**Consultancy - Support the development of court protocols for child interviewing and related capacity building of court staff in Myanmar**

**(International Individual Consultant)**

**Section in Charge:** Child Protection

**How does the consultancy relate to work plan**: The consultancy (individual international consultant) directly contributes to strengthening the human resource and institutional capacity of the court system to deliver child-friendly justice. The scope of the consultancy responds to UNICEF Myanmar Country Programme (2018-2022) priorities, as well as the Judiciary Strategic Plan objectives.

**Outcome reference**: By 2022, all boys and girls in Myanmar are covered by a child protection system that fosters prevention and timely response to and recovery from violence, exploitation and separation from family.

**Output reference**: Child Protection Programme, Output 1: By 2022, increased capacity of national and sub-national social services, justice and security sector to prevent, identify and provide quality and adaptive responses to child protection violations, including before, during and after emergencies.

1. **Background:**

UNICEF focuses on establishing child-friendly practices in Myanmar’s justice system (police, prosecution and judiciary) by (a) capacity building of justice system practitioners and (b) supporting development of child-friendly practices and infrastructure in selected regions of Myanmar.

UNICEF’s support to the justice system strengthening promotes an inter-agency approach and increased linkages between justice and welfare systems under the umbrella of an emerging national child protection system. UNICEF is also supporting major legislative/normative initiatives related to children in contact with the justice system: Myanmar’s new Child Rights Bill is currently under parliamentary review, expected to be adopted in 2018, and UNICEF is supporting the drafting of Rules and Procedures for the new Law by line ministries.

The proposed consultancy specifically supports the capacity development of the Union Supreme Court (USC), and builds on the progress of 2016-2017 collaboration between UNICEF and USC.

In 2017, based on an agreed plan of collaboration with the USC, UNICEF supported systematic capacity building of the judiciary in the development of child sensitive judicial procedures focused on achieving longer term and immediate goals.

* From the long-term capacity building perspective, in order to ensure the professionalization of judiciary through pre- and in-service training, UNICEF supported drafting of training curricula on child protection and child-sensitive procedures for the USC, prepared trainers’ manuals and supported to select and train judiciary master trainers. 38 master trainers have been trained in 2017 through this collaboration.
* Responding to the pressing need to enhance the child protection awareness of judges working in areas (6 regions) with the highest caseload of child rape cases, in 2017, UNICEF collaborated with the USC to directly train 36 district and township court judges from respective courts.

One of the next phases of the plan of supporting judiciary capacity is the establishment of child friendly interviewing rooms in selected district courts in Yangon Region, Mandalay Region, Kachin and Mon States. This requires update/modification of courtroom infrastructure, providing necessary equipment for in-camera hearings in courts, drafting of respective interviewing protocols and training court staff and other court-associated practitioners accordingly. UNICEF has already procured equipment and installation will be completed in July. This phase of collaboration will be accomplished with the overall leadership of the Union Supreme Court, and training preparation and delivery is expected to be undertaken with participation of the previously trained judiciary master trainers.

**2. Objectives of the consultancy:**

The objective of the consultancy is to develop protocols and human resource capacity to support operationalization of the newly established child friendly interviewing rooms in 4 district courts. The consultancy will also support identification of feasible options for further expanding child friendly interviewing practices in courts. Established protocols need to be in line with Myanmar’s relevant criminal legislation, directives and guidelines, as well as the expected new Child Rights Law.

**3. Geographic Area:**

The consultant will be based in Yangon, and will occasionally travel to Nay Pyi Taw, Myitkyina, Nyaung-U, Mawlamyine and other identified locations in Myanmar (to be specified in coordination with the government counterparts) for the delivery of trainings.

**4. Duration:**

The consultancy is expected to start in August 2018.

It is estimated that the consultant will require a total number of 70 working days to complete the assignment. Considering that the deliverables need to be reviewed and approved by the government stakeholders, the 70 working days are expected to stretch over the period of 4-6 months, including working days and possible breaks/pauses.

Preferably, the consultant should be based in Myanmar during the course of the assignment, at least for tasks 1 and 2 (as specified in the Description of Assignment table below), in order to ensure continuous engagement with partners. Alternatively, as a pause may be expected between tasks 1 and 2, the consultant may propose 2 country visits instead of a continuous stay in Myanmar.

Other options may be also considered, if a clear and cost-effective plan (including travel and work schedules) and justification is provided by a consultant. The consultant is required to provide details in the attached Expression of Interest Form.

**5. Supervisor:**

The consultant will be supervised by the Child Protection Specialist (Justice for Children).

**6. Type of Supervision/support required from UNICEF:**

The consultant will receive detailed briefing from the UNICEF team at the beginning of the consultancy, and will be introduced to counterparts in the government and partner organizations. The consultant will be in daily contact with the UNICEF team and will receive further regular technical input on specific thematic issues.

Available background information and relevant legislation will also be provided at the beginning of the consultancy. In addition, UNICEF will facilitate the consultant’s visit to at least one of the 4 UNICEF-supported courts where child friendly interviewing rooms are being established.

The consultant will be supported with scheduling appointments and arranging in-country travel. UNICEF will also support with translation/interpretation as needed. When workshops or presentations are required, UNICEF will make all required logistical arrangements.

**7. Description of assignment:**

|  |
| --- |
|  |
| **Tasks** | **End Product/deliverables** | **Estimated duration**  |
| 1. **Draft a protocol for judiciary on** **child victims’ participation in trial/child interviewing.**

The consultant will undertake a review of relevant background information, legislation and materials. In consultation with UNICEF, the consultant will prepare questionnaires/agendas for stakeholder meetings and workshops and facilitate these events in order to start drafting in a consultative process. The consultant will draft a court protocol for child victims’ participation in trial/child interviewing.In consultation with Union Supreme Court and UNICEF, the consultant will also draft an information sheet for child victims and witnesses participating in trial.  | * Questionnaires and or/agendas for meetings/workshops prepared
* Introductory meetings with stakeholders and at least one workshop with the judiciary facilitated
* First draft of court protocol submitted for review
* First draft of the information sheet for child victims and witnesses participating in trial submitted for review
 | 30 working days*(possibility of out-of-country work for part of the preparation phase)*  |
| 1. **Train court staff on new use of new protocol**

The consultant, in cooperation with UNICEF and the Union Supreme Court, will identify practitioners who need to be trained on court protocols, and will develop a training plan focusing on 4 selected States/Regions where child friendly interviewing rooms have been established.The consultant will prepare training plans, handouts and other supporting resources and will deliver trainings on use of newly developed protocols.  | * Training plan developed
* Training agenda and resources prepared
* Trainings on the use of the new protocol on child victims’ participation in trial/child interviewing delivered to identified training participants 4 selected Districts.
 | 20 working days |
| 1. **Draft a discussion paper with suggestions on improvement of court practices in relation to child victims and witnesses**

The consultant will draft a discussion paper with suggestions and recommendations for the Union Supreme Court for improving court practices in relation to child victims and witnesses. The paper will cover the following * Recommendations for further improving practices in courts where child-friendly interviewing rooms have been established;
* Options for improving child friendly practices in relation to child victims/witnesses in other courts in Myanmar;
* Recommendations are expected to cover at least the following areas of focus: (a) the need for revision of existing legislation; (b) the need for introduction of new enabling laws, directives, protocols, and opportunities associated with the new Child Rights Law; (c) practical suggestions for improving practices through judiciary orders/directives; (c) further capacity building needs.

If necessary for the discussion paper drafting purposes, the consultant will facilitate an additional consultation/information-gathering workshop with relevant stakeholders.  | * A draft discussion paper with suggestions to improve court practices in relation to child victims and witnesses
* A consultation/information-gathering workshop with stakeholders facilitated (if required)
 | 15 working days*(possibility of out-of-country work)* |
| 1. **Debriefing and submission of final deliverables**

The consultant will prepare presentations of the new protocol, training outcomes and the discussion paper for UNICEF, Government of Myanmar and relevant development partners working on rule of law and justice sector reform (to be identified with UNICEF team).The consultant will finalize all deliverables of his/her assignment reflecting all relevant feedback and submit to UNICEF. | * Materials for debriefings/presentations prepared (slides, handouts, etc.)
* Debriefings/presentations delivered for UNICEF, Government of Myanmar and relevant development partners.
* All expected deliverables of the consultancy reviewed, fine-tuned if necessary and submitted:
* **Court protocol on child victims’ participation in trial/child interviewing.**
* **Information sheet for child victims and witnesses participating in trial**
* **Complete set of training resources (handouts, presentations, case studies, etc.)**
* **Discussion paper with suggestions on improvement of court practices in relation to child victims and witnesses.**
* **Complete set of final debriefing/presentation materials (slides, handouts, etc.)**
 | 5 working days |

**8. Advertisement / Invitation / Request for EOI**

The consultancy will be published on UNICEF Website and MIMU. In addition, the consultancy will be circulated to professional groups and via UNICEF’s regional networks.

**9. Selection Process**

Interested candidates are required to complete the Expression of Interest Form circulated with the call for proposals, answering all questions included, and attach all specified documents.

The consultant will be identified by UNICEF based on a competitive selection process, taking into account the candidate’s experience, the quality of the answers produced, and the amount of the lump-sum requested.

If deemed opportune, UNICEF will require a telephone interview with shortlisted candidates.

**10. Qualifications and specialized knowledge/experience required for this consultancy:**

* Advanced university degree in law, human rights, social work, psychology or other related disciplines
* At least 10 years of experience of working with the criminal justice system, particularly in/with judiciary.
* At least 5 years of experience of working as an international advisor in the field of justice, including juvenile justice/justice for children, justice sector reforms, and other related fields
* Previous working experience as a judge, or extensive experience of judiciary capacity building will be considered as a strong asset
* Specialization in juvenile justice/justice for children will be a strong asset
* Proven experience of developing protocols, procedures, guidelines for the justice/child protection sector
* Experience of developing training materials on child rights/child friendly justice and undertake trainings for criminal justice practitioners
* Excellent skills in analysis, negotiation and advocacy
* Excellent English language (writing and oral) skills
* Excellent ability to work in different cultural contexts and in politically sensitive situations
* Prior experience of working with UN and UNICEF will be an asset.

**11. Other conditions**

**Visa**

UNICEF Myanmar will assist the consultant with visa application process.

**In-country travel**

UNICEF Myanmar will arrange and pay for the consultant’s in-country travel as required. Respective costs do not have to be included in fees proposed by the consultant.

**Laptop computer and work space**

The consultant will be required to use his/her personal laptop. UNICEF will provide office space for the consultant.

**Life and health insurance**

UNICEF does not provide or arrange life or health insurance coverage for consultants and individual contractors, and consultants and individual contractors are not eligible to participate in the life or health insurance schemes available to United Nations staff members. Consultants and individual contractors are fully responsible for arranging, at their own expense, such life, health and other forms of insurance covering the period of their services as they consider appropriate. The responsibility of UNICEF is limited solely to the payment of compensation for service-incurred death, injury or illness as per the provisions detailed below.

**Insurance for service-incurred death, injury or illness**

Consultants and individual contractors who are authorized to travel at UNICEF expense or who are required under their contract to perform services in a UNICEF or United Nations office shall be provided with insurance coverage, through a UNICEF-retained third party insurance provider, covering death, injury and illness attributable to the performance of official UNICEF duties. Compensation in the event of service-incurred death, injury or illness shall be equivalent to amounts stipulated in the agreement between UNICEF and the insurance provider.

**Payment**

Payment will be made as per the schedule corresponding to the deliverables reflected in the EOI.

**Confidentiality**

The documents produced during the period of this consultancy will be treated as strictly confidential, and the rights of distribution and/ or publication will reside solely with UNICEF.

The contract signed with the consultant will include the other general terms defined by UNICEF.

**12. Nature of Penalty Clause to be stipulated in the contract**

UNICEF Myanmar reserves the right not to pay the Contractor or withhold part of the payable amount if one or more requirements established for this assignment is not met or deadline set for the accomplishment of the tasks is missed.