

CORE VALUES: INTEGRITY, PROFESSIONALISM, RESPECT FOR DIVERSITY

CONSULTANCY ANNOUNCEMENT

TERMS OF REFERENCE

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| POSITION TITLE | : Quick Reference Guide on Gender Responsive, Non-Custodial Measures for Women in Conflict with the Law in South Africa |
| ORGANIZATION | : United Nations Office on Drugs and Crime |
| TYPE OF CONTRACT | : Individual Contract (National) |
| REGIONAL OFFICE | : Pretoria, South Africa |
| DUTY STATION | : Home-based |
| PROPOSE PERIOD | : June - August 2021 |
| ACTUAL WORK TIME | : 40 working days |
| FEE RANGE | : \$9,000 for full assignment |

1. BACKGROUND OF THE ASSIGNMENT:

The United Nations Office on Drugs and Crime (UNODC) Regional Office for Southern Africa (ROSAF) implements a Regional Programme aimed at combating Gender Based Violence (GBV). This project is run in collaboration with the Southern Africa Development Community (SADC) partners. Gender-based violence against women is a widespread and a serious violation of human rights. Although the rates at which women are exposed to violence, vary from one country to another, statistics indicate that violence against women is a universal phenomenon and women are subjected to different forms of violence both within and outside their homes. In South Africa, gender-based violence is a vastly widespread issue, that presents a real, daily threat for millions of people. The UN's Sustainable Development Goal 5 on gender equality calls for an end to all violence against, and exploitation of, women and girls.

As 2020 marks the 10th anniversary of the Bangkok Rules, global dialogues on gender sensitive responses to the distinctive needs of women prisoners continue to emphasize the need to give priority to implementing non-custodial measures for women in conflict with the law (WICL). The international drug control conventions expressly allow the provision of measures such as treatment and education as alternatives to conviction or punishment for personal drug consumption offences and for all other relevant offences in "*appropriate cases of a minor nature*". Imprisonment generally hampers one's rehabilitation and social reintegration prospects, and hence, further entrenching the gender

discrimination and vulnerability of women. Hence, there is a need to give priority to implementing non-custodial measures for WICL. Trauma informed, gender sensitive and responsive approaches alternatives for WICL, is hence significant. In addition, the community is better served by community-based interventions that address the underlying cause of women coming into contact with the law.

As the custodian of the *Bangkok Rules*, UNODC ROSAF is supporting South Africa in their implementation. In 2020, UNODC ROSAF undertook a detailed stocktaking exercise of relevant national laws, policies and practices used to apply non-custodial measures in South Africa, with examination of relevant case law and forms of enquiry focused on application to women arrested or detained on drug related charges. From the stocktaking exercise, it became apparent that these women have distinct gendered pathways bringing them in contact with the law, such as prior victimization, gender-based violence, poverty.

Key findings of the aforementioned stocktaking exercise, emphasised the consideration of gender-responsive, non-custodial measures or alternatives for women, which will require public and law enforcement sensitization, resources, policy and practice reform, and a cohesive multi-agency response spanning all stakeholders across the social, health, criminal justice system, civil society and community continuum. Hence, a significant outcome of the stocktaking exercise, is the need to embark on a series of multi-agency, awareness, and capacity building workshops.

In that regard, UNODC intends to provide technical support to South Africa in developing a contextualized Quick Reference Guide, based on the adaptation of the UNODC Toolkit on gender-responsive non-custodial measures. This Quick Reference Guide will support the multisectoral awareness and capacity building workshops on WICL, in SA. Importantly, the Quick Reference Guide, should encompass a mapping of responsibilities and resources, of all relevant service providers, experts, facilities that will support services to WICL, in all 9 provinces.

2. PURPOSE OF THE ASSIGNMENT:

The purpose of the assignment is to draft a SA Quick Reference Guide on Gender Responsive Non-custodial measures for WICL, based on the adaptation of the UNODC Toolkit on gender-responsive, non-custodial measures.

Of note, is that dimensions of GBV or its severity is not always considered in services to WICL. This assignment also considers the intersectionality between GBV and WICL. With

this in mind, it is suggested that there is need for service providers to improve measures to ensure that there is specific attention to these pathways. The outcome of this assignment is to yield a Quick Reference Guide providing a detailed, yet practical intervention guide, to support multisectoral service providers in ensuring this holistic response.

The deliverables will be supervised by the UNODC GBV task team consisting of the Programme Officer for the Regional HIV Programme and GBV National Project Officer within ROSAF, in addition to the Justice Section in Vienna. The consultant will obtain input to the drafts from the relevant multisectoral key stakeholders within South Africa.

The consultant shall submit a final version of South Africa’s Quick Reference Guide for no later than three working days prior to the end of the consultancy. This document should be a final, approved version that is well presented, edited, with appropriate layout, including easy to use practical intervention steps.

3. SPECIFIC TASKS TO BE PERFORMED BY THE CONSULTANT:

The below responsibilities provide guidance for the elaboration of technical and financial proposals by interested consultants. Should a consultant wish to deviate from the below specifications, this should be clearly stated in the proposal, together with an explanation.

In particular, the consultant will perform the following tasks indicated in No. 4. Below.

4. DATES AND DETAILS AS TO HOW THE WORK MUST BE DELIVERED:

| Deliverable | Outputs | Working days | To be accomplished by |
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| A | Prepare an inception report and methodology for undertaking the current assignment | 1 | One working day after signing the contract |
| B | Arrange consultations of at least 2 virtual multi-stakeholder webinars to gather and consolidate inputs for the Guide | 3 | Four working days after signing the contract |

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| C | Undertake a mapping exercise to consolidate responsibilities and resources of all relevant service providers, experts, facilities that will support services to WICL, in all 9 provinces | 4 | Eight working days after signing the contract |
| D | Draft 1 st Draft of South Africa 's Quick Reference Guide on Gender Responsive Non-custodial measures for WICL. Submit for approval to UNODC programme staff; and key stakeholders (who provided input) | 10 | Eighteen working days after signing the contract |
| E | Distribute 2 nd and 3 rd Draft for additional input and approval to UNODC programme staff and key stakeholders for input and consolidation | 5 | Twenty -three working days after signing the contract |
| F | Arrange a hybrid (virtual and face2face) validation workshop to finalize the draft Quick Reference Guide for final inputs to stakeholders and the TTT i. integrate the relevant feedback into final draft of the Quick Reference Guide | 3 | Twenty-five working days after signing the contract |
| G | Prepare a final fully edited, well-presented (polished layout), output-oriented report that details practical intervention steps for service providers | 15 | Forty working days after signing the contract |
| | Total | 40 | |

The payment fee will be paid as per the common UN rules and procedure

Payments will be made upon satisfactory completion of outputs/deliverables.

- The first instalment or 20% of the total cost of the contract will be paid after the delivery of the inception report with methodology, tools, research for the development of South Africa's Quick Reference Guide on Gender Responsive

Non-custodial measures for WICL; and virtual consultations (Deliverable A & B)

- Second instalment or 30% of the total cost of the contract will be paid after the submission of the 1st Draft Quick Reference Guide on Gender Responsive Non-Custodial Measures for WICL for SA (Deliverable E)
- Third and final instalment or 50% of the total cost of the contract will be paid after the delivery of the fully edited, well presented (polished layout), output oriented final Quick Reference Handbook, that details practical, intervention steps and mapping of service providers (Delivery G)

5. INDICATORS TO EVALUATE THE CONSULTANT'S PERFORMANCE:

All outputs should be submitted in English and meet the satisfaction of UNODC according to the following indicators:

- Technical competence;
- Quality of written work;
- Timeliness of delivery;
- Comprehensive and impact oriented final report with detailed, practical intervention steps.

The evaluation of the consultant's performance (e.g. the technical competence shown and the timeliness of the reports) will be determined by the Project Officer. If the consultant does not meet the requirements, he/she will be provided with an opportunity to redraft in terms of the guidance provided by the assessors. If after redrafting the requirements are not met, the UNODC reserves the right to non-payment and/or suspension of the contract

EVALUATION CRITERIA/EXPERTISE SOUGHT (REQUIRED EDUCATIONAL BACKGROUND, YEARS OF RELEVANT WORK EXPERIENCE, OTHER SPECIAL SKILLS OR KNOWLEDGE REQUIRED):

- An advanced university degree (Masters' Degree in Law or equivalent, Criminology, Social Science, Political Science, International Relations or a related field is required);
- A minimum of 5 years of professional experience and demonstrated experience in carrying out technical legal assistance interventions on women in conflict with the law, criminal proceedings and sentencing in South Africa, related recommendations, compiling research, liaising and communicating with national counterparts is desirable;
- Experience in engagement and facilitation with wide range of stakeholders including government officials, members of parliament, law professionals, civil society organisations including women's organisations, especially within the South African

context, etc.

- Demonstrated experience in the drafting of training materials is desired;
- Proven experience in delivering workshops to develop legislation, policy, national strategies and action plans, as well as facilitation of high-level multi-stakeholder processes is desired;
- Very strong knowledge of local, regional and global non-custodial measures and GBV developments is essential;
- Experience working with UN and/or Government entities is an advantage;
- Fluency in speaking and writing in English is required.

APPLICATION REQUIREMENTS

A completed application must include: **Proposed plan detailing methodology, timeframes, activities and a workplan; listed experience of relevant prior assignments (at least 2 examples), detailed financial proposal, CVs of proposed member/s, names and contact information of at least two references who can be contacted regarding relevant experience. Hence relevant inclusions will be a Financial and technical proposal, Cover letter, and Personal History profile (UNDP P11 Form).**

Interested candidates may send their completed application with the Subject line “**Individual Consultancy- Quick Reference Guide on Gender Responsive Non-Custodial Measures for Women in Conflict with the Law**” to unodc-rosaf.procurement@un.org . (incomplete applications will not be considered)

For technical queries, please contact Linda Naidoo on linda.naidoo@un.org .This TOR will also be available on UNODC website:

<https://www.unodc.org/southernafrica/en/consultancies-and-opportunities.html>

CLOSING DATE FOR APPLICATIONS: 4 June 2021

Disclaimer: UNODC will bear no responsibility regarding the conclusions of the consultant and subsequent implementation of the recommendations outline in the report produces by the Consultant.

Correspondence will be limited to shortlisted candidates only. UNODC reserves the right not to make an appointment.

UNODC and UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous group and

persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence.

UNODC and UNDP does not tolerate sexual exploitation and abuse, any kind of harassment, including sexual harassment, and discrimination. All selected candidates will, therefore, undergo rigours reference and background checks.