

## TERMS OF REFERENCE

### International consultancy to develop Guidelines and Quality Standards on legal assistance for children in conflict with the law - LEGAL EXPERT - (CLEAR-Rights Project)

#### TERMS OF REFERENCE:

**Location:** Remote – contract with Defence for Children International (DCI) – Belgium

**Title:** International consultancy to develop Guidelines and Quality Standards on legal assistance for children in conflict with the law - Legal Expert - (CLEAR-Rights Project)

**Period of the consultancy:** September 2021 – November 2021

**Duration of the consultancy:** approximatively 20 working days

**Deadline to apply:** 22 August 2021

**Starting date:** September 2021

**Other key information:** the contractor must be able to issue invoices with tax registration in Europe

#### 1. Presentation of Defence for Children International (DCI) – Belgium

Defence for Children International (DCI) - Belgium is a local and independent association founded in 1991. Since 1992, it is a member of the DCI worldwide movement. While the DCI movement aims to promote and defend all children's rights, DCI-Belgium focuses mainly on violence against children, deprivation of liberty, juvenile justice, children in migration situations and child participation. DCI-Belgium carries out action research (involving documentary and field research), trains professionals, develops continuing education activities and tools, supports strategic litigation and carries out advocacy.

DCI Belgium is expert in leading or contributing to European projects related to the rights of the child in the justice system. The organisation particularly:

- coordinated two projects on the rights of children in conflict with the law who are deprived of liberty, (<http://www.childrensrightsbehindbars.eu/>);
- coordinated a project on the role and the mission of lawyer for children in conflict with the law ([www.mylawyermyrights.eu](http://www.mylawyermyrights.eu/));

- participated to a project on restorative justice for children in conflict with the law (<https://www.dei-belgique.be/index.php/projets/acheves/alternative-ways-to-address-youth.html>);
- is participating to a project on adapted legal aid for children in conflict with the law ([www.lachild.eu](http://www.lachild.eu));
- is participating to a project aiming at including young people to the training of legal professionals (<https://www.dei-belgique.be/index.php/ressources-externes/publications/send/41-publications/439-projet-youthlab-theory-of-change-young-in-prison.html> )

## 2. Background

“**CLEAR-Rights: enhancing legal assistance for children in Europe**” is a new project funded by the Justice Programme of the European Union. This 24-month project runs from 1 January 2021 until 31 December 2022 and is being coordinated by the Regional Office of Terre des hommes in Europe. It is implemented in partnership with the Alliance of Lawyers for Human Rights, Defence for Children International - Belgium, Defence for Children the Netherlands, PILnet and Terre des hommes Romania. The project’s main aim is to improve equal access to a lawyer for children suspected or accused of crime, through strengthening access to quality and specialized government-funded legal aid and pro bono legal assistance, in line with Articles 6 and 18 of Directive 2016/800/EU.

**CLEAR-Rights** seeks in particular to:

1. Build the capacities and improve knowledge of legal aid and pro bono lawyers to provide child-friendly legal assistance to children in conflict with the law
2. Establish a legal assistance network to match the legal needs of non-governmental organisations and children with legal aid and pro bono lawyers willing to provide legal assistance, as well as share promising practices related to providing legal assistance to children in conflict with the law
3. Increase awareness of policy makers and service providers about legal aid and legal assistance for children in conflict with the law and benefit from a permanent legal assistance system

## 3. Objectives of the consultancy

The general objective of the consultancy is to elaborate a document containing Guidelines and Quality standards regarding legal assistance for children in conflict with the law. “Guidelines” designates a set of directives addressed to lawyers working with children (in the framework of legal aid or pro bono) that will guide them so that the legal assistance and representation they provide to children is adapted to them. “Quality standards” designates a set of

requirements and guidance that are necessary so that this assistance is effectively adapted and accessible to children.

Consultants are expected to bring their own expertise to the project while building on what DCI-Belgium and the other partner associations in the project have already developed.

#### **4. Duties and responsibilities**

The selected consultant is expected to co-author, together with the psychologist consultant and taking into account project partner's feedbacks, the Guidelines and Quality standards for child-friendly legal assistance of children in conflict with the law.

To ensure the smooth implementation of the mandate, the consultant will report to Eva Gangneux (DCI-BE Advocacy officer and project manager on juvenile justice) and Zoé Duthuillé (Project assistant on juvenile justice). The consultant will, all along the consultancy, work in close cooperation with the psychologist consultant, who is specifically hired to co-develop the Guidelines and Quality standards of Clear Rights project. This will include online meetings and communication via email.

More specifically, the selected consultant shall carry out the following activities (all of these activities must be led in coordination with the psychologist consultant):

- Read carefully and have a sound understanding of the Clear Rights' objectives, approach, methodology and activities;
- Read carefully the material developed so far within the framework of the Clear Rights project and, more specifically, the European review of legal aid systems;
- Based on this information and on his or her expertise, develop, in collaboration with the psychologist consultant, the methodology on which will be based the development of the Guidelines and Quality standards, including the suggested structure and list of main topics of the Guidelines and Quality standards. A first draft of the methodology must be sent to DCI Belgium within the first 10 days of the consultancy and shall be presented to the project partners during an online meeting during which feedbacks will be provided;
- Develop, together with the psychologist consultant, the structure of the document and draft a first version of the document taking into account the project partners' feedbacks;
- Submit the first version of the Guidelines and Quality standards to DCI Belgium for feedbacks and inputs;
- DCI Belgium will share this first version of the Guidelines and Quality standards with the project partners and the members of the project Child Advisory Boards. The consultants will then integrate their comments and inputs and finalise the Guidelines and Quality standards;

- Submit the final version of the Guidelines and Quality standards to DCI-Belgium.

The document should be written in UK English and have a maximum of 30 pages – this length might be slightly adjusted if an agreement is reached between the selected consultant and DCI-Belgium.

The consultant will commit to respect European and International standards regarding safeguarding of children.

### 5. Activities and timeline

The consultant is expected to start in mid-September 2021. The deliverable must be delivered in November 2021.

	<b>Activity</b>	<b>Expected delivery</b>
•	<b>Consult project material; draft the methodology and structure of the Guidelines and Quality standards (proposal + meeting with partners)</b>	End of September (to be confirmed)
•	<b>First draft of the document (draft + include feedbacks from partners)</b>	1 - 15 October
•	<b>Writing of the document (draft + inputs from partners + finalisation)</b>	15 October- 30 November

### 6. Expected deliverables

Together with the psychologist, the selected consultant shall produce the following deliverables:

- A short document presenting the methodology (4-5 pages maximum) which will be used in order to develop the Guidelines for child-friendly legal assistance for pro-bono and legal aid lawyers and Quality standards for child-friendly legal assistance for pro-bono and legal aid lawyers;
- A first version of the Guidelines for child-friendly legal assistance for pro-bono and legal aid lawyers and Quality standards for child-friendly legal assistance for pro-bono and legal aid lawyers;
- The final version of the Guidelines for child-friendly legal assistance for pro-bono and legal aid lawyers and Quality standards for child-friendly legal assistance for pro-bono and legal aid lawyers.

Deliverables should be produced in UK English and submitted to Defence for Children International - Belgium in Word format.

#### **7. Consultant profile (legal expert)**

- Advanced university degree (MA or PhD) in the field of law or criminology, or equivalent with strong research and analysis component;
- Demonstrate minimum 3 years of relevant working experience in the field of child justice and children's rights;
- Be familiar with EU guidelines/policies regarding child justice;
- Solid knowledge and understanding of international human rights laws and standards on child justice;
- Excellent drafting and oral communication skills in English;
- Proven experience in drafting publications (List of relevant publications)
- Excellent oral and written skills in English.

#### **8. Budget and resources**

The estimated amount of work is about 20 working days which must be carried out within the three months duration of this consultancy.

#### **9. How to apply**

The contractor must be able to issue invoices with tax registration in Europe.

All candidates should please send the following documents to: [Eva.Gangneux@defensedesenfants.be](mailto:Eva.Gangneux@defensedesenfants.be) and [Zoe.Duthuille@defensedesenfants.be](mailto:Zoe.Duthuille@defensedesenfants.be) as soon as possible and on 22 August 2021 at the latest:

- A Cover Letter, specifying your relevant experiences,
- Updated CV in English,
- A Sample of similar work,
- Financial proposal in EURO including cost-breakdown and daily fee;
- A short letter specifying that you can issue invoice with tax registration in Europe (mention your tax registration number).

Please include "CLEAR-Rights, Consultancy LEGAL EXPERT, your name and surname" in the subject line of the application email.

Shortlisted candidates will be contacted for an interview in the last week of August or beginning of September.

*Due to an anticipated high number of applications, DCI Belgium is not in a position to respond to every applicant individually. Please note that only shortlisted candidates will be contacted for an interview.*



## INTELLECTUAL PROPERTY

The expert waives all rights in respect of the European Commission under the signed Agreement. Details on Intellectual Property rights will figure in the Agreement signed by both parties.



CLEAR-Rights is co-funded by the Justice Programme of the European Union (2014-2020).