|  |
| --- |
|  |
| **TERMS OF REFERENCE** |
| **National Household Survey on Access to Justice and Rule of Law 2019** |
| **Introduction** |
| Building an inclusive and effective justice system based on rule of law and human rights is a key element for stable democracy and sustaining peace in The Gambia. Reform and capacity building of the justice system is imperative to re-establish standards and procedures and to enhance the capacity, accountability and oversight of the judiciary and justice institutions. Inclusive and effective justice and security institutions are also a precondition to ensure fair justice and security service delivery to all Gambians, women and children in particular, and to deal with the past and provide redress for grievances; and prepare the future building a democracy based on rule of law and human rights. The UN joint project takes a holistic, child-centered and rights-based approach that brings together justice and security sector interventions under one framework, enhances coordination to identify shared priorities to ensure equal access to justice for all, including the most marginalized, particularly women, children and victims of serious human rights violations that occurred under the former regime. Response mechanisms for improved access to justice will be piloted at regional level; capacities of key justice actors will be strengthened and coordination mechanisms will be put in place to ensure sector-wide planning of the reform process; strengthening the rule of law and justice service delivery to all Gambians.The National Perception Survey on Rule of Law and Access to Justice 2019 will gather statistically reliable quantitative information directly from the people of The Gambia on knowledge, demand, perceptions and use of justice services to enable improved impact monitoring and resource allocation. The National Perception Survey on justice and security, will support more informed programmatic decisions based on justice perceptions and access to justice needs of target groups and for the geographical location of the pilots. These studies will also allow for collecting of baselines and development of contextualized indicators to monitor progress and impact of the project. |
| **Objectives**  |
| The UNDP seeks an experienced and qualified firm to conduct a comprehensive survey targeting a representative sample of Gambian citizens, particularly women and children and to collect statistically reliable data on current perceptions of rule of law institutions and access to justice, both qualitative and quantitative in nature.  The baseline will inform future rule of law interventions, recommendations to improve the quality of justice services and ways to address challenges to accessing justice. Specific objectives of survey are * 1. To determine public perceptions of the formal and traditional justice sectors
	2. To identify rule of law institutions’ strengths and weaknesses in providing justice services and maintaining law and order
	3. To identify best practices and provide recommendations to improve justice service delivery
 |
| **Scope of Work** |
| 1. Complete a Desk Review and build upon previous findings.
2. Draft a comprehensive questionnaire to cover the following subjects:
	1. Level of awareness of fundamental legal framework of The Gambia and knowledge of substantive law.
	2. Mapping of different justice service providers available to respondents on the ground.
	3. Subjective perceptions of accessibility to justice services and response rates of different service providers including police, prosecutors, courts (statutory and traditional), ADR Secretariat, prisons, the office of the Ombudsman and legal aid.
	4. Perceptions on the quality, efficiency, cost, fairness, and confidence in different justice service providers (statutory and traditional).
	5. Subjective needs and priorities in the delivery of justice services.
3. Finalize draft questionnaires (including a child friendly questionnaire) through consultative process with national counterparts, UNDP, UNICEF and other key ROL stakeholders including members of civil society and the Department of Social Welfare.
4. A Technical Working Group will be convened for quality assurance and oversight purposes which the offeror will be required to meet with and present as required.
5. Draft and finalize a suitable methodology for conducting the survey in a manner that provides statistically significant results (95% confidence interval with a 5% margin of error) *at minimum* at both the national and district levels.
6. Recruit and train field research teams including research supervisors, enumerators and any other required staff as appropriate.
7. Conduct the survey in all districts and regions of The Gambia ensuring a national survey on perceptions of rule of law, access to justice and security.
8. Ensure that each step of the survey process is gender sensitive and is inclusive towards women, children and vulnerable populations throughout the country.
9. Conduct data analysis and quality control for the survey.
10. Prepare a consultation draft presenting the findings of the perception survey.
11. Organize and conduct a workshop to present the final report to all key stakeholders.
 |
| **Methodology & Data** |
| The offeror will select and propose methods that will be most suitable to the task, including the estimated timeline, while ensuring that the method selected involves a participatory process that generates and collates information in an inclusive and gender sensitive manner. This includes working in a consultative and collaborative manner with national, state and local government counterparts as well as with development partners and members of civil society during the implementation of the survey. |
| The offeror will be responsible for both survey design and implementation including survey instrument development, data collection, analysis and reporting. This shall include:1. Setting up and managing the study;
2. pre-test of survey instruments;
3. Recruitment and training of field research staff before data collection starts.

The offeror will also be responsible: 1. For quality assurance in data collection ensuring all data is disaggregated by gender and age
2. For data analysis and reporting;
3. To arrange and provide transport services, accommodation and other logistics for the survey

The Offeror is responsible: 1. To obtain statistically reliable data on the perceptions and levels of awareness of the availability and function of different service providers.
2. To obtain statistically reliable disaggregated data (by age and gender) on current accessibility of justice services to end users and to identify the primary barriers to accessibility.
3. To obtain statistically reliable data on the needs and priorities of end users of justice services to enable more efficient and targeted programming and resource allocation.
4. To establish a baseline to help enable the monitoring and evaluation of the impact of rule of law interventions with greater accuracy.
5. To provide all resulting data (both raw and analyzed) at the close of the survey to the Ministry of Justice & The Gambia Bureau of Statistics.

 The offeror will report to UNDP at key stages of the assignment. These include a preliminary assessment report; presentation of draft questionnaires for UNDP approval before fieldwork begins; status updates during data collection; draft report on findings and presentation of final report to all stakeholders. |
| **Key Outputs Expected** |
| The key output of the national public perception survey on rule of law and access to justice is: 1. To provide data and evidence based anyalysis on the functionality, effectiveness, accessibility, affordability and responsiveness of the rule of law institutions to the citizens of The Gambia.
2. To understand the challenges the citizens of Gambia, particularly women and children, face when trying to access both the formal and informal justice systems.
3. To understand the challenges rule of law institutions (duty bearers) face in providing quality justice services to citizens, particularly women and children.
4. To provide evidence and data driven recommendations on how to improve the quality and accessibility of justice services for the citizens of The Gambia, particularly women and children.
 |
| **Expected Deliverables** |
| Milestone 1: 1. Desk review completed & timeline for completion submitted
2. Questionnaires (including child friendly questionnaire), survey instruments and methodology drafted
3. Draft questionnaires, survey instruments and methodology circulated to the Technical Working Group for review and recommendations

Milestone 2:1. Consultative workshop to finalize the survey questionnaires and instruments conducted
2. Pilot survey completed and report of pilot survey submitted to Technical Working Group
3. Methodology, Questionnaires and Survey instruments finalized

Milestone 3: 1. Enumerators recruited and trained
2. Data collection completed
3. Draft report submitted for input to UNDP and Technical Working Group

Milestone 4: 1. Final report submitted to Technical Working Group
2. Workshop to present Survey Results to RoL stakeholders, donors, partners and civil society
3. Final survey report submitted with raw and analyzed data submitted (in hard and soft copy)
4. Professional photographs representative of the data collection report submitted
 |
| **Required Qualifications for eligible firms** |
| * At least five years demonstrable institutional experience in field research;
* Demonstrable experience in conducting both quantitative and qualitative surveys, including stakeholder/beneficiary perception surveys;
* Demonstrable experience in engaging with local community members, using participatory and consultative approaches;
* Demonstrable experience in engaging with government institutions and use of tact and sensitivity when handling sensitive information;
* Sufficient and technically qualified personnel to monitor and implement activities and deliver all required outputs. The survey team members must have:
	+ Demonstrable strong oral and written communications;
	+ Good interpersonal skills and ability to work in a multi-cultural and multi-ethnic environment with sensitivity and respect for diversity;
	+ Ability to work independently with minimal supervision and maintain flexibility in working hours.
	+ Strong analytical skills
 |
| **Requirements for Team Composition** |
| While it is up to the Offeror to propose the optimum team composition to achieve the objective of this study, it is hereby suggested that the proposed team should include: * At least one expert with a Master’s degree in social science or related field and three to five years of demonstrable experience in coordination, project management and implementation as well as monitoring of programme outputs and activities;
* At least one expert with a Master’s degree in Statistics or Population Studies or related field and with three to five years of demonstrable experience in designing methodologies and undertaking data analysis for research and surveys; and
* At least one expert with a Master’s degree in gender studies or related field and with three to five years of demonstrable experience in working with vulnerable populations including children and children in conflict with the law.

***Note:*** The survey team will be responsible for undertaking the community perception survey in line with the UNDP approach, and in accordance with the finally agreed TORs. Team will update the evaluation methodology as needed and guide the team throughout the exercise to ensure high quality survey products.  |
| Reporting  |
| The selected Offeror will provide milestone updates to the UNDP Chief Technical Advisor at key stages of the initial assessment, survey design and implementation process and as may be required. Moreover, the Offeror is responsible for delivering timely and good quality presentations on the technical aspects of the survey as well as progress on implementation to UNDP, its government counterparts, UNICEF, stakeholders and/or partners. |
| Timeframe |
| The perception survey is expected to be conducted from February to April 2019. However, the offeror will have to submit the exact timeframe. Detailed work plan together with timeframes could be revised at a later stage in consultation with the Technical Working Group. |
| UNDP will: |
| 1. Coordinate in forming the Technical Working group
2. Appoint a focal point to support the offeror during the survey process
3. Coordinate with and inform government counterparts, partners and other related stakeholders as needed
4. Advise the selected offeror to identify key stakeholders to be interviewed as part of the assessment
5. Support the selected offeror in liaising with partners and providing relevant documentation as well as feedback.
 |
| Proposal |
| The technical proposal must include but may not be limited to the following:1. Scope of the survey: The offeror should explain its understanding of the scope of this Assignment in its own words.
2. Background and experience: The offeror should clearly explain its capacity and previous experiences to undertake this assignment. Moreover, the offeror must allow and UNDP may contact the relevant references to confirm the validity of such progress and work experience in the past.
3. Methodology: The offeror should explain its methodology and approach to the survey, including demonstrating an understanding of the survey objectives and suggest key research questions for the survey.
4. Quality Assurance Plan: The offeror must explain its quality assurance mechanisms for each stage of the survey process.
5. Project Management: The offeror is expected to explain the project management approach during the implementation process. This should include but not limited to staff, monitoring and evaluation mechanism, training and progress reporting.
6. Work plan: The offeror should provide a tentative detail work plan, including time frame with list of activities required and resources needed.
 |
| Financial Proposal |
| 1. 25 % of the payment after the completion of the Milestone 1, upon clearance by the UNDP Chief Technical Advisor (CTA).
2. 20% of the payment after the completion of Milestone 2 upon clearance by the UNDP CTA.
3. 25% of the payment upon the completion of the Milestone 3, upon clearance by the UNDP CTA.
4. 30 % of the payment after the completion of the Milestone 4 upon clearance by the UNDP CTA.

Note: UNDP will not cover additional costs due to changes in the exchange rates and/or inflation. |

**Send application marked “Perception Survey”:** bid.gm@undp.org

**Submit Technical and Financial proposals in separately.**

**Closing date for application is 20th February 2019. Only short-listed applicants will be contacted.**