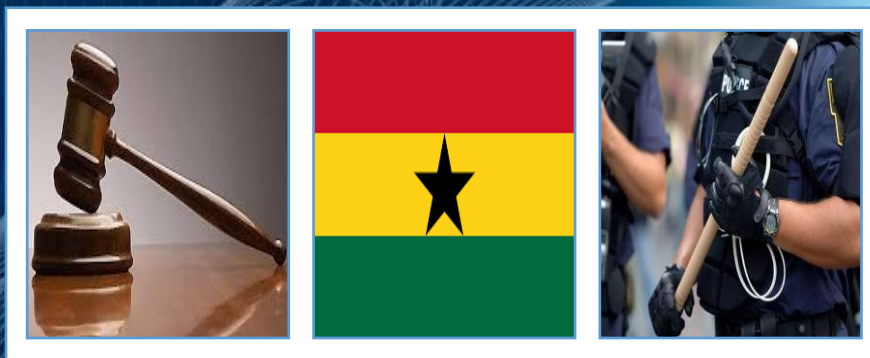


Consultancy Services for the Development of a Training Plan/Curricula for Criminal Justice Institutions



ShawbellConsulting

**Final Training Plan:
Legal Aid Scheme**

July 2016

Table of Contents

INTRODUCTION.....	3
SECTION 1: CURRENT STATE OF TRAINING IN THE LEGAL AID SCHEME.....	5
CURRENT TRAINING PROGRAMMES IN THE LEGAL AID SCHEME.....	6
SECTION 2: TRAINING PROGRAMMES AND COURSE PROFILES.....	10
TECHNICAL COURSES	13
GENERIC COURSES	25
SECTION 3: CONCLUSIONS ON THE TRAINING PLAN – LEGAL AID SCHEME.....	29
SECTION 4: IMPLEMENTATION STRATEGY, MONITORING & EVALUATION PLAN	31
A. IMPLEMENTATION STRATEGY.....	31
B. MONITORING AND EVALUATION PLAN	34

INTRODUCTION

The United Nations Development Program (UNDP) in collaboration with the Ministry of Justice and Attorney General's Department (MoJAGD) engaged the services of ShawbellConsulting to develop a Training Plan for Criminal Justice Institutions of Ghana. The purpose of the Training Plan is to facilitate capacity building in a structured setting within the Criminal Justice Institutions.

An integral component of the **Training Plan** is a Training Needs Assessment (TNA). A Training Need exists when there is a gap between what is required of an individual or an entity to perform competently and what they actually know. Thus, we assessed the Current-state of Training in the Legal Aid Scheme. We established training benchmarks based on: information from the Stakeholder engagements, expertise of our Institutional Reform and Legal Consultants and a review of global best-practice modules. This was the basis of ascertaining gaps between the Current-state and the Desired-state of training for the Legal Aid Scheme. Consequently, we provided our recommendations on the Training Needs Assessment and Proposed Training Programmes for the Scheme.

Following the Training Needs Assessment and curricula review, we developed a **Training Plan** which includes the following components:

Course Objectives to meet identified training needs

- Quantifiable measurements to accomplish the targets of the training programs, such as the percentage of direct beneficiaries trained and applying the knowledge and skills by a specified period.
- The targets provided for the Legal and Justice Sector Reform Programme would be used as the basis of explaining variances in targets and actual results.

Training to be delivered for identified positions and subjects or thematic areas

- Training of staff that are core to the delivery of criminal justice.
- Communication plans to be used before, during and after training.

Training schedule

- Master schedule of all the training programmes and timelines.
- Alternative or makeup schedule for trainees who may not be able to attend scheduled sessions.
- Logical progression for multi-part training ensures that trainees are well-prepared for successive training.

Appropriate training methods to meet the needs of staff and their institutions

- The usage of multiple training formats for each topic or thematic area to meet the needs of staff and their institutions.
- Use formats that are appropriate in delivering the content of training programs, to meet the objectives of the training program.
- A comprehensive list of training programs and delivery format in each session.

Implementation Plan, Monitoring and Evaluation Framework

- M&E Framework based on parameters contained in the Legal and Justice Sector Reform Programme, namely: Intended Outputs – Baseline and Indicators; Output Targets for Year 2 and 3; and Indicative Activities.
- M&E framework that will include: (a) an Implementation Action Plan – Activities, Responsibilities, Timelines and Resource, and (b) Evaluation – Key Indicators and means of Verification.

Report on the Final Training Plan

This Report on the Training Plan for the Legal Aid Scheme is structured around four (4) Sections, as follows:

- **Section 1:** The Current-state of Training in the Legal Aid Scheme.
- **Section 2:** Training Programmes and Course Profiles.
- **Section 3:** Conclusions on the Training Plan.
- **Section 4:** Implementation, Monitoring and Evaluation Plan

SECTION 1: CURRENT STATE OF TRAINING IN THE LEGAL AID SCHEME

The Legal Aid Scheme is a public service organization within the justice delivery system of Ghana. The Scheme is tasked under the Legal Aid Scheme Act 1997 (Act 542) to provide legal assistance to the poor and indigent, as well as to offer legal services for persons that would require assistance in representation at the Court. Typically, a candidate for legal aid would be one who earns a government minimum wage or less and requires legal representation in a criminal or civil matter. The legal aid covers cases in insurance, inheritance, maintenance of children, criminal offences punishable by death or life imprisonment.

Apart from representing those in need, the Legal Aid Scheme also assists applicants to resolve issues outside of Court, develops public awareness about the existence of the Scheme, and provides education on the rights and responsibilities in relation to the law. It is important to note, that the 2012 Baseline Survey of the Justice Sector of Ghana (stated in the Terms of Reference) indicated that out of the estimated 900 people interviewed, 79% were unaware of the existence of a Legal Aid Scheme.

To ensure the delivery of criminal justice for the underprivileged, Training Programmes would be developed for the roles of Legal Aid Officers and Alternate Dispute Resolution (ADR) Officers. The Training Programmes would address the mediation roles of officers to ensure that they are well-trained to deal with cases at the arbitration level, to free resources for cases that will go on trial.

CURRENT TRAINING PROGRAMMES IN THE LEGAL AID SCHEME

Under a Scheme of Service for the Legal Aid Scheme, there are proposed Training Programmes for various categories staff. Also, a 2014 Joint UNICEF and UNDP Guide Report for Legal Aid Delivery in Ghana includes a Training Plan for the Scheme.

While Training Programmes/Courses are available for various categories of staff of the Legal Aid Scheme, the focus of our review was on roles that were deemed core to the delivery of criminal justice. Specifically, the roles identified to be critical to the administration of the Criminal Justice Process were: Legal Aid Officers and Alternate Dispute Resolution Officers. Therefore, Training Programmes/Courses that relate to these core roles would be factored in our Training Needs Assessment, as well as the Proposed Training Programmes for staff of the Legal Aid Scheme.

On the following pages, we have provided tables that show Position/Ranks or Roles and current courses for the Legal Aid Scheme that are core to the delivery of criminal justice.

TRAINING UNDER THE PROPOSED SCHEME OF SERVICE

Legal Aid Officer	
Position	Training
<i>Executive Director</i>	<ul style="list-style-type: none"> • Continuous Professional development in law, ADR and protection of the indigent • Courses in organizational change and development • Leader courses • Senior management development programmes • Knowledge of legal framework for human rights and constitution enforcement
<i>Deputy-Executive Director</i>	
<i>Regional Director</i>	
<i>Director (DPD/CAB)</i>	
<i>Principal Legal Aid Officer</i>	
<i>Legal Aid Officer</i>	
<i>Assistant Legal Aid Officer</i>	<ul style="list-style-type: none"> • Report writing
Alternate Dispute Resolution Officers	
<i>Director, ADR</i>	<ul style="list-style-type: none"> • Continuous Professional development in law, ADR and protection of the indigent • Courses in organizational change and development • Leader courses • Senior management development programmes • Knowledge of legal framework for human rights and constitution enforcement
<i>Deputy Director, ADR</i>	
<i>Principal ADR Officer</i>	
<i>Senior ADR Officer</i>	
<i>ADR Officer</i>	
<i>Assistant ADR Officer</i>	<ul style="list-style-type: none"> • Professional development in ADR, law and protection of the indigent • Courses in organizational change and development • Leader courses • Senior management development programmes • Knowledge of legal framework for human rights and constitution enforcement
<i>Chief ADR Assistant</i>	
<i>Principal ADR Assistant</i>	
<i>Senior ADR Assistant</i>	

TRAINING UNDER THE UNICEF/UNDP GUIDE FOR LEGAL AID DELIVERY IN GHANA

MODULES	TARGETS	UNITS
Module 5	<i>Legal Capacity Training for Entry Level Staff</i>	<ul style="list-style-type: none"> • Criminal Matters: General Definitional Issues <ul style="list-style-type: none"> - Basic Legal Reference - Basic Required Knowledge • Criminal Matters: Defences • Criminal Matters: Appeals <ul style="list-style-type: none"> - Nature of Appeals - Some Basic Rules to Note in Appeal Proceedings - Powers of the Appellate Court - Summary on Rights of Appeal • Labour and Industrial Relations <ul style="list-style-type: none"> - Basic Legal References - Basic Required Knowledge
Module 6	<i>Alternative Dispute Resolution Mechanism for Entry Level Staff</i>	<ul style="list-style-type: none"> • Introduction to Conflict • Various ADR Methods and Mechanism: The ADR Spectrum • The ADR Process • ADR Officer: Duties and Responsibilities • ADR and Children

SECTION 2

TRAINING PROGRAMMES AND COURSE PROFILES

LEGAL AID SCHEME

SECTION 2: TRAINING PROGRAMMES AND COURSE PROFILES

Following our findings observations from the Training Needs Assessment of Legal Aid and ADR Officers of the Legal Aid Scheme, we propose Training Programmes for their capacity-building needs. The Training Programmes are classified as **Technical or Generic Training Programmes** based on the training requirements of the Legal Aid Scheme in the delivery of criminal justice.

Technical and Generic Training Programmes/Courses

The proposed Training Programmes/ Courses would be categorised as **Technical or Generic**. This categorization is based on the training requirement of a respective institution in the delivery of criminal justice.

Technical Training Programmes/Courses are directly linked to the mandate of an institution in matters relating to criminal justice. **Generic Training Programmes/Courses** may not be directly linked to the mandate of a particular institution. Nonetheless, the inclusion of Generic Training Programmes/Courses would ensure that staff are trained with the skills required to enhance their technical abilities. The delivery of training in this format would ensure that the training needs of all categories of staff are factored in the overarching goal of capacity-building for Criminal Justice Institutions.

A Training Plan for the Criminal Justice Institutions would be developed out of this exercise. It would be based on:

- (a) The knowledge of our Institutional Reform and Legal Consultants,
- (b) A comprehensive assessment of the needs of staff engaged in the Criminal Justice value-chain, and
- (c) Best-global standards to ensure that training for Officers in the Legal Aid Scheme meets international best-practices.

On the following pages, we have provided tables that depict a summary of Courses for Legal Aid and ADR Officers in the Legal Aid Scheme of Ghana.

FINAL TRAINING PLAN

LEGAL AID SCHEME	
Technical Courses	
Courses	Legal Aid and ADR Officers
<ul style="list-style-type: none"> ➤ Refresher Courses in Emerging Trends ➤ Legal Framework for Human Rights and Enforcement of the Constitution 	<ul style="list-style-type: none"> • Executive Director • Deputy Executive Director • Regional Director • Director (DPD/CAB) • Principal Legal Aid Officer • Legal Aid Officer • Assistant Legal Aid Officer
<ul style="list-style-type: none"> ➤ Evidence ➤ Legal Systems ➤ Trial Advocacy ➤ Constitutional Law ➤ Simulation Courses ➤ Human Trafficking ➤ Courses in Emerging trends or Specialised fields, including: Money Laundering; Terrorism; Cyber crimes; Forensics; Financial crimes; Maritime Laws; and Aviation Laws ➤ Continuous Education for Lawyers 	<ul style="list-style-type: none"> • Director, ADR • Deputy Director, ADR • Principal ADR Officer • Senior ADR Officer • ADR Officer • Assistant ADR Officer
<ul style="list-style-type: none"> ➤ Criminal Procedure ➤ Criminal Law 	<ul style="list-style-type: none"> • Executive Director • Deputy Executive Director • Regional Director • Director (DPD/CAB) • Principal Legal Aid Officer • Legal Aid Officer • Assistant Legal Aid Officer
<ul style="list-style-type: none"> ➤ Alternative Dispute Resolution Mechanisms ➤ Paralegal 	<ul style="list-style-type: none"> • Legal Aid Officer • Assistant Legal Aid Officer
<ul style="list-style-type: none"> ➤ Advanced Level: Legal Capacity Training for Entry Level Staff ➤ Intermediate Level: Legal Capacity Training for Entry Level Staff ➤ Introductory Level: Legal Capacity Training for Entry Level Staff 	<ul style="list-style-type: none"> • Director, ADR • Deputy Director, ADR • Principal ADR Officer • Senior ADR Officer • ADR Officer • Assistant ADR Officer
	<ul style="list-style-type: none"> • Director-Level Legal Aid Officers • Director-Level ADR Officers • Principal/Senior Level Legal Aid Officers • Principal/Senior -Level ADR Officers • Assistant/ Legal Aid Officers • Assistant/ ADR Officers

FINAL TRAINING PLAN

LEGAL AID SCHEME	
Generic Courses	
Courses	Legal Aid and ADR Officers
Refresher Courses on: ➤ Report Writing ➤ Labour and Industrial Relations ➤ Computer Skills ➤ Data Collection and Analysis	<ul style="list-style-type: none"> • <i>Executive Director</i> • <i>Deputy Executive Director</i> • <i>Regional Director</i> • <i>Director (DPD/CAB)</i> • <i>Principal Legal Aid Officer</i> • <i>Legal Aid Officer</i> • <i>Assistant Legal Aid Officer</i>
	<ul style="list-style-type: none"> • <i>Director, ADR</i> • <i>Deputy Director, ADR</i> • <i>Principal ADR Officer</i> • <i>Senior ADR Officer</i> • <i>ADR Officer</i> • <i>Assistant ADR Officer</i>

TECHNICAL COURSES

Criminal Procedure

The objectives of the course are to:

- Equip participants with fundamental values underlying criminal justice in Ghana;
- Enable participants identify the functions and objectives of criminal law;
- Illustrate processes involved in the discharge of duties with the legal system;

The table below summarizes the course content:

MODULE	UNITS
Criminal Procedure	• Drafting of prosecution documents (Charge Sheet, Bill of Indictment)
	• Charge sheet
	• Bill of indictment
	• Pre-trial interviews
	• Mini Summary trial
	• Trial upon indictment
	• Theories of punishment
	• Sentencing
	• Leading witnesses
	• Cross Examination

Human Trafficking

By the end of this course, participants would have:

- Received an overview of human trafficking in Ghana.
- Reviewed the Ghanaian human trafficking act.
- Acquired a greater understanding of the components of domestic human trafficking for sexual exploitation;
- Acquired a greater understanding of the components of international human trafficking for sexual exploitation;
- Identified and outlined the effects of trauma on a victim of human trafficking.
- Identified and outlined the importance of conducting risk and threat assessments and how to apply them during the investigation and prosecution.
- Identified and outlined the importance of pro-actively investigating human trafficking cases and apply interviewing techniques.

The table below summarizes the course content:

MODULE	UNITS
Human Trafficking	• Introduction to Human Trafficking
	• Laws and Policies
	• The impact on the victim
	• Migration, smuggling and the difference between trafficking and smuggling
	• Forced Marriage – Is forced marriage acceptable when it is cultural?

Money Laundering

The objectives of the course are to:

- Enable Prosecutors identify money laundering offences;
- Distinguish the different stages of the money laundering process; and
- Recognize traditional and contemporary methods of money laundering

The table below summarizes the course content:

MODULE	UNITS
Money Laundering	• Understanding Money Laundering
	• The Stages of Money Laundering <ul style="list-style-type: none"> – Placement – Layering – Integration
	• Response of Ghana's Companies Code to Money Laundering

Maritime Laws

The objective of the course is to;

- Improve knowledge of maritime offences under Ghanaian Law.

The table below summarizes the course content:

MODULE	UNITS
Maritime Laws	• Piracy
	• Use of force for preserving order on board a vessel
	• Abetment of mutiny or desertion
	• Abetment of Insubordination by Sailor
	• Relevant Offences under the Ghana Shipping Act, 2003 (Act 645)
	• Relevant Offences under the Ghana Maritime Security Act, 2004 (Act 675)

Trial Advocacy

The objective of the course is to:

- Build foundational skills you will need to try a case in a courtroom setting

The table below summarizes the course content:

MODULE	UNITS
Trial Advocacy	• Code of ethics and standards
	• Duties and responsibilities of a Prosecutor
	• Communication skills and courtroom etiquette
	• Presenting a case in court
	• Raising and refuting objections in court
	• Oral presentation and closing statements
	• Writing skills and advices
	• Elements of an Offence
	• Burden and Standard of Proof in Criminal
	• Specific Criminal Offences

Cyber Crimes

The objectives of the course are to enable participants;

- Familiarize themselves with the International Transactions Act

The table below summarizes the course content:

MODULE	UNITS
Cyber Crimes	• Computer Facilitated Crimes
	• Modes of Attacks
	• Conventions on Cyber Crime
	• Relevant Offences under National Communication Authority Act referring to cyber crime activity
	• Relevant Offences under Electronic Transaction Act
	• Cyber Crime Investigation
	• Sim box fraud cases
	• Role of Digital Evidence

Terrorism

The objective of the course is to:

- Introduce Prosecutors to relevant analytical frameworks, theories, and cases concerning terrorism.

The table below summarizes the course content:

MODULE	UNITS
Terrorism	• What is Terrorism
	• Levels, Causes and Objectives of Terrorism
	• Scope of Terrorism
	• Methods of Terrorism
	• Designation of individual terrorists
	• Obligations under the relevant UN Security Council Resolution
	• Terrorism Groups/Networks
	• Evidentiary requirement for Terrorism cases

Evidence

The objectives of the course are to:

- Gain an understanding of the constitutional basis for criminal procedure.
- Describe the public order (crime control) and individual rights (due process) perspectives of criminal justice and how criminal procedure balances the two.
- Understand how and why emergency times change the balance between government power and individual liberty.
- Understand the exclusionary rule and the exceptions to it.

The table below summarizes the course content:

MODULE	UNITS
Evidence	• Admissibility Of Evidence
	• Exclusion Of Evidence
	• Standard of Proof
	• Burden Of Proof
	• Judicial Notice
	• Types Of Evidence (Testimonial, Hearsay, Documentary, Circumstantial and Real)
	• Expert Evidence
	• Forensic

Economic and Financial Crime

The objective of the course is to:

- Introduce Prosecutors to financial and economic crimes in Ghana.

The table below summarizes the course content:

MODULE	UNITS
Economic and Financial Crime	• Introduction
	• Types of Economic and Financial Crimes/Offences especially those prevalent in Ghana
	• Financial Fraud and Legal Framework combating it
	• Employee theft and payroll fraud
	• Corporate fraud
	• Tax Evasion
	• Corruption
	• Prosecution Constraints for financial crimes

Continuous Professional Development in Law, ADR and Protection of the Indigent

The objective of the course is to:

- Enable participants to develop the particular skills and methods required for successful mediation and conflict management, including both conflict resolution and conflict avoidance.

The table below summarizes the course content:

MODULE	UNITS
Continuous Professional Development In Law, ADR and Protection Of The Indigent	<ul style="list-style-type: none"> • Introduction To ADR/Negotiation And Conflict Resolution
	<ul style="list-style-type: none"> • Resolution
	<ul style="list-style-type: none"> • International Conflict
	<ul style="list-style-type: none"> • Dispute Resolution Dynamics
	<ul style="list-style-type: none"> • Mediation
	<ul style="list-style-type: none"> • Conflict Specialist Roles
	<ul style="list-style-type: none"> • Legal Alternative Dispute Resolution
	<ul style="list-style-type: none"> • International Conflict
	<ul style="list-style-type: none"> • Conciliation Arbitration
	<ul style="list-style-type: none"> • Commercial And Labor Settings

Legal Framework for Human Rights and Enforcement of the Constitution

The objectives of the course are to:

- Reinforce law enforcement officials' respect for, and faith in, human dignity and fundamental human rights; Encourage the development of skills and the formulation and application of policies needed to transform that information into practical behavior
- Sensitize participants to their special role in protecting and promoting human rights and to their potential for affecting human rights in their daily work;
- Encourage and reinforce an ethos of legality and of compliance with international human rights standards within law enforcement agencies;
- Equip police educators and trainers to provide human rights education and training for law enforcement officials.

The table below summarizes the course content:

MODULE	UNITS
Legal Framework for Human Rights and Enforcement of the Constitution	• Cultural Diversity And Universalism
	• Economic, Social and Cultural Rights.
	• Gender And Sexuality In Human Rights Law
	• Meaning Of Human Rights
	• Cultural Diversity And Universalism
	• Procedures For The Protection Of Human Rights, Civil And Political Rights
	• Prohibition Of Torture
	• Right to Food.

Aviation Laws

The objectives of the course are to:

- Analyze the effects of international air law and regulatory policies on the aviation industry
- Identify the key legal components that shape the commercial environment of international airlines
- Prevent common aviation legal pitfalls
- Respond to changes to statutory and regulatory law

The table below summarizes the course content:

MODULE	UNITS
Aviation Laws	• Introduction to Air Law
	• Chicago Convention and the Fundamental Principles
	• Product Liability in Aviation
	• Liability for Damage Caused on Surface and During Collisions
	• Liability Insurance in Aviation
	• Legal Regime Governing Crimes on Board Aircrafts
	• Financial and legal issues affecting aviation and the air navigation system
	• International regulatory and legal framework for Air Navigation Services
	• Corporate governance and its importance in the provision of Air Navigation Services
	• Charges for Air Navigation Services, rate setting and regulation
	• Review of ICAO Doc 9082 concerning policies on charges for
	• Airports and Air Navigation Services

Forensics

The objective of this course is for participants to be able to:

- Be able to perform detail and effective document review
- Gain knowledge on common techniques of documentation fraud/ wrongdoing
- Gain insights of common techniques used in data analysis
- Be able to perform effective data analysis for targeted audit test/ scenario

The table below summarizes the course content:

MODULE	UNITS
Forensics	• Computer Forensics Fundamentals
	• Benefits of Computer Forensics
	• Computer Crimes
	• Computer Forensics Evidence and the Courts
	• Legal Concerns and Privacy Issues
	• Forensics Investigation Process
	• Communications and Report Writing
	• Specialized Investigations
	• Securing the Evidence and Crime Scene
	• Chain of Custody
	• Law Enforcement Methodologies

Legal Capacity Training for Entry-Level Staff

The objectives of the course are to:

- Provide training on available alternatives to the resolution of disputes, which come before the Legal Aid Trainer.
- Introduce participants to conflict; understanding the causes of conflict and possible instigators of conflict.
- Introduce the trainee to different modes under the ADR and set the tone for appreciation of the processes involved.

The table below summarizes the course content:

MODULE	UNITS
Legal Capacity Training For Entry-Level Staff	<ul style="list-style-type: none"> • Criminal Matters <ul style="list-style-type: none"> ○ Basic Legal Reference ○ Basic Required Knowledge ○ Defenses ○ Appeals-Nature of Appeals ○ Some Basic Rules to Note in Appeal Proceedings ○ Powers of the Appellate Court ○ Summary on the Rights of Appeal
	<ul style="list-style-type: none"> • Labor and Industrial Relations <ul style="list-style-type: none"> ○ Basic Legal Reference ○ Basic Required Knowledge
	<ul style="list-style-type: none"> • Family Law(Maintenance, Custody, Paternity, Divorce) <ul style="list-style-type: none"> ○ Basic Legal References ○ Basic Knowledge to be emphasized at the Training
	<ul style="list-style-type: none"> • Landlord-Tenant Relationship <ul style="list-style-type: none"> ○ Basic Legal References ○ Basic Knowledge to be emphasized at the Training
	<ul style="list-style-type: none"> • Administration of Estates (Testate and Intestate Succession) <ul style="list-style-type: none"> ○ Basic Legal References ○ Basic Knowledge to be emphasized at the Training
	<ul style="list-style-type: none"> • Insurance <ul style="list-style-type: none"> ○ Basic Legal References ○ Basic Knowledge to be emphasized at the Training

Criminal Law

The objectives of the course are to:

- Highlight the critical areas where Legal Aid operates to participants and to provide some basic underlining capacity and technical knowledge in those areas. It is ultimately targeted at providing for the service provider quick and easy reference to key laws and practices in such critical areas.
- Ensure that Legal Aid Officers receive advanced knowledge of criminal law. This is done through the selection of capita (topics) from criminal law and doing an advanced study thereon.
- Introduce students to the drafting of essential documents and pleadings used in Supreme Court and magistrate' court practice.

The table below summarizes the course content:

MODULE	UNITS
Criminal Law	• Advanced Criminal Law
	• Definitional Issues
	• Defences; Insanity, Automatism, Mistake Of Fact Or Mistake Of Law,
	• Legal Duty, Etc.
	• Labour And Industrial Relations; Immovable Property,
	• Definitional Issues
	• Basic Legal References
	• Criminal Procedure
	• Principles Of The Law Of Evidence
	• Appeals; Nature Of Appeals, Powers Of The Appellate Court
	• Drafting Of Legal Documents
	• Critical Reasoning

Alternative Dispute Resolution Mechanisms

The objectives of the course are to provide:

- An introduction to the theory of conflict and dispute resolution; customary approaches to dispute resolution;
- Contemporary history of ADR.
- ADR as additional processes to litigation;
- Integration of ADR into the Ghanaian legal system;
- Theory and principles of ADR processes.
- Roles and responsibilities of ADR professionals
Assessing disputant needs and interests
Negotiation theory and practice

The table below summarizes the course content:

MODULE	UNITS
Alternative Dispute Resolution Mechanisms	• Supplementation of customary ADR processes
	• Principles of ADR, ADR as additional dispute resolution mechanisms to litigation Roles and responsibilities of professionals in ADR
	• Effective client/lawyer communication, assessing disputant needs and interests, conflict coaching
	• Negotiation Theory and Practice
	• Mediation Theory and Practice
	• Post adversarial approaches to Family Law
	• Comparative mediation processes, judicial ADR, “problem solving” courts
	• ADR Intervention – when and how?
	• Ethical and legal issues in ADR
	• Mediation Skills - Skills building, role play, demonstration, direct coaching and feedback

Target Participants are indicated in the Summary chart above. Technical Courses will be delivered in two (2) weeks and the training method would comprise modified lecture, role play, simulation exercises and projects (syndicate and/or case study).

GENERIC COURSES

Refresher Course on Report Writing

The objective of the course is for Public Prosecution Officers to be able to;

- Understand what report type meets their requirements.
- Report writing guidelines.
- Define their report requirements.
- Produce a report composed with good language.
- Compose reports and documentation with a clear and concise meaning.
- Construct a report, which is capable of being defended in necessary legal settings.
- Fulfill the aims and objectives for which the report is written.

The table below summarizes the course content:

MODULE	UNITS
Report Writing	<ul style="list-style-type: none"> • Elements of legal reports
	<ul style="list-style-type: none"> • Laws of evidence report writing styles
	<ul style="list-style-type: none"> • Referencing
	<ul style="list-style-type: none"> • Structuring before you start writing
	<ul style="list-style-type: none"> • Legislation /freedom of information act
	<ul style="list-style-type: none"> • Clarifying your purpose; purpose of a business or technical report
	<ul style="list-style-type: none"> • Importance of Reports
	<ul style="list-style-type: none"> • Report Recipients
	<ul style="list-style-type: none"> • Sentence structure and Paragraphing in Reports
	<ul style="list-style-type: none"> • Grammar and Syntax; Tone and Word Choice
	<ul style="list-style-type: none"> • Organization of Reports
	<ul style="list-style-type: none"> • Methods to make report writing easy

Refresher Course on Labor and Industrial Relations

The objective of the course is to enable participants:

- Explain national and international historical background of labor laws and legal provisions related to any type of labor issues (National and international legal framework)
- Explain power, authority, functions and roles of Labour Department, industrial courts and labor tribunals.
- Develop and maintain positive and strong relations with tripartite constituents with a clear understanding of the interests of all parties, and
- Act in different capacities, as a stakeholder implement and assist to implement labor laws and maintain strong industrial relations.

The table below summarizes the course content:

MODULE	UNITS
Labor and Industrial Relations	• Applied Statistics in IR/HR
	• Economic Environment of IR/HR
	• Labour Market Policy
	• Labour Arbitration
	• Law of Labour Relations
	• Law in the Workplace
	• Organizational Behavior
	• International Developments in Labour and Human Resource Policy
	• Strategic Human Resource Management
	• Industrial Relations
	• Labour and Globalization
	• Labour Relations Problems in Historical Perspective
	• Public Sector Labour Relations
	• Collective Bargaining
	• Managing Workplace Conflict

Refresher Course on Computer Skills

The objective of the course is to:

- Identify legal matters involved in IT and gain a greater knowledge of computer software and hardware.

The table below summarizes the course content:

MODULE	UNITS
Computer Skills	<ul style="list-style-type: none"> • Advanced Internet and Email skills
	<ul style="list-style-type: none"> • Publishing documents on the web for advertising and PR
	<ul style="list-style-type: none"> • Advanced formatting in Microsoft Word
	<ul style="list-style-type: none"> • Inserting graphs and images into your document
	<ul style="list-style-type: none"> • Inserting comments
	<ul style="list-style-type: none"> • Making a table of Contents
	<ul style="list-style-type: none"> • Advanced formatting in Microsoft Word
	<ul style="list-style-type: none"> • Creating Tables
	<ul style="list-style-type: none"> • Inserting graphs and images into your document
	<ul style="list-style-type: none"> • Tracking changes
	<ul style="list-style-type: none"> • Inserting comments
	<ul style="list-style-type: none"> • Creating an outline

Target Participants are indicated in the Summary chart above. Generic Courses will be delivered in two (2) weeks and the training method would comprise modified lecture, role play, simulation exercises and projects (syndicate and/or case study).

SECTION 3

CONCLUSIONS ON THE TRAINING PLAN

LEGAL AID SCHEME

SECTION 3: CONCLUSIONS ON THE TRAINING PLAN – LEGAL AID SCHEME

The Training Plan was developed to meet the diverse training requirements of the Legal Aid Scheme. Training would be delivered based on, class instruction, interactive discussions, skill-based training methodologies, role-plays, simulation exercises, *cold-case* projects and case studies. Under the Training Plan, we propose that course facilitators would be selected based on their Legal knowledge and practical experience. The rationale being that Participants must be able to demonstrate the benefits of training on-the-job.

The Paralegal Training Course proposed in the Training Plan for ADR Officers is timely as they would be required to handle investigations and public prosecutions. Given the appropriate training, non-legal professionals could be competent and support their Professional Legal counterparts in discharging legal functions effectively. The Paralegal Course is skills-based and designed to provide an indispensable basic knowledge, skills and attitudes for ADR Officers without a legal background.

The Training Plan for the Legal Aid Scheme was developed from the perspective of Defence Counsel that should be equipped with the same body of knowledge as Prosecutors from the Public Prosecution Division and the Ghana Police Service. Therefore, we recommend that in instances where training scheduling are feasible, Legal Aid Officers and Prosecutors could enrol in the same courses.

SECTION 4

IMPLEMENTATION STRATEGY, MONITORING & EVALUATION PLAN

LEGAL AID SCHEME

SECTION 4: IMPLEMENTATION STRATEGY, MONITORING & EVALUATION PLAN

A. IMPLEMENTATION STRATEGY

The Implementation Strategy for this Project was developed to reflect: (a) the timelines to complete the Training Plan for the Criminal Justice Institutions; and (b) the Implementation period indicated in the Results and Resources Framework for this project.

The Results and Resources Framework for this Project indicates Year 2 and 3 Targets as follows:

- Year 2 Targets: Specialised Training Programme developed and implemented; and 30% of direct beneficiaries trained and applying the knowledge by the end of year 2.
- Year 3 Targets: 50% of direct beneficiaries trained and applying the knowledge by the end of year 3.

This suggests that the Training Plan would be completed by June 2016 and implemented over two (2) years. Therefore the training will commence in the third quarter of 2016 and will end in the second quarter of 2018. It is envisaged that the Training Plan to be developed out of this Project would be applicable in the Post-completion period of the Project.

The Table below depicts the Roles within the Judicial Service of Ghana that are core to the delivery of Criminal Justice and the number of staff to be trained.

Legal Aid and ADR Officers	Number of Staff to be Trained (Approximate)	
	Greater Accra Region	National Total
• <i>Executive Director</i>	1	1
• <i>Deputy Executive Director</i>	1	1
• <i>Regional Director</i>	1	6
• <i>Director (DPD/CAB)</i>	0	0
• <i>Principal Legal Aid Officer</i>	1	1
• <i>Legal Aid Officer</i>	0	4
• <i>Assistant Legal Aid Officer</i>	3	11
• <i>Director, ADR</i>	0	0
• <i>Deputy Director, ADR</i>	0	0
• <i>Principal ADR Officer</i>	0	0
• <i>Senior ADR Officer</i>	0	0
• <i>ADR Officer</i>	0	2
• <i>Assistant ADR Officer</i>	6	36
• <i>Chief ADR Assistant</i>	0	0
• <i>Principal ADR Assistant</i>	0	0
• <i>Senior ADR Assistant</i>	0	4
Total	13	66

IMPLEMENTATION STRATEGY – LEGAL AID SCHEME

Proposed Capacity building action	Target Group/Category of Staff	Objective of action and Strategy applied	Content/Focus of action	Timelines for implementation							
				Q3/16	Q4/16	Q1/17	Q2/17	Q3/17	Q4/17	Q1/18	Q2/18
Enhancing the capacity of the Director-Level Officers – Legal Aid	<ul style="list-style-type: none"> Executive Director Deputy Executive Director Regional Director Director (DPD/CAB) 	<p>Objective: Build the capacity of the Directors of the Legal Aid Scheme by enhancing their skills and knowledge to effectively carry out their leadership roles and responsibilities within the criminal justice value chain.</p> <p>Strategy:</p> <p>i. Specialised Training</p>	Specialised technical and generic training courses aimed at improving the delivery of criminal justice in Ghana.	X	X	X	X	X	X	X	X
Enhancing the capacity of the Director-Level Officers - ADR	<ul style="list-style-type: none"> Director, ADR Deputy Director, ADR 	<p>Objective: Build the capacity of the Directors (ADR) of the Legal Aid Scheme by enhancing their skills and knowledge to effectively carry out their leadership roles and responsibilities within the criminal justice value chain.</p> <p>Strategy:</p> <p>i. Specialised Training</p>	Specialised technical and generic training courses aimed at improving the delivery of criminal justice in Ghana.	X	X	X	X	X	X	X	X
Enhancing the capacity of Legal AID Officers	<ul style="list-style-type: none"> Principal Legal Aid Officer Legal Aid Officer Assistant Legal Aid Officer Entry-Level Legal Aid Officer 	<p>Objective: Build the capacity of Legal Officers of the Legal Aid Scheme by enhancing their skills and knowledge to effectively carry out the dictates of their roles and responsibilities.</p> <p>Strategy:</p> <p>i. Specialised Training</p> <p>ii. Mentoring</p>	Specialised technical and generic training courses aimed at improving the delivery of criminal justice in Ghana.	X	X	X	X	X	X	X	X
Enhancing the capacity of ADR Officers	<ul style="list-style-type: none"> Principal ADR Officer Senior ADR Officer ADR Officer Assistant ADR Officer Entry-Level ADR Officers 	<p>Objective: Build the capacity of Legal Officers (ADR) of the Legal Aid Scheme by enhancing their skills and knowledge to effectively carry out the dictates of their roles and responsibilities.</p> <p>Strategy:</p> <p>i. Specialised Training</p> <p>ii. Mentoring</p>	Specialised technical and generic training courses aimed at improving the delivery of criminal justice in Ghana.	X	X	X	X	X	X	X	X

B. MONITORING AND EVALUATION PLAN

Based on the indicators set out for Output 5 in the Programme document for the Legal Service and Justice Sector Reform, we present below the Monitoring and Evaluation Plan for the Judicial Service. Output 5 of the Reform focuses on “improved technical capacity, specialized knowledge and skills to deliver on the job” will be measured on the indicator “*number of direct beneficiaries trained*”.

Output targets are based on the number of identified individuals trained in specialized areas of capacity building. Targets as outlined in the document for Output 5 are;

- For Year 2: 30% of total identified individuals trained and applying the knowledge and skills by end of 2015.
- For Year 3: 50% of total identified individuals trained and applying the knowledge and skills by end of 2016.

Below is a monitoring and evaluation matrix to be used in measuring the progress and performance of the implementation. Indicators to be measured are grouped under three (3) broad categories namely: pre-training monitoring, in-training monitoring and post-training monitoring. Descriptions for the categories are provided below:

Pre-training Monitoring: Indicators in this category will measure progress and performance made towards implementing the Training Plan. They include the acceptance of the Training Plan by all stakeholders and the procurement of logistics and trainers (where required) needed to undertake the training. This stage of the programme is deemed critical to the success of the entire programme. Monitoring should thus be detailed to ensure that any potential roadblocks are quickly identified and addressed.

In-training Monitoring: Indicators in this category will measure the progress and performance of the training itself. This will aim at determining whether the training methodologies and strategies are being effective. Training coordinators, facilitators and the beneficiaries themselves will play a vital role in ensuring that the objectives of the training are achieved. Results from this category will help inform mid-course adjustments and fine-tuning where required. It would also help in making the training programme better in the future.

Post-training Monitoring: The main indicator to be measured under output 5 of this programme falls under this category. The indicator seeks to measure the “*number of direct beneficiaries trained*”. Also, given that the aim of the programme is to improve the skills and knowledge of staff of the Judicial Service, we added a “skilled and knowledge acquired” indicator that will be measured through staff appraisals.

The Table below presents the Monitoring and Evaluation Matrix:

MONITORING AND EVALUATION PLAN – LEGAL AID SCHEME

Objective: To build the capacity of Legal Aid and ADR Officers of the Legal Aid Scheme through Specialised Training Programmes. The Objective is to impart the requisite skill and knowledge for effective execution of roles and responsibilities within the Criminal Justice value-chain.						
Indicators	Target	Data Collection Tool	Responsibility	Frequency	Reporting	Means of Verification
Pre-training Monitoring						
Acceptance of Training Plan	All Stakeholders	Meeting Minutes	Project Monitoring Unit (PMU)	Once	Data to be collated by the PMU and submitted to the Head of the Programme	Final Programme Report
Procurement of logistics (where required)	-	Procurement Invoice	Procurement Officer	Recurrent (as and when basis)		Procurement/Auditors Report
Procurement of trainers (where required)	-	Procurement Invoice	Procurement Officer	Recurrent (as and when basis)		Procurement/Auditors Report
In-Training Monitoring						
Training Attendance	30% of direct beneficiaries trained and applying the knowledge by the end of Year 2.	Designed Training Monitoring and Evaluation Toolkit	Training Coordinator	At the end of every training session	Data to be collated by all Department/Unit Heads and submitted to the Director HR	Training Reports
Effectiveness of Training Methodology and Strategy	50% of direct beneficiaries trained and applying the knowledge by the end of Year 3.	Designed Training Monitoring and Evaluation Toolkit	Training Beneficiaries	At the end of every training session	Data to be collated by all Department/Unit Heads and submitted to the Director HR	Training Reports
Post-training Monitoring						
<i>Number of beneficiaries Trained</i>	30% of direct beneficiaries trained and applying the knowledge by the end of Year 2.	Training Monitoring and Evaluation Toolkit	Training Coordinator	Quarterly	Data to be collated by all Department/Unit Heads and submitted to the Director HR	Training Reports
Skilled/knowledge acquired	50% of direct beneficiaries trained and applying the knowledge by the end of Year 3.	Staff Appraisal Tool	HR Department	Mid-term/Annually	Data to be collated by all Department/Unit Heads and submitted to the Director HR	Staff Appraisal Reports