



TERMS OF REFERENCE – NATIONAL CONSULTANT
DEVELOP A GUIDE TO PREVENT AND RESPOND TO VIOLENCE AGAINST WOMEN AND GIRLS
(Readvertised)
Ref: IC2021/WSM/021

A. PROJECT TITLE

Development of the Government of Samoa Law and Justice Sector's Guide to prevent and respond to violence against women and girls.

B. PROJECT DESCRIPTION

The Law and Justice Sector approach was set up by the Government of Samoa as a strategic delivery modality to demonstrate a new way of working to improve (1) access to justice for survivors of violence utilizing a survivor-centred approach and (2) community crime prevention and management services to all its Samoan citizens through an integrated and multisectoral delivery approach.

The 2017 Samoa Family Safety Study and the 2018 National Public Inquiry into Family Violence emphasizes the alarming and increasing rates of domestic violence in Samoa, with six out of ten 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 experiencing sexual violence. The survey(s) recommendations noted the need to strengthen legislative frameworks and monitoring mechanisms including institutional strategies to support effective implementation. The Law and Justice Sector play a significant role in addressing violence against women and girls, especially violence in the home as this sector has a critical role in implementing and enforcing family violence prevention laws. These actors, such as the justice system and security systems, also have a responsibility to respond to incidents of domestic violence. In order to effectively do this, the Law and Justice Sector must be supported to have in place clear interagency sector guidelines or operating procedures with minimum standards that are gender and age responsive to the needs of those seeking help.

In March 2020, UNDP embarked on a partnership with the Ministry of Justice, Courts & Administration (MJCA) under the banner of the Spotlight Initiative's Samoa Country Program. The primary objective of the partnership is to work through the Law and Justice Sector to implement program activities that support institutional strengthening for service providers to effectively carry out their functional and operational responsibilities to eliminate violence against women and girls in Samoa.

Under the coordination leadership of the CEO of the Ministry of Justice, Courts & Administration, the Law and Justice Sector brings together integrated service providers and advocates forming a Steering Committee comprising of the following agencies: Office of the Attorney General, Ministry of Police, Office of the Ombudsman, Ministry of Women, Community and Social Development, Samoa Law



Reform Commission, Samoa Prisons and Corrections Services, Public Service Commission and the Ministry of Finance, Samoa Law Society, SUNGO, National Council of Churches, a representative of village Matai, a representative of Sui o Nuu, a representative of Sui Tamaitai o Nuu, SVSG and representatives from the women's rights civil society sector.

UNDP in partnership with Law and Justice Sector is recruiting a national consultant to develop a standard guideline for the sector's prevention and response to violence against women and girls with a focus on domestic violence in line with international human rights standards, a survivor-centred approach and best practices locally, regionally and globally. An important feature of the guide is to strengthen civil society engagement whether it be in service delivery or at the legislative and policy level within the law and justice sector.

C. SCOPE OF WORK

The Local Consultant (LC) will work directly with the Samoa Law and Justice Sector and report to the Chair /CEO MJCA and of the Steering Committee (Law and Justice Sector) and the UNDP Spotlight Coordinator. The LC will ensure the development of the guide is informed by the Samoa Law & Justice Sector Plan 2020 – 2025 in specific areas to deal with domestic violence and violence against women and girls. Ensuring additional engagement with relevant community and women's groups, GBV service providers like SVSG who are often the first entry point for survivors, key stakeholders within the law and justice sector and aligned to existing interagency planning documents across community/social sector, health, education, in addressing violence.

The national consultant is expected to carry out the following responsibilities from a gender and social inclusion and human rights perspective, within a culturally sensitive manner and by centring on a survivor-centred approach:

1) Develop a workplan, methodology and timeframe required for this assignment to be endorsed within 5 days of the commencement date of contract signing. The plan should include a section on:

- Community engagement, in consultation with MWCSO and relevant GBV service providers, women's groups and marginalized groups (LGBTQI, disability, elderly) that will be consulted for the design of the guide.
- The plan should also include a section on how the guide will integrate and reinforce the existing/planned national protocols, namely the Interagency Essential Services Guide (IESG) coordinated by the MWCSO and, pending way forward, the National Prevention Framework.

2) Conduct a consultative information gathering process:

- Carry out any relevant stakeholder interviews to assess the current operational processes and capacities of Law and Justice sector actors to respond to DV/IPV including with GBV service providers.
- Examine the efficiency and effectiveness of the Law and Justice sector's response to survivors of GBV, including coordination with other key sectors like community, health and social services;
- Examine the relevance, response, and coordination mechanisms of handling cases related to GBV/DV.



2.1 Based on the available literature data, information and interview responses collected, critically analyse and map out how the current law and justice system address cases of violence against women and girls beginning with the first point of contact, who receives the call for help, referrals, services provided (eg. Legal aid, protection, case management or other) and the processes involved in providing different services for survivors.

2.2 Make recommendations on training needs and resources required to support the implementation of the guide.

3) Develop a guide to prevent and respond to Violence Against Women and Girls

3.1 In consultation with the Steering Committee and key stakeholders as mentioned above, determine Law and Justice Sector minimum operating standards for the guide based on a survivor-centred approach, the best interest of the child principles and non-discriminatory principles of leaving no one behind.

3.2 Using critical analysis and data/information collected, state clear roles and responsibilities of each of the law and justice services and care provided by key agencies and as a coordinated sector.

3.3 Ensure gender-responsive safety and ethical standards are met, paying close attention to confidentiality and safety of survivors.

3.4 Operationalize key principles by developing appropriate templates for law and justice services for survivors or cases of GBV including guidance around confidentiality, case management in the legal setting, recording, monitoring of client forms etc. in English and Samoan.

3.5 In coordination with GBV service providers, MWCSD and with due attention to the IESG:

3.6 Map out clear processes and structures for an interagency referral and management system that integrates law and justice services for survivors, including accessing court proceedings.

3.7 Develop a coordinated approach for referrals and legal aid services for survivors and cases of GBV.

4) Facilitate dissemination of the Guide

4.1 Conduct 1 training orientation on how to use the guide for the law and justice sector agencies.

D. EXPECTED OUTPUTS AND DELIVERABLES

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

- (i) Provide a workplan (include timelines), methodology on how the assignment will be executed including a clear section on civil society, women's groups, service providers, community engagement.
- (ii) Develop interview/consultations guides for necessary stakeholder interviews/consultations
- (iii) Conduct necessary stakeholder interviews and or consultations and develop the guide;
- (iv) Conduct any further research, information collection and analysis needed;
- (v) Develop the guide and present the first draft, including all necessary templates and roadmap pictorials, to the Steering Committee;



- (vi) Based on feedback from the Steering Committee, work on the preparation and write up of the final draft of the **guide**;
- (vii) Present the final draft of the **guide** to the Steering Committee; and
- (viii) Provide the LJS Interagency **Guide to prevent and respond to GBV for the law and Justice sector** in both hard and soft copy to the MJCA and UNDP.
- (ix) Conduct one training for law and justice sector relevant personnel on how to use the guide

Deliverables	Tentative Target Due Dates	Amount (USD) to be paid upon UNDP Certification of Deliverable and Satisfactory Performance based on the endorsement of the final guide and completion of training by CEO MJCA & ARR UNDP GPRU.
<ul style="list-style-type: none"> 1) Provide a workplan (include timelines), methodology on how the assignment will be executed 2) Develop interview/consultations guides for necessary stakeholder interviews/consultations 	6 September 2021 (5 working days)	10% payment milestone of lump sum
<ul style="list-style-type: none"> 3) Collaborate with the Coordination Unit of the Sector to conduct necessary stakeholder interviews and or consultations and to develop the guide; 4) Conduct any further research, information collection and analysis needed; <p><i>Note: the consultant will write up a brief progress report indicating actions and completion of milestone 1 – 4 to be submitted to CEO MJCA & ARR UNDP to activate the first milestone payment.</i></p>	13 Sep – 8 October 2021 (20 working days)	20% payment of lump sum



<p>5) Develop the guide and present the first draft, including all necessary templates to the MJCA and Steering Committee for discussion;</p> <p><i>Note 1: the guide to be shared for relevant input with MJCA and UNDP by 1 September</i></p> <p><i>(Note 2: 10 days to obtain feedback from Steering committee including MJCA & UNDP by 1 September to LC, so that meeting can take place on 15 September)</i></p>	<p>11 Oct – 12 November 2021 (25 working days)</p>	<p>30% payment of lump-sum</p>
<p>6) Based on feedback from the Steering Committee, work on the preparation and write up of the final draft of the guide;</p> <p>7) Present the final draft of the guide to the Steering Committee for endorsement; and</p> <p>8) Upon validation from Steering Committee - Provide the Interagency <u>Guide to prevention and responding to GBV for the law and Justice sector</u> in both hard and soft copy to the Steering Committee and UNDP.</p> <p>9) Conduct 1 training for law and justice sector relevant personnel on the guide.</p>	<p>26 November 2021 (10 working days)</p>	<p>Payment of the remaining 40% of the final amount</p>
<p>TOTAL DURATION</p>	<p>60 working days 100%</p>	<p>. Total Amount: XXX</p>

10) INSTITUTIONAL ARRANGEMENT

The Local Consultant will be recruited for up to 60 working days from the effective date of the contract.

The consultancy is to deliver on:



- (i) the development of interagency prevention and responding to GBV guide for the Law and Justice Sector which shall continue to provide a link between the national strategic plan (Strategy for the Development of Samoa), Law and Justice new Sector Plan and, IESG MWCSO, 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 MJCA & Sector agencies

MJCA and relevant sector Agencies under the LJS Steering Committee will make available to the Local consultant all relevant information that may assist the Local consultant in carrying out the services. These include but 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 for the duration of this assignment.

Reporting Requirements

The Local Consultant is required to check-in and report to the CEO and Chair of the Steering Committee of the Law and Justice Sector and will liaise directly with UNDP Spotlight Coordinator.

The Steering Committee shall be convened to consider the draft GUIDELINE. The Committee shall approve (endorse) or suggest amendments to the draft guide within 2 weeks of receipt.

The Local Consultant will work remotely within Samoa and may be based at the Ministry of Justice and Courts Administration, Samoa under the LJS Coordinating Unit if deemed necessary. The Ministry will make available to the LC a desk space to work in.

11) DURATION OF THE WORK

The duration of time for the Local Consultant (LC) to provide the services will be up to 60 working days from the effective date of the contract.

The national consultant must submit to the CEO MJCA & LJS Unit a work plan setting out timelines, methodology for the scope of works. It may be varied by agreement between the CEO MJCA and UNDP Spotlight Coordinator and must be approved by the CEO MJCA within the first week of commencement of the Services.



12) DUTY STATION

This consultancy is home-based – Samoa. For this consultancy, the national consultant may be required to be based at the Ministry of Justice and Courts Administration, Samoa when deemed necessary, otherwise the LC can work from home.

13) 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 modelling 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 national consultant should have:

- Mandatory a Minimum of a Bachelor's degree in Arts (BA) or a related field (15%)
- Mandatory a Minimum of 7 years experience and demonstrated knowledge in the development of standard operating procedures, service standards and, operational processes and procedure, management guidelines, referral pathway and case management (25%)
- Mandatory a demonstrated strong knowledge and familiarity with Law and Justice issues and gender-based violence issues, referral pathways and case management in Samoa (20%)
- Desirable is the ability to work in a flexible and responsive manner and ability to engage with counterparts at a strategic, operational and management level (10%)
- Desirable relevant work experience in developing countries in a multi-stakeholder environment with a development organization, government, civil society, NGOs, private sector, or a research/academic institution (10%)
- Relevant work experience in the Pacific Islands is a strong advantage (10%)
- Proficiency in English and Samoan (both written and oral) (10%)

J. 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 a 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 of a Bachelor's degree in Arts (BA) or a related field (15%)



- Mandatory a Minimum of 7 years experience and demonstrated knowledge in the development of standard operating procedures, service standards and, operational processes and procedure, management guidelines, referral pathway and case management (25%)
- Mandatory a demonstrated strong knowledge and familiarity with Law and Justice issues and gender-based violence issues, referral pathways and case management in Samoa (20%)
- Desirable is the ability to work in a flexible and responsive manner and ability to engage with counterparts at a strategic, operational and management level (10%)
- Desirable relevant work experience in developing countries in a multi-stakeholder environment with a development organization, government, civil society, NGOs, private sector, or a research/academic institution (10%)
- Relevant work experience in the Pacific Islands is a strong advantage (10%)
- Proficiency in English and Samoan (both written and oral) (10%)

K. 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 22 July 2021

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

https://jobs.undp.org/cj_view_job.cfm?cur_job_id=99784

Incomplete applications will not be considered and only candidates for whom there is further interest will be contacted. Email proposals will not be considered. 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.



L. Approval

This terms of reference is approved by.

Christina Mualia-Lima, ARR Governance and Poverty Reduction Unit, 15 July 2021