

CORE VALUES: INTEGRITY, PROFESSIONALISM, RESPECT FOR DIVERSITY

CONSULTANCY ANNOUNCEMENT

TERMS OF REFERENCE

POSITION TITLE	: Evaluation of Service Delivery; and Policy Development for Non-Custodial Measures for Women in Conflict with the Law
ORGANIZATION	: United Nations Office on Drugs and Crime
TYPE OF CONTRACT	: Organisational Contract (National)
REGIONAL OFFICE	: Pretoria, South Africa
DUTY STATION	: Limpopo and National
PROPOSE PERIOD	: July -November 2022
ACTUAL WORK TIME	:
FEE RANGE	: \$7000 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. 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 an evaluation of a project on a multisectoral model of intervention on non-custodial measures with WICL, within the Limpopo Province. Hence, the consultant is expected to conduct the respective baseline assessment; and further draft a Policy on Non-Custodial Measures for Women in Conflict with the law.

2. PURPOSE OF THE ASSIGNMENT:

The purpose of the assignment is to evaluate a pilot on multisectoral non-custodial intervention on WICL, Limpopo; and to draft a Policy Document, in preparation for legislative changes in South Africa.

Interventions and processes of this assignment should focus on

- Development of a baseline assessment tool
- Conduct the initial, mid and end assessment of the project on WICL in Limpopo, which will consider and include the following:
 - Support on incremental progress in the WICL project in Limpopo
 - Perspective of the needs of women who are in conflict of the law; explanations for women coming into conflict with the law; WICL not accessing programmes, or faltering in attending these programmes; rates of relapse.
 - Perspective on the needs of the children of WICL.
 - Assessment of the impact of the programme on the women, their families and communities.
 - The Assessment to include recommendations of the programmes 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.
- Conceptualise a report on the findings of the above assessment to the approval of UNODC
- Draft a policy document for non-custodial measures for Women in Conflict with the Law, as a preparation document to feed into the amendment for legislation on non-custodial measures for WICL
- Evaluation the capacity building process, 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

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.

The deliverables will be supervised and led by the UNODC GBV Project Officer within ROSAF. 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, that allows for easy integration into legislation.

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. Create tools to assess/evaluate the project.
2. Submit reports that reflect the impact of the project- this should include media stories for UNODC publication with success stories with input of survivor voices
3. Submit reports on meta analyses of research projects, including mapping study of all current programs including psychosocial and educational/skilling opportunities available for WICL that are incarcerated and those under correctional supervision, parole or diversion; the assessment of content of such programs and recommendations on improving gender-responsiveness, gender specific as well as new programs to be included.
4. Compile a policy document in preparation for introduction of new legislation for WICL

In particular, the consultant will perform the following tasks indicated 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	July
B	Draft tools to assess, and evaluate project	6	July
C	Monitor, evaluate, document outcomes of project	6	30 September
D	Mapping study of all current programs including psychosocial and educational/skilling opportunities available for WICL that are incarcerated and those under correctional supervision, parole or diversion	16	30 September
E	Assessment of content of such programs and recommendations on improving gender-responsiveness, gender specific as well as new programs to be included.	5	30 September
F	Draft a Discussion Document in preparation for pending legislation for non-custodial measures for WICL, for approval and review by UNODC.	6	July
G	Present Policy for WICL for validation at workshop. Conduct presentations on the policy at workshop, and present the findings in collaboration with UNODC	6	29-30 August
H	Finalise Policy on WICL once reviewed by stakeholders, and reviewed by UNODC	6	3 Oct
I	Submit final report on the evaluation of the WICL project in Limpopo	5	30 Oct
	Total		

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 20% of the total cost of the contract will be paid after the submission of at least 2 reports on evaluation and drafted policy (Deliverable E)
- Third and final instalment or 50% of the total cost of the contract will be paid after the delivery of the Policy and final output oriented final report (Delivery I)

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 post-graduate 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 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, development of 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, 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 “ **Organisational Consultancy- Evaluation and Policy Development for 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: 5 July 2022

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.



UNODC

United Nations Office on Drugs and Crime

Southern Africa