



TERMS OF REFERENCE

Location	Honiara, Solomon Islands
Application deadline	9 October 2020
Type of Contract	Individual Contractor
Title of the post	International Legal aid Senior Consultant
Languages required:	English Solomon Islands Pidgin an advantage
Duration of Initial Contract:	70 days over eight (8) months

BACKGROUND

The UNDP Country Office in the Solomon Islands is implementing a range of projects in support of the Sustainable Development Goals (SDGs). At Goal 5 there is a commitment to achieving gender equality and empowerment of all women and girls. At Goal 10 there is a commitment to reducing inequalities between different groups of people in society. At Goal 16 there is commitment to promoting peaceful and inclusive societies for sustainable development, provide access to justice for all and building effective, accountable and inclusive institutions at all levels. Disability inclusion is instrumental to the SDGs and its central pledge to leave no one behind and to reach the furthest behind first.¹ Strengthening access to justice, rule of law and promoting human rights are cornerstones of UNDP's work to achieve sustainable human development.

The Solomon Islands Access to Justice (A2J) Project supports the building and capacity strengthening of the Public Solicitor's Office (PSO) to enhance access to justice for the people of the Solomon Islands at national and provincial levels, particularly marginalised groups including women, youth and people with disabilities (PWDs). The project supported the development of the PSO 5-year Strategic Plan 2020-2025.

The purpose of this Consultancy is to provide technical support over eight months to the PSO in the implementation of specific activities under the newly designed strategic plan. The technical support will include assistance to the PSO to commence implementation of activities as raised through the Strategic Plan.

Under the direct supervision of the Project Manager, Access to Justice Project, the Consultant will be responsible for assisting with technical matters related to the implementation of the Strategic Plan and Access to Justice Project.

¹ UN, Report of the Secretary-General. Mainstreaming disability in the implementation of the 2030 Agenda for Sustainable Development, 2016.

DUTIES AND RESPONSIBILITIES

Scope of Work

The Consultant will be required to provide specialized technical support in the implementation of the PSO Strategic Plan, in particular in relation to development of initiatives in relation to early access to justice and sustainability of funding to the PSO.

Expected Outputs, Deliverables and Timelines:

	Expected outputs /deliverables	Payment milestones	Deadline
1.	Prepare a needs and solutions analysis for the implementation of the First Hour Procedure in the Solomon Islands including review of relevant legislation, consultation with stakeholders (20 days)	30%	31 December 2020
2.	Work with stakeholders in roll out of a pilot of the first hour procedure including support to multi stakeholder training (20 days)	30%	1 April 2021
3.	Prepare a return on sustainable justice sector investment' paper including methodology, data gathering, data analysis and draft paper (30 days)	40%	1 June 2021

Institutional Arrangement

The Consultant will report to the Project Manager, Solomon Islands Access to Justice Project. Reporting by the Consultant will be undertaken aligned to the deliverables. The success of the initiatives depends on the timely delivery of each component. The Consultant should ensure timely identification of potential risks and signal any delays in deliverables. The reporting format will be further discussed between the Supervisor and Consultant. However, is expected to be emailed updates detailing progress and over Skype/Zoom calls where required.

The consultant is expected to have own computer with access to Skype (or similar communication method) to enable dialogue with UNDP and justice stakeholders as required. UNDP will provide by email background reading materials, reports and documents on commencement of the assignment.

The present TOR may be subject to modification, without changing the overall objective and the scope of work, based on mutual consultations. UNDP will hold the copyright of the assignment deliverables.

Duration of the Work

The Consultant is expected to commit, on a part-time basis, to a period between **October 2020 and June**

2021, up to a maximum of 70 working days over the contract period.

Duty Station

This consultancy is based in Honiara, Solomon Islands. The Consultant may be required to travel within the Solomon Islands on outreach missions.

COMPETENCIES

- Demonstrates commitment to the UN's mission, vision and values;
- Demonstrates sound judgment, diplomacy and sensitivity to confidential matters;
- Openness to change and the ability to receive/integrate feedback;
- Ability to plan, organize, implement and report on work;
- Ability to work under pressure and tight deadlines;
- Demonstrates integrity and ethical standards;
- Innovative forward-thinking, positive, constructive attitude to work; and
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

REQUIRED SKILLS AND EXPERIENCE

Educational Qualifications:

- Advanced University degree Law preferred. An Advanced degree in Human Rights, Political or Social Science, Law, Public Administration or related disciplines would also be considered with the first level university degree of law. (First level university degree with a combination of relevant academic qualifications and legal experience as a practicing lawyer, prosecutor, judge, legal consultant, or international legal officer may be accepted in lieu of the advanced university degree.)

Experience

- 10 years of progressively responsible legal experience in criminal defense, including at least 2 years of international experience working on legal aid and access to justice issues in a developmental, transitional or post-conflict setting outside the applicant's own country, preferably in the Pacific region;
- Demonstrated experience with developing and conducting legal training;
- Thorough knowledge of criminal law and procedure at the national or international level, and prefer knowledge of professional conduct and ethics codes, and international law;
- Superior legal research and writing skills including relevant experience in legislative reform, drafting legislation and policy development experience;
- Sound and proven management skills, training experience, strong leadership, people development skills, and proven ability to work inclusively and collaboratively with host-country

counterparts.

Language requirements

- Fluency of English is required. Knowledge of Solomon Islands Pidgin language would be an asset.

Price Proposal and Schedule of Payments

Consultant must send a financial proposal based on a **Lump Sum Amount**. The total amount quoted shall be all-inclusive and include all costs components required to perform the deliverables identified in the TOR, including professional fee, travel costs, living allowance (if any work is to be done outside the IC's duty station) and any other applicable cost to be incurred by the IC in completing the assignment. The contract price will be fixed output-based price regardless of extension of the herein specified duration. Payments will be done upon completion of the deliverables/outputs and as per below percentages:

- **Deliverable 1:** Prepare a needs and solutions analysis for the implementation of the First Hour Procedure in the Solomon Islands including review of relevant legislation, consultation with stakeholders (20 days) **30% of total contract amount.**
- **Deliverable 2:** Work with stakeholders in roll out of a pilot of the first hour procedure including support to multi stakeholder training (20 days) **30% of total contract amount.**
- **Deliverable 3:** Prepare a return on sustainable justice sector investment' paper including methodology, data gathering, data analysis and draft paper (30 days) **40% of total contract amount.**

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Individual Consultant, prior to travel and will be reimbursed.

Evaluation Method and Criteria

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall 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 set of weighted technical criteria (70%). and financial criteria (30%). Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment.

Technical Criteria for Evaluation (Maximum 70 points)

Criteria 1 - Advanced University degree Law preferred. An Advanced degree in Human Rights, Political or Social Science, Law, Public Administration or related disciplines would also be considered with the first level university degree of law. (First level university degree with a combination of relevant academic qualifications and legal experience as a practicing lawyer, prosecutor, judge, legal consultant, or international legal officer may be accepted in lieu of the advanced university degree.) *Maximum 5*

points.

Criteria 2 - 10 years of progressively responsible legal experience in criminal defense, including at least 2 years of international experience working on legal aid and access to justice issues in a developmental, transitional or post-conflict setting outside the applicant's own country, preferably in the Pacific region; *Maximum 20 points.*

Criteria 3 - Demonstrated experience with developing and conducting legal training; *Maximum 15 points.*

Criteria 4 - Thorough knowledge of criminal law and procedure at the national or international level, and prefer knowledge of professional conduct and ethics codes, and international law; *Maximum 10 points.*

Criteria 5 - Superior legal research and writing skills including relevant experience in legislative reform, drafting legislation and policy development experience; *Maximum 10 points.*

Criteria 6 - Sound and proven management skills, training experience, strong leadership, people development skills, and proven ability to work inclusively and collaboratively with host-country counterparts. *Maximum 10 points.*

Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation.

Shortlisted candidates shall be called for an interview which will be used to confirm and/or adjust the technical scores awarded based on documentation submitted.

Documentation required

Interested individual consultants must submit the following documents/information to demonstrate their qualifications. Please group them into **one (1) single PDF document** as the application only allows to upload maximum one document:

- **Letter of Confirmation of Interest and Availability** using the template provided in Annex II.
- **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.
- **Technical proposal**, including a) a brief description of why the individual considers him/herself as the most suitable for the assignment; and b) a methodology, on how they will approach and complete the assignment.
- **Financial proposal**, as per template provided in Annex II. Note: National consultants must quote prices in SBD.

Incomplete proposals may not be considered.

Annexes

- Annex I - [Individual IC General Terms and Conditions](#)
- Annex II – [Offeror's Letter to UNDP Confirming Interest and Availability for the Individual IC, including Financial Proposal Template](#)

For any clarification regarding this assignment please write to procurement.sb@undp.org

SIGNATURE:

Grace Kiernan

Project Manager, Solomon Islands Access to Justice Project