

The Centre for Intellectual Property and Information Technology Law (CIPIT)

DECI-4, CIPIT Case Study, July 2022

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1. About this case study

This case study is part of a series that describes how five organizations were mentored to take over the design of their evaluation plans and communication strategies. The focus of the case study is on the mentoring process itself. The case studies were authored by the DECI team as a reflection of the mentoring process and they have been validated by the project partner. All of the organizations are research think tanks working on applied research on information society research, including topics of cyber security, privacy and digital innovation. The five organizations were part of the IDRC-funded Cyber Policy Centre (CPC) Initiative. The mentoring was provided by a capacity building project called DECI (Designing Evaluation and Communication for Impact) also supported by IDRC.

The Cyberpolicy Initiative

IDRC's Networked Economies (NE) program supported the improvement of governance of cyberspace in the global South over several decades. As part of NE, the Cyber Policy Centre (CPC) Initiative sought to strengthen independent policy research institutions through core support to build institutional capacity and sustainability; mentorship and skills building to strengthen research and policy capacity; and global knowledge networking and policy uptake. The first phase began in 2017 and the second in late 2019-2020 for a total duration of four years. The five CPC projects funded included Research ICT Africa (RIA) in South Africa, the Centre for Intellectual Property and Information Technology Law (CIPIT) in Kenya, Derechos Digitales (DD) in Chile, Centro Latam Digital (CLD) in Mexico, and LIRNEasia in Sri Lanka.

The DECI Project

Since 2009, the [DECI project](#) (Developing Evaluation and Communication Capacity for Impact) has provided IDRC partners with training in evaluation and research communication. DECI has been a component of IDRC's Network Economies' strategy to support capacity building among its partners. Many of DECI's partner organizations will be familiar to researchers involved with information society research.

DECI has provided independent mentoring by a team of experienced evaluation and communications advisors. Its support has emphasized just-in-time mentoring to help partners learn the steps of evaluation and communication planning through practice. The DECI Team includes regional mentors based in Africa, Asia and Latin America -as well as Canada-based mentors- that are assigned to work with the IDRC partners.

DECI is separate from IDRC's reporting processes. In addition to its training services, DECI is a research project: a learning lab in capacity building. The DECI website includes a searchable [knowledge base](#) with

case studies of past experiences. Each mentoring experience is unique and the DECI team goes to great lengths to adjust to partners' needs and context.

2. Background & context

CIPIT (the Centre for IP and IT Law) is an evidence-based research and training Centre based at Strathmore University, Nairobi, Kenya. Its mission is to study, create, and share knowledge on the development of intellectual property and information technology, especially as they contribute to African Law and Human Rights.

The CIPIT team is multidisciplinary, with staff drawn from law, political science, computer science, financial management and chemistry. CIPIT uses this multidisciplinary base by taking diverse methodological approaches to inform debates on ICT applications and regulation. CIPIT's strategy is to train researchers in intellectual property issues and IT to influence and support policy in Kenya and the wider African subcontinent.

The Centre started operations as a semi-autonomous entity under the aegis of the Law School in 2012. Early in 2020 it became a separate 'stand alone' research Centre but strongly connected to the university and expected to adhere to its regulations and systems.

Melissa Omino, initially the Research manager and, by the time of developing this case study, the Acting Director, explained that it was the head of Strathmore University Law School who had requested Isaac Rutenberg to head up a research centre on intellectual property rights. CIPIT's early strategy was to train researchers in this field by hosting seminars, posting public participation comments, and using blog posts. By 2014/15 the CIPIT scope increased to use research to train and influence ICT and Law related policy. In the words of Melissa Omino:

"We measure the impact of CIPIT through the people who move through CIPIT and end up being researchers elsewhere – Harvard for example. We see ourselves as policy advisors by developing researchers who themselves come full circle and do not just comment on policy but become policy makers themselves."

3. The steps in the mentoring (the what)

The DECI team and CIPIT first interacted in February 2020, when Ricardo Ramirez and Julius Nyangaga met with the CIPIT team in Nairobi, with the intention of developing a Utilization-Focused Evaluation (UFE) and Research Communication (ResComm) mentoring relationship. The report from that visit was a clearer overview of CIPIT, its origins, its focus, and some of the challenges. One issue that was clearly flagged at that meeting was the Centre's high staff turnover and the difficulties that this would present to the mentoring process. While it was clear that CIPIT did indeed engage in communication activities (a journal, a blog post, and the public consultation process), it was agreed that the major focus for CIPIT would be developing their capacity in (UFE). At this initial meeting, it was decided that the Primary Intended (evaluation) Users (PIUs) would be Melissa Omino, Florence Ogongo and Paul Kithinji (both research assistants) and Dr. Isaac Rutenberg when available. In March 2020, Wendy Quarry replaced Ricardo with the decision that Julius would focus on UFE and Wendy on research to policy communication. The work plan for the process was developed and Table 1 shows how it was implemented.

Table 1. The DECI-CIPIT 2020 Work plan

Task	Date	Details
1. Sign MoU.	Between March and June 2020	Signed May 2020
2. DECI team	Parallel to developing the MoU	DECI to decide who among us is second mentor to work with Julius
3. Mentoring for evaluation design (some in-person, others skype)	March 2020: Topics >Uses > KEQs April 2020: KEQs > data	Julius and Melissa to meet bi-weekly Sequence of: Topics/Functions, Use, Questions – 4-5 meetings as scheduling allows
4. Evaluation design (UFE Framework; initially without ResCom)	May to June 2020	Some data collection may start earlier
5. ResCom (was later incorporated into UFE)	June 2020	
6. Data collection, started in June and continued well into 2021	July 2020	
7. DECI integrates all CPC plans prior to IDRC engagement to prepare the program evaluation	June 2021	DECI works with IDRC on the CPC Program evaluation, showing all five CPCs plans; sharing of all plans across CPCs (to be discussed)
8. CIPIT's CPC project ends	June 2021	Final report to IDRC makes use of internal reports
Case Study by DECI		

3.1. Readiness and situational analysis

The CIPIT team has been a very united and collaborative team. The Centre's interest in developing their capacity in evaluation and communication was initiated by Dr. Isaac Rutenberg when the DECI program extension was confirmed early 2020. The team at that time, comprised Dr. Rutenberg, Dr. Omino and research assistants (Paul Kithinji, Florence Ogonjo, Amrit Labharam) and several interns. Although Isaac was not able to attend most subsequent follow-up meetings, Melissa continued to mobilize and coordinate attendance in the mentoring sessions.

During the beginning sessions (started in February 2020), the team clarified that their core profession was law with an interest in ICT policies and their application. They felt they needed support (and were eager to learn) on project evaluation and communication. This was demonstrated by their willingness to organize meetings on request with much of the team attending. Their appreciation of what they were learning was stated by Paul in a September 2020 meeting

"I remember you sent us a table describing UFE and Rescomm, and I could not initially make sense of it. Now I appreciate what you have helped us accomplish. If we could push ourselves in defining what our objectives should be, that could help. For example, we came in and found the journal and blog posts being developed (by CIPIT) but we have not explored in detail their purpose. Now we know we should so we can make a better job of it".

As already noted, like many university units, such structures suffer from continual staff changes. Most of the team is composed of visiting and recruited interns who come and leave according to their academic programs and timetables. The continued presence of Melissa and Florence has been instrumental in keeping the Centre's interest in DECI alive, despite the staff changes.

3.2. Confirming users, uses, key evaluation questions; audiences, methods and media

UFE:

The team started with UFE, developing their evaluation Uses during the initial meeting with Ricardo and Julius in March 2020. The areas where they thought they would apply UFE, were:

- Contribution to policy write ups: Rapid policy response.
- Training and building research capacity: of various staff levels: interns, research fellows and associates.
- Research dissemination: Communication of their research outputs, most notably through a journal, a podcast, a manual for SMEs on intellectual property rights, and use of social media.
- Project management, especially ensuring all incoming and outgoing staff are aware of all the Centre's projects and that there is an effective seamless handing over system.

Through subsequent conversations, the team's interest in influencing policy and disseminating their research began to take centre stage and the UFE approach was briefly put aside while their research communication ('ResComm') capacity given greater attention. However, their interest in ensuring the other UFE needs were not ignored, and the team decided to go back to UFE and have one of the Uses to be effective 'communication' of their outputs.

The team developed key evaluation questions (KEQs) for each area (or use). They all agreed to be Primary Intended Users (including the incoming staff) and used the following set of UFE Uses and Key Evaluation Questions. Note the focus on communication effectiveness in Use 3 and the concern about program continuity in Use 4.

Use 1: To be more consistent and effective in contributing to ICT-Law policy formulation

- *KEQ 1: How successful is our response to policy formulation calls?*
- *KEQ 2: How useful is our Standard Operating Procedure (SOP) structure and system for the responses?*
- *KEQ 3: How have we handled time limitations?*

USE 2: To improve the writing capacity of our RAs and interns

- *KEQ 1: What training is being offered and how?*
- *KEQ 2: What is the nature of feedback and demand from trainees?*
- *KEQ 3: To what extent has there been improvement?*

USE 3: To disseminate our research for knowledge sharing and utilization

- *KEQ 1: How successfully have we engaged and reached our target?*
- *KEQ 2: How useful/effectiveness has our use of social media been as a research dissemination tool?*
- *KEQ 3: To what extent has our communication been effective?*

USE 4: To ensure CIPIT work continues to run smoothly despite staff transitions

- *KEQ 1: How effective is the handing over protocol?*
- *KEQ 2: To what extent is the database used and useful?*

3.3 ResComm

It was not easy to discuss or agree on the UFE aspects without noting that they all fall very much into communication territory. The two areas identified for CIPIT that have a communication function and Use were:

- **Rapid Policy Response:** Every so often the Kenyan government puts out a request for input to newly drafted policy documents. Various NGOs and research groups are asked to provide corrective feedback within a certain time frame. As far as CIPIT is concerned, their success in this effort was (and continues to be) measuring their ability to provide a strong response to the government's request on time. This is clearly much more of an output than an Outcome!
- **Dissemination of the Centre's research outputs.** CIPIT embarked on the publication of a journal without first thinking about who the target audience would be or what the journal would hope to achieve. This was the same for their other proposed communication activities and channels: podcasts, blog posts and distributed articles etc. The team produced the material for all of these initiatives without first thinking about the different intended audiences. One of the assistants also developed a manual on intellectual property. The target was SMEs but no one was specific about the expected purpose/objective of this product. The CIPIT team was quick to recognize this issue and quickly made efforts to delineate which item was produced for different audiences. In February 2022, the decision was made to focus on Research to Policy communication with the understanding that a critical task would be to begin to build relationships with policy makers.

CIPIT's communication concerns were noted in the expanded ResComm framework with the purposes and audiences shown in Table 2.

Table 2. CIPIT ResCom framework

Purpose	Audience	Objectives
1. Support and influence IT & IP policy	<ul style="list-style-type: none"> - Policy makers - Executors of policy - Other stakeholder institutions both locally and internationally - Government departments and civil servants 	<ul style="list-style-type: none"> - Take part in the formulation of policy in IT and IP laws
2. Disseminate timely and relevant IT & IP research findings and knowledge	<ul style="list-style-type: none"> - Researchers - Law students - IP and IT law enthusiasts 	<ul style="list-style-type: none"> - The creation of a platform where concise research on matters related to IT and IP law are discussed and published, from African scholars. Featuring researchers dedicated to discussing and establishing intellectual arguments or theories in matters IP and IT
	<ul style="list-style-type: none"> - Researchers - Law Students - Legal Practitioners - Partners and funders - Industry players such as Techies, Coders/ Developers and Engineers 	<ul style="list-style-type: none"> - Dissemination of research outputs and changes in IT and IP Law in an easily consumable format to a wide range of audiences.
	<ul style="list-style-type: none"> - Researchers - Law students and practitioners - Enthusiasts (people not related to IT but interested in learning more?) 	<ul style="list-style-type: none"> - Creation of well researched concise and relevant IP and IT law related content that is easily consumable

Purpose	Audience	Objectives
3. Support industry in IT & IP application	<ul style="list-style-type: none"> - Specific industry participants - Legal practitioners 	<ul style="list-style-type: none"> - Dissemination of nuanced, relevant, and actionable information as per the provisions of law in question e.g. The Data Protection pamphlet for SMEs and the manual for SMEs

3.4 Evaluation plans, communication strategies: vehicles for adaptive management

Between May and September 2020, the mentoring sessions focused on measures of effectiveness for each of the Uses, or data that would inform their evaluation and communication interests.

The sessions also explored strategies for data collection (collection templates and sources or authors), analysis, reporting and utilization. The team was to explore and implement a workable data collection system and process using the UFE-ResComm framework. They were welcome to either use individual staff (an allocated role), every staff involved after an event, during a meeting group discussion. The data was to be collected on a workable schedule – monthly, quarterly or annually – as long as it could fit into their other professional activities.

During a meeting in December 2020, the team reported that they had agreed that data would be collected and analysed as follows:

- *For Use 1: To be more consistent and effective in contributing to ICT-Law policy formulation:* This would be done via a questionnaire filled by the specific staff members that were involved in developing the response to government request.
- *For Use 2: To improve the writing capacity of our RAs and interns:* Each trainee would fill a questionnaire (immediately) after a training process.
- *For Use 3 (the ResComm focus): To disseminate our research for knowledge sharing and utilization:* They agreed to score effectiveness using the outcome mapping progress marker gradients (Expect, Like and Love) and they would use Google forms filled by the staff members. The content provided was to have links to supporting evidence.
- *For Use 4: To ensure CIPIT work continues to run smoothly despite staff transitions:* To be scored by incoming staff as they were allocated working roles and took over from those leaving.

In November 2020, we approved the UFE and ResComm frameworks and asked the team to go ahead and collect data to analyse progress (via UFE) and communication effectiveness. The CIPIT staff and students filled the data forms and shared their findings with us in May 2021 (referring to it as ‘ResCom Revamp’). It was quite a detailed presentation shared by Florence and the other interns (Cynthia and Natalie) explaining the questions and responses. When asked generally how useful the process had been, she said:

“If we hadn’t done the ResCom we would not have known that we have not been collecting data for blog posts for a really long time. We were also shocked by that information. We have been writing all these blog posts and not following up. For policy response, we realized it has not always been seamless. We learned that some people did not know (we had developed) a

specific SOP to follow. (The evaluation) has been useful in reflecting on how better to respond to the requests”.

4. Unpacking the mentoring process (the how)

The relationship between DECI and the CIPIT team has all along been an easy learning relationship. The evolution from UFE to ResComm and finally a suitable working combination was driven and implemented entirely by the CIPIT team. The team is a busy unit and determined the meeting and update times. However, they were quick to arrange sharing sessions any time we raised a concern about time lapse. The team also developed the initial UFE framework with our guidance, but the final combination was their own.

It was clear that the core team intends to use the same approach for their periodic reflective processes. However, our concern is the extent to which they give the assessments time for analysis, lesson learned and decision-making. The extra six-month DECI program extension (Dec to June 2022) gave us time to support and follow up on their own assessment. We were keen to see the extent to which the lessons they learned got embedded in the Centre’s way of evaluation and communication processes – the DECI institutionalization objective.

In March/April 2022, CIPIT went through yet another major change when Isaac Rutenberg took a year long sabbatical. At this point, Melissa Omino who had been with CIPIT from December 2019 was slated to take over as interim CIPIT Director. The university took its time to ratify Melissa in this new position but by end of April 2022, Melissa took over as CIPIT Acting Director and created a team comprising both new and old CIPIT staff members: Melissa, Acting Director; Florence Ogongo, responsible for UFE (there is an intention to hire an M&E consultant); Catriona Akinyi and Cynthia Nzuki, responsible for Communications and a new hire, Angeline Wairegi, slated to take over Melissa’s position as Research Manager. The DECI team held several sessions with this new team, discussing the change that lay ahead under Melissa’s new management role, including her desire to develop an updated Strategic Plan for CIPIT. We also discussed the role that Angeline would play and the decision to continue where we left off by suggesting that Angeline take on a separate briefing from the DECI team to bring her up to speed on UFE and ResComm. By end of April it was understood that CIPIT would also become part of the D4D network so the June end date for the DECI mentoring was no longer an issue. While Isaac fought long and hard to separate CIPIT from Strathmore University oversight, Melissa has indicated that Strathmore is now taking up more and more of her time with administrative issues.

5. Lessons learned

CIPIT’s interest in developing their evaluation and communication capacity has been the persistent spark that got us to the level that we reached. The constant presence of an interested manager (Melissa) was the glue that initiated, supported, and maintained the team member participation. The third factor would be the participant’s research learning process, mainly as lawyers developing their knowledge in ICT and related policies, but also how to evaluate and communicate their own initiatives.

In developing their capacity in evaluation we were working with a team whose knowledge and skills had to be developed from a basic level. And we had to go at their learning pace and their stated UFE interests. We were not able to develop the team’s interest and means of assessing higher level outcome or impact results. For example, going beyond just submitting a response to the government policy requests on time to establishing how their contribution influenced policy or the policy makers. Or assessing the quality of their students’ post-training application of gained knowledge and skills. However, we emphasized that the team develop and use a results analysis matrix that worked to their interests.

The greatest challenge that hindered progress and learning effectiveness is the changing staff profiles, especially when the knowledge was expected to be acquired and applied by associates and interns that were coming and going. It remains to be seen how the Centre's SOPs and handing over systems, developed to counter this constant change of personnel, will be effective. Another possible drawback is the extra workload that evaluation and communication analysis pose to CIPIT's core professional interests and activities. This was observed mostly in how difficult it was to maintain a mainstreamed data collection process. They found that agreed deliverables by a certain time were often delayed.

As DECI, we may not have had adequate discussion and concurrence of what entailed 'institutionalization of UFE and ResComm capacity' in the CPC centres. We went along with the general idea that, since DECI was developing that capacity, institutionalization meant establishing a system where use of that knowledge or approach becomes part of the organization's fabric, sustained beyond the DECI mentoring.

For CIPIT, we were lucky. They already had concerns on how to sustain their operations, research and training quality and dissemination of their products, regardless of who was on board. So that interest was placed as one of their persisting UFE Uses and is likely to improve through the analysis and continued improvement of relevant SOPs and handing-over systems.

Lessons and principles that may be useful for other facilitators and project planners:

1. Establishing willingness, i.e. an interest in the organization in evaluation and communication and nurturing it.
2. Embedding evaluation and communication learning in the organization's capacity development program, and then focusing that on UFE and ResComm (or using that interest) to show how the two processes can serve the organization's interests better.
3. Allowing the flexibility for the organization mentee team to adapt UFE uses and communication purposes into a single (merged) evaluation or assessment framework, and their own workable ways of collecting and using data also helps.
4. Establishing what 'institutional capacity development' specifically means in a mentee organization and setting up UFE and ResComm parameters for its implementation and learning.