

# AN ESSENTIAL GUIDE TO WRITING POLICY BRIEFS



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Gottschedstr. 4

13357 Berlin

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Authors: Eóin Young & Lisa Quinn

Editor: Lisa Quinn

Design: Design HQ

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#### **ABOUT ICPA**

The International Centre for Policy Advocacy (ICPA) is an independent, Berlin-based NGO dedicated to bringing more voices, expertise and evidence into policy decision-making and promoting an enabling environment where policy decisions are grounded in the public interest.

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[www.icpolicyadvocacy.org](http://www.icpolicyadvocacy.org)

Twitter: @ICPAadvocacy

Tel: +493021958979

Email: [publications@icpolicyadvocacy.org](mailto:publications@icpolicyadvocacy.org)

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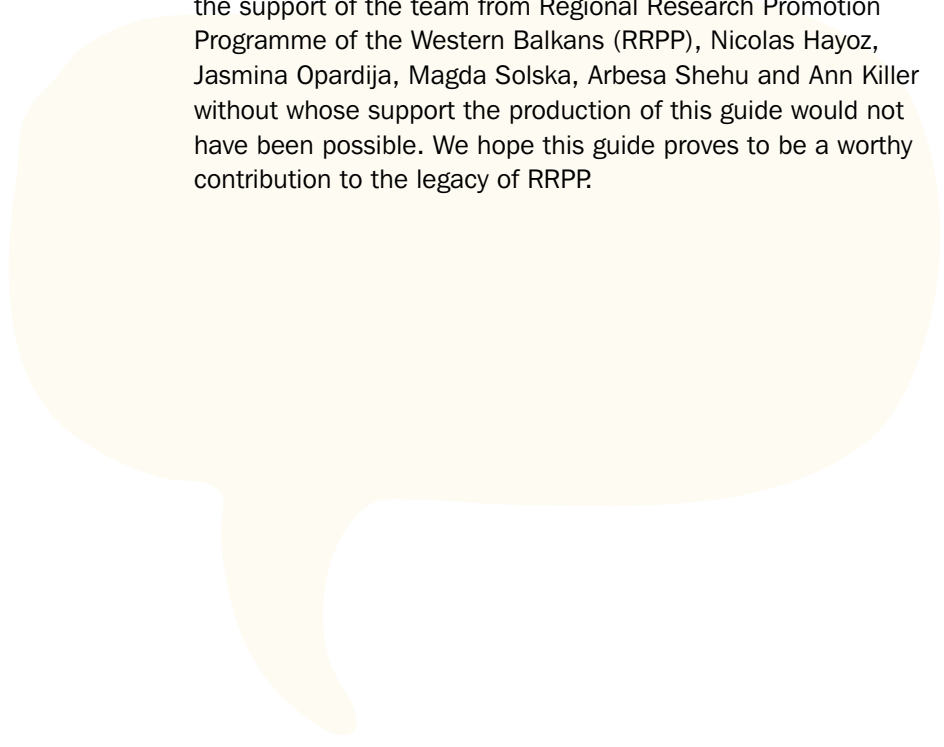
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This guide is dedicated to the memory of ICPA's training associate and renowned Liberian civil society activist, **G. Jasper Cummeh, III (1970-2014)**.

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## **ACKNOWLEDGEMENTS**

This guide is a culmination of more than a decade providing training and mentoring support and discussing policy briefs with hundreds of researchers, advocates and partners. This guide was truly made in dialogue with these many individuals and organisations, and ICPA is very grateful for their input and support. Particular thanks to Ana Stevanovic, co-ordinator of ICPA's Policy Bridging Initiative for her excellent research support and our training associate, Bego Begu for thoughtful feedback on a draft of the guide. Thanks also to those who took the time to respond to our survey and share their experience writing and using policy briefs. The authors really appreciate the fresh and professional design of this guide by Oonagh Young of Design HQ. Finally, we would like to acknowledge the support of the team from Regional Research Promotion Programme of the Western Balkans (RRPP), Nicolas Hayoz, Jasmina Opardija, Magda Solska, Arbesa Shehu and Ann Killer without whose support the production of this guide would not have been possible. We hope this guide proves to be a worthy contribution to the legacy of RRPP.

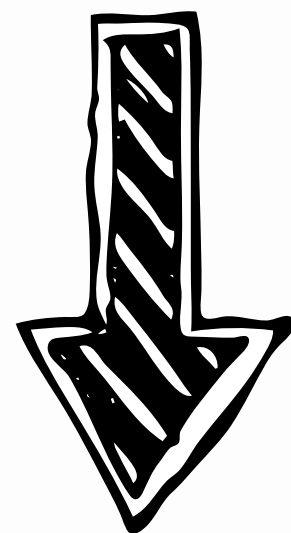
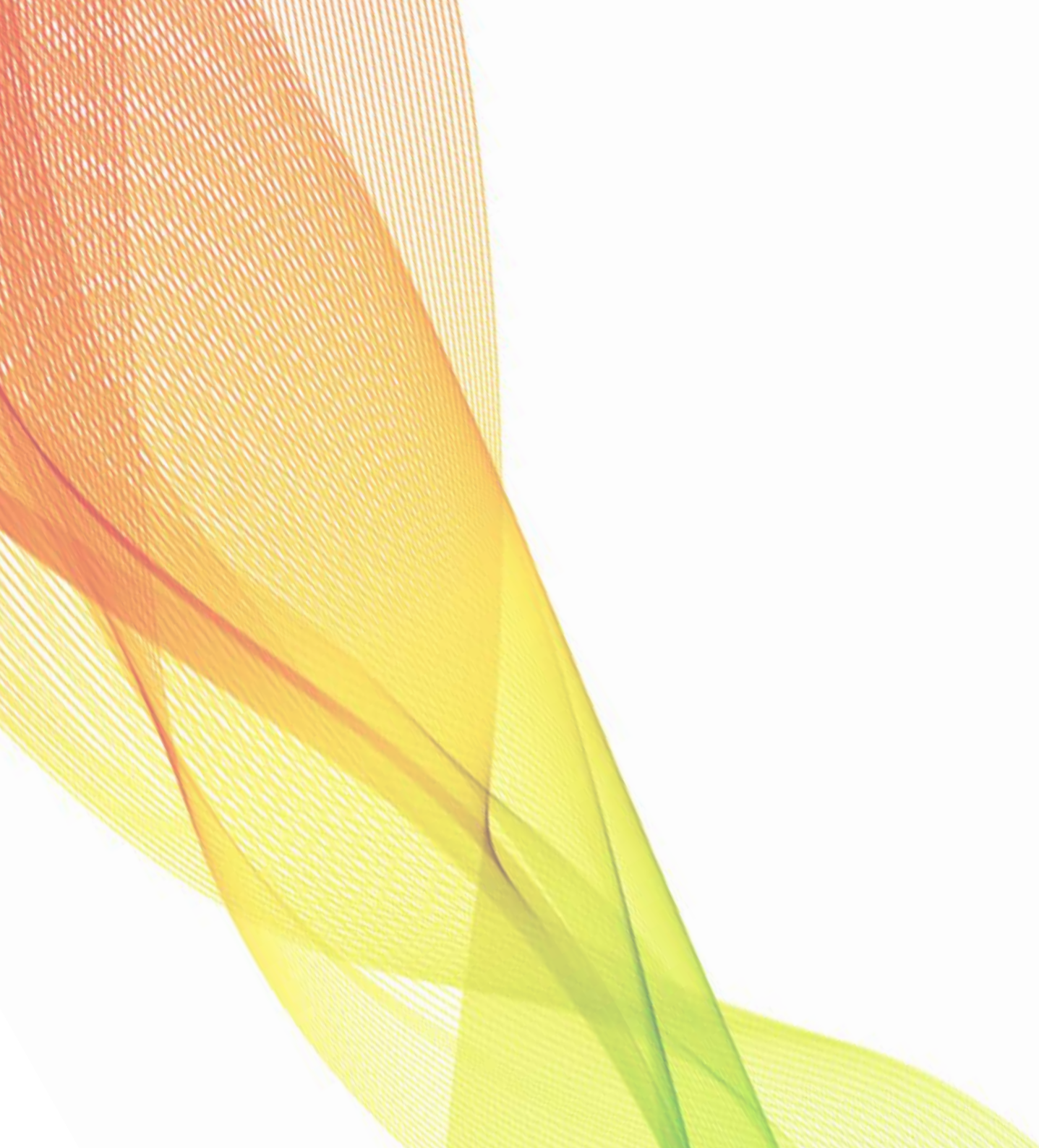




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## 1. INTRODUCTION



In this essential guide, we detail a key communication tool used to advocate for research or expert-based analysis: the policy brief. It has been widely reported as one of the most popular tools for think tanks globally in the last decade<sup>1</sup>. From the research we conducted to develop this publication, 87% of the 93 global think tanks analysed produced some form of short, more advocacy oriented policy paper.

This growth in the production and use of policy briefs is recognition that too often it is lengthy expert-oriented policy analysis/reports that are produced and what is missing are shorter, more practical communication tools that can engage informed, non-specialist audience(s). Recent studies also attest that access to policy advice in such formats is the desired starting point for new policy ideas and proposals by civil servants<sup>2</sup> and briefs are effective in creating “evidence accurate beliefs” among those who don’t hold strong opinions on an issue<sup>3</sup>. Beyond think tanks and researchers, we can also see a broader group of NGO advocates who feel that the brief and a policy engagement approach are an important addition to their existing advocacy toolkit.

This essential guide builds on our popular guides on policy paper writing<sup>4</sup> and the policy advocacy process<sup>5</sup>, and is an important addition to the set of ICPA resources. The guide pulls together insights from our work over the past 15 years in building the policy research, writing and advocacy capacity for thousands of researchers and advocates. It was developed as a resource for the “Policy Bridging Initiative”<sup>6</sup> in which we supported researchers participating on the Regional Research Promotion Programme in the Western Balkans (RRPP)<sup>7</sup> from 2014 to 2016.



### 1.1 Who is this essential guide for?

While many in the policy advice producing community understandably focus their efforts on the analytical capacity to be influential, there has been rather less emphasis placed on the need to communicate and advocate well, even though these elements can be equally (if not more) important in delivering influence. This guide and our other resources seek to redress this balance and support those interested in enhancing the standard of the communications side of their policy work.

Specifically, the guide is intended for those writing policy briefs (e.g. researchers, advocates, think tankers, civil servants) and those overseeing or commissioning policy brief development (e.g. research directors, managers, donors, civil servants). Beyond guidance for individual briefs, we also hope to contribute to standard setting in research and advocacy producing institutions. Indeed our original short guide to policy brief writing<sup>8</sup> produced for the International Policy Fellowship of the Open Society Institute has been cited widely and used in standard setting processes for example, by UNESCO in Paris and Centre for European Policy Studies, Brussels<sup>9</sup>.

A key aspect of our work is striving to make core policy knowledge accessible to a wide range of policy actors with varying capacity, from novice to seasoned advocate. So, you don’t have to have a background in public policy or political science to be able to access and grasp the concepts and insights in this and our other resources.

## 1.2 What is covered?

Following the approach used in our previous policy writing manual, we cover the following elements: the context of usage of policy briefs; how to put them together; and lessons from practice. Specifically we cover the following:

- **The policy brief as a advocacy communication tool**
- **The purpose and focus of the policy brief**
- **The brief as one type of policy paper**
- **The structural elements of the brief**
- **The branding and look of the brief**
- **Key lessons for policy brief writers**
- **A writing checklist to plan your brief**
- **Two full sample policy briefs**

## 1.3 What is not covered?

The scope of a short, essential guide has limitations in comparison to our other manuals. What is not included is a more in-depth analysis of the textual features of each structural element and the use of parts of sample papers to illustrate the elements.

## 1.4 How was the guide developed?

Following a genre analysis method<sup>10</sup>, we began our analysis of communication tools by reviewing other guidelines<sup>11</sup> and literature on policy briefs and we then conducted extensive analysis of real samples of briefs to dig deep into the structural and textual patterns that are common to the brief. In this manner, the advice provided is descriptive of the evolution of the communication tools, not prescriptions based on our subjective opinions. We have brought these insights to our training and mentoring over the past 15 years and sharpened these insights and our analysis in dialogue with our team and the researchers and advocates we've worked with. These insights from practice are the backbone of the guide.

To bring our insights even more up to date and test some of our own assumptions about the development and usage of policy briefs, we also conducted research on the positions and importance of the policy brief for think tanks today. We looked wide and deep in this research by conducting an online analysis of policy briefs on think tank websites and also surveying think tankers for deeper insights. Specifically, we did the following:

- *Wider insights* – Taking the think tanks listed for each of the 10 global regions of the 2015 'Go to Think Tanks'<sup>12</sup> list, we identified the first five from the top of each regional list that produced short, advocacy-oriented policy papers (or briefs). In this analysis, we looked at the name they used for the brief, how they described the function and audience for their briefs, and the length and look of their briefs. We sought mostly to test our assumptions about briefs at the global level in this (admittedly) thin first level of analysis.
- *Deeper insights* – We surveyed 80 think tankers mostly from East & Central Europe on the importance, usage and process of development of policy briefs in their organisations. We used an online questionnaire and got a 25% response rate. Obviously, this analysis may have some regional bias, but we were focusing on the networks where we have worked in an effort to get a reasonable response rate.





## 2. The Policy Brief as an Advocacy Communication Tool

This opening section defines the context in which policy briefs are used. This frames an understanding of the role of the policy brief as a communication tool in a research-based advocacy process. Specifically, we cover the following:

- **Effective advocacy as dialogue**
- **The target audience and realistic aim for a policy brief**
- **Practical use of briefs in an advocacy effort**

### 2.1 Effective advocacy as dialogue

**Effective policy advocacy is a process of engaging in dialogue towards ownership and influence.**

Based on extensive experience and elaborated in-depth in our advocacy manual<sup>13</sup>, effective policy advocacy can be simply understood as a process of engaging in dialogue towards ownership and influence. The mistake that many researchers make is to see the process as a one-way transfer of expertise from the academic/expert sphere to the policy sphere. In contrast, an effective approach to advocacy is decidedly two-way, and which we defined in our manual as follows:

*“Policy advocacy is the process of negotiating and mediating a dialogue through which influential networks, opinion leaders, and, ultimately, decision makers take ownership of your ideas, evidence, and proposals, and subsequently act upon them”. (Making Research Evidence Matter, p.26<sup>14</sup>)*

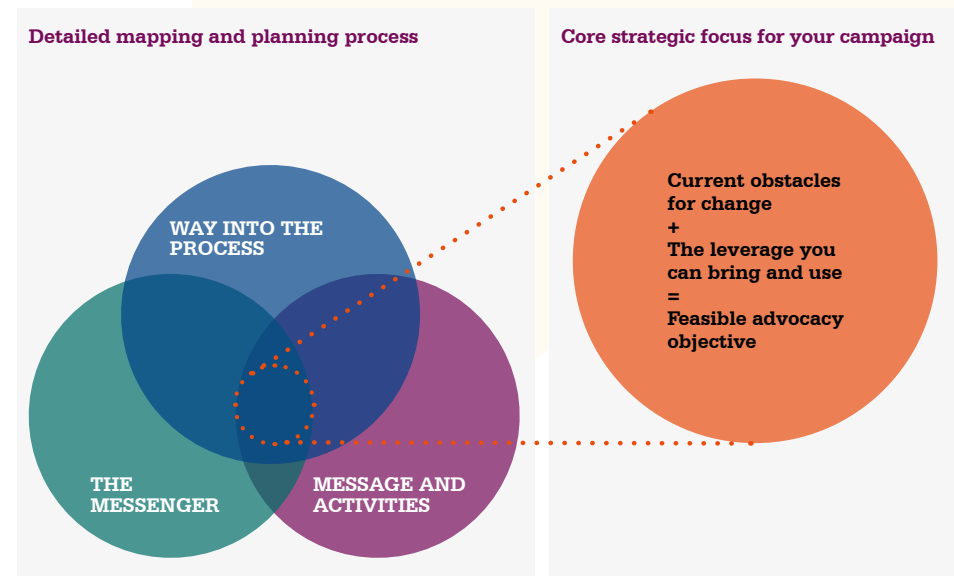
In practical terms, this often means designing and putting together a set of activities and communication tools for various target audiences (as in Table 1 below) and hopefully allowing them to understand your ideas, be convinced by them, and ultimately make them their own and then act on these ideas.

Audiences	Experts	Informed non-specialists	The Public
Advocacy tool 1	Policy Study	Policy Brief	Press Release
Advocacy tool 2	Meetings	Meetings	Lobbying Associations
Advocacy tool 3	Conference	Conference	Press Conference & Social Media

**Table 1 – The policy brief in an example advocacy plan**

If you wish to dig deeper into this policy advocacy planning process, we suggest you use our Advocacy Planning Framework (See Figure 1 below for a flavour) to come up with a plan that works for your towards a feasible policy change objective.

**Figure 1 – The Advocacy Planning Framework**



## 2.2 *The target audience and realistic aim for a policy brief*

**The main audience for the policy brief is informed, non-specialists.**

The policy brief is a policy document produced to support an advocacy campaign with the intention to engage and persuade informed, non-specialist audiences. These are people who work regularly on the issue addressed in a brief, but will mostly not conduct policy research themselves or read expert texts. Examples of this target audience are decision makers, politicians, NGO advocates, and journalists. Of course, you can meet decision makers and others listed who are experts, but more often, this is the circle of people who depend on getting expert input from others. And maybe most significantly, they are often the key decision makers and opinion leaders.

As Table 1 above illustrates, the policy brief is normally used as one tool in a broader advocacy campaign. Being such a short paper, it is not normally enough on its own to convince an audience to act on the proposals put forward; rather the more realistic aim is for audiences to become interested and want to find out more about the analysis. To use a fishing analogy, we are trying to hook them in and pique their interest. After reading your brief, you are really hoping that they call you to arrange a meeting, invite you to present more on your ideas, or even ask their own experts to investigate further (e.g. in a government department).

**The policy brief aims to hook audiences in, getting them interested in your analysis and proposals.**

## 2.3 *Practical use of briefs in an advocacy effort*

In terms of the inclusion of the policy brief in advocacy efforts, there are a number of ways it can be used. The most common ways this tool is used are:

- **Posted online on the campaign or organisational website as a PDF;**
- **Sent as a PDF to a partner/stakeholder email list;**
- **Some even still post in paper format to a partner/stakeholder mailing list;**
- **Used as a supporting document for meetings/lobbying, presentations and press conferences;**
- **Shared on social media feeds of all kinds.**

In more recent times of social media developments, elements included in the brief, e.g. visuals, key messages and striking facts, are also used in social media posts and in social media tools, such as infographics. Of course, this is not always a one-way street and these elements can even originate from plans for social media engagement and then feed back into the brief.

**Be realistic about what a policy brief can achieve: it's important but not sufficient in convincing your target audience.**

### 3. Overview of the Policy Brief



This chapter outlines key insights needed to understand the policy brief as a communication tool, and covers the following:

- **Purpose and focus of the policy brief**
- **The policy brief as one type of policy paper**

We close with a section on an interesting finding from our research on an emerging new hybrid policy paper.



#### 3.1 Purpose and focus of the brief

With the understanding from the last section that the brief is one advocacy tool which is part of a broader plan to influence change, the writer/advocate's purpose in producing a policy brief is:

To engage and convince your informed, non-specialist target audiences that your policy proposals are realistic, credible and relevant for the debate and decision on the target issue.

In constructing a policy brief that can effectively serve this intended purpose, it is common for a brief to be:

**ENGAGING** – as an advocacy tool trying to engage your target audience, it is best to foreground the unexpected or striking facts/ insights that were found in the research or analysis, e.g. a trend or story that challenges a commonly held point of view on the issue. Leading with something surprising or challenging can create the cognitive dissonance<sup>15</sup> needed for these audiences to really want further clarification, and thereby serve your purpose.

**Lead with striking facts**

**POLICY RELEVANT & FOCUSED** – All aspects of the policy brief need to be framed in the discussion that the target audience is currently having on the issue and the questions *they* are asking, i.e. be policy relevant. This is often challenging when you come from discussing the issue only in a research or expert circle.

**Link to the audience discussion**

**PROFESSIONAL, NOT ACADEMIC** – The audience for the policy brief is not normally invested in the research/analysis procedures conducted to produce the evidence (beyond being assured they are reliable), but are very interested to know the writer's new insights on the problem and potential solutions based on the new evidence presented.

**Focus on the practical**

**SUCCINCT** – Audiences for policy briefs do not usually have the time or inclination to read an in-depth 20-page (or more!) argument on a policy problem. Therefore, it is common that policy briefs do not exceed six to eight pages, but are more commonly no more than four pages. By succinct, we also mean in expression or put more simply, the reader expects short sentences with an easy clarity and flow.

**Keep it short and easy to read**

**LIMITED** – To provide a targeted argument within four pages, the focus of the brief needs to be limited to particular aspects of the broader problem considered. This focus is normally chosen based on what you think would be important or striking for the intended audience. In only presenting the tip of the iceberg, many researchers worry about this reduction in complexity of the argument, but remember the brief is only intended to open the argument, not complete it.

**Don't try to include the whole analysis**

**UNDERSTANDABLE** – This not only refers to using clear and simple language (i.e. not the jargon or concepts of an academic discipline) but also to providing a well-explained and argument that is easy to follow and really targets your broad, but knowledgeable audience.

**Simple explanation instead of jargon**

### 3.2 *The policy brief as one type of policy paper*

**ACCESSIBLE** – The writer of the policy brief should facilitate ease of use of the whole document and allow multiple points of entry to the main message for the skim reader. Therefore, such features as layout, subtitles, visuals/tables/graphs and ways to highlight the key messages are all very important. In fact, a small accessibility test for the brief is to see if the main message is clear without reading any of the main text!

**Make the message stand out**

**BRANDED & PROMOTIONAL** – Organisations that produce briefs use many promotional or marketing features, e.g. professional layout, use of colour, logos, photographs, slogans, illustrative quotes. The idea is not only to enhance the access or professional look, but also to brand them, i.e. all briefs from the organisation will look the same. This is important as you are trying to build recognition, track record and the reputation of your products and advice.

**Make it your own**

**PRACTICAL & FEASIBLE** – the policy brief is an action-oriented tool targeting policy practitioners. As such, the brief must provide arguments based on what is actually happening in practice and propose recommendations that seem realistic to the target audience.

**Tackle the real issues**

In our guidebook on policy paper writing<sup>16</sup>, we focused more or less exclusively on the longer, research-driven policy papers that target expert audiences, i.e. what we call the policy study. So, to go further with this overview of the policy brief, it is important to explain and clarify the similarities and differences between these two important types of policy papers.

First up is a clarification of the names we have chosen in identifying these types of papers. What is really confusing in looking at policy papers in different institutions is how many different names are used for different types of papers! However, looking at the stated purpose and audience for papers, what is common is that most have a more expert-oriented long paper and also have some version of a short, more advocacy-oriented paper. And this finding that led us to focus on these 2 types. The reason we chose to focus on the names ‘study’ and ‘brief’ are:

- they are commonly used;
- they nicely illustrate what each paper contains;
- they contrast nicely.

POLICY STUDY	POLICY BRIEF
Policy report	Briefing
Policy research paper	Policy analysis
Research paper	Policy briefing
Policy paper	Policy memo
	Position brief
	Position briefing
	Position paper
	Fact sheet

**Table 2: Common names for study and brief**

This table shows a non-exhaustive list of some of the common names for each type.

So, we have broken down the core qualities of each paper in the following table:

Areas of Difference	Type of Policy Papers: <b>POLICY STUDY</b>	<b>POLICY BRIEF</b>
<b>Audience</b>	Targets other policy specialists or experts	Targets an informed, non-specialist audience (e.g. decision makers, NGO advocates, journalists)
<b>Focus</b>	Issue-driven: In-depth analysis of policy issues and options available based on research	Audience-driven: Specific policy message designed to engage and convince key stakeholders
<b>Context of Use</b>	Focused on influencing current expert thinking on the policy challenge (and informs the brief)	Used as a tool to support advocacy activities in order start a conversation/get the interest of non-specialist audiences (links to the study)
<b>Methodology</b>	Usually includes a lot of evidence based on primary research	Only includes the key findings from the primary research ('tip of the iceberg')
<b>Ideas/Language used</b>	Can be quite discipline specific/technical	Must be very clear and simple
<b>Length</b>	35 to 60 pages	4 to 8 pages

**Table 3: Differences between policy study and brief**

From our analysis, the key point of contrast between the study and brief is the target audience. While both are advocacy tools, what it takes to engage, interest or convince these different target audiences is indeed very different. For an expert audience to be convinced of a new policy idea, they need to see a policy study which outlines the whole in-depth picture of the argument and proposals supported by credible research evidence and informed analysis. For a non-specialist, but informed audience, the most important or relevant findings from the research will usually be enough to make them want to engage with your ideas. But for clarification or confirmation on the strength and validity of new ideas, such non-expert audiences often turn to expert advisors. As policy discussions or advocacy activities continue, these audiences often come together in the discussion and decision-making, and hence, both need to be convinced.

**A study targets the expert discussion and a brief the professional/practitioner one.**



### 3.3 An emerging new hybrid policy paper?

An interesting finding from our research with think tankers in Eastern Europe and analysis over recent years is the emergence of a type of hybrid paper between study and brief which is about 20 pages long and often looks more promotional and polished, i.e. like a brief. According to those surveyed and conversations with researchers, their clients/partners often ask for an analysis of an ongoing issue in a short turn-around time and with a relatively small budget. In these circumstances, there is not the time nor resources to conduct large-scale research, but evidence is still required. So, it looks like this hybrid is a shorter study that is also supposed to be quite accessible to broader audiences. From a communications perspective, this is a difficult space to inhabit – being all things to all audiences. We will further follow the evolution of this hybrid to see if it becomes more widely adopted. Nevertheless, the shorter brief remains a key tool and challenge for many and hence, the guide is focused on this.



## 4. The Structural Elements of the Policy Brief

Having provided a background to the focus, purpose and role of the brief in the advocacy process, we next move onto how it is commonly structured. This section first provides an overview of the structural elements of the brief, and covers the key steps in any policy argument: the policy logic. Next we break down each of the elements and talk about its role in the brief and how it's constructed.

### 4.1 Overview of the structural elements and the policy logic

The key structural elements commonly found in the policy brief are:

The three elements highlighted at the core of the policy brief are the elements that are central to any policy argument, which we call 'the policy logic'. This logic represents a movement in the argument as represented in Figure 2.

A clarification before fleshing out the structural elements in detail: these suggested elements are not a set of handcuffs or a blueprint that you must follow! They outline a set of common reader expectations, but there is still space for you to be creative in how you use them to suit your purpose. In fact, writers frequently experiment with writing approaches (but in a strategic way!).

#### THE POLICY BRIEF

1. Title

2. Executive Summary

3. Rationale for action on the problem

4. Proposed Policy Option(s)

5. Policy Recommendations

6. Sources consulted or recommended

7. Link to original research/analysis

8. Contact details

**FOCUS**

**KEY QUESTIONS ANSWERED**

**Problem**

**Why do something different?**

**Solution**

**What to do? (And what not?)**

**Application**

**How to implement?**

Figure 2 – Common structural elements of the policy brief and the policy logic



## 4.2 The structural elements in detail

### 1. TITLE

#### Make it 'sticky'!

As an advocacy tool, the title of the brief is an important opening element in grabbing the attention of the reader and may also be used to start communicating the essence of your message. Beware of just cutting and pasting more academic titles; instead try to make your title 'sticky', for example, "An equal chance for local self government" rather than "An analysis of the effects of fiscal equalisation formula on public service delivery at municipal level in BiH". While this second title may be suitable for a policy study, it focuses on reporting the research, not communicating your message.

### 2. EXECUTIVE SUMMARY

#### Grab the readers attention!

Even though the brief is short, most include a one or maximum two-paragraph summary, with the aim to clearly state the core findings and recommendations in the paper and further grab the reader's attention. It normally includes clear statements on the following issues:

- The specific issue or problem addressed in the brief;
- The most striking policy failures or insights identified;
- The shape or main focus of your recommendations.

Remember this may be the only thing some readers read, so make it 'punchy' and memorable. If effective, it will hopefully entice readers to read on.

### 3. RATIONALE FOR ACTION ON THE PROBLEM

#### Key question: why do something different?

This part of the policy brief is focused on the problem. The aim in this section is to present the most striking facts or elements of your analysis in order to convince your audiences that they may need to rethink the issue and ultimately, may need to change the current policy approach, i.e. you provide a reason to act differently. This element of the brief normally includes sections which:

- Frame the paper, by detailing the policy problem in the local context;
- Develop the core issues or striking facts that have led to current policy failures;
- End with what the impact of these policy failures are having.

In our research, we have found that most writers include no more than 4 or 5 most striking points of policy failure or interest in this section and develop on those, rather than trying to summarise the whole research project they have done.

### 4. PROPOSED POLICY OPTIONS

#### Key questions - What to do? And what not

In this element, you are getting to the choice of strategic policy alternatives you have identified to fix the identified failure. Depending on the focus of your brief, this element can be quite developed or shorter: those wanting to discuss options will make this a main element of the paper, whereas someone wanting to focus on suggesting a new solution may only mention the strategic options and then develop the recommendations section more (see 'dealing with space' question below). For those interested in developing the section, your aim is to present a convincing argument for the option you have chosen. The element normally includes sections on the following:

- The options or alternatives considered;
- The principles and evaluation criteria you have used to weigh up the options;
- An argument on why you have chosen one option over the others available.

It is important to remember that the level of discussion in this element is at the *strategic* level, e.g. papers focused on regulatory change often weigh options where the government is playing the lead role or the market does the job. The specifics of how you propose to implement this approach will follow in the next element.

## 5. POLICY RECOMMENDATIONS

### Key question – How to implement?

Next comes the specifics of how to implement the option you have chosen. The aim here is to put forward a feasible and practical set of recommendations that could deliver the chosen option and convince the reader you understand how policy systems and government programmes work. This element normally includes sections on the following:

- The specific sets of actions that various actors should take to deliver your chosen option;
- Sometimes also includes a closing paragraph re-emphasising the importance of action.

The issue of space in the brief is often a challenge in this section, i.e. how much detail to include? The balancing act lies in demonstrating the feasibility and fit of the option, but not presenting a full action plan. This section often features recommendations divided by actor (e.g. what local governments should do) and a synopsis of the series of actions presented using bullet points or numbers.

## 6. SOURCES CONSULTED OR RECOMMENDED

### Establish your credibility!

This element can be one of two things:

### Sources consulted –

It can simply be a list of the sources referenced in the paper. As in an academic paper, you are trying to support the key points of the argument with strong sources. It is worth noting that policy briefs normally do not include an extensive list of sources – just the key ones.

### Sources recommended -

Alternatively, this section may list other readings that you or your organisations have produced that can further inform the discussion in the brief. The intention is to show you have a reputation and a track record of commentary and analysis in this area. This approach is normally taken by more established think tanks or commentators and also means that you feel that you have the reputation to make a credible argument without the need to reference others.

## 7. LINK TO ORIGINAL RESEARCH/ANALYSIS

### Key Question - Where's the full argument?

As outlined above, the policy brief is an advocacy tool targeting a broad non-specialist audience and realistically, can only aspire to raise interest in the issue rather than try to answer all questions. However, as you can see in Table 1, you also need to develop communication tools for experts that do answer all the questions and

give the full argument, e.g. longer research-oriented policy papers like the policy study<sup>17</sup>. With this need in mind, it is important to connect this shorter argument in the brief to the full version, or as we put it - connect the tip of the iceberg to the actual iceberg. If the brief is presented in a PDF, you can also include a hyperlink to the full study. The following example of a link to the original is taken from a policy brief<sup>18</sup> and appears at the bottom of the first page:

This policy brief is based on the PREM Working Papers, 'Pastureland degradation and poverty within herder communities in Mongolia: data analysis and game estimation' by Wietze Lise, Sebastiaan Hess and Byamba Purev, and 'Carrying capacity dynamics, livestock commercialisation and land degradation in Mongolia's free market era' by Ton Dietz, Enkh-Amgalan, Tumur Erdenechuluun and Sebastiaan Hess. The full reports are available online at: [www.prem-online.org](http://www.prem-online.org)

## 8. CONTACT DETAILS

### Key question – Who is the author?

In the policy brief, the focus is not just on the message in the paper, but on who is presenting the analysis, i.e. the messenger. Building your credibility is important in policy communities and so, clearly stating who you are and how you can be contacted is important. On a more practical note, you are hoping that stakeholders will want to ask you more questions and follow up on the brief, so making it easy for them to do so is important.





# 5. The Branding and look of policy briefs

When you see a series of policy briefs from an organisation, they tend to have the same look, with a professional and marketing-oriented style and using many different features and graphics to allow ease of access to the main messages (See Figure 3 below). The branding and look/layout of your brief are very important features you need to consider in putting together a brief.

Figure 3: Example of a policy brief template and layout (See full samples in Annex 1)

Policy Brief 50 Policy Development Fellowship Program 2009-2010

Open Society Fund Bosnia & Herzegovina

## The Final Step in Reforming the Judiciary: Disposition of All Cases in Reasonable Time<sup>1</sup>

Azra Becirovic, Amer Demirovic and Rusmir Sabeta

**A major EU integration requirement**  
One of the main requirements for the European Union membership is an independent and efficient judicial system, ensuring the right to a fair trial within a reasonable time, in line with the Convention for the Protection of Human Rights and Fundamental Freedoms. Bosnia and Herzegovina embarked on a comprehensive judicial reform to achieve this objective. While the independence of the judiciary has improved significantly, the ability of courts to dispose cases within a reasonable timeframe is yet to improve.

**The most expensive and slowest court system in Europe**  
In an attempt to improve the court ability to dispose cases within a reasonable timeframe, resources available to courts have been significantly increased. Operating costs of the court system increased from 82 million KM in the fiscal 2005 to 128 million KM in the fiscal 2009 and now they are relatively the highest among all member countries of the Council of Europe, in terms of GDP per capita (CFPEJ, 2008). In other words, the citizens of Bosnia and Herzegovina pay the highest percentage of their income for the judiciary. On the other hand, citizens and firms in Bosnia and Herzegovina must wait unreasonably long, even for years and in some instances decades, until the courts decide their cases. According to the European Judicial Systems report of the European Commission for the Efficacy of Justice (CFPEJ, 2008), this waiting time in Bosnia and Herzegovina is the longest in Europe.

**Summary**  
The court system in Bosnia and Herzegovina is the most expensive in Europe, in relative terms. Yet courts in BH need the longest time to dispose cases. The court operating budgets increased from 82 million KM in 2005 to 128 million KM in 2009 without a noticeable improvement in disposition time. This apparent inability of courts to improve their performance stems from the outdated and partial performance management. A modern and comprehensive performance management policy must be implemented to improve efficiency of courts to a level required to bring disposition times within a reasonable range. The first step is to officially adopt a comprehensive set of performance indicators at the court level, that should at least capture the average judge performance, ability to handle the incoming cases, disposition time and average cost per case. In the second step, performance targets should be officially set. Finally, funding decisions and appointment decisions should be primarily based on performance.

**More judges, bigger budgets, but more cases pending**  
The inability of courts to dispose cases within a reasonable time stems from the number of pending cases which is alarmingly high and on the rise, despite significant increases in resources available to courts. During the past four years, the budgets increased by 56%, from 82 million KM to 128 million KM, while number of pending core cases also increased from 453,336 cases to 620,866 cases, an increase of 37%.

**Average time to dispose a civil litigious case in days**

<sup>1</sup>This Policy Brief is based on a policy study titled "Meeting the EU Membership Requirements through a Better Performance Management in Courts" sponsored by the Policy Development Fellowship Program 2009/2010 of Open Society Fund Bosnia & Herzegovina. The study is freely available at www.oscf.org.ba

## 5.1 Branding your policy brief

In the simplest sense of the word, the branding process refers to the need to mark your product in a distinctive manner in order to distinguish it from those you are competing with. Over time, such markings or brandings become well known as points of association with the source organization. Put in more day-to-day practical terms, a decision maker's desk and email inbox is commonly inundated with paper and publications on a daily basis, e.g. letters, legislation (in all stages of development), reports, policy papers, journals, newspapers, magazines etc. In order to be distinguished from this sea of black and white, advocacy organisations often choose a logo, colour scheme and layout that they hope over time will become strongly associated with them, so that the decision maker can look at his or her desk or inbox and immediately know that there is something new from organization X.

One caveat: branding itself does not create reputation, it just builds recognition! Only the strength of your analysis and argument and your ability to influence decision-making over a long period of time will build a reputation for your organization.

Distinguish the look of your briefs from other sources.

## 5.2 Building a template for your briefs

Organisations often produce a template for their briefs through which they maintain a consistent brand though the continuous use of a combination of features. The samples in Annex 1 are one example of this. The features that are held consistently in the template can vary, but often include some of the following:

- Organisation name and logo on opening page;
- Coloured header/footer on all pages and/or a special title page;
- Numbering the brief in the series of briefs, e.g. as in sample in Figure 3, this is brief number 50;
- Font choices, sizes and styles for headings, subheadings and main text;
- Length of the brief, e.g. some organisations insist that their briefs be no longer than four pages;
- The layout of columns on the page (Many briefs have either two or three columns of text on each page);
- Presentation of supporting text, e.g. either in boxes or backlit, with bullets or numbers;
- Presentation of striking facts or cases, e.g. in graphs or tables, with supporting graphics or pictures;
- Presentation of the executive summary, e.g. either as supporting text or in an opening box;
- Highlighting particular points in the text, e.g. using headline quotes.

This template is usually kept in Microsoft Word or on a desktop publishing package like Quark Express or Photoshop.

**Build a branded template for your briefs that you can easily reuse.**



### 5.3 *Presentation and layout for the skim reader*

An issue that obviously overlaps with the choices made in branding your policy briefs is the simple issue of working on a presentation and layout of the brief that maximizes the ease of access to the main messages and key findings.

**Plan multiple points of access and entry to the key findings and main message.**

The readers you need to have in mind are those who are skim reading the brief to decide whether the full brief is worth giving time to in their busy schedule. In the process of skim reading, people usually start by quickly looking at features like titles, subtitles, executive summaries, tables, graphs, pictures, and other highlighted elements of the text. In fact, as a way of checking if the key messages and findings are clear, we often get policy brief writers to test their briefs by asking them to look at only these features together and not read the main text. Also don't be afraid to repeat the main messages through the different elements of the text as the skim reader may only notice the message later in the brief!

As previously mentioned, reducing the complexity and managing the space and length in a policy brief is a continual challenge. There is often a temptation with policy brief writing to make the font and/or spacing smaller to fit in extra words. We would suggest rethinking where you can make cuts rather than packing in the extra text in this way, as the readability, general attractiveness and access to the messages of the whole policy brief can be compromised.

**Try to keep the layout clean and not to pack in too much text**

## 6. Seven Key Lessons for Policy Brief Writers



This chapter covers the issues and questions that in our experience seem to come up all the time for those developing their policy brief writing skills.

*Lesson 1 - The policy brief is not a summary of the policy study; it is an advocacy tool trying to engage and interest your audiences.*

The starting point for a brief is not the idea of presenting your research or analysis in a shortened format, but rather the intention is to engage a broader less specialist audience and get them interested in what you have to say. As an advocacy tool, the point is to choose those things that would interest or surprise that audience (sometimes called *striking facts*) and then provide more opportunities through different tools/events/meetings to find out more about the analysis you are presenting.

So, the policy brief not just a 'sexy version' of the executive summary of a longer paper! If you think about the process of summarising, you are usually instructed to remove the detail and collect the main points of the argument as an overview. This works well when attached to a longer paper so you can go deeper, but as a stand-alone document it is not that accessible, especially for those who are not experts in the topic. When people try to summarise a longer paper in four pages, you often see a lot of text in tiny fonts that makes it even less accessible. Remember, you are trying to present the tip of

the iceberg that would interest the audience, not squeeze in a summary version of the whole iceberg.

**As an advocacy tool, the policy brief presents the key points chosen from the research to engage the target audience; it does not summarise the whole policy study/longer analysis.**

*Lesson 2 - Don't send a policy study to informed, non-specialists*

The big mistake that people make is sending the more detailed and expert-focused policy studies to non-specialist audiences, such as decision makers, without being accompanied by a brief. The problem with this approach is not only that they don't have time to read such documents, but maybe even more importantly; they actually cannot read them, as they mostly don't have the necessary expertise. Not surprisingly, those who send policy studies to non-expert audiences tend to get little or no response to their papers.

**Informed, non-specialist audiences don't have the time or expertise to digest expert papers.**

*Lesson 3 - Not all briefs are produced from studies, but can also be produced as quick responses by organisations with topic expertise.*

It is often necessary to produce both a policy study and a policy brief for an advocacy campaign. However, it is important to point out that not all briefs are produced from previously written policy studies. The main reason for this is usually practical and is related to the time available to respond in a particular situation. If a crisis or emergency arises, analysts often need to respond in a relatively short time, and a policy brief is often what is possible and needed. But, it is important to note that organisations who produce briefs not based on previous studies usually have a track record of continually monitoring or commentating on the target policy area for some time, i.e. to continue our metaphor, they already have an iceberg of previous research and analysis to draw on.

**Policy briefs are often short response pieces, built on previous expertise/analysis.**

*Lesson 4 – Making a brief ‘simple’ and accessible doesn’t mean simplifying the message/content!*

Over the years working with policy writers, the following question always comes up: are we not just reducing the complexity and therefore, value of our argument by presenting it in a brief? Simply put, this question emerges from an academic expectation of the role of any paper, i.e. that they should contain all elements of justification to support the positions put forward. There is simply no way to view the policy brief outside of the advocacy context in which it has evolved and the advocacy purpose it is used for. In this way, there is a clear relationship between the brief and expert discussions presented in longer, more developed expert papers. Or put another way, the complexity will follow the discussion started in the brief. Further, another assumption behind the question is that the more accessible you make the argument for non-specialists, the more you simplify and reduce the quality of the argument. Again we would challenge this position, and propose a ‘translation’ process of communicating complicated ideas in simple language that goes by the maxim of ‘making simple, but not simplifying<sup>19</sup>’. This is indeed challenging, but can also help to further clarify the arguments and positions taken in longer papers. In fact, many researchers we have worked with adopt the clearer terminology/explanations approach also in their longer expert papers, having gone through this process!

*Lesson 5 - Policy briefs are not normally published in journals, newsletters or magazines.*

The policy brief is a stand-alone document that is normally made available in published paper copies and in PDF format on websites and distributed by post or email. Although there may be commentary or summaries of policy briefs in journals or newsletters, these are the primary dissemination vehicles for them. It is not an academic product; it is an advocacy tool to be used to support meetings, discussions and pique the interest of stakeholders.

1. Setting new policy goals/agendas	2. Arguing Options	3. Putting forward a new solution
Rationale	Rationale	Rationale
Recommendations at the goal level	Options	Recommendations at a detailed programme proposal
	Recommendations	

**Figure 4 – Alternative approaches to managing space in policy briefs**

*Lesson 6 – Be creative in using the limited space available to suit your purpose.*

One of the great challenges of the brief is how to put something meaningful in four pages, and often proves more difficult for researchers than writing the 50 page expert paper! In our analysis, we can see that the advocate’s purpose and the type of discussion they are targeting lead them to make decisions on how to lengthen and shorten the various structural elements of their brief. Three common examples of writers choosing an altered approach are provided below:

*Lesson 7 - The general public do not read policy briefs.*

To reach the public, you need to use media (newspapers, TV, radio), Internet or direct-action communication tools (websites, social networking, posters, leaflets etc). They do not read policy briefs. In our experience, most people we meet from outside the civil society and government world have no idea what a policy brief is, and nor should they need to know.

**You need different communication tools to reach the broader public, e.g. a media/social media plan.**

## 7. Checklist to Plan your Brief



### *Key focusing questions to engage your audience (Chapter 2, Page ?)*

- Who is/are the informed non-specialist target audience(s) for your brief? List them by type and write down names to help you keep this audience in mind as you write.
- How does your audience talk about this problem? What is their narrative and what are their positions?
- What surprising or striking facts or insights from your analysis would have the best chance of interesting, surprising or engaging the target audience?
- What overall message will you send in the brief? Write it down in two sentences.

### *Planning the elements of your policy brief (Chapter 4, Page ?)*

#### 1. TITLE

- Is your title the same as the one you used in the longer paper or analysis?
- Try to make it more 'sticky' or memorable and engaging for this audience.

#### 2. EXECUTIVE SUMMARY

- What key elements of the rationale/problem will you include in your summary?
- How will you summarise your proposal/recommendation in one or two sentences?
- Does your summary convince the reader to read further?

#### 3. RATIONALE FOR ACTION ON THE PROBLEM

- What elements of the problem/policy failure will you focus on to illustrate its importance and urgency to the target audience?
- What evidence can you use to demonstrate the impact or magnitude of the problem?
- Are there any 'striking' (i.e. dramatic) facts, graphs, photos, stories or maps that you could include to support your points?

#### 4. PROPOSED POLICY OPTION(S)

- Are you going to develop this part with multiple options or just focus on your proposed option?
- Which policy option(s) are you arguing for/against?
- What arguments and evidence will you provide to demonstrate the strengths/weaknesses of the option(s) included?

#### 5. POLICY RECOMMENDATIONS

- Which specific steps or measures should be taken (and by whom) to realistically and feasibly implement the chosen option?
- Are you going to close the paper with a closing call to action?

#### 7. SOURCES CONSULTED OR RECOMMENDED

- Are you going to include some references to support points made in the brief? (the sources consulted approach)
- Or will you include documents (that you previously wrote) that also support the position you are putting forward? (the sources recommended approach)

#### 8. LINK TO ORIGINAL RESEARCH/ANALYSIS

- Have you got a full reference and links to the longer supporting paper or analysis that are the basis for the brief? (especially the more expert-oriented paper?)

#### 9. CONTACT DETAILS

- Are you going to include all details? Name, address, phone, website, email etc





## 8. Two Sample Policy Briefs

### ***Presentation and layout of your policy brief (Chapter 5, Page ?)***

- How will you disseminate the policy brief to the target audience?
- What impression would you like to create for the reader when they look at your brief?
- Does the brief template you are using create the intended impression?
- Can you easily skim read the brief and get the main message and striking facts?
- Does the brief look full or crowded? Or is there enough space between the elements?

The two sample policy briefs included were developed as part of a policy fellowship programme run by the Open Society Fund in Bosnia<sup>20</sup>. The ICPA team were capacity development partners on the project for the 10 years of its existence. These briefs are included in the guide as samples to illustrate the approach of 4 analysts/writers, not as models to follow.

The two papers are:

1. Becirovic, Azra, Amer Demirovic, and Rusmir Sabeta (2010) The Final Step in Reforming the Judiciary: Disposition of All Cases in Reasonable Time. Policy Development Fellowship Program 2009–2010. Policy Brief 50. Open Society Fund, Bosnia and Herzegovina. Available online: [http://www.osfbih.org.ba/images/Prog\\_docs/PDFP/pdfp\\_10/ENG\\_PB\\_50\\_Azra\\_Becirovic\\_Amer\\_Demirovic\\_and\\_Rusmir\\_Sabeta.pdf](http://www.osfbih.org.ba/images/Prog_docs/PDFP/pdfp_10/ENG_PB_50_Azra_Becirovic_Amer_Demirovic_and_Rusmir_Sabeta.pdf)
2. Becirevic, Majda (2007) Schools in BiH Know How to Include Roma Children. Policy Development Fellowship Program 2006–2007. Policy Brief. Open Society Fund, Bosnia and Herzegovina. Available on World Wide Web. URL: [http://www.osfbih.org.ba/images/Prog\\_docs/PDFP/pdfp\\_06-07/brief\\_eng\\_06/majda\\_becirevic\\_final\\_policy\\_brief\\_eng.pdf](http://www.osfbih.org.ba/images/Prog_docs/PDFP/pdfp_06-07/brief_eng_06/majda_becirevic_final_policy_brief_eng.pdf)



# The Final Step in Reforming the Judiciary: Disposition of All Cases in Reasonable Time<sup>1</sup>

Azra Becirovic, Amer Demirovic and Rusmir Sabeta

### A major EU integration requirement

One of the main requirements for the European Union membership is an independent and efficient judicial system, ensuring the right to a fair trial within a reasonable time, in line with the Convention for the Protection of Human Rights and Fundamental Freedoms. Bosnia and Herzegovina embarked on a comprehensive judicial reform to achieve this objective. While the independence of the judiciary has improved significantly, the ability of courts to dispose cases within a reasonable timeframe is yet to improve.

### The most expensive and slowest court system in Europe

In an attempt to improve the court ability to dispose cases within a reasonable timeframe, resources available to courts have been significantly increased. Operating costs of the court system increased from 82 million KM in the fiscal 2005 to 128 million KM in the fiscal 2009 and now they are relatively the highest among all member countries of the Council of Europe, in terms of GDP per capita (CEPEJ, 2008). In other words, the citizens of Bosnia and Herzegovina pay the highest percentage of their income for the judiciary.

On the other hand, citizens and firms in Bosnia and Herzegovina must wait unreasonably long, even for years and in some instances decades, until the courts decide their cases. According to the European Judicial Systems report of the European Commission for the Efficiency of Justice (CEPEJ, 2008), this waiting time in Bosnia and Herzegovina is the longest in Europe.

For example, it takes an average of 135 days for a court in Austria to dispose a civil litigious case, while the average disposition time in Bosnia and Herzegovina is 701 days. This problem has been confirmed by an increasing number of rulings of the Constitutional Court of Bosnia and Herzegovina concerning excessive delays in court proceedings. Namely, courts of general jurisdiction were found responsible for the violation of the right to a fair trial in a number of cases brought before the Constitutional Court. Moreover, it has publicly invited courts of general jurisdiction to pay more attention and comply with the human rights standards set by the **Convention for the Protection of Human Rights and Fundamental Freedoms** with regards to the reasonable time requirement.

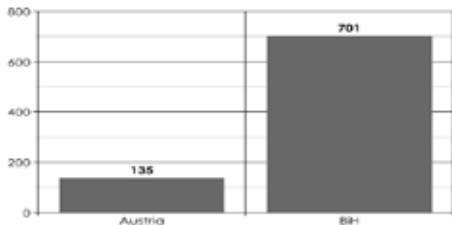
### More judges, bigger budgets, but more cases pending

The inability of courts to dispose cases within a reasonable time stems from the number of pending cases which is alarmingly high and on the rise, despite significant increases in resources available to courts. During the past four years, the budgets increased by 56%, from 82 million KM to 128 million KM, while number of pending core cases also increased from 453,336 cases to 620,866 cases, an increase of 37%.

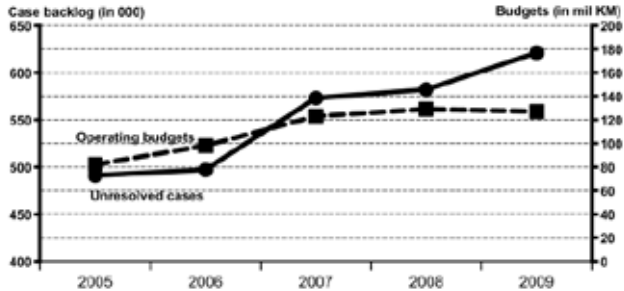
### Summary

The court system in Bosnia and Herzegovina is the most expensive in Europe, in relative terms. Yet courts in BiH need the longest time to dispose cases. The court operating budgets increased from 82 million KM in 2005 to 128 million KM in 2009 without a noticeable improvement in disposition time. This apparent inability of courts to improve their performance stems from the outdated and partial performance management. A modern and comprehensive performance management policy must be implemented to improve efficiency of courts to a level required to bring disposition times within a reasonable range. The first step is to officially adopt a comprehensive set of performance indicators at the court level, that should at least capture the average judge performance, ability to handle the incoming cases, disposition time and average cost per case. In the second step, performance targets should be officially set. Finally, funding decisions and appointment decisions should be primarily based on performance.

Average time to dispose a civil litigious case in days



Average time to dispose a civil litigious case: Austria - 135 days BiH - 701 days



### What causes the problem?

The fact that pouring resources into the court system has not reduced the number of pending cases and made a notable impact on case disposition times implies that performance management in courts is inadequate. An assessment of the current performance management policy clearly confirms this implication:

- The performance of courts is not comprehensively and consistently measured
- There are no clearly defined performance indicators and performance expectations
- The cornerstone of the current performance management policy is a simple quota system which sets the number of cases each judge should resolve each month. The system does not differentiate cases between their complexity, thus providing a perverse initiative for judges to focus on simple, easily disposed cases,

those that in most instances do not require decision making

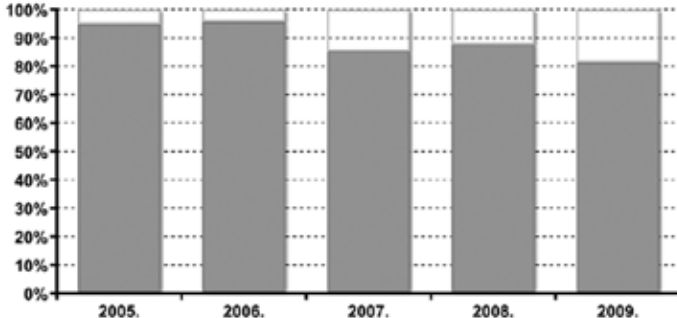
- The quota system does not have any role in managing the court system

### Towards a comprehensive performance management policy

The performance of courts should be examined from various aspects. The European Commission for the Efficiency of Justice (CEPEJ, 2008) employs two basic indicators: Clearance Rate and Disposition Time.

**Clearance Rate** indicates an ability of a court to handle the incoming cases. It is defined as the number of disposed cases as a percentage of incoming cases. If the clearance rate is 1 or 100% than a court resolves all received cases within a time period. If this ratio exceeds 100%, than a court solves more cases than it receives and thus reduces its case backlog. On the other

Average Clearance Rate of litigious cases in first-instance courts: constantly below 100%



<sup>1</sup>This Policy Brief is based on a policy study titled "Meeting the EU Membership Requirements through a Better Performance Management in Courts" sponsored by the Policy Development Fellowship Program 2009/2010 of Open Society Fund Bosnia & Herzegovina. The study is freely available at www.soros.org.ba



hand, a clearance rate below 100% implies an increase in case backlog and should be seen as a red flag. The clearance rate for litigious and enforcement cases in the first-instance courts was below 100% every year from 2005 to 2009.

**Time to Disposition** indicates the average time in years needed to resolve all pending cases. According to this very measure based on 2006 data, Bosnia and Herzegovina was placed last among 48 member countries of the Council of Europe. This indicator shows that disposing a litigious case, for example, can take 7 years, while disposing a criminal case lasts for a maximum of 1.7 years.

#### Maximum Time to Disposition in the first-instance courts in 2009:

- enforcement cases: 30.1 years
- litigious cases: 7 years
- commercial cases: 3.1 years
- non-litigious cases: 3.1 years
- criminal cases: 1.7 years
- business registry: 0.2 years

Clearance Rate and Time to Disposition show two important aspects of the situation in courts, but it is important to note that these two indicators do not reveal anything about the efficiency of the use of court resources. Therefore, they are not issues *per se*, but rather consequences of issues. In other words, a court, for example, may have favorable indicators only because it has an excess number of judges and a comparable court may appear problematic because it lacks sufficient resources. Therefore, a measure that compares court results and resources is needed to take into account this dimension of the performance.

**Cost per Case** is a measure recommended by National Centre for State Courts (NSCS, 2009). Cost per Case simply indicates the cost to process a case. A court incurring a higher than average cost to process a case is deemed inefficient and *vice versa*. Our study shows that court efficiency, as implied in Cost per Case, greatly varies. The most efficient second-instance court annually saves 2.6 million KM, while the most

inefficient one spends 3.1 million KM above the average cost. Similarly, the best-performing first-instance court saves more than 1.1 million annually, while the worst performing court annually spends 1 million KM that cannot be justified by the number of resolved cases.

#### Recommendations

A comprehensive performance management policy should be implemented to meet the following objectives:

1. All currently pending and incoming cases must be resolved within reasonable timeframe;
2. Court cases should be disposed in an efficient manner ("do more with less").

A new policy should be developed based on the following principles:

#### Performance management at the court level

- Performance at the court level should be comprehensively assessed. At minimum, the following performance indicators should be regularly reviewed:
  - Average judge performance
  - Clearance rate
  - Disposition time
  - Cost per Case
- Targets for the above indicators should be officially set;
- Performance should be assessed regularly;
- Decisions to increase the number of judges and funding decisions should be primarily based on performance indicators. Additional resources should be made available to efficient courts (i.e. courts with favorable cost-per case and average judge performance indicators);
- Assessment of the court president performance should be based primarily on performance indicators;
- Timeframes for disposing particular types of cases should be officially adopted;
- To ensure integrity of data and the performance measurement, court reports should be reviewed or audited by an independent institution.



Azra Becirovic



Amer Demirovic



Rusmir Sabeta

#### Performance management at the judge level

- Cases disposed by issuing a judgment should have outsized weight (i.e. 90%) in performance indicator at the judge level, while the cases disposed by administrative means should have low weight (i.e. 10%);
- There should be enough support staff to relieve judges from all administrative duties and work on cases where no judgment is needed or simplified procedures can be applied;
- Performance indicator at the judge level should take into account case complexity. In other words, complex cases should have higher weight in the performance measurement relative to simple cases;
- Generally, exceeding the performance should be rewarded if it is necessary to meet the objective of disposing all cases within reasonable time. An example when exceeding performance would be a necessity is a temporary increase in inflow of cases;
- Training should be used as a tool to improve underperformance;
- Performance should be expected to improve over time. Therefore, newly appointed judges should be expected to perform at a lower level than their experienced colleagues and their performance should be expected to increase over time.

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#### Authors

**Azra Becirovic** earned her MA in Public Administration Reform at the University of the West of England, Bristol, with the master's dissertation on performance measurement in courts. Azra has been working in public administration, including judiciary, since the graduation at the Sarajevo School of Economics and Business. She is presently working in the Sarajevo Canton Ministry of Finance.

**Amer Demirovic** graduated at the School of Economic in Sarajevo. He holds master degrees in economics, finance and public administration reform, and currently works on his PhD thesis at University of the West of England. He is currently with the High Judicial and Prosecutorial Council of BiH.

**Rusmir Sabeta** is a lawyer with extensive experience in judicial administration. He works for the High Judicial and Prosecutorial Council of BiH, and is currently the National Correspondent of Bosnia and Herzegovina at the European Commission for the Efficiency of Justice.







# SCHOOLS IN BIH KNOW HOW TO INCLUDE ROMA CHILDREN

Majda Bećirević

## THE RIGHT TO EDUCATION

The right to education is a basic human and child right and the safest way to change a path from poverty to a decent life and from marginalisation to participation in society. And yet, a staggering 80% of Roma children in Bosnia and Herzegovina (BiH) are excluded<sup>1</sup> from primary schooling. This policy brief is based on research conducted in BiH in autumn 2006 and in it I will present the main points around Roma exclusion and the ways to overcome it in BiH focusing on the level of schools. More detailed version of this research can be found in policy study: "Inclusion of Roma children in BiH education: principal challenges and solution". The brief will also offer a critique of the current dominant policy for the education of Roma children i.e. the Action Plan on the Educational Needs of Roma and Members of other National Minorities in Bosnia and Herzegovina (NPA). The findings of this research show that the NPA is not producing the desired results because it divides responsibility between several stakeholders, while at the same time neglecting the role of individual schools in including Roma children.

Whilst acknowledging the role of Nongovernmental organisations (NGOs), the position taken here is that NGOs cannot and should not overtake responsibility for the provision of education for Roma children. Instead it is argued here – taking note of successful practices identified in the schools - that the long-term inclusion of Roma children in BiH education can only be achieved if individual schools take more responsibility in meeting their pedagogical and educational demands. In addition adopting and implementing this policy option does not require additional resources, any change in legislation or significant increase in the workloads of teachers and school management.

<sup>1</sup> In this brief exclusion will be used as a term for non attendance or drop out of Roma children from education, because they so often encounter exclusionary practices and barriers, such as: prejudice, long standing discrimination, lack of understanding for their lifestyle, inability to pay for books and school materials.

## EXCLUSION OF ROMA

Roma people in BiH suffer from extremely poor housing and experience severe discrimination in employment and educational opportunities. According

"We have lots of Roma children in our classes, but we have a number of difficulties because parents are irresponsible and do not send them to school... they are not excluded, they exclude themselves" (*Defectologist*).

to the BiH Helsinki Committee for Human Rights, employment amongst Roma in BiH is as low as 1.5 per cent. OSCE argues that the position of Roma is strongly linked to gross violations of their human rights. Vast numbers of Roma have not reclaimed their pre-war property and have been left without compensation (ERRC, 2004).

By reviewing education policy documents in BiH it appears that the exclusion of Roma children from education is being addressed from several different avenues. However, it is interesting to note that no policy currently addresses the practices of individual schools nor suggests feasible actions that can be taken at the school level in order to reduce exclusion. When researching inclusive education in April and May 2006 in BiH, I also explored the issue of Roma exclusion. It appears that teachers, school principals and pedagogues in BiH are supportive of inclusive education, but do not consider Roma children to be part of inclusion initiatives, even though inclusive education is considered as one aspect of inclusion in society (Booth, Ainscow, Black-Hawkins, Vaughan, Shaw, 2000) and does not apply only to children with special needs. Furthermore, I was surprised to learn how little consideration some schools give to the schooling of Roma children. Teachers seem oblivious to the life style of Roma people, the levels of poverty they live in and the levels of discrimination they experience. They are also unwilling to adopt school instruction, or to make school a flexible place, accessible for Roma children (in Bećirevic, 2006).

## EXCLUSION FROM EDUCATION

Existing data suggests that 80% of Roma children in Bosnia and Herzegovina who are not in school do want an education (Budimo Aktivni and UNICEF, 2005). The same study revealed the presence of prejudice and discrimination towards Roma children from parents of other children and school staff. Research conducted for this policy study - involving interviews with children and parents – have confirmed the preceding claims. Indeed all Roma parents and children interviewed in this study stressed how important education is to them. This finding strongly challenges the views – expressed by some opinion formers and members of the general public that Roma people have a very low awareness of the importance of education and actually forbid their children from attending school. The main reasons for school nonattendance, as reported in this study, as well as in several other studies (UNICEF, 2005; Save the Children, 2006a) are the inability of parents to pay for schoolbooks, stationery and transport when that is necessary. Also if they are not approached and offered support directly either from Roma associations, NGOs or schools, parents themselves do not know where to seek support if they have a problem in educating their children.

Addressing and solving the issues that surround Roma children's exclusion from education is of the utmost importance because denying children the right to education has grave consequences, and it means denying other rights as well. However, if it is provided, education promotes the realization of social and economic rights, increases employment chances, as well as health, access to housing and food. Education improves quality of life for individuals, but it also helps promote peace, democracy and economic development in a country (Save the Children, 2006b).

"... teachers need to have patience. Some of the Roma children are not so fluent with language. In this school teachers of mother tongue are instructed not to be too sensitive towards mistakes Roma children naturally make with language. It is easy to say you do not speak and write correctly and we are going to fail you" (*School principal, Sarajevo*).

## ROLE OF NGOs AND INTERNATIONAL ORGANISATIONS

Informants who participated in this research frequently referred to Save the Children, UNICEF and Open Society Fund and some the practices that these have introduced. Therefore it is evident that some of the initiatives and training that NGOs have conducted will be sustained in the future. However relying on NGOs to initiate actions and provide support on a permanent basis is not a feasible policy option. Also implicitly delegating responsibility for Roma education to NGOs without the meaningful engagement of school staff puts the Roma people in the position of outsiders, and thus may reduce their confidence in school management and teachers. Another reason why NGOs cannot take over responsibility is because their funding remains very uncertain. Larger NGOs and international organisations operate all over the world and every year they reduce funding for BiH in order to focus attention on countries that are currently in crisis. Therefore a policy option where NGOs have significant responsibility is not one that is appropriate for the education of Roma children in BiH. Instead state authorities will need to find ways to overcome the exclusion of Roma children using existing resources within the current educational system - without relying too heavily on NGOs and international organisations.

## ACTION PLAN ON THE EDUCATIONAL NEEDS OF ROMA AND MEMBERS OF OTHER NATIONAL MINORITIES IN BOSNIA AND HERZEGOVINA

At the moment, the NPA- Action Plan on the Educational Needs of Roma and Members of other National Minorities in Bosnia and Herzegovina (2004) – can be considered the main policy document when it comes to the education of Roma children. Adopted in 2004 this document proposed several good measures, such as increasing resources, introducing the teaching of Roma language and raising awareness on Roma children's education. For example NPA proposals to remove financial barriers have been welcomed by all those concerned with Roma education, as well as among Roma parents themselves. One of the problems with the implementation of the goal in the action plan is that the NPA delegates responsibility to entity and cantonal ministries of social welfare, education and finance and municipal and school authorities. Giving responsibility to several bodies leads to a reduction in the responsibility of any single body thereby creating confusion as to who should provide what.

Another proposal made by the NPA is that more attention needs to be given to introducing the teaching of Roma language in BiH schools. While doing research with Roma children and their parents I asked them how they think their language needs could be addressed. They told me that they do not speak Romani, though they would like to learn it because it is an important part of their culture and heritage. Their idea was that learning Romani could take place somewhere in a community or as an extracurricular activity in the school. At this point in time, and perhaps in the coming years this suggestion should be realistically considered, as an immediate introduction of Roma teaching into schools is impossible because there are so few people who can teach Romani in BiH, and these few would not be able to fulfil the demands of all schools. In addition to these issues however probably the main shortcoming of the NPA's policy is that it does not give sufficient attention to what individual schools can do in order to increase inclusion, even though schools are naturally positioned in the centre of Roma children's education.

**POLICY RECOMMENDATION: Schools and local communities take responsibility for education of Roma children**

The policy option singled out in this research as the most effective encourages schools to take more responsibility not only in providing education for the average learner but in adapting the educational and school environment to a diverse child population. This policy option does not stand against the current NPA policy, but gives additional support to it by addressing the responsibility of schools, something that the current NPA failed to do. This policy option is drawn from discussions with school principals, teachers, Roma children and parents and is based on successful examples of what schools can do in providing books, employing Roma assistants and adapting teaching and school cultures.

In providing books and transport for Roma children, a proactive approach encountered in some of the researched schools made a real difference. For example the school principal and pedagogues were aware of a number of Roma children in their area and looked for ways to include them. Furthermore they sought co-operation with Roma parents, Roma associations, international NGOs and government bodies. Before the beginning of the school year school staff and management would get in touch with Roma associations or NGOs. Together they would exchange available data and agree on a strategy as to what steps to undertake and where to seek support. Were support for school-books not to be provided by the Ministry of Education,

the school principal would then seek support from municipality officials and international organization. When it comes to the role of Roma assistants it is important to note that not all schools require one-only schools in those areas where there is a significant population of Roma. Schools visited within this project reported that help from a Roma assistant increased inclusion of Roma children. If the government refuses to meet the cost of employing Roma assistant, schools could seek support from international organizations or the municipality. In order to reduce the cost 2-3 schools in one area could share the services of one Roma assistant. The role of Roma assistant is crucial when it comes to connecting the Roma community and the school. A Roma assistant would have

*“They need little bit more love and attention... when they just come to school we need to work a lot on socialization with younger children. Educationally in later classes they experience problems with more difficult subjects’ mathematics and physics and that is where they need extra bit of attention” (School principal).*

a responsibility to conduct assessments before every school year on the number of Roma children that are due to be enrolled in a particular area/municipality, to act as a liaison between Roma and a school, and to advise staff on the needs of Roma children.

When it comes to adapting school instructions and school cultures this research shows that the values promulgated by school management were reflected by the whole staff who demonstrated flexibility in

Table 1:  
Techniques for schools identified as successful for education of Roma children

	TECHNIQUES	WHAT IT ENTAILS
FOR SCHOOL PRINCIPAL AND MANAGEMENT	Prepare and encourage teachers to get more involved	Discuss Roma issues at staff meetings. Encourage staff to show flexibility towards the life style of Roma children and to give extra attention to Roma children. Examine major difficulties that staff encounter and help them to find ways to overcome those.
	Seek support from municipality officials	Try to arrange meetings with head of municipality to discuss issues of Roma children’s education. Seek support from municipality funds for books for underprivileged Roma and other children.
	Seek support from international organisations	Through letter, e-mail or call describe the situation in your school and ask for support in the education of Roma children.
	Investigate why children drop out	Collect available figures on Roma children in your area, from NGOs or municipality. Visit Roma settlement with Roma representative. Talk to parents and children about reasons for non-attendance and offer your support.
	TECHNIQUES	WHAT IT ENTAILS
FOR TEACHERS AND ALL SCHOOL STAFF	Show willingness to include Roma	Provide a little bit extra attention to Roma children, even if only a few minutes. Give praise for every achievement and support where the child needs it. Address bullying or any discrimination towards Roma children. In accordance with their age talk to class as a whole about equality and respect for others regardless of their national or social status.
	Develop an individual and tailor made approach for every Roma child	Some Roma children have problem in mastering language, do not discourage them but pay extra attention to that. In other cases Roma children’s achievement might be affected because they never attended school and do not know behaviours appropriate for the school. Talk to a child individually and seek support from a pedagogue or Roma assistant. Encourage every child to express their concerns and worries and try to address those in a supportive manner.



**Majda Becirevic has worked for several years in education in B&H on projects aimed at including children who are for any reason out of school. She has a Masters degree in Inclusive and Special education from Cambridge University where she researched meanings of inclusion in B&H. She is currently researching about children with disabilities and their families in Eastern Europe as a part of doctoral studies at the Open University in England. For comments and further clarifications on recommendations and position expressed in this paper please write to: Majda Becirevic m.becirevic@open.ac.uk**



A “Policy Development Fellowship Program” has been launched by the Open Society Fund BiH in early 2004 with the aim to improve BiH policy research and dialogue and to contribute to the development of a sound policy-making culture based on informative and empirically grounded policy options. The program provides an opportunity for selected fellows to collaborate with the Open Society Fund in conducting policy research and writing a policy study with the support of mentors and trainers during the whole process. Twenty seven fellowships have been granted in three cycles since the starting of the Program. All policy studies are available at [www.soros.org.ba](http://www.soros.org.ba)

teaching and readiness to address the pedagogical needs of Roma children. In discussions school staff stressed that educating Roma children does not require any special methodology or technique. According to those in the field when educating Roma children, school staff needs to be understanding and flexible – able to give that little bit extra attention to Roma children. Their role also encompassed addressing any discrimination that occurs in the school, because it is this that hurts Roma children and makes them feel unwelcome. Again addressing discrimination does not require any additional program, but simply making children aware that differences are welcomed and need to be celebrated. If taken forward this policy option has a chance to increase inclusion of Roma children and support the development of a more flexible and responsive education system.

**How to achieve this policy option**

This policy option can be realistically achieved because it is something that is already practiced in some schools in B&H. Cantonal ministers of education would play a role by meeting school principals and putting this option across. Right now there is momentum to achieve this option because of the pressure from international organisations, NGOs and human rights activists to achieve greater inclusion of Roma children. If this policy option gains acceptance Roma children will be treated as all other children of B&H who come from an underprivileged background, and not as outsiders. Furthermore OSCE and international organisations already have some data on the numbers of Roma children and where they are located and this needs to be communicated to education ministries as a starting point of reference. In addition a booklet containing instruction on the inclusion of Roma, information on Roma community, resources that schools can utilize and ways that the school culture can be adapted will be produced and distributed to schools.

The safest way to end the poverty that Roma people live in is by providing them with access to inclusive and relevant education. Achieving an education system that is inclusive is a never-ending process that needs to be started from the schools and local communities if we want it to be accepted and further developed. If schools adopt inclusive values and

principles they will be more successful in educating Roma children and in overcoming obstacles for any other marginalized group in society. Based on these premises and on the assessment of the current situation I have suggested a policy option where schools are placed at the centre of improving the access and quality of education for Roma and all children.

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This policy brief is based on a research “Inclusion of Roma children in B&H education: principal challenges and solution”. Complete study can be found on <http://www.soros.org.ba/index.asp> or if requested from [osf@soros.org.ba](mailto:osf@soros.org.ba)

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## **An Essential Guide to Writing Policy Briefs**

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