



Spotlight Initiative
To eliminate violence against women and girls



TERMS OF REFERENCE

FOR

INDIVIDUAL CONSULTANT TO STRENGTHEN LEGAL SUPPORT SERVICES OF THE MINISTRY OF HUMAN SERVICES AND SOCIAL SECURITY FOR GBV SURVIVORS

AS PART OF LEGAL PRO BONO INITIATIVE OF THE MINISTRY OF HUMAN SERVICES AND SOCIAL SECURITY & THE GUYANA BAR ASSOCIATION

TO STRENGTHEN LEGAL SUPPORT SERVICES FOR SURVIVORS OF GENDER-BASED VIOLENCE (GBV)	
Hiring Office	United Nations Population Fund (UNFPA) Sub-regional Office for the Caribbean, Guyana
Purpose of Consultancy:	<p>The Spotlight Initiative (SI) is a partnership between the European Union (EU) and the United Nations that is created to eliminate all forms of violence experienced by women and girls all over the world. This Initiative considers, as critical, the achievement of the Sustainable Development Goal (SDG) 3 - Sound Health and Wellbeing, SDG 16 - Inclusive and Peaceful Societies, and SDG 5 - Gender Equality. The SI programme is implemented through a multi-sectoral response. This response requires a group of stakeholders to agree to work in a coordinated manner, share a survivor-centered philosophy and apply human rights standards of survivor safety and offender accountability.</p> <p>Guyana is one of the beneficiaries of the SI in the Caribbean. The SI programme in Guyana addresses the root causes of Violence Against Women and Girls</p>

(VAWG) by focusing on the prevention of family violence. This form of violence is reflected in physical, social, sexual, economic, and emotional abuse and acts of aggression within familial relationships or connections.¹ A high prevalence of violence against women, which is often culturally accepted and, in many cases, remains underreported exists in Guyana.² Anecdotal evidence suggests that domestic violence, for instance, remains pervasive, even with an increased level of brutality. The five priority areas of intervention for the SI programme in Guyana are: (i) Sexual and Gender-Based Violence; (ii) School based Gender-Based Violence; (iii) Intimate Partner Violence; (iv) Incest/ early sexual initiation/ teen and pre-teen pregnancies; and (v) forced sex by a family member or relative.

The SI programme in Guyana addresses the culture of VAWG through a survivor-centered approach. This approach incorporates a human rights-based approach that survivors' rights and needs are placed first. Thus, the survivor has a right to be treated with dignity and respect, rather than being blamed for the violence experienced. The survivor has a right to choose the course of action to address the violence experienced, instead of being left to feel powerless. The survivor has a right to privacy and non-discrimination based on gender, age, race/ethnicity, ability, and sexual orientation.³

It is noteworthy that the Government of Guyana has made strides towards the implementation of a responsive mechanism that seeks to hold several categories of practitioners/ professionals accountable and improve the quality of care and services being provided to victims and survivors of sexual violence.⁴ However, many women and girls still have little or no access to the support and services that can protect them, assist in keeping them safe, and address the short and long-term consequences of experiencing violence. Guyana's obligation to exercise due diligence requires the State to establish effective measures to prevent, investigate and prosecute cases of violence against women. As such, one of the key focus areas that the Government of Guyana has committed to in order to respond to and prevent violence against women and girls is the strengthening of legal support services for GBV survivors.

¹ Spotlight Secretariat. (2019) Caribbean Regional Investment Plan.

² Fifty-second session 9-27 July 2012 Concluding observations of the Committee on the Elimination of Discrimination against Women Guyana. The Committee considered the combined seventh and eighth periodic report of Guyana (CEDAW/C/GUY/7-8) at its 1041st and 1042nd meetings, on 10 July 2012 (see CEDAW/C/SR.1041 and 1042). The Committee's list of issues and questions is contained in CEDAW/C/GUY/Q/7-8 and the responses of the Government of Guyana in CEDAW/C/GUY/Q/7-8/Add.1. Available from: <http://evaw-global-database.unwomen.org/-/media/files/un%20women/vaw/country%20report/america/guyana/guyana%20cedaw%20co.pdf?vs=622>

³ Essential Services Package for Women and Girls Subject to Violence. Core Elements and Quality Guidelines.

⁴ Guyana: Report on the implementation of the Montevideo Consensus on population and development 2013-2018

The provision of efficient legal support services to survivors of GBV can diminish the losses experienced by women, children, families, and communities in terms of productivity, educational achievement, to name a few and most importantly help break the cycle of violence. Data from the 2019 Guyana Women’s Health and Life Experiences survey revealed most survivors are not accessing services at acceptable rates. In fact, most do not access legal services at all. Access to justice and legal services can be a challenge for vulnerable groups of people across Guyana, owing to high legal costs, absence of free legal services in certain regions, backlog of cases and lengthy trials, lack of human and technological resources, among others. People residing in rural and hinterland communities may encounter further challenges, particularly given the geographical distribution of courts.

In light of these challenges experienced by survivors of GBV in accessing high quality essential legal services, the Ministry of Human Services and Social Security and the Bar Association of Guyana has recognized the need for collaboration. The Guyana Bar Association is equipped with the necessary resources and expertise to provide quality essential legal services and is therefore, a reliable strategic partner for the Ministry of Human Services and Social Security to bridge the legal representation gap that currently exists.

Under the project LEGAL PROBONO 500 Initiative, the members of the Guyana Bar Association have agreed to support the Ministry of Human Services and Social Security in providing pro-bono legal services for a targeted five hundred (500) survivors of Gender-Based Violence per year. The partnership between the Ministry of Human Services and Social Security and the Guyana Bar Association is important as it seeks to improve access to justice for GBV survivors who have otherwise been unable to obtain legal assistance. The initiative seeks to cultivate a pro bono culture across the legal profession as part of efforts to break the cycle of GBV.

The primary goals that the LEGAL PROBONO 500 Initiative are as follows:

1. Develop a network of qualified Attorneys-at-Law who will represent GBV survivors;
2. Close the gaps that exist in essential legal support services system in Guyana for survivors of GBV by providing effective and efficient essential legal services;
3. Increase access to justice for low-income survivors of GBV;

	<ol style="list-style-type: none"> 4. Ensure perpetrators of GBV are held accountable for their crimes or actions; 5. Promote confidence in the justice system of Guyana. <p>The foregoing will be done as part of efforts to empower GBV survivors by removing impediments to their participation in public life and improving their access to secure livelihoods as well as to assist GBV survivors to establish and realize their rights.</p>
Scope of Work:	<p>Overall objective:</p> <p>To support the operationalization of the LEGAL PROBONO 500 Initiative, a Consultant will be recruited to manage the project, focusing particularly on data collection and the monitoring of the project; supporting efforts to strengthen the legal support services of the Ministry of Human Services and Social Security for GBV survivors.</p> <p>The consultant will work with the Ministry of Human Services and Social Security and the Guyana Bar Association to strengthen legal support services for survivors of Gender-Based Violence in Guyana so that survivors can have access to quality, timely, and efficient legal services improving the country’s ability to respond to incidents of Gender-Based Violence.</p> <p>Accordingly, the consultant will be tasked with managing the project and as such oversee, monitor and manage the following activities:</p> <ol style="list-style-type: none"> 1. Provide quality assurance support to the Probation and Social Services Officers and Survivors Advocates within the Ministry of Human Services and Social Security as well as other personnel within the various departments of the Ministry of Human Services and Social Security who are tasked with assisting/ referring GBV survivors seeking the aid of an attorney- at-law. 2. Monitor the Probation and Social Services Officers and Survivor Advocates who will be tasked with conducting screenings of applications for pro bono legal services. <ul style="list-style-type: none"> ● Ensure the application of appropriate means test, using a survivor centred approach and clear criteria to be developed with technical support from UNFPA, to determine whether the applicant qualifies for assistance in obtaining pro bono legal services of an Attorney-

at-law and ensure that the relevant case number is assigned to applicants who are determined as being eligible to access pro bono legal services of an Attorney-at-law.

- Ensure that the Probation and Social Services Officers and Survivors Advocates within the Ministry of Human Services and Social Security obtain the relevant consent of applicants to refer his/her case and relevant confidential information to the Bar Association of Guyana.
 - Assist the Probation and Social Services Officers and Survivors Advocates within the Ministry of Human Services and Social Security Officer with referring the applicant to the Guyana Bar Association through the issuance of a referral form to the applicant and the provision of a signed copy of the referral form directly to the Secretary of the Bar Association of Guyana.
 - Ensure that the Probation Officer and/or social worker and/or Survivor's Advocate assigned to the case by the Ministry of Human Services and Social Security contacts Attorneys-at-law directly for monthly updates on the progress of the cases assigned to him/her.
3. Monitor the Bar Association of Guyana personnel who will be tasked with handling the matters of applications for pro bono legal services.
- Ensure that a person appointed or designated by the Bar Association of Guyana shall thereafter contact the applicant with the name and contact information of an Attorney-at-law practicing in the district or region where the applicant resides or where the court that the applicant is before is located.
 - Certify that an Attorney-at-law is matched to an applicant who is determined by the Bar Association of Guyana, to be the best and most appropriate match with the best skill set to match the particular case [while ensuring that Applicants are reminded, after an applicant is provided with the contact information of the Attorney-at-law by a representative of the Bar Association of Guyana, that

he/she has a choice whether to seek legal assistance from the Attorney-at-law for advice or representation].

- Ensure that the appointed Attorney-at-law after meeting the applicant and evaluating the legal issues shall have the choice of accepting the case or remitting the same to the Bar Association for reassignment to another Attorney-at-law. Where the Attorney-at-law elects to accept the case and is formally retained by the applicant, the incumbent will certify that the Attorney-at-law provides his/her services free of charge irrespective of the complexity of the case. [Where the matter is one of a civil nature, the Attorney-at-law is prohibited from entering into any contingency fee Agreements with the applicant for deduction of legal fees from potential money judgement].
- Guarantee that upon conclusion or termination of contract for legal services between the applicant and the Attorney-at-law, that the Attorney-at-law submit a report to the Bar Association of Guyana. [The Bar Association of Guyana will submit monthly reports to the Ministry of Human Services and Social Security which shall indicate the number of referrals to Attorneys-at-law and the status of cases referred to Attorneys-at-law].

Additionally, the consultant will also undertake further monitoring and evaluation to assess the quality of services delivered to applicants and understand how services can be improved to better meet the needs of survivors. The following monitoring and evaluation activities will be undertaken by the consultant so that s/he can monitor the effectiveness of this project:

1. Assist the Bar Association of Guyana in developing and maintaining a database of lawyers and their relevant expertise, that meets confidentiality requirements. This information will be shared with the Ministry of Human Services and Social Security. This will help to inform all applicants of the resource pool available.
2. Ensure that beneficiaries are invited by the relevant Ministry of Human Services and Social Security personnel to complete evaluation surveys at the end of their case.

3. Supervise the compiling and analysing of evaluation surveys by the Ministry of Human Services and Social Security to produce quarterly reports on the quality of services provided by the legal pro bono initiative as well as possible recommendations for improvement.

4. Monitor persons tasked by the Ministry of Human Services and Social Security with conducting follow-up calls (semi-structured) interviews with the Attorney-at-law assigned to the case, every three months from the date of the referral. [The information obtained in these follow-up calls shall be placed in the beneficiary’s file].

5. Oversee the collection of data from follow-up calls that will be compiled and analysed by persons tasked by the Ministry of Human Services and Social Security to produce quarterly reports which shall also outline possible recommendations for improvement.

6. Ensure that the data gathered under the legal pro bono initiative is the property of the Ministry of Human Services and Social Security.

Currently the Government of Guyana provides a Government subvention to the Legal Aid Clinic to provide legal services to GBV survivors and other vulnerable groups. This activity, under the Guyana Spotlight Initiative programme, affords the Government of Guyana - through the Ministry of Human Services and Social Security - an opportunity to expand the provision of legal support services [through this collaboration with the Guyana Bar Association] as well as to assess the effectiveness of such services provision. Upon satisfactory completion of this initiative, it is the intent of the Ministry of Human Services and Social Security to sustain this intervention through the offer of a Government subvention.

Duration and Working Schedule: The contract of this consultancy will be from March 8, to June 30, 2022, with the possibility of a contract extension subject to donor funding. The following deliverables are expected of this consultancy:

Deliverables	Completion Date
1. <i>Workplan</i>	March 14, 2022
2. Produce <i>Database of Lawyers</i> - The consultant will assist the Bar Association of Guyana with crafting a database of lawyers outlining their relevant expertise. It will be shared with the Ministry of Human Services and with GBV survivors seeking	March 31, 2022

	<p>services so that they both are aware of the available human resources.</p>		
	<p>3. Develop Quarterly Reports- Based on the e valuation surveys that participants complete at the end of their case, the consultant will craft reports based on the information analysed in the surveys. The report should analyse the quality of services provided and recommendations for improvement. The consultant can utilize information obtained from the reports of personnel monitored within the Ministry of Human Services and Social Security. This will also be based on the data collected from follow-up calls compiled and analysed by the consultant to produce quarterly reports, which shall also outline possible recommendations for improvement. The consultant can utilize information obtained from the reports of personnel monitored within the Ministry of Human Services and Social Security.</p>	Quarterly	
	<p>4. Formulate Quarterly Reports</p>	Quarterly	
	<p>5. Prepare and submit Monthly Reports – the consultant will follow-up with the Bar Association of Guyana who will indicate the number of referrals to Attorneys-at-law and the status of cases referred to Attorneys-at-law so that the consultant can report on these figures monthly.</p>	Monthly	
	<p>6. Final Report</p>	June 27, 2022	
<p>Place where services are to be delivered:</p>	<p>The individual consultant engaged will be expected to work remotely, utilizing his or her own office space, computer, internet, telephone and other equipment, as needed, to undertake this assignment.</p> <p>However, some elements of the consultant’s duties would require her/him to execute duties at the Ministry of Human Services and Social Security.</p>		

<p>Delivery dates and how work will be delivered (e.g. electronic, hard copy etc.):</p>	<p>The individual consultant will be required to submit the deliverables in English, soft copies, to UNFPA and the Ministry of Human Services and Social Security for review and approval, according to the Duration and Working Schedule. They will be expected to interact both physically (if the COVID-19 situation allows) and virtually, as needed, with stakeholders, UNFPA staff, members of the Guyana Bar Association and Ministry of Human Services and Social Security staff.</p> <p>All documents produced as a result of the consultancy will be the property of the Ministry of Human Services and Social Security. UNFPA and the Spotlight Initiative programme will only have access to aggregated level data, in keeping with confidentiality principles.</p>
<p>Monitoring and progress control, including reporting requirement, periodicity format and deadline:</p>	<p>The individual consultant engaged in the execution of the LEGAL PROBONO 500 Initiative will work closely with the UNFPA Liaison Officer for Guyana, who serves as the technical coherence lead for the Guyana SI programme, the Spotlight focal point within the Ministry of Human Services and Social Security, the relevant technical officers within UNFPA and the Ministry of Human Services and Social Security, as well as other key stakeholders. They will be expected to maintain fluid communication. Importantly, the design, monitoring and implementation of this initiative will involve all GBV partners through two existing Spotlight mechanisms, the Spotlight Gender Technical Working Group as well as the Spotlight Civil Society National Reference Group.</p>
<p>Supervisory arrangement:</p>	<p>The consultant will report to the UNFPA Liaison Officer for Guyana and the Spotlight focal point within the Ministry of Human Services and Social Security.</p> <p>S/he will be required to complete the tasks in a structured manner and according to the timeline specified in the working schedule.</p>
<p>Expected travel:</p>	<p>The consultant may be required to travel to various locations across the administrative regions of Guyana, particularly Regions # 1 (Barima – Waini), # 4 (Demerara – Mahaica), # 6 (East Berbice – Corentyne), and # 7 (Cuyuni – Mazaruni), to fulfil the deliverables of the Consultancy.</p>
<p>Required expertise, qualifications and competencies, including language</p>	<p>Education:</p> <ul style="list-style-type: none"> ● Bachelor’s degree with specialization in areas such as law, social work, gender, human rights and/or other related social science disciplines <p>Experience, Skills and Competencies:</p> <ul style="list-style-type: none"> ● At least three (3) years of professional experience in social work. ● Relevant experience in providing legal services to women and girls impacted

requirements:	<p>by violence.</p> <ul style="list-style-type: none"> ● Previous experience working with survivors of GBV. ● Good understanding of the issues of GBV in Guyana and the legal services in place to respond to GBV in Guyana. ● Strong skills in leadership and managing others. ● Professional experience in monitoring and evaluation especially of projects related to GBV. ● Excellent oral and written skills; excellent drafting, formulation, reporting skills. ● Accuracy and professionalism in document production and editing. ● Strong planning and organizational skills. ● Excellent communication skills including interpersonal skills, spoken and written communication skills, ability to conduct presentations, articulate ideas, ability to explain complex ideas to persons from diverse backgrounds.
Inputs/services to be provided by UNFPA or implementing partner (e.g. support services, office space, equipment), if applicable	<p>UNFPA and the Ministry of Human Services and Social Security will support the consultant in the execution of the activities. The individual consultant will utilize their own office space, computer, internet, telephone and other equipment, as needed, to undertake the assignment.</p> <p>The consultant must complete all identified mandatory courses in order to undertake work on this project.</p>
Other relevant information or special conditions, if any	<p>Payment of fees will be made monthly based on the satisfactory completion and submission of required reports.</p>