TERMS OF REFERENCE

CONSULTANCY FOR A GENDER MAINSTREAMING EXPERT FOR THE JUSTICE UNDERTAKINGS FOR SOCIAL TRANSFORMATION (JUST) PROGRAMME

I. BACKGROUND

The Government of Jamaica (GOJ) has made justice sector reform a national priority and has, on many occasions, emphasized the importance of reforming the country's justice system. Both the Medium-Term Socio-Economic Policy Framework (MTSEPF) 2009-2012 and the Public Service Modernization Vision and Strategy 2002-2012 identify priority objectives related to governance issues including justice reform. At a sector level, the Jamaica Justice System Reform Policy Agenda Framework (2009-2013) identifies costed priorities for reforming justice sector institutions and policies. Another development initiative, managed from the Office of the Prime Minister and called the Public Sector Transformation Programme, aims to support the modernization of several Ministries, Departments and Agencies, including the Ministry of Justice. Transformation of the justice sector is a critical component in the thrust towards Jamaica achieving its broader governance objectives outlined in Jamaica’s Vision 2030, the long-term strategic framework aimed at bringing Jamaica to developed-country status over the next two (2) decades.

It is within this context that the Ministry of Justice, through partnership with the Department of Foreign Affairs, Trade and Development (DFATD) has embarked on a programme to transform the Jamaica justice sector. To guide the implementation of this transformation, the Ministry of Justice has established the Justice Undertakings for Social Transformation (JUST) Programme. The Canadian Department of Justice (Justice Canada) is responsible for delivering the technical assistance component of the JUST Programme.

The Programme’s Intermediate Outcome is “Improved Operational Efficiency and Participation in the Implementation of Justice Reform and Policy Measures”. Contributing to this are the following three (3) Immediate Outcomes:

1. Improved service delivery and management capacity of justice sector institutions - The JUST Programme will provide technical assistance to key justice institutions, with the intent of strengthening the capacity of these institutions to sustain the effective management and
ongoing development of the sector. Through the JUST interventions, which will include costed strategic plans and piloted changes in operational practices, the GOJ’s management practices, work processes and human resources will be enhanced.

2. Improved capacity of Ministries, Departments and Agencies to develop legislation - The JUST Programme will seek to streamline and improve the legislative drafting process. The Programme will work to strengthen the organization and operations of the Office of the Parliamentary Counsel, which has responsibility for drafting Jamaica’s statutes and other legal instruments. On the input side, policy makers across the GOJ will be brought together to produce templates and guidelines for developing and revising legislative policies and producing drafting instructions. With more consistently detailed drafting instructions, the workflow of legislative drafters will be streamlined away from the iteration of legislative policy and towards a more targeted focus on the drafting process. By introducing drafting tools, templates and capacity-building initiatives, legislative drafters will be better able to consistently produce top-quality statutes and other legal instruments in a timely manner.

3. Improved capacity of communities and civil society organisations to participate in justice reform and promote public order – An effective way to sustain a national commitment to the ongoing improvement of justice sector institutions and policies, is the integration of civil society as active participants in discussions about justice and security policy. The JUST Programme will therefore work with non-government and civil society organisations, including the Jamaican Bar Association, to monitor, analyse and impact justice reform policy.

Consistent with its Administrative Arrangement with the Department of Foreign Affairs, Trade and Development (DFATD), gender concerns are a cross-cutting theme in Justice Canada’s JUST Programme activities. This consultancy will provide a gender analysis of the activities planned and executed by Justice Canada under the JUST project and will point out the steps the project needs to take in order to mainstream gender considerations in its activities. A gender analyst is sought to review a large number of Justice Canada products as they are available, and to support Justice Canada in implementing its activities so that the different needs and roles of women and men in the various fields of intervention are reflected.

The consultant will work under direct supervision of the Justice Canada Programme Director (or the relevant substantive lead on the Justice Canada team) and in cooperation with UNDP, DFATD, the JRIU and
other relevant stakeholders. The consultant will be guided by DFATD’s Policy on Gender Equality and the Government of Jamaica’s National Policy for Gender Equality.

**SCOPE OF WORK**

The focus of this assignment will be in-depth gender evaluation of the activities and work-products of Justice Canada. To be in a position to accomplish this task, the consultant will need to do a thorough review of the project background and its aims and Justice Canada activities to date. The consultant will then be called upon to comment on gender considerations in relation to a variety of Justice Canada work products, as they become available. The Consultant would be expected to study the project activities and results from a gender perspective; conduct a gender analysis of the project components and the fields of intervention; and identify opportunities and constraints for mainstreaming gender both at the activity design and report delivery stages of programme delivery. Based on socially or culturally defined gender roles, the consultant would also provide specific recommendations on how to mainstream gender into project activities during implementation. This could include providing recommendations on gender-specific information-gathering and collection of gender-disaggregated data for use in implementation of activities. Wherever possible, the consultant should advise of practical tools that will assist Justice Canada in integrating gender equality in all project activities.

Other experts may be hired to provide gender-related services to other aspects of the JUST Programme. The expert will be expected to work collaboratively with any such other consultants.

**DUTIES AND RESPONSIBILITIES**

Under the supervision of the Justice Canada Programme Director, and in close cooperation with the project partners, the Gender Mainstreaming expert will conduct a gender review of Justice Canada’s work products, including but not limited to the following:

- Draft work plans and scopes of work for planned activities;
- Terms of Reference for hiring consultants;
- Assessments of and reports on various practices and institutions in the Jamaican justice system including recommendations for improvement (i.e. the assessment of the current functioning of the Legal Reform Department in the Ministry of Justice and related recommendations for change);
• Action Plans for implementing recommendations for improvement (i.e. the Human Resources manual and related implementation plans to be drafted for the Office of the Director of Public Prosecutions);
• Manuals and guidelines for actors in various parts of the Jamaican justice system (i.e. procedural manual for prosecutors, etc.);
• Training materials for actors in various parts of the Jamaican justice system (i.e. Powerpoint presentation and related materials to be drafted to train justice sector actors on the protection of vulnerable witnesses).

MAIN OUTPUTS/DELIVERABLES

The Gender mainstreaming expert will be responsible for:

• Reviewing all of Justice Canada’s project scopes of work and outputs (reports, action plans, etc.) and providing timely written input to ensure their gender appropriateness, gender awareness and that gender mainstreaming is integrated.

COMPETENCIES

• Demonstrates integrity and fairness by modeling UN and Jamaican Government values and ethical standards;
• Demonstrates professional competence and is conscientious and efficient in meeting commitments, observing deadlines and achieving results;
• Displays cultural, gender, nationality, religion and age sensitivity and adaptability.

REQUIRED SKILLS AND EXPERIENCE

• Minimum Bachelors Degree (or equivalent) in relevant area (gender studies or social sciences). A Masters Degree or PhD will be considered an asset;
• Minimum 5 years of relevant professional experience in mainstreaming gender in development projects and policies;
• Record of participation in at least 2 assignments of similar size and degree of complexity (consultancy services in the area of gender mainstreaming in projects, programmes or policies);
• Knowledge of analytical methods and tools for mainstreaming gender in justice system reform or related areas is considered an asset;
• Sound understanding of gender and development issues in Jamaica;
• Excellent communication, presentation, report writing and analytical skills;
• Mastery of oral and written English

TERMS AND CONDITIONS

Contract modality and duration

The Gender Mainstreaming expert will be hired under a long-term agreement for the duration of the JUST programme. A maximum of 90 expert days is foreseen for this period.

Reporting

The consultant will report to Justice Canada’s Programme Director, but will also take direction from the relevant substantive lead on the Justice Canada team for each work product.

Travel and other associated costs

This project is based in Kingston, but most of the consultant’s work can be done remotely from the location of his/her choice. Any travel required by Justice Canada for the purpose of participating in programme activities outside of Kingston from the Consultants base set out as agreed in the contract including travel with associated accommodation will be reimbursed. The Consultant must receive prior approval by Justice Canada. Pre-approved expenses will be reimbursed.

Payments schedule

The payment for the services will be based on daily rate. It will be paid every two months, upon the submission of time-sheets indicating the number of days, or portions thereof, worked in the previous two months, and the tasks associated with those days.

Application procedure

The Consultant is expected to provide the following:

• Curriculum Vitae
• Brief methodology clearly describing his/her understanding of the assignment and challenges
• Reference list of relevant work/projects, position held and contact details of the clients
• Financial offer in US$ expressed as lump sum for the delivery of outputs as per above description. The financial proposal shall include a breakdown of this lump sum amount (consultancy fee per number of anticipated working days, travel and any other possible costs).

Evaluation procedure

The cumulative method will be applied in the evaluation of the applications. The contract will be awarded to the candidate achieving the highest cumulative score from the technical and financial parts of the proposal. The technical proposal accounts for 70% of the total score and the financial proposal will account for 30% of the total evaluation score.

Criteria Weight Max. Points

• Minimum B.A. (or equivalent) in relevant area (gender studies, social sciences). M.A. or PhD will be considered an asset

• Years of professional experience: Minimum 5 years of relevant professional experience in mainstreaming gender or in gender in development projects or policy or gender in development

• Record of participation in at least 2 assignments of similar size and degree of complexity (consultancy services in the area gender mainstreaming in projects, programmes and policies)

• Methodology