

TECHNICAL ASSISTANCE COMPLETION REPORT

Division: Office of the General Counsel

TA No. and Name TA 2853-VIE: Retraining Government Legal Officers			Amount Approved: \$1,200,000	
			Revised Amount: \$1,200,000	
Executing Agency(ies): Ministry of Justice	Source of Funding: TASF		TA Amount Undisbursed \$155,102.50 (estimate)	TA Amount Utilized \$1,044,897.50 (estimate)
Date			Completion Date	
Approval 26 August 1997	Signing 4 Dec. 1997	Fielding of Consultants 5 January 1998	Original: Aug 2000 Actual: 31 Dec 2002	
			Closing Date ¹	
			Original: Aug 2000 Actual: -----2003	
Description				
Based on an assessment of training needs of Vietnamese lawyers and legal officers carried out under RETA 5640, which identified a need for continuing legal education in Viet Nam to address the lack of practical legal skills and knowledge about economic and business law concepts, the TA was designed to provide the institutional framework for upgrading legal skills and knowledge of mid-career legal officers in Viet Nam through an intensive retraining program of about 3 months per course.				
Objectives and Scope				
The TA objectives were to help establish an institutional framework for continuing legal education of Vietnamese legal officers and lawyers, particularly those working in Government agencies. The components of the TA were: (i) training of trainers (TOT, consisting of 3-months in-country English language training and 3-months training course in the region in adult teaching methodologies, legal skills development and specific substantive law subjects; (ii) logistical support and advice on delivery of retraining courses; (iii) training materials development; and (iv) curriculum development. The Legal Professional Training Center (LPTC) in Hanoi was chosen as Implementing Agency, through which the retraining courses would be delivered. During the TA implementation, the LPTC was upgraded to Legal Professional Training School (LPTS). The Ministry of Justice was the Executing Agency.				
Evaluation of Inputs				
Three months for the regional TOT course was the bare minimum needed and the trainers would have been better prepared for the first retraining course, had the TOT course been longer. However, the duration of the TOT program was a compromise between conflicting interests, such as on the one hand the need for thorough preparation of the trainers and on the other hand, the need to work within budget and to start retraining program as soon as possible. On balance, the project design was adequate. The TOR fully captured the work to be done. The English language training was done in Hanoi by the British Council from Feb.-May 1998. Their training methods are well-tested; at the end of the language training, 20 of the highest scoring participants ("the core teachers") were selected to continue the TOT course in Australia at Melbourne University Law School (partner of the consultant Melbourne University Private Ltd.) The language training was satisfactory. The TOT course (June-September 1998) was very well organized and well designed and the format was followed by the core teachers in the design of their retraining program in Viet Nam. The LPTS organized 10 retraining courses for over 1,000 participants from throughout Viet Nam. The first retraining course was undertaken on a pilot basis from mid-November 1998 – early February 1999. Subsequent retraining courses were held during the period March 1999 – mid-January 2001. Based on the experience of the pilot course, certain adjustments were made. The Vietnamese counterparts decided to mix the faculty of the retraining program, so that the courses were delivered by a combination of the 20 core teachers and older, more experienced law teachers from Hanoi Law University. This combination worked very well. The consultant provided foreign experts to teach short segments of each course on specific subjects with international aspects, e.g. international trade law. In the pilot retraining course, foreign experts from an international law firm in Hanoi taught some classes. However, their inputs were found less appropriate, and they were thereafter dropped from the program. The teaching inputs of faculty from Melbourne University Law School were well received. In the second year of implementation, a one-week refresher course was organized for 20 core teachers. The course focused on developing skills in case method teaching, advocacy and negotiation and general communication skills. A training video was produced in English and dubbed in Vietnamese, as a tool for teaching public presentation and communication skills. Under supervision of Professor Le Hong Hang, Program Director for the TA, the course materials developed for the retraining program have been expanded and compiled into the most comprehensive law book published to date by Vietnamese legal scholars in Vietnamese for use of advanced law students and legal practitioners in Viet Nam. The team leader and other staff				

¹ TA account is not yet closed, as the consultants have not submitted the supporting documents to substantiate withheld claim. Consultants intend to discuss the issue with the Controller's Department in Manila.

from Melbourne University Law School (conversant in Vietnamese) have provided detailed editorial comments. The publication of the book was funded under the TA. The book was published in March 2002. The consultant worked well with the IA in procuring the training and other equipment for the LPTS. Overall the consultants performed their tasks with diligence and enthusiasm. The consultants' performance is rated satisfactory. The support from the EA and IA was beyond expectation; they took the lead in running the retraining program and in producing the Vietnamese teaching materials and compiling the law book. The EA's and IA's performance was highly satisfactory. ADB's performance was satisfactory. ADB staff undertook 3 review missions of 5 field days each during 1998, 2 review missions of 3 days each in 1999, 3 review missions of 2, 1 and 5 days, respectively in 2000, and 1 review mission of 4 days in 2001. During the last review mission, the consultants' team leader and ADB staff interviewed the core teachers and 11 groups of participants of the retraining courses to obtain their feedback on the program.

There was a delay of about 5 months in the implementation of the retraining program, which was due to some minor start-up problems and minor slippages in the scheduling of the 10 retraining courses in Viet Nam. The main reason for the delay in TA completion was the production of the Vietnamese law book, which was not included in the original design of the project.

Evaluation of Outputs

The consultant reports provide a useful summary of the work done. Given the duration of the TA and the fact that the program was completely new for Viet Nam (and for ADB), a flexible approach was followed in implementation. The number of lawyers and legal officers to be trained under the TA was originally set at 1,200. This number was adjusted early before the delivery of the retraining courses to around 1,000 in order to limit the number of trainees per group to a maximum of 25, so as to enable participatory training. Major lasting outputs that were not planned in the initial TA design were the training video and the Vietnamese law book. In addition, the TA has led to considerable strengthening of the LPTS, which, partly due to the TA, has become a widely recognized institution to provide continuing legal education in Viet Nam. The TA has also introduced new ideas about teaching law at university level, since most of the 20 core teachers are faculty of Hanoi Law University.

Overall Assessment and Rating

The TA was highly successful. The retraining program had a high profile in Viet Nam and the Minister of Justice has asked for it to be continued. The feedback from participants was generally positive. In particular, the participants noted that their confidence and skills in handling cases had improved. The participatory teaching methods, including discussions and role-plays scored highly. As a result of the TA, the core teachers have become familiar with these new teaching approaches. Moreover, the value of the participatory teaching methods as practiced throughout the program, has been recognized and internalized at the institutional level. Thus, the TA has made a significant impact in terms of enhancing institutional capacity.

Major Lessons Learned

The program confirmed that capacity building through major training programs requires time, flexibility and drive from the Executing and Implementing Agencies, all of which were provided in the implementation of the TA. It also showed that academic institutions, whose primary goal is not profit making, are well-placed to work as consultants with ADB and Government counterparts in implementing professional education programs.

Recommendations and Follow-Up Actions

The scarcity of TA funds makes it difficult to justify continuation of funding the program, since the need for foreign consultants inputs has diminished as the program has become institutionalized in the Vietnamese continuing legal education system. Continuation of the funding could be considered as part of a loan, rather than on a grant basis, depending on the willingness of the Government of Viet Nam to borrow for this purpose. This is being explored in connection with the Legal System Development Strategy prepared by the Government.

Prepared by Eveline Fischer Designation Assistant General Counsel