

CORE VALUES: INTEGRITY, PROFESSIONALISM, RESPECT FOR DIVERSITY

## CONSULTANCY ANNOUNCEMENT

### *TERMS OF REFERENCE*

<b>POSITION TITLE</b>	: Pilot Project on Interventions on Non-Custodial Measures for Women in Conflict with the Law (WICL)
<b>ORGANIZATION</b>	: United Nations Office on Drugs and Crime
<b>TYPE OF CONTRACT</b>	: Institutional Contract (Local)
<b>REGIONAL OFFICE</b>	: Pretoria, South Africa
<b>DUTY STATION</b>	: Western Cape -Athlone
<b>PROPOSE PERIOD</b>	: 01 March – 30 June 2022
<b>ACTUAL WORK TIME</b>	: 40 working days
<b>FEE RANGE</b>	: \$20,000 for full assignment

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### **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. Gender-based violence against women also has specific implications for women's contact with the criminal justice system and women in prison or detention face particular risks of gender-based violence and discrimination. 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 unnecessary incarceration of women and 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 Bangkok Rules address the particular risk of violence against women in detention and call for gender-specific options for diversionary measures and pretrial and sentencing alternatives that take account of the history of victimization of many WICL and their caretaking

responsibilities. Even for drug-related offences, the international drug control conventions expressly allow the provision of measures such as treatment and education as alternatives to conviction or punishment, not only for personal drug consumption offences but also 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 specific and gender responsive approaches alternatives for WICL, are 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 for women at all stages of criminal proceedings, 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, UNODC intends conducting a pilot project on a multisectoral model of intervention on non-custodial measures with WICL, within a location in the Western Cape. The pilot would be based on the recommendations of the stocktaking exercise, and the draft handbook for WICL. Importantly the assignment seeks to appoint a consultant to lead this project and ensure the monitoring and evaluation of the outcomes of the pilot.

## **2. PURPOSE OF THE ASSIGNMENT:**

The purpose of the assignment is to lead, monitor, evaluate a pilot on multisectoral non-custodial intervention on WICL, at the Athlone site in the Western Cape. Interventions and processes of this assignment should focus on

- the stage of reporting, pre-trial, pre-sentencing and post-trial stages.
- Capacity building as an important component of the process, to increase understanding on gender-responsive, non-custodial measures, development of reports by probation officers/social worker for purposes of pre-sentence/diversion assessment for non-custodial measures, that considers the pathways of the individual circumstances of the women, that considers factors of violence, substance abuse.
- Assessment of the programmes available to be modified or created to ensure innovative gender-responsiveness i.e reintegration community programmes, psychosocial/mental health that disrupt cycles of violence, economic strengthening (upskilling, lifeskills) programmes.
- Understanding of the needs of women on Cape Flats who are in conflict of the law; why women do not access programmes, or falter in attending these programmes; rates of relapse. And assessing the needs of the children of WICL.
- Assessment of the impact of the programme on the women, their families and communities.

Of note, is that dimensions of GBV or its severity is not always considered in services to WICL. This assignment will address the intersectionality between GBV and WICL, including the role of GBV in women's pathways to imprisonment and in their social reintegration. 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 pilot intervention project, with a detailed design, that considers a multisectoral service provider intervention in ensuring a holistic response to WICL.

The deliverables will be supervised and led by the UNODC GBV Project Officer within ROSAF, in addition to the Justice Section in Vienna. The consultant will obtain input to the drafts from the relevant multisectoral task team.

The consultant shall submit a final outcome document 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.

Specific Deliverables pertain to:

1. To convene meeting with multisectoral stakeholders (NPA, LASA, DSD, DCS, DOJ, DCS, DHE, NGO/CBOs) to confirm the approach and participation in the pilot project, and the site for the project. The handbook should be a reference guide
2. Arrange fortnightly meetings with multisectoral service providers to develop:
  - Strengthen collaboration
  - gender responsive interventions at various processes; including the trial, sentencing, poor-sentencing stage
  - gender responsive opportunities to improve skills, opportunities, employment prospects
  - capacity development on WICL
  - monitor progress and case conference on relevant cases. Document all processes
3. Create tools to monitor and evaluate, the project. This should include at least 2 success stories with input of survivor voices
4. Compile a report on the design, process and outcomes of the pilot

**In particular, the consultant will perform the following tasks indicated below.**

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

<b>Deliverable</b>	<b>Outputs</b>	<b>Working days</b>	<b>To be accomplished by</b>
A	Prepare an inception report and methodology for undertaking the current assignment	1	One working day after signing the contract
B	Arrange inception meeting of multi-stakeholder to gather and consolidate	1	two working days after signing the

	inputs for the pilot project (key actions to be included)		contract
C	Facilitate a launch of the pilot during 16 Days of Activism	2	Four working days after signing the contract
D	Undertake a mapping exercise to consolidate roles & responsibilities of all relevant service providers that will support services to WICL, at the pilot site (based on the handbook for SA and global handbook)	3	Seven working days after signing the contract
E	Arrange at least 4 multisectoral stakeholder meetings for purposes of case conferencing and monitoring progress of the project. Compile and submit reports on progress of pilot to UNODC and the stakeholders	5	Twelve working days after signing the contract /Within 60 days of the project inception
F	Draft tools to assess, monitor and evaluate project; needs and outcomes of project & WICL. Apply the tools	12	Twenty-four working days after signing the contract
G	Monitor, evaluate, document outcomes of model	12	38 working days after signing the contract/ From inception of the project
H	Arrange a workshop to present the findings in collaboration with UNODC. Compile a webstory on the successes of the project. Submit a final report on the outcomes of the project, including the various tools for the project	4	Within 100 working days after signing the contract
	<b>Total</b>	<b>40</b>	

**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 30% of the total cost of the contract will be paid after the delivery of the inception report with methodology, for the pilot project (Deliverable A)
- Second instalment or 40% of the total cost of the contract will be paid after the submission of at least 2 reports on progress of pilot (Deliverable D)
- Third and final instalment or 30% of the total cost of the contract will be paid after the delivery of the output oriented final report and mapping of service providers (Delivery H)

**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 success case studies

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): a combination of the following requirements of the organizational personnel (consultants inc.) will be accepted for this project**

- A university degree (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 assistance interventions on women in conflict with the law, related recommendations, 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.

- 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;
- 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; detailed financial proposal, a detailed CV with a contact information of at least three 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- Pilot Project on Interventions on Non-Custodial Measures for Women in Conflict with the Law"** to [unodc-rosaf.procurement@un.org](mailto:unodc-rosaf.procurement@un.org).  
(N.B. incomplete applications will not be considered)

For technical queries, please contact the Procurement Unit at [unodc-rosaf.procurement@un.org](mailto:unodc-rosaf.procurement@un.org). This TOR will also be available on UNODC website: <https://www.unodc.org/southern-africa/en/consultancies-and-opportunities.html>

### **CLOSING DATE FOR APPLICATIONS: 27 February 2022**

**Disclaimer:** UNODC will bear no responsibility regarding the conclusions of the consultant and subsequent implementation of the recommendations outline in the report produced 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**

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**Southern Africa**

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.