

Terms of reference

GENERAL INFORMATION

Title: Senior Specialist for Prison Overcrowding in Indonesia

Project Name: UNODC Sub-Programme 3

Reports to: Criminal Justice National Programme Coordinator

Duty Station: Homebased

Expected Places of Travel: Jakarta (if the consultant is not Jakarta-based)

Duration of Assignment: 50 working days, starting between mid of August to December 2021

REQUIRED DOCUMENT FROM HIRING UNIT

	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	
<input checked="" type="checkbox"/>	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

<input checked="" type="checkbox"/>	P11 or CV with three referees
<input checked="" type="checkbox"/>	Copy of education certificate
<input checked="" type="checkbox"/>	Completed financial proposal
<input checked="" type="checkbox"/>	Completed technical proposal

Need for the presence of IC consultant in office:

☒ partial (explain): The contractor will be home-based during his/her consultancy. No requirement to attend daily to the office, however, to be available for any meeting request by the supervisor.

☐ 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

If yes has been checked, indicate here who will be responsible for providing the support services: < Enter name>

I. BACKGROUND

1. The UNODC Programme Office in Indonesia (POIDN) works with the Government of Indonesia (GoI), civil society stakeholders, and donor partners to support the development of strategies and measures to enhance the justice system's responses to challenges. Under its prison reform programme, UNODC intends to provide technical assistance to strengthen the capacity of relevant GoI's institutions and personnel. In this case, to address prison overcrowding and build on recent Covid-19 responses by the GoI, specifically by the Directorate-General of Corrections (DGC) and other government agencies linked to this policy, such as Coordinating Ministry of Political, Legal and Security Affairs, the Ministry of Social Affairs, Attorney General Office, Indonesia National Police, National Narcotics Board, and the Supreme Court.
2. Covid-19 basic mitigation measures recommended by the World Health Organization (WHO) requires social and physical distancing. However, in light of the situation, the number of inmates is still increasing. It has not been accompanied by a change in imprisonment policies and/or addressing spaces and occupancy capacity of its facilities. Covid-19 has further highlighted the challenges and vulnerabilities already present because of overcrowding.
3. The DGC granted early releases for prisoners, which was regulated in the Ministerial Decree Number 10 of 2020 issued by the Minister of Law and Human Rights (MoLHR). Then it was revised with Decree Number 32 of 2020 to refine the conditions and criteria of the release mechanism. Although the issuance of the Ministerial Decree Number 32 of 2020 has succeeded in reducing prison overcrowding by 22 per cent and proven to help increase the fulfilment of the prisoners' rights in the facilities, it only lasts for a short period. The number of prisoners and the trend of it increases continue to rise again because the current criminal justice system has over-incarceration tendencies affecting the inflow of prisoners. There are only limited outflow options for offenders. Lastly, the rehabilitation and reintegration programme needs to be reinforced to reduce the number of recidivism. As with other programs, recidivism became an issue in this policy as well. These issues are being seriously considered in this program.
4. Considering the Ministerial Decree and thus the program itself will expire in June 2021, there are still many related works that need to be done in the future. Although the program can be considered a potential mechanism to further address prison overcrowding in Indonesia during and post-pandemic. It is essential to consider the current challenges to operationalise this mechanism, how we can manage it, and what needs to be done to build a robust program.
5. UNODC responds to this urgency and initiates to facilitate DGC, as part of its reforms and preparedness to reduce prison overcrowding, by complementing and refining its current release mechanism policy and framework to become more robust and sustainable. To support DGC build a system that is effectively functioning and adhere more to international standards. In the long-term, the assistance is targeted towards addressing persistent overcrowding and preventing recidivism and advancing prisoners' social integration.

II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

Scope of Work

1. The consultancy requires a consultant's services to provide analysis on the impact of Ministerial Decree of MoLHR Number 32 of 2020 on the Requirements and Procedures for Granting Assimilation, Parole, Leave Toward Free, and Conditional Leave for Prisoners and Children in the context of Preventing and Combating the Spread of Covid-19 (Ministerial Decree Number 32). In

consultations with the DGC, the consultant shall highlight the gap between desired results of the Decree and the actual application. The consultation with DGC will ensure that the deliverable(s) and output(s) under this consultancy assignment reflect suitability to Indonesia's context to ensure the sustainability of the output.

2. The consultant will incorporate the criteria on eligible prisoners to be granted assimilation, parole, leave towards free and conditional leave based upon Ministerial Decree Number 32. Assess, develop, and provide analysis on the applicability of the criteria for the development and sustainability of the program.
3. The consultant will develop and design a general strategy of reintegration for the prisoners to be granted assimilation, parole, leave towards free and conditional leave upon reflecting the result of the gap analysis. The result should be directed towards a deliverable strategy and reintegration plan.
4. Specifically, the consultant will be tasked to (i) conduct a desk study to analyse gaps in the implementation of the Ministerial Decree of MoLHR Number 32 of 2020; (ii) develop operational guidelines including standard operating procedures (SOPs), and monitoring and evaluation (MONEV) criteria, based on identified gaps to be implemented by the DGC; (iii) develop, design and deliver a capacity building programme for social workers, parole and probation officers.

The specific task to be performed by the consultant:

1. Enhancing the implementation of prisoners reintegration and assimilation process through the strengthening of guidelines and standard operating procedures, with specific tasks:
 - a. Document review of necessary legal and policy matters and relevant national and global experiences in implementing the early release programme.
 - b. Consult to obtain inputs with key officials at the national and provincial level (remotely or in-person depending on the possible movements with the Covid-19 situation).
 - c. Carry out a gap analysis to identify gaps and mapping out the issues
 - d. Present the draft version and discussed with relevant counterparts
 - e. Finalise the entire operational guideline.
2. Enhancing the prevention of recidivism through the implementation of prudence policy by reviewing and strengthening existing regulation specifically on the criteria of eligible prisoners for assimilation, parole, leave towards free and conditional leave programme.
 - a. Highlight the roles and responsibilities that other related counterparts play in the delivery of the early release programme.
 - b. Produce a well-written and comprehensive training needs assessment report and post-training evaluation and impact assessment
3. Enhancing the in-prison reintegration effort by developing strategies, relevant reintegration planning, and training curricula for the post-released reintegration programme
 - a. Produce a development strategy for the reintegration programme to be reviewed and discussed by MoLHR and relevant ministries;
 - b. Produce specific syllabus/training curricula, modules, and materials for DGC officers, Ministry of Social Affairs (MoSA) based on a developed training needs assessment.
 - c. Share the draft curricula with key experts, including the government, for their review; incorporate comments and finalise the materials.
 - d. Facilitate virtual training to fifty officers from prison, parole/probation officers, and social workers based on training curricula developed.

Expected Outputs and Deliverables

1. Submission of the first draft and final draft of the report on the current implementation of Ministerial Decree of MoLHR Number 32 of 2020. The draft should contain a gaps report, possible development, strengthening, and proposed strategies for the future.
2. Facilitation of Focus Group Discussion on the presentation of first dan final draft of gaps report.
3. Facilitation of National Level Workshop/Roundtable to disseminate the report.

4. Submission of a first and a final draft on operational guidelines, including SOPs and MONEV criteria on the use of the revised policy.
5. Facilitation of Focus Group Discussion on the presentation of first dan final draft of the guidelines, including SOPs and MONEV Criteria.
6. Facilitation of National Level Workshop/Roundtable to disseminate the report.
7. Submission of the first and final draft of training curricula and materials for prison staffers, parole and probation officers across Indonesia, including relevant personnel from the MoSA.
8. Submission of the report of training (or webinar) on the prisoners' reintegration programme.

Dates and details how the work must be delivered

Deliverable(s)	Output(s)	Working Days	Completion deadline	Supervise & Monitor By
A.	(i) Submission of the first draft of gap reports on the current implementation of Ministerial Decree of MoLHR Number 32 of 2020. It includes elements of possible development, strengthening, and proposed strategies for the future.	10	End of August 2021	National Programme Officer
	(ii) A focus Group Discussion (be it in person or virtual) with DGC and related Ministry for the purpose of: <ul style="list-style-type: none"> • Presentation of the first draft of desk study report. • Solicit input for the final draft of desk study. 	1	Early September 2021	National Programme Officer
	(iii) Submission of the final revision of the review stated in point (i).	3	Second week of September 2021	National Programme Officer
	(iv) National level workshop on the presentation of the findings and revisions.	1	End of September 2021	National Programme Officer
B.	(i) Submission of the first draft, on development strategies and reintegration planning on operational guidelines including SOPs and MONEV criteria on the	5	Middle of October 2021	National Programme Officer

	use of revised policy.			
	(ii) A focus Group Discussion (be it in person or virtual) with DGC: <ul style="list-style-type: none"> • Presentation of the first draft development strategies and reintegration planning on operational guidelines including SOPs and MONEV criteria • Solicit input for the final draft of desk study. 	1	Middle of October 2021	National Programme Officer
	(iii) Submission of the final draft of the development stated in point (i).	3	End of October 2021	National Programme Officer
	(iv) National level workshop on the presentation of the developed development strategies and reintegration planning on operational guidelines	1	End of October 2021	National Programme Officer
C.	(i) Submission of the first draft of training curricula and materials for prison staffers, parole and probation officers across Indonesia, including relevant personnel from the MoSA.	10	Second Week of November 2021	National Programme Officer
	(ii) Submission of the final draft of development stated in point (i).	5	End of November 2021	National Programme Officer
D.	(i) Delivery of training (or webinars) on the prisoners' reintegration to 50 participants from DGC and MoSA.	6	Middle of November 2021	National Programme Officer

	(ii) Submission of the report of training (or webinars) on the reintegration support and post-release counter-narrative by faith professionals.	4	End of November 2021	National Programme Officer
	Total Working Days	50 working days		

Indicators and details as to how the work must be delivered:

1. All deliverables must be submitted in a timely manner, are well researched, practice-oriented, and geared towards use in Indonesia, fitting the local context
2. A consultation process with UNODC POIDN and selected national consultant is conducted in a transparent, cooperative, and inclusive manner, including the maintenance of regular communication and the incorporation of respective inputs
3. Quality and relevance of strategic advice and input towards suitable mechanisms and concrete interventions related to the use of faith professionals to support disengagement, rehabilitation, and reintegration processes of Violent Extremist Prisoners in Facilities
4. Delivery of clear, well-organised, and effective expert group discussions as well as excellent presentations, guidance, and facilitation during group discussions, as evidenced by the degree of interest and understanding of the topics by participation; and
5. All deliverables were formatted, well-organised, and written in clear, professional English.

III. WORKING ARRANGEMENTS

Institutional Arrangement

1. The consultant will perform its work under the supervision and report directly to the Criminal Justice National Programme Coordinator, UNODC Indonesia.
2. The UNODC Country Manager and UNODC Indonesia Criminal Justice Team will provide overall guidance and supervision to the consultant and monitor and evaluate deliverables' progress by conducting regular meetings or through emails at the minimum once in two weeks.
3. During the contract period, the consultant is expected to coordinate closely and liaise with key counterparts (DGC, MoSA, and other government stakeholders).
4. UNODC will provide the necessary budget allocation to convene a consultative meeting with stakeholders. Support will be provided under the guidance of National Programme Manager.

Duration of the Work

Fifty (50) working days, Starting mid of August to December 2021

Duty Station

The consultant will be home-based during his/her consultancy. Should there be needs to travel, UNODC will arrange the travel arrangement. No requirement to attend daily to the office, however, to be available for meeting requests by the supervisor.

IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualification:

An advanced university degree (master's degree or equivalent) in political science, international relations, international law, law studies, conflict studies, psychology, criminology, public administration, public policy, sociology, or any other relevant social science or other related fields is required or first-level university degree in similar areas in combination with two additional years of qualifying experience may be accepted in lieu of the advanced university degree with a minimum of five (5) years of experience working in development programs related to overcrowding strategies, rehabilitation and reintegration interventions, political transition, stabilisation, conflict mitigation, prison reform, governance and/or civil society is required;

Years of Experience:

1. Two (2) years of working experience for Master Degree or five (5) years for first-level University Degree in lieu of the advanced university degree in development programs related to overcrowding, restorative justice, reintegration of prisoners, prison reform, governance and/or civil society is desired;
2. Experience in working with an international organisation, donor agency, international funded projects, and/or relevant international knowledge exchange and elsewhere for project/programme/work related to overcrowding, restorative justice, reintegration of prisoners, and/or capacity building of corrections and MoSA's officers is desired;
3. Extensive experience working with relevant stakeholders, such as local communities, NGOs, national and sub-national levels of government, is desirable; and
4. Knowledge of the correctional system in Indonesia, particularly related to overcrowding strategies, rehabilitation and reintegration of prisoners, and/or capacity building, is required.

Competencies and special skills requirement:

1. Proven analytical skills to conduct research and analysis, identify the issue and recommend a solution
2. Demonstrated ability to work with persons of different ethnicity and cultural background
3. Strong reporting, communication and interpersonal skills
4. Ability to work under pressure and handle multiple tasks simultaneously
5. Proficient in English and Bahasa Indonesia languages, spoken and written
6. Ability to operate MS-Office
7. Ability to work in a team
8. Effective planning and organising skills

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 70 points would be considered for the Financial Evaluation

Criteria	Weight	Maximum Point
<u>Technical</u>		
Criteria A: qualification requirements as per TOR:	70%	70
1. An advanced university degree (master's degree or equivalent) in political science, international relations, international law, law studies, conflict studies, psychology, criminology, public administration, public policy, sociology, or any other relevant social science or other related fields is required or first-level university degree in similar areas in combination with two additional years of qualifying experience may be accepted in lieu of the advanced university degree with a minimum of five (5) years of experience working in development programs related to overcrowding strategies, rehabilitation and reintegration interventions, political transition, stabilisation, conflict mitigation, prison reform, governance and/or civil society is required;	15 %	15
2. Two (2) years of working experience for Master Degree or five (5) years for first-level University Degree in lieu of the advanced university degree in development programs related to overcrowding, restorative justice, reintegration of prisoners, prison reform, governance and/or civil society	10%	10
3. Experience in working with an international organisation, donor agency, international funded projects, and/or relevant international knowledge exchange and elsewhere for project/programme/work related to overcrowding, restorative justice, reintegration of prisoners, and/or capacity building of corrections and MoSA's officers	10 %	10
4. Extensive experience working with relevant stakeholders, such as local communities, NGOs, national and sub-national levels of government.	10%	10
5. Knowledge of the correctional system in Indonesia, particularly related to overcrowding strategies, rehabilitation and reintegration of prisoners, and/or capacity building	25%	25

Criteria B: Brief Description of Approach to Assignment.	30%	30
• Understand the task and apply a methodology appropriate to the task and the strategy in a coherent manner.	10	10
• Important aspect of the task addressed clearly and in detailed.	10	10
• Logical, realistic planning for efficient project implementation.	10	10
Criteria C: Further Assessment by Interview (if any)	-	-

Prepared by

Approved by

Sulaiman Sujono
National Programme Officer

Collie F. Brown
Country Manager and Liaison to ASEAN

WBSE is charged to SB-004694.05.03.09