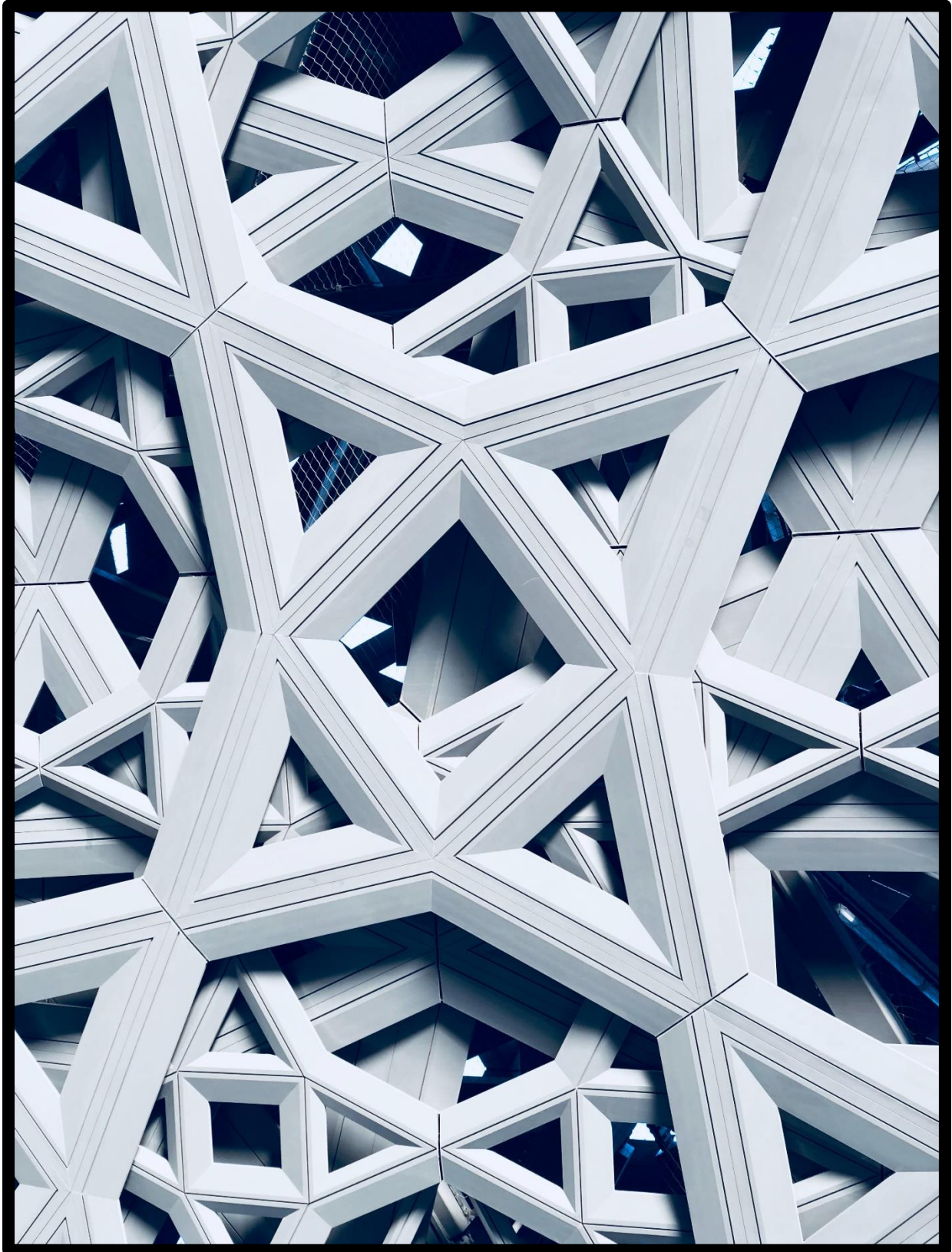


Capacity Building Impact Assessment

Measuring the impact of National Media Defence Centre grants on organisational capacity using Most Significant Change.



Background

Every year, we provide grants and technical support to National Media Defence Centres that offer legal assistance to the media in their own countries. Being able to access free legal assistance from these partners means journalists have the benefit of assistance from local lawyers who are experienced in litigating at their national courts and have a detailed knowledge of their countries' freedom of expression landscape.

MLDI does not see these as a simple financial award, but endeavour for both the grant and our wider offerings of support to help build the capacity of these organisations. By supporting partner organisations, we ultimately aim to build a strong and sustainable network of legal defence centres for independent media that reaches across the globe. As partner funding and support is a growing area of our work, we felt it was important to better understand the impact of MLDI's support on its partners.

Methodology

The methodology of this evaluation was inspired by a methodology called Most Significant Change (MSC). In essence, MSC involves the generation of 'significant change stories' by various stakeholders involved in an intervention. The stories are then reviewed and discussed in-depth to identify the most significant stories of change.

MLDI collected these stories of change through its grantee reporting templates and asked the following open-ended questions:

1. What have been the biggest changes (positive and/or negative) in media freedom and the freedom of expression landscape in your country since the project start date?
2. Describe the most positive change in your organisation during the project period?
3. What part (if any) did MLDI's funding and support contribute to the change described above?
4. Describe the impact or effects (if any) that MLDI's funding or support has had on your organisation – including any unexpected or unintended effects
5. What other factors have contributed to positive changes in your organisation during the project period?

Answers to these questions constituted as the "stories of change" for the purposes of this evaluation. A review panel was then developed, made up of MLDI's:

- Evaluation, Strategy and Communications Manager
- Communications Officer
- Legal and Grants Officer
- Grants and Administrative Assistant

Panel members were asked to review the reports and reflect on:

- The size of the change described
- The relevance of the change described
- The sustainability of the change described
- The extent to which they believe the change is true
- MLDI's role in the change described and the role of other actors

Scope

MLDI included all of the organisations it supported through National Media Defence Centre grants that had completed its revised reporting templates up until August 2018 – nine organisations had completed the reporting templates within the timeframe. One organisation's report was excluded from the process due to grant management concerns with the grantee. This meant eight organisations fell within the scope of the evaluation.

Data limitations

Due to the funding relationship, it is important to consider the integrity of the responses received from grantees – the majority of the grantees would have been applying for a new grant from MLDI shortly after completing their reports, and there could be a degree of bias as a result of wanting to appease a donor.

Best practise for MSC workshops would also include stakeholders outside of the organisation to add a more rounded perspective, help verify information and remove bias. If MLDI continues the methodology beyond this pilot, future iterations should incorporate stakeholders outside of MLDI staff.

The workshop

The selection panel participated in a workshop facilitated by the Evaluation Manager. This workshop is a key part of the MSC evaluation method, and open and critical dialogue was encouraged. The following was clarified at the beginning of the workshop:

- focus should be on organisational change rather than project outcomes;
- the panel should focus on the extent to which MLDI's contribution to change can be identified;
- to be wary of any bias and past experiences with the grantees and to focus on the stories provided. However, it was also deemed necessary to take account of country context and partnership observations and experiences outside of these reports especially if it meant what was reported was less credible or unrealistic.

Each panel member was asked to identify two stories that they felt demonstrated the most significant amount of change. After their case was made, the rest of the panel reflected, shared their opinions and perceptions, and challenged one another's assumptions. This process continued until all stories were discussed and interrogated by the panel.

As well as reflecting on the size, sustainability and relevance of the change, the panel found themselves considering the following during the discussion:

- Would they have been able to engage in litigation without MLDI's support?
- Did MLDI's support affect the quality or quantity of their work or both?
- What would happen if MLDI stopped funding the partner? Would they exist at all as an organisation? Would they exist but not be able to provide legal defence? Or would nothing change?

The panel then identified common themes of impact linked to MLDI's grant making and support mentioned in the stories (as detailed below). Finally, the group was encouraged to come to a consensus on which story they felt narrated the most significant change.

Common themes

The panel identified the following themes that were common in many of the stories of change reviewed by the panel. These themes can be grouped to identify three key roles that MLDI plays in relation to our partners: MLDI as a crucial donor; MLDI as a capacity builder; and MLDI as a catalyst.

MLDI as a catalyst

- Helping to scale their media defence services or programmes.
- Assistance to expand beyond confines of their current funding e.g. extending media related projects to include legal activities.
- Enabling them to provide legal services in a coordinated and structured way.



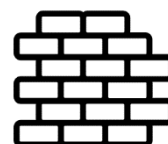
MLDI as a crucial donor

- Funding litigation when no one else would and there was little interest from the wider donor community.
- Not following donor trends in regions or countries.
- Providing multi-year and ongoing funding (required for ongoing litigation).
- Remaining flexible and adaptable to volatile political contexts.



MLDI as a capacity builder

- Facilitating networking and connections to other donors.
- Increasing their confidence and empowering them to further develop legal defence programmes.
- Encouraging reflections on their programmes and organisation.
- Increasing their exposure to media defence cases and donor funded projects, allowing them to gain experience and build their skills.
- Increasing their reputation.



In addition to these, one common theme in all of the stories of change was that all reported a general deterioration of the media and law environment in their country.

The winning story

After discussing all of the stories and identifying common themes, the group attempted to loosely order the stories from most significant change to least significant change. Although the panel did not create an ordinal list, they grouped the stories into those that demonstrated a high degree of change; some degree of change; and little change (or unclear if there was change).

One story of change was unanimously decided as the story of change which was most significant. This was based on:

- there was a clear journey and transition identified
- the changes described were specific and evidenced
- the changes described were (to an extent) sustainable
- the isolation of MLDI's support and influence was easy to identify
- clear engagement and use of the different capacity building opportunities made available by MLDI

The story of change below (the winning story) has been redacted for anonymity, where text has been redacted or edited; it is indicated by the inclusion of square brackets:

“Overall, since the ousting of former authoritarian government, which didn't shy from putting all sorts of pressure on the media, the situation with freedom of expression and media freedoms is perceived as much improved. As a result, using defamation for political pressure purposes is not seen as such a pressing issue. Corporate pressure, that is, use of defamation actions by the corporate world to prevent critical reporting has not been perceived as major issue so far.

The defamation/libel lawsuits against journalists/media are not such a major issue as they were several years ago, due primarily to the huge number of cases being transferred from criminal to civil courts after the decriminalisation of defamation. For some time, we have not seen re-emergence of the double standards applied by courts when journalists/media were sued by high ranking state, government or party officials, which may be due to the change in government. The judges, especially in the capital's civil court, are increasingly competent in applying both national law and [regional court] case law when deliberating defamation action cases.

Defamation, on the other hand, remains a threat for the very survival of impoverished media and journalists due to the deep financial crisis in the media sector in general.

The media market remains overcrowded, which was traditionally the main source of problems and corruption for the country's media sector. Shrinking advertising budgets and their steady migration online, combined with the elimination of the practice of former government to syphon public money to friendly media (propaganda mouth-pieces) has already seen several media fold. That trend is expected to continue, although it is not completely undesirable, because lack of sustainability, as noted, has traditionally pushed the media towards corruption and political clientilism. Smaller number of more sustainable media should, in fact, improve the situation significantly.

The project allowed the organisation to increase its international profile, through involvement in the informal network of media defence organisations from the region. [the organisation] is also now seen and widely recognized as providing an actual tangible service – legal defence and representation – by the media community. Finally, this project and the participation in the programme over the past several years has contributed to increased competence of the key personnel of [the organisation] on matters related to defamation, so that journalists occasionally use [the organisation] for consultations on possible actions when facing a defamation lawsuit or decisions whether to publish sensitive material.

The change(s) noted above resulted exclusively because of MLDI's support and funding, since without that funding, no organisation [in the country] would be able to provide

such services. Other funders, at the moment, seem uninterested in media related projects in general, and media legal defence is never listed among priority areas in their calls for proposals. Therefore, we could say that without MLDI's support, journalists and media would find themselves in far more precarious situation, because few of them can afford proper quality defence when facing any form of judicial pressure, including and especially defamation/libel cases against them.

Regarding [the organisation's] increased competence in matters related to defamation/libel, MLDI's support has enabled us, but also pushed us to focus more on such issues in a hands-on manner. While [the organisation] was always interested in matters of defamation from the viewpoint of freedom of expression and media freedoms, our approach would hardly be as systematic and focused.

In addition, MLDI was instrumental in noted increase of our international profile, as it initiated the creation of the network of media defence organisations, which was not in the prospects, really, without that intervention.

Like all other CSOs involved in matters of freedom of expression, media freedoms, media policy and legislation, [the organisation] has also suffered from the apparent lack of interest of traditional donors in media related issues. That has pushed us in two directions which may be perceived as positive: first, [the organisation] is trying to locate and identify other donors that are not active in [the country]. Second, [the organisation] is actively expanding and trying to use the list of international contacts as potential partners, leading of junior partners, likewise, in joint projects and venture. So far, the results have not materialized, but [the organisation] will continue to pursue both options".

Other significant stories of changes

The panel also felt that other stories, submitted by partners reported significant change but were not chosen as the most significant because:

For one partner, although the changes described were specific, and clearly linked to MLDI, the grant amounts awarded were significantly higher than MLDI's normal grants due a political crisis in the country and need for additional funding, this made it harder to compare. One of the key changes described was MLDI's role in developing their legal team and legal programme of work "MLDI's early support, well in advance of the [political crisis], allowed [the organisation] to take its first steps in building a legal unit. This provided the infrastructure on which all our subsequent accomplishments have been built. That we were already engaged in the defence of journalists created a virtuous circle which allowed us to raise more funds, defend more clients, provide better support and go to donors to allow us to do more". The panel felt that MLDI's impact on [the organisation] was to an extent, coincidental, having funded them at the right time, enabling them to build their capacity before [the political crisis], which resulted in a high volume of journalists requiring legal support. This support was clearly important and instrumental in enabling [the organisation] to respond to the crisis, but MLDI had not predicted this series of events.

For two other organisation, although they reported a significant amount of change in the development and growth of their organisations, the changes were less specific and not as closely linked to MLDI's support and funding. The panel felt the stories successfully communicated the

role of MLDI as a catalyst for growth and expansion of their organisation or services. One stated “MLDI has played a decisive role in [our transformation and growth], particularly because it has allowed the strengthening of the legal team in a context where there is a lack of interest from many donors to support litigation.” The other stated, “[the organisation] fostered a closer cooperation with citizen journalists. We have more and more clients who are not professional or not for-profit journalists but are respected members of their communities who edit many different platforms (blogs, websites, Facebook pages) to inform their audience about public issues.... MLDI support enabled [the organisation] to provide legal representation to citizen journalists who play an increasingly important role.”

Notes on the method

As this was a new evaluation method being piloted, the panel also discussed how they found the process and workshop in terms of identifying learnings and measuring impact. Generally, the panel felt:

- it provided a good way to reflect and discuss the National Media Defence Centre programme as well as identify commonalities between how we support our partners.
- it provided an opportunity to think about the different conditions and factors which make MLDI's funding more impactful.
- the idea of creating an ordinal ranking was not useful, apart from identifying the most significant story, it was too difficult to really objectively compare and rank the stories beyond this.
- there were a number of challenges in comparing the stories, for example cultural differences, language barriers, personal differences and very different press freedom landscapes – all of which will have affected how the questions would have been answered.
- some grantees seemed to misinterpret some of the questions and there may be a need to review these questions and add clarity for partners.
- for those working more closely with the grantees, it was difficult to remove personal biases and isolate the stories from their general experiences with the partner.

Conclusions, recommendations and next steps

- The themes of impact and the role that MLDI has played as identified in this report should be considered in the development of future capacity building projects, defence centre funding and partnership development – making sure it harnesses the factors which are proving to be beneficial e.g. not following donor trends, remaining adaptable and flexible, encouraging reflection and learning etc.
- Some of the findings from this evaluation hint at the different types of impact MLDI can have and how this can also vary (and be maximised) by considering the different types of organisations it supports and the different environments they operate in. A typology based analysis of MLDI's past and present partners could help to develop clear recommendations and ways of working for MLDI to best support its partners and provide the right kind of support.
- If possible, the winning story could be developed and featured as part of MLDI's wider communications and demonstration of impact – through either a written or video case study.

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For future iterations of this research, MLDI should:

- involve a wider panel, with external panel members – to help remove and challenge bias. Ideally, this would include lawyers, journalists or NGO representatives working on press freedom related issues.
- review and refine the reporting questions, provide additional guidance where needed, and possibly provide the questions in different languages (responses would still need to be provided in English for processing).