation will consider the contribution of programme activities at the regional level.
- Whilst DFID does not expect the evaluation team to measure overall impact of the programme (on improving governance or reducing overall corruption), the Supplier should comment in their findings on whether it is likely that DFID support has helped contribute to achieving impact (as per the CACP theory of change).

- Recognising the spirit of the Gender Equality Act, we will welcome any comments or recommendations as to how we can better target women and girls, where relevant.

33. The following cycle and issues are **outside of the scope** of the evaluation:

- The Eastern Caribbean component of the programme
- All UK support to the Caribbean outside of the programmes supporting anti-corruption activities.
- All UK support to the Caribbean prior to the start of the CCARP and JCF programmes.

### **Objectives**

34. In order to make informed decisions listed under the purpose section, the formative evaluation has three objectives:

- A. To assess if DFID's support to anti-corruption programming in Jamaica, in particular the multi-pronged approach, has been effective in making progress against stated objectives **at outcome level**, and broader Development Assistance Committee (DAC) criteria, **particularly relevance and sustainability**.
- B. To improve understanding around which elements of UK support have worked/are working well and why. To understand which elements of the intervention are failing to fully deliver and why.
- C. To improve understanding around the external context in which programme delivery is successful. To understand the external context in which the programme fails to fully deliver (in order to transfer learning to other contexts).

### **Evaluation Type**

35. This evaluation will be conducted during the course of the implementation of the programme and will initially include data collection at one time point only. The evaluation is as such **primarily a summative evaluation**. Given that support has been rolled out within distinct programmes, the first phase of the evaluation will look to make **some summative conclusions** about the completed programmes but will also make **formative conclusions** about the support provided under the current programme, CACP.

36. It is likely that some of the outcomes will not yet have been fully realised and will need to be further broken down (as part of refinement of the theory of change) to enable effective measurement within the evaluation/programme timeframes. Following the summative evaluation, DFID may decide to commission the second summative/endline evaluation before the end of the programme in 2020.



37. The evaluation will take a **theory-based approach**. It will aim to further develop and test the theory of change for the intervention, assess the extent to which the intervention has worked, and understand how it may have worked (seeking to understand the linkages in the theory of change), and assess external factors (context) influencing the intervention (and if they made a significant contribution). The evaluation will not be verifying inputs, activities and outputs, but as a theory-based evaluation will need to consider monitoring data around delivery at these levels, for example, if activities did not take place as planned then it is unlikely that the results chain occurred.
38. The evaluation should take a **participatory approach**, in particular in refining the theory of change.
39. The evaluation is not an impact evaluation and as such will not be expected to use rigorous scientific methods to arrive at robust statements of attribution at the impact or outcome level through randomised control or the comparison to a counterfactual group. However, the evaluation shall provide a depth of analysis that establishes the importance of the programme in enabling results to be achieved at the outcome level and shall consider the influence/contribution of other factors (and interventions) that also influence the outcomes, for example, through contribution analysis. Similarly, whilst it will be challenging to establish in some cases the extent to which outcomes and impact have been achieved, for example, the extent to which criminal networks have been disrupted, the Supplier should triangulate different data sources (both primary and secondary) to assess this with sufficient confidence.

### Evaluation questions

40. The evaluation will respond to the following set of questions. These questions are largely based around the CACP theory of change. After refining the theory of change with DFID and its partners during the inception phase, the Supplier may need to refine the evaluation questions. This will help ensure that the evaluation is attempting to assess the appropriate causal chains and that measures are valid. DFID is open to bids which suggest alternative or expanded questions that may better meet the evaluation objectives.

Outcome level
<p>EQ.1. How has DFID support enabled MOCA, FID, and INDECOM to become effective, efficient and highly skilled anti-corruption organisations?</p> <p><i>Sub-questions</i></p> <p>How sustainable is the capacity built through this support?</p>
<p>EQ.2. How has DFID's support led to the effective disruption of criminal networks in Jamaica?</p> <p><i>Sub-question</i></p> <p>What have been the challenges to the effective disruption of criminal networks in Jamaica? How have these been addressed?</p>

EQ.3. How has DFID support enabled efficient processes for achieving convictions and recovering criminal assets to be developed in Jamaica?

*Sub-question*

What have been the challenges to developing efficient processes for achieving convictions and recovering criminal assets in Jamaica? How have these been addressed?

**Impact level**

EQ.4. How has the multi-pronged approach of CACP contributed to reducing crime and corruption in Jamaica?

*Sub-questions*

- How has this support provided a deterrent or disincentive to organised criminals to continue large scale operations in Jamaica, for example, through asset recovery and fear of prosecution?
- How has this support reduced the opportunities for crime and corruption, for example, by limiting channels for money laundering?
- How has DFID support increased the sanctions for crime and corruption, for example, through detention of corrupt officials and police officers?

**Contextual Factors**

EQ.5. What are the key factors (internal and external) which have influenced (i) progress in achieving the stated outcomes, (ii) progress towards achieving impact?

41. The evaluation should explore “why/why not” in relation to the questions above.

42. When refining and responding to the evaluation questions, the DAC evaluation criteria should be considered, in particular in assessing the extent to which DFID’s support has been relevant, effective, sustainable, and is likely to contribute to the stated impact.

**The Recipients and Audience of the Evaluation**

43. The primary recipients of the evaluation are DFID’s Caribbean Team and their local partner agencies in Jamaica (MOCA, FID, and INDECOM).

44. Primary audience:

- Programme funders - DFID’s Caribbean Team
- Programme partners - MOCA, FID, and INDECOM

Secondary audience:

- DFID staff designing anti-corruption programmes in other countries
- Other donors and organisations supporting anti-corruption programming

45. The evaluator will deliver presentations to the partners (MOCA, FID, and INDECOM), the programme funder (DFID), and potentially other key stakeholders. DFID, in consultation with their partners, will provide the Supplier with a list of invitees.
46. Due to sensitivities around anti-corruption programming, aspects of the evaluation may remain confidential for security/ethical reasons. **A restricted annex of the report will likely be required** for sharing with a limited audience. In accordance with our commitment to transparency, the non-restricted elements of the report will be published on the DFID or HMG website.

### **Challenges in the evaluation of anti-corruption programing**

47. There are a number of generic challenges to evaluating and measuring effects of anti-corruption interventions. Those relevant to the Jamaican context include: i) establishing levels of crime and corruption and if these have changed over time; ii) Sensitivities around research and evaluation of anti-corruption programming. We do not anticipate any concerns as regards researcher or informant security and safety in this work. The Supplier should however consider carefully suspicion of researchers by respondents and unwillingness to respond to direct questions. The Supplier should consider the use of proxy questions and other techniques to address respondent bias. The Supplier should note the potential challenges in selecting research participants from groups which programme activities target (e.g. corrupt officials and criminals).
48. Taking the above considerations into account, the Supplier should think innovatively and propose an appropriate methodology and solutions about how data can be collected and quality assured to a high standard.
49. If the Supplier is concerned about any of these challenges to collecting reliable data to answer the proposed evaluation questions in this ToR, then the evaluation questions may be amended during the inception phase in agreement with DFID. Alternatively the Supplier must be explicit around the limitations of data collection/ their ability to respond to evaluation questions with sufficient levels of confidence.

### **Design and Methodology**

50. Suppliers should demonstrate how their methods will:
- a. Meet recognised international standards (e.g. OECD-DAC Quality Standards)
  - b. Do no harm and meet ethical standards
51. The Supplier has proposed an evaluation design and methodology. This includes:
- A clear design including proposed methods, tools and techniques

- Reference to international standards that will be used
- A draft evaluation framework including suggested key indicators
- A timeline, including reference to how many days are allocated to each activity within the evaluation and how many days will be worked 'in country'
- Transparency over design limitations including those around making wider inferences, and the extent to which evaluation objectives can be met
- The target groups for data collection and details on how respondents will be recruited
- Details on how the Supplier will quality assure the evaluation from start to finish
- Details on how the Supplier will ensure that ethical standards will be upheld throughout the evaluation
- An analysis strategy including techniques on data processing, analysis and interpretation, and how the Supplier will assess the contribution of DFID's support to achievement of outcomes and triangulate different sources of data
- A dissemination strategy

52. The evaluation will deploy a **mixed-methods approach**. It should review available data including monitoring data collected under the DFID programmes and external data on corruption and crime in Jamaica. Although much of the available data is quantitative in nature including survey data, the primary data collection under the evaluation will mostly (if not entirely) entail qualitative methods. Given the challenges of measuring outcomes around crime and corruption, it is important that data is appropriately **triangulated**. For example, different sources of data should be triangulated to help establish if there is sufficient evidence that outcomes have been achieved, and to establish which factors have been influential. Quantitative trends should be assessed, but these should also be tested with other data sources, for example, if trends indicate a reduction in overall corruption, do qualitative accounts corroborate and explain this? However, the Supplier should state which methods, tools and techniques the evaluation will use to help address the challenges of collecting reliable data, especially on more challenging issues.

53. A number of methods may be appropriate to help respond to the evaluation questions. The evaluation should draw on existing data sources where available (see section below on existing data sources). Existing quantitative data collected by both partners of the programme and other actors may be used to help establish if change has occurred, although the reliability and limitations of such sources should be recognised. Expert panel interviews may provide useful qualitative data to help understand triangulate and also to better understand changes in the context.

54. The Supplier should use **participatory methods**, where appropriate, and work closely with DFID's partners to better understand and refine the theory of change, i.e. identify and refine clearer causal chains. Methods such as outcome harvesting may also be appropriate, in particular to

understand changes that may have occurred and how they may have occurred. Overall, DFID expects that qualitative methodologies will be better placed to understand the influence of other factors, why or why not change may have occurred, and how. The Supplier should consider the use of contribution analysis to support this.

55. The Supplier will take forward a short inception phase (suggested time of 8 weeks) where they will refine their proposal in consultation with the DFID Caribbean Team, the evaluation's steering group, and other relevant stakeholders.

56. The following methodology should be included. However, the Supplier can include alternative methodologies:

- An initial desk-based review of existing programme documentation and reporting, and reviews of the current and previous (where relevant) DFID programmes of support (including review of monitoring data);
- A review of available external data and research
- A participatory workshop with DFID and its partners to refine the theory of change and causal pathways;
- Qualitative interviews with those who designed and managed the current programme and (where relevant) previous programmes;
- Qualitative interviews with the agencies who have received DFID support under the anti-corruption programmes (including the DFID-funded international advisers and agency staff who have been trained and mentored by these advisers);
- Qualitative interviews with key informants in other related agencies, and within the police and government;
- Qualitative interviews with experts in the field and with an in-depth understanding of the issues surrounding crime and corruption in Jamaica;
- Consideration should be given to what interviews and exchanges must be completed in country and which can or must be done remotely

57. The use of experimental and quasi experimental methods is challenging in this context, and we are therefore not expecting them to be included in the proposal for the evaluation. However, bidders should outline how external validity could be maximised within the given constraints.

58. DFID will own all data generated by the evaluation.

59. The Supplier will include details of the analysis strategy; which analysis techniques the Supplier will apply, how will they try to assess contribution of the programme activities supported by DFID through the analysis and how they plan to triangulate different sources of data.

60. The evaluation should ensure that it adheres to the ethical evaluation policies of DFID ([Redacted]), and proposals should include reference to any further ethical considerations in light of the focus on anti-corruption programming.

## **Data Available**

61. Given the challenges of measuring outcomes around crime and corruption, it is important that the Supplier review and consider the use of existing data to for triangulation purposes in responding to evaluation questions.

Available data includes:

- Programme monitoring data. This includes data used to report to the overall logframe and the individual agency logframes. These indicators are largely process indicators but also capture agency outputs including number of cases processed etc.
- Data from individual agency monitoring/management information systems. INDECOM, in particular, have a comprehensive information monitoring system that they use to track progress of cases and monitor performance.
- Perception surveys commissioned by the anti-corruption agencies to monitor police and public perceptions of their work.
- Data collected by external bodies including the International Transparency Initiative
- A summary of available data is at Annex 4

## **Process**

62. DFID and the programme partners will seek to facilitate access to stakeholders who have direct links with the programme and possible key informants and experts in this area. Proposals should also include details on other key target groups the Supplier may approach for participation in the evaluation.

63.

## **Reporting and outputs**

### **Timelines**

The first phase of this engagement is expected to commence on 2nd October 2017 and run for a maximum of 8 months, concluding by 1st June 2018). We expect the inception phase for the first phase to be completed in twelve weeks. To ensure that timelines are adhered to, DFID will expect to approve the inception report as quickly as possible.

64. DFID may extend the contract for up to 4 months, should an ongoing need for the services exist.

65. DFID reserves the ability to either scale-up or scale-down the services being delivered at any time, subject to the outcome of the annual review. DFID will also have the right to terminate the contract at any point where it has strong justification that the programme is not delivering the intended results and/ or does not offer value for money to DFID.

66. The table below sets out some broad proposed timelines for the first phase of the evaluation. Proposals should include a more detailed proposed timeline for the first phase based on what is feasible in order to be able to deliver the evaluation to a high quality. Proposed workplans should include the number of days allocated to each activity. Proposals should also state how many team members will be working on each activity. Less detail will be required for the potential second phase.

<b>Evaluation Activity – phase 1</b>	<b>Completed by</b>
Inception phase including desk review of existing reporting and data, and inception report	November 2017
Inception report signed off	December 2017
Development of tools, and data collection	January-February 2018
Topline findings presented	February 2018
Final report	May 2018
Presentation to key stakeholders of evaluation	May 2018

## Outputs

### Inception report

67. The Supplier is responsible for designing the evaluation, working closely with the DFID lead and the evaluation steering group to ensure that the evaluation framework and design meets DFID's needs and standards. In developing the bids, potential suppliers should establish the feasibility of their proposed design.

68. The Supplier should build on the evaluation questions provided in this ToR as a starting point for their evaluation framework. As the inception phase will **include a theory of change workshop (facilitated in-country)** that will further break down the theory of change and refine the evaluation questions, the final evaluation questions and evaluation framework should be included in the inception report. The Inception Report will contain the following and will be submitted to DFID no longer than 8 weeks after the start of the inception phase:

- Refined methodology including a list of target groups for data collection and how these groups will be approached
- Evaluation framework (including key indicators that will be assessed for each evaluation question)
- Final Work plan, including a clear allocation of days per activity
- Quality assurance plan
- Comprehensive risk register

- Communications plan
- Analysis and reporting plan

69. At the end of the Inception phase there will be a **Break Point** to review Inception Outputs. Progress to the Implementation Phase will be subject to the satisfactory performance of the Service Provider, delivery of Inception Outputs and the continuing needs of the Programme.

### **Implementation:**

70. The implementation cycle will mostly take place both in Jamaica and remotely. It will include the development and finalisation of data collection tools, data collection, and analysis, triangulation and interpretation of data. The Supplier will be required to share updates with the evaluation's steering group and to be regularly in contact with the DFID lead for the evaluation.

### **Presentation of Topline Findings**

71. To help inform decision-making around the programme the Supplier will present topline findings from the evaluation to DFID and their partners. During the inception phase DFID and the supplier will discuss and agree upon a timeline for this, based on what is feasible in terms of allowing sufficient time for preliminary analysis and what is appropriate to help inform DFID decision making.

### **Final Report**

72. The Supplier will submit a final report. The main body of this report will be no longer than 50 pages. In addition there will be a 2-4 page executive summary. If necessary a restricted annex will be produced (no longer than 10 pages). DFID will provide clear instructions on what should be restricted. Data classified as restricted will include that which could put partners at risk. DFID will retain the copyright for the reports and data produced as part of this contract.

### **Workshop with DFID and their partners**

73. Following agreement on the final report the Supplier will take forward a workshop on the evaluation findings, lessons learned and recommendations with DFID and their partners.

### **Quality Assurance**

74. The evaluation's inception and final report will pass through DFID's external Specialist Evaluation and Quality Assurance Service (SEQAS). SEQAS will assess the quality of reports and provide recommendations for improvement. The SEQAS quality assurance will add 3 to 4 weeks into the timetable at the inception report and the final report stage. Following this process, the Supplier will be expected to revise the reports based on comments from SEQAS and DFID.



## **Duty of Care**

81. The Supplier is responsible for the safety and well-being of their Personnel and Third Parties affected by their activities under this contract, including appropriate security arrangements. They will also be responsible for the provision of suitable security arrangements for their domestic and business property.

DFID will share available information with the Supplier on security status and developments in-country where appropriate. DFID will provide the following:

All Supplier Personnel will be offered a security briefing by the British High Commission/DFID on arrival. All such Personnel must register with their respective Embassies to ensure that they are included in emergency procedures.

A copy of the DFID visitor notes (and a further copy each time these are updated), which the Supplier may use to brief their Personnel on arrival.

The Supplier is responsible for ensuring appropriate safety and security briefings for all of their Personnel working under this contract and ensuring that their Personnel register and receive briefing as outlined above. Travel advice is also available on the FCO website and the Supplier must ensure they (and their Personnel) are up to date with the latest position.

The Service Provider must develop their proposal on the basis of being fully responsible for Duty of Care in line with the details provided above. They must confirm in their Tender that:

- They fully accept responsibility for Security and Duty of Care.
- They understand the potential risks and have the knowledge and experience to develop an effective risk plan.
- They have the capability to manage their Duty of Care responsibilities throughout the life of the contract.

### **VAT Guidance and In-Country Applicable Taxes**

82. The service to be provided will fall outside of the scope of UK VAT. A special arrangement letter will be provided to the Supplier on the signing of the contract, which will detail this and it may be used when conducting business with HMRC. The Supplier, however, will be responsible for paying the relevant taxes applicable in country. In the case of Jamaica, General Consumption Tax (GCT) is applied on the provision of goods and services.

### **Risk management**

83. The supplier will be expected to set out their understanding of the most important anticipated risks, with an explanation of their mitigation strategies in a full risk register.
84. As part of this careful management of sensitive data and support for those handling this data will need to be taken forward and there should be a sound process for doing this.

### **Budget and payment for both deliverables**

85. A maximum budget of £200,000 is available for phase 1 of the evaluation. A subsequent extension for phase 2 can increase the contract's value up to £350,000.

### **Evaluation Governance Arrangements**

86. The evaluation will be supported by the following governance arrangements:

Role	Responsibilities
<p>DFID Project Manager</p> <p>DFID technical lead</p>	<ol style="list-style-type: none"> <li>1. Ensuring that appropriate resources are committed to the evaluation</li> <li>2. Dealing with contractual issues</li> <li>3. Ensuring the information necessary for the evaluation is made available to the evaluators and facilitating contact with key stakeholders and implementers, where appropriate</li> <li>4. Sharing security information with the evaluator, as appropriate</li> <li>5. Liaising with the Supplier to ensure that the evaluation timetable is kept to</li> <li>6. Submitting evaluation documents to SEQAS, where appropriate</li> <li>7. Obtaining DFID's management response to evaluation findings</li> <li>7. Working closely with the Supplier to refine the formative evaluation's design during the first month (inception period)</li> <li>8. Publishing evaluation findings, as appropriate</li> </ol>
Evaluation team	<ol style="list-style-type: none"> <li>1. Ensuring the evaluation stays on track, meets its objectives, and is delivered on time and within budget</li> <li>2. Quality assuring the development of tools and data collection, analysis and interpretation</li> <li>3. Duty of care of all on the evaluation delivery team</li> </ol>
Evaluation Steering Group	<ol style="list-style-type: none"> <li>1. Ensuring delivery of a high-quality and policy relevant evaluation</li> <li>2. Quality assuring the final report (in conjunction with SEQAS)</li> <li>3. Assisting in the interpretation of the emerging evidence, as required</li> <li>4. Consulting with the Supplier on a potential second cycle of the evaluation.</li> </ol>
External quality assurance (SEQAS)	<ol style="list-style-type: none"> <li>1. Quality assuring the evaluation's ToR, inception report and final report</li> </ol>

### Transparency Requirement

87. DFID has transformed its approach to transparency, reshaping our own working practices and pressuring others across the world to do the same. DFID requires Suppliers receiving and managing funds, to release open

data on how this money is spent, in a common, standard, re-usable format and to require this level of information from immediate sub-contractors, sub-agencies and partners.

It is a contractual requirement for all Suppliers to comply with this, and to ensure they have the appropriate tools to enable routine financial reporting, publishing of accurate data and providing evidence of this to DFID – further IATI information is available from;

[Redacted]

## **Annex 1 – Background information on the four agencies currently supported under the CACP**

### **Major Organised Crime and Anti-Corruption Agency (MOCA)**

In 2012 the Minister of National Security established the Major Organised Crime and Anti-Corruption (MOCA) Taskforce. The MOCA Taskforce merged with the JCF's Anti-Corruption Branch (ACB) to become an agency in October 2014. The new agency has a broader mandate and greater freedom to operate than the taskforce. The new leadership has defined its strategic plan for the next three years. The plan states that MOCA was formed 'in direct response to the country's twin problems of organised crime and corruption' and 'is focused on targeting major organised criminal networks, those who facilitate these illicit activities and those involved in public sector corruption'<sup>i</sup>. With the merger of the ACB, it has strengthened its capability to investigate corruption cases, and has broadened its mandate to include public sector corruption and politically exposed persons. The Minister of National Security has committed to making MOCA a statutory body and DFID is monitoring the progress of this policy.

DFID has provided support to the ACB since 2008. The ACB built a formidable reputation for rooting out corruption in the rank and file of the JCF. Over 500 police officers have resigned or been dismissed for corruption or ethical violations.

### **Financial Investigations Division (FID)**

FID is Jamaica's designated authority with a mandate "to effectively deal with the multidimensional and complex problem of financial crime" (FID Act 2010(3)). Following a request from the Minister of Finance, DFID supported a package of reforms in FID – facilitating new leadership and technical skills. With DFID support, FID has also strengthened its capability to conduct financial investigations and seize the assets of organised criminals and corrupt individuals. Many of its investigations are carried out jointly with MOCA. Amongst its many successes, FID drove the revision of Jamaica's Proceeds of Crime Act to close loopholes that prevented it controlling money-laundering effectively.

The Jamaican government's implementation of an IMF reform programme since May 2013 strengthens the enabling environment for broader anti-corruption initiatives. New legislation has removed much of the discretionary power ministers had to give tax waivers and has increased transparency. The Ministry of Finance is also driving systemic improvements in public financial management, which DFID also supports through a regional project.<sup>ii</sup>

### **Independent Commission of Investigations (INDECOM)**

In 2010, Parliament established the Independent Commission of Investigations (INDECOM) to investigate citizens' allegations of abuse by public officials (including fatalities, shootings and sexual assaults). Internal

JCF accountability systems had manifestly failed to control police killings.<sup>iii</sup> DFID has supported INDECOM from its establishment with technical expertise and core funding. Under capable and committed leadership, INDECOM has established its credentials and has broken impunity for the police. The Police Commissioner has established collaborative relations with INDECOM and has invited MOCA to investigate all allegations of police corruption. For example, INDECOM has been given primacy at crime scenes that involve a police shooting, previously a source of constant conflict with the JCF. The number of police fatal shootings in 2014 was 53% lower than in 2013.

## **Annex 2 – Details on DFID’s previous anti-corruption programming in the Caribbean**

### **JCF Accountability Programme**

The programme provided £7.85 million from 2012-2015 and provided specific support to targeted reform activities within the JCF.

The expected programme impact was to make Jamaica safer. Expected outputs were:

- 1) The ACB cleansing programme is fully implemented
- 2) JCF capacity to tackle Serious and Organised Crime is enhanced
- 3) JCF internal management processes are improved
- 4) External accountability and oversight of JCF is strengthened

The programme consistently scored an A over the life of the programme and had some significant achievements towards making the JCF more effective, responsive and accountable, and, ultimately towards making Jamaica safer. These include:

- Improved standards for ethics and integrity
- Improved systems for performance management
- Increased JCF capacity for investigation and prosecution of serious and organised crime
- Improved external accountability systems and a reduction in police abuse of power

### **Caribbean Criminal Assets Recovery Programme (CCARP)**

The UK provided £3.97 million (November 2012 to November 2015) for the Caribbean Criminal Assets Recovery Programme (CCARP) divided between the Eastern Caribbean operation (project team based in Barbados) and the Financial Investigations Division (FID) in Jamaica. Through CCARP, the UK provided technical assistance to strengthen the criminal assets recovery capability of financial investigation units (FIU), prosecutorial authorities and the magistracy/judiciary in eleven Caribbean jurisdictions, where serious organised crime, principally associated with drug trafficking, threatens to undermine social stability, economic growth and trust in public institutions. Although Barbados and St. Kitts/Nevis are not ODA eligible, the programme had a regional focus and supported the countries of the OECS and Barbados as well as Guyana, Belize and Jamaica.

The overall aim of the programme was to reduce crime through an asset recovery approach, thereby giving the public greater confidence in their government’s commitment to tackling organised crime. Historically, little consideration was given in the Caribbean to recovering the assets of criminals, even though legislation was in place in some jurisdictions for a considerable number of years to enable the confiscation of assets upon conviction. This legislation was however rarely used, if at all, allowing criminals to retain the proceeds of their crimes. Effective asset recovery regimes are recognised as a powerful means of tackling the escalating impact

of serious organised crime, where traditional criminal justice methods have failed.

#### Headline results in Jamaica

Since its inception in October 2012, CCARP along with FID has been directly responsible for a number of initiatives that have significantly changed the landscape with regard to Financial Investigation and Asset Recovery in Jamaica. Major achievements include:

- Restrained Assets totalling US\$47.43 Million (from US\$150M to US\$197.43M)
- Increased Amendments to legislation
- Successful recruitment of a local Head of FID who brings considerable regulatory and legal experience to the agency
- Creation of a Law Library at FID
- Money Laundering investigations and prosecutions have increased from 4 to 66 cases in the criminal justice system since the project started in 2012
- Provision of training both utilising the expertise of embedded mentors, the UK legal representative, and the facilitation of short-term experts from the UK.
- 13 international MOUs and a number of local MOUs signed. FID also became the 119th member of the International Federation of Financial Intelligence Units (more commonly known as the Egmont Group) allowing it to share and request intelligence with a much wider group of law enforcement agencies.
- Significant improvements in cross agency coordination and collaboration on investigations and prosecutions especially between FID and the Major Organised Crime and Anti-Corruption Agency (MOCA).



### **Annex 3 – Theory of change for CACP**

1. With continued high quality leadership, integrity, and the continued ability to operate without political interference in either the conduct of investigations or the choice of target, it is anticipated that MOCA will continue to disrupt the activities or arrest serious organised criminals, those who facilitate them, and specifically corrupt politically exposed persons and public servants. Politically exposed persons is a term describing someone who has been entrusted with a prominent public function, or a relative or known associate of that person. MOCA's activities will create a disincentive for organised criminals to continue large scale operations in Jamaica; their facilitators (lawyers, accountants, bankers, estate agents) will step back from laundering their proceeds, and politicians and organised criminals will have a strong incentive to distance themselves from each other.
2. If FID maintains its integrity, and strong leadership, and continues to deepen its capability to investigate money-laundering and recover criminals' assets it will create a disincentive for potential future corruption and organised criminals. It will demonstrate to potential criminals that they will not keep the assets they accumulate. Anti-money laundering systems will curb the use of proceeds of corruption. They will limit the channels through which illicit funds can be laundered, making crime riskier and reducing the incentives for corrupt activities.<sup>iv</sup>
3. With a continuation of the high quality leadership and development of professional skills that INDECOM has achieved since it was established in 2010, INDECOM will continue to investigate all police shootings, and will prosecute in court police officers it deems responsible for unjustified shootings. This will create a disincentive for individual officers to become involved in unjustified shootings.
4. If the Integrity Commission has a robust mandate and is well managed it will close remaining loopholes in Jamaica's anti-corruption architecture. It will enable a single agency to routinely access politicians' and officials' asset registers and investigate irregularities; and it will also have the power to prosecute officials for corrupt public procurement. These are all currently major blockages to the effective investigation and prosecution of public officials for illicit enrichment. If civil society groups and the media are able to cultivate greater public engagement and demand for anti-corruption measures and actions, politicians and public agencies will have a greater incentive to distance themselves from corruption.

#### **Annex 4: Documents for CACP Evaluation (This list is not exhaustive)**

##### Project Documents: (available upon contracting)

1. Business Case
2. Logical Framework
3. Annual Review
4. Anti-Corruption and Counter Fraud Departmental Strategy 2016-2018
5. CACP Risk Matrix
6. MOCA MOU
7. MoCA Progress Report including Programme Monitoring data
8. INDECOM MOU
9. INDECOM Progress Report including Programme Monitoring data
10. FID MOU Operations
11. FID MOU – CTD
12. FID Progress Report including Programme Monitoring data
13. RSS MOU
14. RSS Progress Report including Programme Monitoring data
15. Partner Agencies Internal Monitoring/tracking System data
16. Perception Surveys commissioned by Partner Agencies
17. Partner Agencies Business Plans/Strategies

##### External Documents:

1. Transparency International Corruption Perception Index - [Redacted]
2. Transparency International Country Profile - [Redacted]
3. World Bank – Doing Business in Jamaica 2016 [Redacted]
4. Caribbean Policy Research Institute - [Redacted]
5. Jamaican Organised Crime after the fall of Dudas Coke January 15, 2014 [Redacted]
6. Youth Violence & Organised Crime in Jamaica – Horace Levy - [Redacted]
7. National Security Policy Jamaica - [Redacted]

## Annex 5 - Key Contacts for CACP Evaluation

<b>Position</b>	<b>Organisation</b>
Permanent Secretary	Ministry of National Security
Commissioner of Police- OD, JP, PhD	Jamaica Constabulary Force
Superintendent- Head Scene of Crime	Jamaica Constabulary Force
Director General	MOCA
Assistant Commissioner of Police-Deputy Director General	MOCA
International Consultant	MOCA
International Consultant	MOCA
International Consultant	MOCA
International Consultant	Financial Investigations Division
Consultant- Ministry of National Security	MOCA
Commissioner	INDECOM
Assistant Commissioner	INDECOM
Senior Director- Corporate Services	INDECOM
CTD- Financial Investigations Division	Financial Investigations Division
Senior UK Consultant	Financial Investigations Division
Second Secretary	British High Commission
Criminal Justice Adviser	British High Commission
Counsellor (Political/Economic)	Canadian High Commission
Office of Legislative Affairs	US Embassy
Head of Section	EU Delegation
Executive Director	National Integrity Action
Contractor General	Office of the Contractor General
Director- External Cooperation Management Division	Planning Institute of Jamaica
Director 1- Institute for Criminal Justice & Security	University of the West Indies- Mona
Former executive Director - PMI	
Professor	University of the West Indies- Mona

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<sup>i</sup> MOCA, 2014, Major Organised Crime and Anti-Corruption Agency Strategy 2014-2016 (CONFIDENTIAL), Kingston, Jamaica.

<sup>ii</sup> Caribbean Financial Sector Resilience Project (CFSR) Business Case (Quest doc 3937596)

<sup>iii</sup> The Independent Commission of Investigations Act, 2010 (Act 12 of 2010) [Redacted]

<sup>iv</sup> Fontana, A and Pereira, P.G. 2012, Using money laundering investigations to fight corruption in developing countries. U4 Report NO. 9 [Redacted]