



**TERMS OF REFERENCE – NATIONAL CONSULTANT
TO REVIEW AND DEVELOP THE LAW AND JUSTICE SECTOR – EVAWG COORDINATING MECHANISM
(Readvertised)
Ref: IC2021/WSM/020**

A. PROJECT TITLE

The Government of Samoa Law and Justice Sector - Review existing multi-stakeholder coordination mechanisms on responding to Ending violence against women and girls (EVAWG).

B. PROJECT DESCRIPTION

The work of the Law and Justice sector (LJS) is the Government of Samoa’s new way of working to strategically streamline policy and operational processes and practices based on a multi-sectoral delivery approach to improve the quality of life for all Samoan citizens. Two national studies highlight the prevalence of domestic violence as reaching epidemic figures, in the last two decades, with six out of 10 women experience some form of intimate partner violence in their lifetime, nine in ten children experience some form of verbal, physical, or sexual violence and one in nine girls suffer from sexual violence with 1 in every 5 girls raped. Strengthening the Law and Justice coordinating mechanism would provide the corporate and social accountability from this sector to ensure the sector as an essential institution for service delivery is able to fully implement the Samoa Law and Justice Sector Plan with a renewed priority focus on the elimination of violence against women.

One of the key indicators for improving quality of life and access to essential services is making sure all women, children, elderly, and marginalized individuals and groups regardless of age, disability and status live in a violent free society – a vision and mission we all strive to make it a reality. All of the fifteen (15) sectors of Government have a strong contribution to ensure commitment to this vision is implemented into action-oriented results. The Ministry of Justice, Courts & Administration (MJCA) is the administrator of Family laws in Samoa including the Family Safety Act 2013. Under the strategic coordination leadership of the MJCA, the work of law and justice sector to prevent and respond to violence against women and domestic violence is therefore significantly important as the driving vehicle for provision of essential integrated Gender Based Violence (GBV) interventions are done in a well-coordinated and meaningful manner. The Samoa survey(s) into Family Violence recommendations highlighted the need to strengthen the multisectoral coordination mechanism that will strategically pinpoint context in terms of implementing specific holistic interventions and services, resource mobilization, and collective monitoring and evaluation as not a single sector nor an agency can solve violence on its own. Therefore, this assignment will capitalize on the existing strength of the *law and justice sector is the amalgamation of key frontline providers that offer* a mixed range of essential support services, funds and program approaches to jointly support comprehensive efforts at the national level to address gender inequalities and in particular GBV and Domestic Violence (DV).



UNDP in partnership with MJCA /Law and Justice Sector Unit is recruiting a local consultant to support the development and implementation of a strategy to strengthen the coordination and collaborative role of the sector to ensure efficient and effective cross-sectoral engagement to better prevent and respond to EVAWG and domestic violence in line with the strategic direction of the Samoa Law and Justice Sector Plan 2020 - 2025, the SDS and international human rights standards and best practices.

3 SCOPE OF WORK

The National Consultant (LC) will:

- Work directly with the Samoa LJS using its wide multistakeholder platform to better able to develop and deliver evidence-based programmes that prevent and respond to VAWG and domestic violence.
- Report to the Chair of the Steering Committee (Law and Justice Sector) and the UNDP ARR Governance and Poverty Reduction Unit (GPRU). The LC will ensure the task is co-designed with, women's groups, key stakeholders within the law and justice sector, survivors of domestic violence, and aligned to existing or new interagency referral planning documents across community/social sector, health, education, in addressing violence.
- Take into account the strategic direction and implementation strategies and operational management procedures undertaken as part of the design of the Samoa law and justice sector plan 2020/2021 – 2025/2026 in particular the institutional roles and responsibilities of key agencies in responding to domestic violence and gender-based violence.

The local consultant is expected to carry out the following responsibilities from a gender and social inclusion and human rights perspective and within a culturally sensitive manner:

Develop a work plan setting out the work, methodology, or approach and timelines including specific activities required for this assignment to be endorsed within one week of the commencement date of contract signing. Including a section on cross stakeholder engagement with relevant community, civil society, marginalized groups (ie. survivors of violence, Lesbian Gay Bisexual Transgendered Queer and Intersex (LGBTQI) /Sexual orientation and gender identity (SOGI), disability, youth groups, elderly). This will include names of agencies, individuals, groups to be endorsed as part of the plan.

Work with the LJS steering committee to review the current coordination multistakeholder platform or structure in addressing VAWG and DV. This will include consulting with the MWCSO, Community sector as a key partner of the LJS to determine cross synergies and ensure which is the best sustainable coordination mechanism for GBV and DV taking into account any relevant and active coordination mechanisms currently existing.

2.1 Work with the LJS Unit and Steering Committee members, and relevant key stakeholders to review membership, purpose, and efficiency of the current structure to coordinate across different ministries, agencies, non-government and civil society/community-based structures.

2.2 Based on agreement from LJS steering committee and stakeholders consulted, identify new or strengthen existing multisectoral partnerships/membership, best practice, or new mechanisms for improving coordination of sector prevention and response services in relation to GBV and DV. Ensuring clear synergies are articulated and applied across the work of MWCSO /community sector and health and education sector.



3. Develop a strategy for improving coordination within the Law and Justice Sector to prevent and respond to GBV/DV.

3.1 Build in the REACH model (based on what has worked well) to improve coordination and referral pathways amongst the different institutions. This model would enable coordination at the national level and improve the consistency and coherence of implementation efforts.

3.2 Develop a new Terms of Reference for establishing an appropriate or strengthening an existing EAWG and GBV/DV interagency coordinating mechanism within the LJS which follows the principles of 'do no harm, LNOB, and gender-responsive, culturally sentinel, human rights-based, and participatory policymaking.

3.3 Provide technical advice to guide implementation of the TOR, including resource and budget mobilization for future support and collaboration across agencies, sectors at national, sub-national, and international levels.

3.4 Provide ongoing technical advisory support (50 working days) technical support under Spotlight project 2021) to the LJS Sector Coordinator and MJCA CEO as (Chair of Steering Committee) to implement the TOR and ensure coordinating mechanism looks at a whole of government approach and engage multi-stakeholder organizations (civil society, women's organizations) who will bring to the table innovative prevention and survivor best practice prevention and response.

4 Provide capacity building mentoring support to the LJS coordinating unit and members of the task force on addressing VAWG and harmful practices for 50 working days

(i) EXPECTED OUTPUTS AND DELIVERABLES

The Local Consultant is required to submit for the Steering Committee's approval a work programme which may include but is not limited to their carrying out of the following:

1. Provide a work plan (include timelines), methodology, and approach on how the assignment will be executed for 50 working days according to the Terms Of Reference (TOR) scope of work with expected outputs and deliverables.
2. Work with the LJS steering committee to review the current sector structure or coordination multistakeholder platform in addressing VAWG and DV. This will include consulting with the MWCSO, Community sector as a key member of the LJS to determine cross synergies and ensure which is the best sustainable coordination mechanism for GBV and DV taking into account any relevant and active coordination mechanisms currently existing.



- 2.1 Work with the LJS Unit and Steering Committee members, and relevant key stakeholders to review membership, purpose and efficiency of the current structure to coordinate across different ministries, agencies, non-government and civil society/community based structures.
- 2.2 Based on agreement from LJS steering committee and stakeholders consulted, identify new or strengthen existing multisectoral partnerships/membership, best practice or new mechanisms for improving coordination of sector prevention and response services in relation to GBV and DV Ensuring clear synergies are articulated and applied across the work of MWCSO /community sector and health and education sector.
- 3 Develop a strategy for improving coordination within the LJS to prevent and respond to GBV/DV. (Refer to the scope of work for more details)

Collaborate with the Coordination Unit of the Sector to conduct necessary steering committee meetings, stakeholder interviews and or consultations; Conduct any further research, information collection, and analysis needed.

- 3.1 Build in the REACH model (based on what has worked well) to improve coordination and referral pathways amongst the different institutions. This model would enable coordination at the national level and improve the consistency and coherence of implementation efforts.
- 3.2 Develop the TOR and implementation strategy to be presented to the Steering Committee, based on feedback from the Steering Committee, work on the preparation and write up of the final draft of the TOR.
- 3.3 Work closely with the LJS Sector Coordinator to initiate the implementation of the TOR and provide technical advice to guide implementation of the TOR, including resource mobilization for future support and collaboration across agencies, sectors at national, sub-national, and international levels.
- 3.4 Provide ongoing technical advisory support (for 50 working days) contract support under Spotlight Initiative project 2021) to the LJS Sector Coordinator and MJCA CEO as (Chair of Steering Committee) to implement the TOR.
- 4 Provide capacity building mentoring support to the LJS coordinating unit and members of the task force on addressing VAWG and harmful practices for 50 working days.

Deliverables	Tentative Target Due Dates	Amount (USD) to be paid upon UNDP Certification of Deliverable and Satisfactory Performance and
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United Nations Development Programme



		endorsement by the MJCA CEO and UNDP ARR GPRU
<p>1 Provide a detailed work plan (include timelines), methodology and approach including specific activities, cross-sectoral engagement approach (list of people/groups) on how the assignment will be executed over the period of 50 days according to the TOR scope of work with expected outputs and deliverables.</p>	<p>6 September 2021 (5 days from the effective date of contract signing)</p>	<p>15% of lump sum payment</p>
<p>2.1 Work with the Law and Justice Sector Unit and Steering Committee members, and relevant key stakeholders to review membership, purpose, and efficiency of the current structure to coordinate across different ministries, agencies, non-government and civil society/community based structures.</p> <p>2.2 Based on agreement from LJS steering committee and stakeholders consulted, identify new or strengthen existing multisectoral partnerships/membership, best practice or new mechanisms for improving coordination of sector prevention and response services in relation to GBV and DV Ensuring clear synergies are articulated and applied across the work of MWCS /community sector and health and education sector.</p> <p><i>Note 1: LC to provide a written comprehensive report on conducting of the review, outcomes of the review, stakeholders consulted and recommendations in relation to 2, 2.1 and 2.2 output deliverables. This report is to be submitted to CEO MJCA & ARR UNDP for endorsement to trigger 2nd milestone payment</i></p>	<p>13 Sep – 8 October 2021 (20 days)</p> <p>Report due on 20 August 2021</p>	<p>25% of lump sum payment</p>
<p>3 Develop a strategy for improving coordination within the Law and Justice Sector to prevent and respond to GBV/DV. (Refer to the scope of work for more details)</p>	<p>11 Oct – 5 November 2021 (20 days)</p>	<p>35% of lump sum payment.</p>



<p><i>Collaborate with the Coordination Unit of the Sector to conduct necessary steering committee meetings, stakeholder interviews and or consultations; Conduct any further research, information collection, and analysis needed.</i></p> <p>3.1 Build in the REACH model (based on what has worked well) to improve coordination and referral pathways amongst the different institutions. This model would enable coordination at the national level and improve the consistency and coherence of implementation efforts.</p> <p>3.2 Develop the TOR and implementation strategy to be presented to the Steering Committee; Based on feedback from the Steering Committee, work on the preparation and write up of the final draft of the TOR.</p> <p>Note 1: LC to provide a full copy of the coordination mechanism strategy, TOR written to CEO, LJS and Steering committee. (attaching supporting documents to verification i.e. tangible coordinating mechanism setup, meeting reports, capacity building for staff). These output deliverables 3 – 3.2 to be submitted to CEO MJCA & ARR UNDP for endorsement to trigger the third milestone payment.</p>	<p><i>Documents due and submitted on 17 September 2021</i></p>	
<p>3.3 Work closely with the LJS Sector Coordinator to initiate the implementation of the TOR and provide technical advice to guide implementation of the TOR, including resource mobilization for future support and collaboration across agencies, sectors at national, sub-national, and international levels.</p> <p>3.4 Provide ongoing technical advisory support (for 50 days contract support under Spotlight Initiative project 2021) to the LJS Sector Coordinator and MJCA CEO as (Chair of Steering Committee) to implement the TOR.</p>	<p>13 November (5 days)</p>	<p>25 % of lump sum payment</p>



<p>4 Provide capacity building mentoring support to the LJS coordinating unit and members of the task force on addressing VAWG and harmful practices for 50 days</p> <p>Note 1: LC to provide a final complete exit report outlining results of TA support to CEO, LJS and Steering committee. (attaching supporting documents to verification ie tangible coordinating mechanism set up, meeting reports, capacity building for LJS staff, etc) The report must state completion of work in relation to the output deliverables 3.3 – 3.4 and 4 to be submitted to CEO MJCA & ARR UNDP for endorsement to trigger final milestone payment.</p>		
<p>TOTAL DURATION</p>	<p>50 working days = 100%</p>	<p>Total Amount: USD XXX</p>

C. INSTITUTIONAL ARRANGEMENT

The Local Consultant will be recruited for up to fifty (50) working days from the effective date of the contract.

The consultancy is to deliver on:

- (i) The support and development of a coordinating mechanism that will strengthen the multisectoral response to ending violence against women and girls, GBV, DV which shall continue to provide a link between the national strategic plan (Strategy for the Development of Samoa) and Sector Agencies corporate plans as well as demonstrate the Sector’s international commitment to the Sustainable Development Goals (SDGs) and human rights conventions.

Inputs by Sector agencies

All Sector Agencies will make available to the Local consultant all relevant information that may assist the Local consultant in carrying out the services. These include but are not limited to the agency standalone or interagency operating procedures or manuals for addressing domestic violence and intimate partner violence.

Ownership

The Samoa Law & Justice Sector maintains ownership of all data and information used in the duration of this review.



Reporting Requirements

The Local Consultant is required to report on a fortnightly basis to the CEO/Chair of the Steering Committee of the Law and Justice Sector and UNDP ARR GPRU. The LC will also liaise directly with the UNDP Spotlight Coordinator.

The Steering Committee based on guidance from the CEO MJCA will convene regular meetings, workshops in light of the TOR given this assignment has a direct influence on the future work of the committee. The Committee shall approve (endorse) or suggest amendments to proposals or recommendations within 2 weeks of receipt.

The Local Consultant shall be based at the Ministry of Justice and Courts Administration, Samoa. The Ministry will make available to the LC a desk space to work in where necessary.

D. DURATION OF THE WORK

The duration of time for the Local Consultant (LC) to provide the services will be up to fifty **(50) working** days from the effective date of the contract. The last 5 working days of the contract will be allocated to the ongoing technical advisory support role to the LJS Coordinating Unit, CEO MJCA for the initial set up or implementation of the TOR. The last 5 working days does not have to be taken simultaneously but can be decided upon based on the need.

The local consultant must submit to the CEO MJCA & LJS Unit a work plan setting out timelines, methodology for the scope of works. and must be approved by the Steering Committee within the first week of commencement of the Services.

E. DUTY STATION

For this consultancy, the local consultant will be based in Samoa and can work from home, however where her/his presence is required she/he will be based at the Ministry of Justice and Courts Administration, Samoa. MJCA will provide the necessary workspace, a desk, chair.

F. COMPETENCIES

Corporate Competencies

- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Demonstrates commitment to the Government of Samoa mission, vision, and values
- Demonstrates integrity by modeling the UN's values and ethical standards.
- Promotes the vision, mission, and strategic goals of UNDP.
- Treats all people fairly without favouritism.
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.



Functional Competencies

- Strong analytical skills and critical thinking skills;
- Understands and applies survivor – based approach from a gender equality lens
- Creative ideas and the ability to think outside the box while maintaining cultural integrity
- Shares knowledge and experience
- Demonstrated knowledge and application of current international and local GBV prevention best practices
- Understands the work of the Law and Justice Sector in terms of referral pathways, operational procedures in dealing with domestic violence, family protection orders
- Demonstrated knowledge of relevant Samoan legal framework and national policy frameworks for children, women, and persons with disabilities
- Demonstrated ability to communicate effectively with various partners including government, civil society, the private sector, UN agencies; development partners; and communities;
- Actively works towards continuing personal learning, acts on learning plan, and applies newly acquired skills

Leadership and Self-Management

- Focuses on result for the client responds positively to feedback
- Consistently approaches work with energy and a positive, constructive attitude
- Remains calm, in control, and good humored even under pressure
- Demonstrate openness to change and ability to manage complexities
- Be able to link and articulate GESI or gender-based violence issues and strategies to the work of Sector
- Good interpersonal and teamwork skills, networking aptitude, ability to work in a multicultural environment

I. QUALIFICATIONS AND EXPERIENCE REQUIREMENTS OF SUCCESSFUL CONTRACTOR (SHOWING ASSESSMENT VALUE)

The local consultant should have:

- Mandatory a minimum formal qualification of a Bachelor’s degree in Arts (BA) or a related field from a recognized university,
- Mandatory a minimum of 7 years’ experience in policy development, management, and operational processes and or procedures,
- Mandatory a familiarity with Law and Justice and gender-based violence issues, referral pathways and case management in Samoa,
- Desirable a demonstrated experience in working in the gender-based violence space from a human rights and social development perspective.
- Desirable to have the ability to work in a flexible and responsive manner and ability to engage with counterparts at a strategic and management level



- Relevant work experience in developing countries in a multi-stakeholder environment with a development organization, government, civil society, private sector, or a research/academic institution is desirable;
- Relevant work experience in the Pacific Islands is a strong advantage, and
- Proficiency in English and Samoan (both written and oral).

EVALUATION PROCESS & CRITERIA

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as;

- Responsive/ Compliant/ Acceptable, and,
- Having received the highest score out of pre-determined set of weighted technical and financial criteria specific to the solicitation.

TECHNICAL CRITERIA WEIGHT – 70%

FINANCIAL CRITERIA WEIGHT – 30%

Technical Evaluation Criteria will be based on the information provided in the CV and the relevant documents must be submitted as evidence to support the above required criteria [maximum 100 points]. Only candidates obtaining a minimum of 70% of the total technical points (49 points) will be considered for the Financial Evaluation. Interviews may be conducted as part of the technical assessment for shortlisted proposals.

Qualification and Experience – Evaluation of CVs for Shortlisting

- Mandatory a minimum formal qualification of a Bachelor’s degree in Arts (BA) or a related field from a recognized university, (15%)
- Mandatory a minimum of 7 years’ experience in policy development, management, and operational processes and or procedures, (25%)
- Mandatory a familiarity with Law and Justice and gender-based violence issues, referral pathways and case management in Samoa (20%)
- Desirable a demonstrated experience in working in the gender-based violence space from a human rights and social development perspective (10%)
- Desirable to have the ability to work in a flexible and responsive manner and ability to engage with counterparts at a strategic and management level (10%)
- Relevant work experience in developing countries in a multi-stakeholder environment with a development organization, government, civil society, private sector, or a research/academic institution is desirable (10%)
- Proficiency in English and Samoan (both written and oral) (10%)

J. RECOMMENDED PRESENTATION OF PROPOSAL



Given below is the recommended format for submitting your proposal. The following headings with the required details are important. Please use the template available (Letter of Offer to complete financial proposal) CVs with a proposed methodology addressing the elements mentioned under deliverables must be submitted by 21 July 2021.

Kindly note you should **upload only ONE document** to this application (scan all documents in one single PDF file to attach).

Incomplete applications will not be considered and only candidates for whom there is further interest will be contacted. Proposals must include:

- **Annex I Letter of interest and availability specifying the available date to start and other details**
- **Annex II CV** or P11 form addressing the evaluation criteria and why you consider yourself the most suitable for this assignment. The selected candidate must submit a signed P11 prior to contract award.
- **Annex III Financial Proposal** specifying the daily rate and other expenses, if any
- **3 professional references most recent** (must be dated within six (12) months)
- **A brief methodology** on how you will approach and conduct the work,

Included for your information as well Annex IV UNDP General Terms and Conditions.

Queries about the consultancy can be directed to the UNDP Procurement Unit procurement.ws@undp.org.

K. Approval

This terms of reference is approved by.

Christina Mualia-Lima, ARR Governance and Poverty Reduction Unit, 14 July 2021