

Terms of reference



Empowered lives.
Resilient nations.

GENERAL INFORMATION

Title: Senior Specialist for Protection and Empowerment of Women in Judiciary – Support to the Justice Sector Reform in Indonesia (national position)

Project Name Support to the Justice Sector Reform in Indonesia - SUSTAIN

Reports to: Oversight Sector Coordinator

Duty Station: Jakarta, Indonesia

Expected Places of Travel (if applicable): 3 (three)

Duration of Assignment: 40 (forty) working days within 4 months

REQUIRED DOCUMENT FROM HIRING UNIT

| | |
|---|---|
| V | TERMS OF REFERENCE |
| 4 | CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT , please select : (1) Junior Consultant (2) Support Consultant (3) Support Specialist (4) Senior Specialist (5) Expert/ Advisor CATEGORY OF INTERNATIONAL CONSULTANT , please select : (6) Junior Specialist (7) Specialist (8) Senior Specialist |
| V | APPROVED e-requisition |

REQUIRED DOCUMENTATION FROM CONSULTANT

| | |
|---|--|
| V | CV |
| V | Copy of education certificate |
| V | Completed financial proposal |
| V | Completed technical proposal (if applicable) |

Need for presence of IC consultant in office:

☒ partial: on request to present the deliverable to internal UNDP

☐ intermittent (explain)

☐ full time/office based (needs justification from the Requesting Unit)

Provision of Support Services:

Office space: ☒ Yes ☐ No

Equipment (laptop etc): ☐ Yes ☒ No

Secretarial Services ☐ Yes ☒ No

I. BACKGROUND

UNDP partners with people at all levels of society to help build nations that can withstand crisis, and drive and sustain the kind of growth that improves the quality of life for everyone. On the ground in 177 countries and territories, UNDP offers global perspective and local insight to help empower lives and build resilient nations. UNDP Indonesia's mission is to be an agent for change in the human and social development of Indonesia. We aim to be a bridge between Indonesia and all donors as well as a trusted partner to all stakeholders. We work in four key areas of development: Governance Reforms, Pro-Poor Policy Reforms, Conflict Prevention and Recovery, and Environment Management, with the overarching aim of reducing poverty in Indonesia. Besides the four priority areas, UNDP Indonesia is also engaged in a variety of crosscutting initiatives focused on HIV/AIDS, gender equality, and information and technology for development.

UNDP has been working on democratic governance issues in Indonesia for many years, and has contributed significantly to consolidating democracy through provision of policy advice and technical assistance, and by promoting and brokering dialogue and engaging in knowledge networking. In the justice sector, UNDP has been involved in providing support to ensuring access to justice. and is currently implementing a Strengthening Access to Justice in Indonesia (SAJI) project which was developed based on experiences and lessons learned from two previous projects: Aceh Justice Programme (AJP) and the Legal Empowerment and Assistance for the Disadvantaged (LEAD) Project. With funding support from the European Union, and in partnership with the Government of Indonesia, UNDP is initiating a project aimed at supporting the Supreme Court (SC) to strengthen the rule of law and enhance public trust in the judicial system by increasing the transparency, integrity and accountability of the judiciary and the quality of justice services provided to the people.

*The **Support to the Justice Sector Reform in Indonesia (SUSTAIN)** project will support the Supreme Court in the implementation of its Blueprint for Judicial Reform 2010-2035 through the achievement of four results: (1) enhanced internal and external oversight mechanisms of the judiciary; (2) enhanced knowledge and skills of judges & court staff and strengthened capacity of the Supreme Court Training Centre and of some of the country's Special Courts and Administrative Tribunals; (3) enhanced Human Resource and Organisation Management via integrated Human Resources and performance management databases, an effective implementation of advanced Human Resources policies, and a strengthened Judicial Reform Team Office; and (4) enhanced Case Management System and procedures of the judiciary to improve transparency, quality of case data and decisions and timeliness of case handling.*

In the framework for achievement of the project output (4) pilot system which prioritized alternative sanctions for children (restorative justice) and petty crimes, focusing on rehabilitation and reintegration programmes for vulnerable groups is develop, there is a mandate to facilitate the

development and issuance of SOPs on how to process cases involving vulnerable groups such as women and children.

As part of the support to the Supreme Court to facilitate the development and issuance of SOPs on how to process cases involving vulnerable groups such as women and children, the SUSTAIN project identifies a need of Senior Consultant as Senior Specialist for protection and empowerment of women in Judiciary. The Consultant will analyse current condition of women protection in Indonesian judiciary and existing laws on protection of women such as , but not limited to, law no 23 year 2004 on domestic violence, Government regulation no 4 2006 on recovery the victim of domestic violence and other regulations related to protection and empowerment of women, especially in judiciary. The consultant will assist in developing guidance (in form of hand book) for judges related to handling cases of women especially on domestic violence, develop training manuals related to gender issue, women empowerment, and child protection for judges and court staff, and develop media promotion strategy on gender mainstreaming in judiciary.

The consultant will work closely with the Supreme Court Working Group on Women and Children, the Women and Children Protection Units in the Attorney General Office and the Police, Ministry of Women and Children Empowerment, The General & Religious Judicial Bodies of the Supreme Court, CSOs and other relevant stakeholders, such as High courts, Districts Courts, Media, Legal Aids for Women, etc.

II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

The Consultant will do the following tasks:

1. Assess current condition and existing laws related to protection and empowerment of women in judiciary.
2. Assess current issues and strategies on integrated criminal justice system to domestic violence in judiciary.
3. Develop guidance for judges related to handling cases of women especially on domestic violence cases.
4. Develop training manuals related to gender issue, women empowerment, and child protection for judges and court staffs.
5. Assist in drafting regulations if required and as directed by the SUSTAIN Oversight Sector Coordinator, related to protection and empowerment of women in judiciary.
6. Develop strategy on gender mainstreaming in media.
7. Acts as resource person in FGDs and meeting related to discuss development regulations and other issue related to protection and empowerment of women.
8. Attend and participate effectively in all regular and special meetings with representatives of the Supreme Court Working Group on Oversight and SUSTAIN team in a timely and productive manner;
9. Conduct trainings to pilot courts, if required and as directed by the SUSTAIN Oversight Sector Coordinator.

10. Deliver and report weekly progress to the SUSTAIN Oversight Sector Coordinator in weekly meetings on detailed development progress, challenges encountered, proposed solutions, and other directly relevant topics as they may arise;
11. Provide supporting documentation for all enhancements;
12. The Consultant may contribute to the project quarterly report and other project reports and deliverables, and he may be asked to provide oral and written progress reports to the CTA, UNDP and other stakeholders;
13. The Consultant may be called upon by the CTA to assist with assessment trips to the Supreme Court and pilot courts ;
14. As teamwork is crucial to the success of the project, the Consultant may also help coordinate work with other project staff working as a team;
15. The Consultant may also be called upon by the CTA to assist with other project needs as required.

Deliverables/expected result:

Under the day-to-day reporting to the Oversight Sector Coordinator, the Consultant is expected to produce the following outputs:

| Deliverables/ Outputs | Estimate number of Working days | Target Due Dates | Review and Approvals Required |
|---|--|-------------------------|--|
| - Minimum 10 pages of analysis on Assess the current condition and existing laws related to protection and empowerment of women in judiciary. | 5 | 5 Aug 2016 | Review SC Oversight Approved by Chief Technical Adviser |
| - Minimum 10 pages of Analysis issue and strategy on integrated criminal justice system to domestic violence in judiciary. | 5 | 19 Aug 2016 | Review SC Oversight Approved by Chief Technical Adviser |
| - Minimum 15 pages guidance or hand book for judges related to handling cases of women especially on domestic violence cases | 10 | 10 Sep 2016 | Review SC Oversight Approved by Chief Technical Adviser |
| - Minimum 20 pages training manual related to gender issue, women empowerment, and child protection for judges and court staffs. | 10 | 10 Oct 2016 | Review SC Oversight Approved by Chief Technical Adviser |
| - Minimum 20 pages guidance and strategy on gender mainstreaming (in justice sector) in media - Minimum 10 pages of Final report | 10 | 15 Nov 2016 | Review SC Oversight Approved by Chief Technical Adviser |

Subject to prior approvals from the Project Manager/CTA, payment for Consultant services will be paid upon SUSTAIN receiving an invoice for services which contain SUSTAIN satisfied advisory reports. A schedule of reporting, as stated above shall be adhered to. The consultant expected to be present at the project office at least three times in a week during the contract period

III. WORKING ARRANGEMENT

Institutional Arrangements

The position is under supervision of the Oversight Coordinator, The National Project Manager and UNDP, with overall guidance from National Project Director (The Supreme Court).

Duration of Work

The Consultant is expected to accomplish the task in 40 (forty) working days within 4 months starting Aug 2016 to November 2016

Duty station

The consultant is located primary in The SUSTAIN project office in Jakarta, with possibility of travel across 3 piloting districts among 8 provinces; DKI Jakarta, West Java, East Java, NTT, North Sulawesi, West Kalimantan, Maluku and Papua.

Travel Plan

Below is an indicative travel plan for the duration of the assignment. The consultant will be required to travel to the indicated destinations and include the relevant costs to the proposal. There are may also unforeseen travel that will come up during the execution of the contract which will be agreed on ad hoc basis.

| No | Destination | Frequency | Duration/Days |
|----|---|---|------------------------------|
| 1. | Three pilot districts among 17 piloting courts/districts (if applicable). | One time per pilot district during the whole assignment | 10 overnight stays of total. |

IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

Bachelor or Master degree in Law.

II. Years of experience:

Minimum 9 (nine) years (for Bachelor) or 5 (five) years (for master) of experience in law, preferably with some experience in issue of women protection and women empowerment in judiciary.

III. Competencies:

Specific Skills:

- Experience in issue of women protection and women empowerment in any judicial working units and/or government departments;
- Familiarity on development on guidance related to gender mainstreaming in justice sector.
- Familiarity with methods and curriculum on gender mainstreaming for training manual in justice sector.

- Familiarity on development of media strategy related to gender mainstreaming in justice sector.

Communications and Networking

- Maturity and confidence in dealing with senior and high ranking members of national and international institutions, government and non-government.
- Proven networking, team-building, organizational and communication skills and ability to build strong relationships with government and other external actors.
- Has excellent oral communication skills and conflict resolution competency to mediate inter-group dynamics and mediate conflict of interests
- Has excellent written communication skill, with analytic capacity and ability to provide policy advice, recommendations and strategy.

Knowledge Management and Learning

- Shares knowledge and experience.
- Ability to provide a strong analysis, policy advice, recommendations and strategy.

Management and Leadership

- Demonstrates ability to work in a team.
- Demonstrates ability to accept critics and constructive inputs/opinions.
- Have strong leadership to manage conflicting interests of varied stakeholders
- Demonstrates strong analytical skills.
- Good time management to meet deadlines with quality outputs.
- Highly creative attitude and self-starter mindset.
- Consistently approaches work with energy and positive/constructive attitude.

V. EVALUATION METHOD AND CRITERIA

Cumulative analysis

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable, and
- b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

* Technical Criteria weight; [70]

* Financial Criteria weight; [30]

Only candidates obtaining a minimum of point would be considered for the Financial Evaluation

| Criteria | Weight | Maximum Point |
|--|---------------|----------------------|
| <u>Technical</u> | | 100 |
| • Criteria A: qualification requirements as per TOR: | 70 | |
| Bachelor in Law with Minimum 9 (nine) years of experience in law sector, or Master degree in Law with 5 (five) years of experience in law sector, preferably with some experience in conducting survey of public satisfaction in judiciary | | <i>10</i> |
| Experience in issue of women protection and women empowerment in any judicial working units and/or government departments | | <i>15</i> |
| Familiarity on development on guidance related to gender mainstreaming in justice sector | | <i>15</i> |
| Familiarity with methods and curriculum on gender mainstreaming for training manual in justice sector. | | <i>15</i> |
| Familiarity on development of media strategy related to gender mainstreaming in justice sector | | <i>15</i> |
| • Criteria B: Brief Description of Approach to Assignment | 30 | <i>30</i> |
| • Criteria C: Further Assessment by Interview (if any) | | |