

**Terms of Reference for Developing Capacity of Justice Sector Institutions on Data
Literacy and Data Analysis**

1. Background, justification and Purpose

The Criminal Justice Reform programme that began in 2004 has been at the heart of the present political transformation in the Maldives. The Criminal Justice Reform Programme was based on the “Report on Criminal Justice System of the Republic of Maldives: Proposals for Reform¹” commissioned by the Attorney General and developed with support from the UN system and the action plan that followed². The key conclusion of the report at the time was that *“the Maldivian Criminal Justice System systematically fails to do justice and regularly does injustice that the reforms needed are wide-ranging, and that without dramatic changes the system and its public reputation are likely to deteriorate further”*.

Ratified in 2008, the new Constitution paved the way for a Judiciary that is independent of the Executive for the first time and created an independent Prosecutor General’s office. Overall, a number of reforms initiatives have been undertaken to establish a fair, effective and transparent justice system. However, it has been more 15 years since the initial assessment into the Criminal Justice System was completed, and reforms that followed. Public sentiment towards the criminal justice sector has not improved, while it remains marred by allegations of corruption and undue influence³. The justice sector has been at the centre of all major political turbulence that has taken place in the country and numerous assessments into the sector consistently identifies inefficiencies, unjustifiable delays, and major backlog of cases. Victims of major crimes, including murders, gender-based violence, and disappearances remain waiting years for justice. In addition, the lack of coordination and trust within the institutions that make

¹ <https://www.mvlaw.gov.mv/pdf/publications/6.pdf>

² http://www.shareefweb.com/documents/Maldives%20Reports/Justice%20system/Criminal_Justice_Action_Plan04-08.pdf

³ https://mpf.gov.mv/wp-content/uploads/2019/06/Governance-Justice_Policy-Note-16.pdf

up this sector makes it challenging to bring a system wide change that can be sustained. A key issue remains the human factor, which will take a generation to effectively address through training, retirements, and reform. The current Government that took office in 2018, has committed to making reforms to the justice sector as its key priority.

One key recommendation of the report on the Criminal Justice System, across all institutions that made up the sector was the need for “Better Record keeping, statistical summaries for Policy Makers”. The report identified that record keeping and data analysis for sound policy making was limited. The Action Plan to the Report on Criminal Justice System, proposed the setting up of a Data Analysis Centre. When at full capacity, the Centre will act as a Criminal Justice Bureau which will analyse data and contribute to the development of criminal justice policies and law. Over the years, the Criminal Justice Sector as a whole has made tremendous progress in its record keeping and now produces volumes of raw data. Much of the data collected and published though seems to contribute little to the effective, day-to-day management of the sector, nor is it being used for policy making. There is limited-to-no data analysis done, which if it existed, could be an effective tool to achieve a more efficient, impactful, and accountable system. Furthermore, the data systems across the institutions have developed independently, creating challenges for collaboration, while classifications used across the institution varies.

As the backbone of any system, data management and data enhancement can be less politically sensitive and contentious and can be sustained beyond election cycles. Effective data collection, data management and data sharing can create a platform for institutions in the Criminal Justice Sector to collaborate on similar vision for the sector. Additionally, data can be utilized to understand where inefficiencies exist within the system, how to adjust priorities and resources, and make improvements. It can also identify trends that can act as evidence to bring systematic improvements without politicization. Properly managed data and data

visualization from the Criminal Justice Sector for public consumption, can help improve transparency and public trust in the system.

The limited processing of serious crimes contribute to a serious trust deficit in the justice sector. Three examples include: First, the need to enhance the effectiveness of the prosecution system to provide, and to be seen to be providing, justice to the victims of sexual and gender-based violence. COVID-19 exacerbated the visibility of sexual violence and abuse against women and children, with very few perpetrators being convicted for their crimes. A national campaign has been launched by President Ibrahim Mohamed Solih in July 2020 crafted specifically to help reduce instances of domestic abuse and violence.

Second, the Government of Maldives has made a commitment to facilitate the return of the families of foreign fighters (women and children) from Syria and Afghanistan, and to prosecute acts of terrorism in the country. In order to effectively process these cases, the institutions responsible throughout the justice process need to have the data and evidence of where bottlenecks and weaknesses in the system exist.

Finally, the sector has invested substantial resources in the investigation and prosecution of corruption cases. However, the numbers indicate that the resources invested, and the time it takes to conclude a case versus the amount of funds retrieved and returned is not feasible.

The establishment and operationalization of the Data Analysis Centre will provide the necessary data and analysis needed to identify the weaknesses and bottlenecks in the system, and enable the Prosecutor General to provide objective and verifiable data to the Government and parliament for the endorsement of appropriate legislative and policy changes.

To address the challenges faced in the management and maintenance of criminal justice system records and data, a project was formulated with the support from Australian Government and UNICEF Maldives. The project seeks to enhance data base management and decision making

in the criminal justice sector by building the sectors capacity in data literacy and data analysis for planning. Increasing access to data at regular intervals with a vision of creating real time tracking of status of cases can increase accountability in the system. The project will identify efficiency issues even before it becomes a problem and ensuring that policy makers will be able to attend to it in a timely manner. Furthermore the outputs of the project will support policymakers in identifying trends and addressing the issues before bottlenecks are created.

The Project also seeks to create a platform for coordination between the institutions in the sector such as an annual conference that can identify annual Key Performance Indicators for the Criminal Justice Sector as a whole, creating an evidence based system to measure the progress in the sector.

Project partners include the Prosecutor General, the Maldives Police Service, the Judiciary and Maldives Correction Services, the Anti-Corruption Commission, the Human Rights Commission, National Integrity Commission and the newly established Children Ombudsperson, National Bureau of Statistics (NBS) and Attorney General's Office. NBS will be a key partner of the project with clear roles in supporting the statistical development of the criminal justice sector. The lead partner for this project from the Criminal Justice Sector will be the Prosecutor General's Office, which has initiated some undertakings to use data for decision making. From the UN side, UNICEF will assume the role of the lead coordinating agency.

To this end, PGO seeks to hire an international firm to develop a comprehensive training module/curriculum on data analysis and management (in English) for criminal justice sector institutions, based on an assessment of training needs.

The primary objective is:

To conduct a needs assessment and, based on the results, develop, and implement a comprehensive training module on data literacy and data analysis.

2. Methodology

Bidders are required to present their best ideas as part of the technical proposal. The quality of the methodology section will, together with the quality of the proposed team, determine whether a bidder is deemed technically qualified. Consequently, this Methodology section is intentionally under-detailed.

Bidders should display the ability to identify, conceptualize, and manage a range of methods for the analysis and training module. The following is intended to offer useful information on actual or potential resources and limits.

1. There is an abundance of existing research/survey reports, documentation and data, and information about Maldives. It can be assumed that all this information can be examined and, if available, the underlying data at PG office can also be examined.
2. The methodology should be aware of and prepared to take advantage of the accumulated and in-process evidence generated through other, research, studies, and evaluations.
3. Although contract payment will be based on deliverables and not on days of effort expended, it is still important that the anticipated level of effort be presented in the technical bid, either in the methodology section or in the team composition section. All named persons should show the expected level of effort—in person-days—to be invested by project stage. Additional pools of effort by not-named persons [e.g. document analysis; statistical analysis] should also be included. The level of effort presentation in the technical proposal cannot contain any cost information like daily rate.

The project team will make use of multiple methods and techniques which will be outlined in the inception report.

Ethics: The study must be completed in-line with the international or UN *Ethical Standards in Research, Evaluation, Data Collection and Analysis*. The proposals should have an ethics section and explicitly outline: 1) the team member's training in and familiarity with research ethics; 2) funding, sponsors and institutional affiliations; and 3) any actual or potential conflicts of interest. In addition to the above, the ethics section of the proposal, inception report and final report should include consideration of potential harms and if the benefits outweigh the risks; measures taken to ensure 'do no harm'; methodology to minimize stress for participants; how informed consent will be/have been acquired; any compensation paid for participation; and measures to ensure privacy and confidentiality.

Furthermore, the consultant team may not publish or disseminate reports, tools, collected data or any other documents produced from this consultancy without the prior permission and approval from PG office.

3. Scope of work and expected outputs/ deliverables

The assignment should be completed over a period of four (4) months, and will be coordinated by PGO in close consultation and collaboration with UNICEF MCO and the relevant national stakeholders.

The assignment will include the following areas:

- a. Develop and submit inception report highlighting the methodology (should include tabulation plan, list of indicators and background variables), scope and limitations and the outline the conduct literature review on similar capacity assessments in the country and region

- b. Conduct a review of existing data across justice system, identify data gaps, and address this in order to harmonise data across criminal system
- c. Conduct desk research and analysis of all existing curriculums/training modules, and materials to gain a thorough understanding of the current situation and collect data from relevant institutions.
- d. Conduct a "gap" analysis to identify capacity gaps in Criminal Justice Sector institutions for data analysis and management. Consultations, meetings, and interviews with relevant stakeholders should be conducted as part of this process.
- e. Produce a well-written and comprehensive Training Needs Assessment Report based on the above, including recommendations for:
 - Selection of training sites/venues
 - Schedule for training
 - Identify key resource persons
 - Participants
 - Post-training evaluation and impact assessment.
- f. Based on this assessment, develop a comprehensive 4-5-day training module/curriculum including training materials (in English) for the partner agencies with a special focus on strengthening the Criminal Justice Sector's capacity for effective data analysis and evidence-based decision making.
- g. Share the draft module with the partner agencies for their review, incorporate comments, and finalise the training module including training materials.
- h. Develop an e-learning module (4-6 hours, including notes, presentation, video and exercises) using these materials for the sustainability of these trainings and for new recruits to follow as a guide.

- i. Organise and conduct one 4-5 day Training of Trainers (TOT) workshop for training resource persons on data literacy training using the developed curriculum/module.
- j. Propose data harmonised coding system for the criminal justice system of Maldives.

4. Deliverables

As per the Government of Maldives policy, payment is made against approved deliverables.

1. Inception Report (Two weeks upon signing the agreement)
2. One Training Needs Assessment report submitted, the report should include desk review, situation report and gap analysis.
3. Comprehensive Training Module with a 4-5-day training curriculum for criminal justice sector institutions plus an e-learning module.
4. One TOT workshop completed, and reports submitted, including post-training evaluation and impact assessment.
5. Data harmonised national coding system for the criminal justice system for Maldives.

5. Reporting requirements

The firm will report to the PG and work closely with the technical team of PG Office. The Firm shall report to the Prosecutor General's Office on two weeks basis, updating the Prosecutor General on the status of contract operations and certifying that all work, tasks, and assignments have been satisfactorily performed.

The international firm will conduct consultations with all groups involved in the preparation of the deliverables, this includes, and is not limited to: Heads of sections and core Governmental

counterparts, experts, UN agencies, partners, donors, civil society organizations and private sector actors.

6. Travel

Although travel is not anticipated, all travel and field work should be proposed and submitted in the technical and financial proposal.

7. Time frame and deadlines

This assignment requires 86 working days between March and June 2022 and includes:

- a. 72 remote working days (where consultant will work closely with relevant stakeholders via zoom/ Teams' platforms)
- b. 14 days of in-country mission- which includes validation of the assessment and conducting training of trainers.

8. Qualifications or specialized knowledge and/or experience required

This contract will be awarded to a single institution or a team of individuals not sponsored by an institution. In the case of the latter, the team needs to submit a joint technical and financial proposal and there needs to be a designated team leader accountable for the team's performance. Consortium arrangement are eligible to bid, but PG Office will only sign a contract with the lead partner.

Previous work experience in the Maldives is a strong advantage.

Team Leader

A team leader must be named. She/he will direct all parts of the effort. The leader will be the person accountable in the organization's name to PGO. The leader will coordinate and supervise the work all teams or persons of the organization in their contributing roles. She/he will ensure the quality of the process, outputs, methodology and timely delivery of all products.

The team leader will take direct responsibility for all deliverables being of satisfactory quality.

The leader will ensure that the deliverables emerge in a timely fashion as a result of an in-depth analytic process.

The key qualifications of the **Team Leader** include:

- At least five years of professional experience in statistics, social research, studies or assessments.
- Experience with interaction and research, statistics, data collection and training with different level of government, non-government, and community counterparts
- Advocacy and social engagement skills necessary for dealing with technical experts, implementing partners, and NGO and political leaders that will be consulted.
- Experience in working with a team of young people in the process of compiling and gathering information, strategy and analysis development, including ethical and “do-no-harm” guidelines.
- Excellent written and oral communication skills in English required.
- Demonstrated team work skills and coordination competencies.

Other team members

The other named persons in the proposal will have experience and skills that complement the Team Leader. These complementary capacities should include at least one person each with expertise in the following subjects. Note that one team member can cover more than one subject; the team size can be as compact or as large as is needed to include the necessary talents.

Statistics training and analysis among team members is a requirement.

Significant advantages

- ❖ Development of attractive products to disseminate complex information via Infographics and other means

- ❖ Design and implementation of small-scale training modules on statistics and analysis
- ❖ Knowledge of gender and equity issues in the Maldives
- ❖ Knowledge of the social, economic, and political context of Maldives

Total team size: There is no upper or lower limit. However, it is PGO estimate that a team of at least 2 persons is needed.

9. Documents to be included when submitting the proposal.

While submitting the Technical Proposal, the applicant shall, in particular ensure to attach the following

- I. Profile of the firm explaining why they are the most suitable for the work.
- II. Relevant experience, qualification and competency (of the firm, team leader and team members)
- III. Detailed Methodology, ethical standard and conceptual framework with expected deliverables and timelines, man days required.

10. Financial Proposal

The financial proposal shall specify a total sum amount (including a breakdown of costs for fee, travel, and number of working days). Payments will be made in instalments based upon key outputs, i.e. upon delivery of services specified in the TOR as given in the table below.

Deliverable	Expected Duration	Estimated Cost (% of the total Price)
Inception Report with detailed methodology	3 days	5%
Training Needs Assessment Report	25 days	20%

4-5 day Training Module/Curriculum plus E-learning module.	28days	30%
TOT Training	15 days	25%
Data Harmonization report	15 days	20%

11. Evaluation

Cumulative Analysis

The weighted average basis will be applied to evaluate the applicant, the award of the contract will be made to the institution whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable, and;
- Having received the highest score out of pre-determined set of weighted technical and financial criteria specific to the solicitation.

Criteria Max. Point

Technical: 70 points

- Demonstrated Knowledge on data analysis, and evidence-based decision making- 15 marks
- Experience and skills in conducting analysis, training needs assessment, in the field- 20 marks.
- Demonstrate experience in developing training module/curriculum, drafting report, facilitation/training and dissemination skills among relevant stakeholders- 25 marks
- Methodology, activities, work-plan, experience and skills- 10 marks

Financial: 30 points