



TERM OF REFERENCE (ToR) FOR THE RECRUITMENT OF CONSULTANT

GENERAL INFORMATION

Services/Work Description: Training of the Gambia Police and Drug Law Enforcement Agency Prosecutors

Project/Program Title: Strengthen Rule of Law, Access to Justice & security Service Delivery

Post Title: National Resource Person

Consultant Level: Level B (Specialist)

Duty Station: UNDP Gambia Country Office

Expected Places of Travel: in-country travel

Duration: 35 working days over a period of 50 days

Expected Start Date: June 14, 2021/ Immediately after Concluding Contract Agreement

I. BACKGROUND / PROJECT DESCRIPTION

The Government of The Gambia, in partnership with the United Nations Development Programme (UNDP), is in its third year of collaboration with the Rule of Law, Justice, and Security Sector. The UNDP RoL project endeavors to implement a holistic and comprehensive program that addresses both the supply and demand sides of justice delivery. The project seeks to strengthen the rule of law institutions to deliver quality services, empower citizens to exercise their rights, and increase access to justice.

The UNDP RoL project completed thorough consultations with the Ministry of Justice, the Judiciary, the Gambia Police Force, the Gambian Prisons Service, the National Agency for Legal Aid (NALA), the ADR Secretariat, the Law School of the Gambia, and the Gambia Bar Association to understand better the issues and challenges for strengthening the rule of law and increasing access to justice. Subsequently, the project board has approved the project's 2019, 2020, and 2021 Annual Work Plans.

The United Nations Development Programme, in partnership with the National Agency for Legal Aid (NALA), Gambia Police Force (GPF), and the Centre for Legal Support (CLS), is implementing joint activities to strengthen the prosecutorial capacity of Police/DLEA Prosecutors in The Gambia. The training for the Police/DLEA Prosecutors would enhance their prosecutorial capacity to prosecute cases effectively and would include the development of a training manual. The training manual will be used to facilitate the training of the Prosecutors' present and future trainings. As a part of the manual development process, an analysis of existing guidelines, laws, and capacity gaps of Police/DLEA Prosecutors will be assessed.

The training and development of a manual will strengthen access to justice under Sustainable Development Goal (SDG) 16: "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."



II. SCOPE OF THE WORK

The UNDP seeks the services of an expert to undertake the development of a training manual for Police Prosecutors focused on enhancing their capacity to effectively and diligently prosecute cases and facilitate training for Police Prosecutors on the developed manual.

Specific Task

- Review existing legal and policy frameworks on criminal prosecutions by the Police in The Gambia.
- Review existing policy guidelines on the prosecuti
- on of cases develop the draft training manual considering the training gaps on existing modules on the curricular.
- Facilitate consultation meetings on the draft training manual with critical stakeholders.
- Compile all the input and views from the key stakeholders and incorporate the feedback on the draft training manual.
- Submit the final version of the training manual for Police Prosecutors.
- Conduct training for Police/DLEA Prosecutors on the final training manual.

Objective

The main objective of this training is to strengthen the constituent's capacity of Police/DLEA prosecutors in The Gambia to carry out their function professionally, diligently in areas of their jurisdiction. In addition, this will address the issue of case backlog, which has been a persistent problem in the justice sector.

The expected outputs for this assignment are-

1. An inception report detailing the work plan with clear activit
2. y deliverables
3. Facilitate consultation with stakeholders on the drafting of the training manual.
4. Draft training manual.
5. A comprehensive training manual.
6. Conduct training for Police/DLEA prosecutors.

III. EXPECTED OUTPUTS AND DELIVERABLES

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Submission of Inception Report comprising a desk review work plan with clear deliverables and activities and a schedule of works for the assignment.	5 Working days	UNDP/Focal points Police/CLS/NALA
2	Report of consultation meetings with all stakeholders involved.	5 Working days	UNDP/Focal points Police/CLS/NALA
3	Submission of Draft Training Manual	10 Working days	UNDP/Focal points Police/CLS/NALA
4	Report of final validation meeting and final draft Training Manual	5 Working days	UNDP/Focal points Police/CLS/NALA
5	Submission of Training Report/Training Manual	10 Working days	UNDP/Focal points Police/CLS/NALA



Indicators to evaluate the consultant's performance

All the outputs should be submitted in English and meet the satisfaction of UNDP RoL according to the following indicators:

- Quality of the reports produced.
- Quality of training curricula produced.
- Technical competence; and
- Timeliness of the delivery.
- The evaluation of the consultant's performance (the quality of the reports and products, the technical competence shown, and the timeliness of the reports) will be determined by the UNDP RoL in close coordination and consultation with NALA, GPF, and CLS.

IV. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

- a. UNDP, through the RoL project, CLS, NALA, and the Police, will manage and oversee the process. The consultant will submit weekly reporting to **UNDP and Partners for validation**.

V. LOGISTICS AND ADMINISTRATIVE SUPPORT

The Gambia Police Force would provide a training venue, UNDP supports the procurement of breakfast, lunch, and transport refund of participants.

VI. DURATION OF THE WORK

- a. The duration of the consultancy is **35 working days**.

VII. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

a. Academic Qualifications:

- Advanced university degree in law, criminal justice, human rights, or a related field.
- A combination of relevant academic qualifications and extensive experience may be accepted in lieu of the advanced university degree.

b. Years of experience:

- Minimum 7 years of progressively responsible professional experience in criminal prosecutions/defense in developing countries with a preference for the regional experience.
- Minimum 3 years working on Police Prosecution, including developing prosecution strategies, implementing prosecutorial capacity-building projects, and monitoring and evaluating results of prosecutorial capacity-building projects.
- Prior experience working for UNDP and knowledge of its programmatic structures and processes is strongly preferred; experience working for other parts of the UN system also an asset.
- Experience in interacting with regional and international stakeholders/donors in a multicultural environment.
- A professional background as a Public or Police Prosecutor in The Gambia or in a developing country is highly desirable.

c. Competencies:

- Extensive knowledge in criminal prosecutions.
- Demonstrable competency in drafting training manuals, policies and conducting trainings.



- Excellent teamwork, communication and interpersonal skills, computer, analytical, and report writing skills; and

d. Language and other skills:

- Excellent command of English.
- Capacity to communicate fluently with different stakeholders

e. Compliance of the UN Core Values:

- Demonstrates integrity by modeling the UN's values and ethical standards
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

Important Note:

The consultant is required to have the following professional and technical qualifications.
Only the applicants who hold these qualifications will be shortlisted and contacted.

VIII. CRITERIA FOR SELECTING THE BEST OFFER

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly; Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals are:
 - a. Technical Criteria weight is **70%**
 - b. Financial Criteria weight is **30%**

Criteria	Weight	Max. Point
Technical competence (based on CV, Proposal and interview (if required))	70%	100
<ul style="list-style-type: none"> ▪ Understanding the Scope of Work (SoW); comprehensiveness of the methodology/approach; and organization & completeness of the proposal 		50*
<ul style="list-style-type: none"> ▪ Criteria b. Technical competence 		10**
<ul style="list-style-type: none"> ▪ Criteria c. Relevant Experience 		10**
Financial (Lower Offer/Offer*100)	30%	30
Total Score	Technical Score * 70% + Financial Score * 30%	



IX. PAYMENT MILESTONES AND AUTHORITY

The qualified consultant shall receive his/her service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

Installment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 st Installment	Submission of Inception Report comprising work plan with clear deliverables and activities and a schedule of works for the assignment.	RR	10%
2 nd Installment	Submission of Draft Training Manual	"	25%
3 rd Installment	Report of final validation meeting and final draft Training Manual	"	25%
4 th Installment	Submission of Training Reports/training manual	"	40%

XI. CONFIDENTIALITY AND PROPRIETARY INTERESTS

- The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

XII. ANNEXES TO THE TOR

This TOR is approved by:

Signature: *Fatuma Silungwe*

Name and Designation: Fatuma Silungwe, Rule of Law CTA

Date of Signing: 27-May-2021