

National Consultancy for Research on Children in Conflict with the Law in Traditional Justice Systems

The United Nations Children's Fund (UNICEF), Sierra Leone Country Office, invites applications from interested person for the above mentioned consultancy.

Location: Freetown, Sierra Leone

Overview

The Government of Sierra Leone, with support from UNICEF and other partners, has recently completed the **National Child Justice Strategy (2013-2017)**. Building on the 2007-2012 strategy, the updated Child Justice Strategy has been drafted, and is set to be adopted by government in September. In the fourth quarter of 2013, UNICEF and the government will work to develop an **Interagency Diversion Policy**, with plans to pilot this program in 2014. One of the key outcomes of the Child Justice Strategy is that children in conflict with the law are diverted from the formal justice system, though the exact nature of how diversion will work has yet to be decided. Given that diversion may result in some children accused of minor crimes being heard by traditional authorities in a manner sanctioned by the state, it is critical to have a better understanding of the actual procedures and processes utilized by traditional leaders in handling children's cases.

Objectives

To better understand existing and potential utility of traditional justice mechanisms for improved handling of children in conflict with the law.

Key Results

The research proposes achieving the objective through the following key results:

- A. **Identify manner in which traditional power structures (including village and section chiefs, and to a lesser extent Local Courts) handle cases of children in conflict with the law in both rural and urban settings:** This should consider process/procedures and outcomes of children whose cases are heard at the primary justice level, and provide analysis based on human rights and child rights perspectives on treatment of children. The research should also consider how community, chiefdom, and district bye-laws are (or are not) utilized in the administration of justice for children in conflict with the law.
- B. **Identify the implications and impact (both positive and negative) of implementing an Interagency Diversion Policy:** Traditional justice mechanisms will likely play an important role in the process of diversion, but more needs to be known about how these traditional actors operate. The diversion policy will help formalize the manner in which children's cases can be transferred to traditional justice actors.
- C. **Identify community use of paralegal organizations and other community based legal services when faced with criminal questions at chiefdom level:** There has been a proliferation of paralegal organizations, with recent mapping identifying 59 out of 149 chiefdoms with paralegal presence. It is not currently well-understood whether children or their families approach paralegal organizations for assistance when faced with cases at the chiefdom level.

D. Provide recommendations: On how UNICEF can work with traditional justice actors in the context of the development of Interagency Diversion Policy, specifically with regard to improving the working relationship and referral pathways between the formal and traditional justice actors.

Methodology

The consultant will implement this project through the following methodology:

1. Undertake a desk review of previous research on traditional justice mechanisms (with a focus on handling children's cases) in Sierra Leone.
2. Undertake primary data collection (propose in two communities each in Western Urban, Bombali, and Kailahun) through interviews and focus groups with the following stakeholders: Paramount chiefs, section and village chiefs, adult men and women, boy and girl children, FSUs, and police.
3. Analyze the data in consideration of children's rights principles, child protection principles, and justice principles.
4. Prepare a draft report for comment from UNICEF and partners and facilitate a consultative dialogue with government and non-government stakeholders on the initial findings.
5. After receiving and incorporating comments, prepare a final report that outlines the methodology, key findings, and recommendations.

The research will be conducted under the guidance of a Technical Working Group made up of at least one representative from the MSWGCA, one representative from the National Council of Paramount Chiefs, and one representative from the UNICEF Child Protection Team. The researcher will report directly to UNICEF.

Terms and Conditions

- The research should take place in approximately 30 working days (5-6 weeks) over the course of October/November until end 2013.
- UNICEF will provide transportation, logistical support, and office space (with internet connection).
- Consultant will provide laptop computer.
- The results of the research will remain the sole property of UNICEF Sierra Leone.
- Submission to include cover letter, CV, and 1-2 examples of previous work; please indicate whether you are applying for the senior consultant or consultant position.
- Submissions for consultancy to include proposed working schedule, and proposed lump sum consulting fee.

Qualification and Competencies

- UNICEF envisions that the research will be carried out by a lead senior consultant with substantial input from the consultant.
- Individual consultant with minimum of five years' experience and knowledge of the formal and traditional justice systems;
- A bachelor's degree in a related field, or equivalent work experience;
- Experience conducting interviews and focus group discussions;

- Excellent English language written and spoken communication skills;

Working knowledge of Krio plus at least one other indigenous language (such as Mende, or Temne

Interested persons should send the following documents by email to srlrecruitment@unicef.org

- (a) An application letter
- (b) Curriculum Vitae
- (c) A completed UN Form P.11 found on the UNICEF website.

The Personal History Form (P11) in MS Word format can be downloaded from our website at http://www.unicef.org/about/employ/index_53129.html. **Only shortlisted applicants will be contacted.**

The deadline for receipt of applications is 22 October, 2013

UNICEF is a smoke-free environment.

UNICEF is committed to diversity and inclusion within its workforce, and encourages qualified female and male candidates from all national, religious and ethnic backgrounds, including persons living with disabilities, to apply to become a part of our organization.