

Terms of reference

Call for consultation

Development of a study on the situation of children living with their imprisoned mothers in Morocco

Mission	<p>Development of a study on the situation of children living with their imprisoned mothers in Morocco to conduct over the 3 months. It will require the collection of relevant quantitative and qualitative data as well as field visits to gather the voices of the children concerned and their mothers, as well as those of the professionals and actors concerned.</p> <p><u>Groups targeted by the study</u></p> <p>The consultation will target the following target groups:</p> <ul style="list-style-type: none">• Children living or having lived with their mothers in detention.• Incarcerated mothers living with their child;• pregnant women;• Prison professionals, especially those involved in sentence adjustment and the daily care of mothers living with their child;• Health professionals intervening in detention;• magistrates of the seat and the magistrates of the parquet floor.• Members of Moroccan civil society managing programs for women and children in detention
Type of Contract	Institutional service or individual contract / national or international
Duration	60 working days over a period of 3 months
Preferred start date	Fall/winter 2018-2019
Deadline for proposals	October 10, 2018 at midnight (GMT)
Selection process	Call for national or international consultation

Table of Contents

1. CONTEXTE DE LA CONSULTATION	3
2. CONTENT OF THE CONSULTATION	3
2.1. Objectives de la consultation.....	3
2.2. Scope of the study	4
2.2.1 Period covered by the study	4
2.2.2 Geographic study field	4
2.2.3 Groups targeted by the study	4
3. METHODOLOGICAL APPROACH.....	4
3.1. Methodology:.....	4
3.2. Quality assurance.....	5
3.3. Participation and inclusion.....	5
4. THE STUDY PROCESS	5
5. STAKEHOLDERS AND USERS OF THE RESULTS OF THE STUDY	5
5.1. Users of the results of the study.....	6
5.2. Stakeholders of the study	6
6. DELIVERABLES AND ESTIMATED TIMETABLE	6
7. PROFILE SOUGHT THE / CONSULTANT (E) OR THE FIRM	7
8. ETHICAL CONSIDERATIONS	8
9. APPLICATION.....	8
Technical offer:	9
Financial offer:	9
10. CRITERIA FOR ASSESSMENT OF APPLICATIONS	9
○ Evaluation of the technical proposal (weighting of 80% of the overall score).....	9
○ Evaluation of the financial offer (weighting of 20% of the overall score).....	10
○ Final assessment of the global offer.....	10
11. PROCEDURE FOR THE SUBMISSION OF PROPOSALS	11
12. NON-EXHAUSTIVE LIST OF THE BACKGROUND DOCUMENTS FOR THIS CONSULTATION	11

1. CONTEXTE DE LA CONSULTATION

The General Delegation of the prison administration and rehabilitation (DGAPR) to the Morocco wishes to conduct, with the technical support of UNICEF to the Morocco and the financial support of the European Union, a study on the situation of children living with their mothers incarcerated in the Morocco.

This study fits into the framework of the project "HIMAYA, for access of children to a child friendly justice and respecting their rights " implemented through a partnership agreement signed between the European Union and UNICEF in Morocco, with the Ministry of Justice as a leader. Over a period of 36 months HIMAYA general objective is to make the justice system more accessible to children and more respectful of their rights.

Indeed, the Morocco has ratified the United Nations Convention on the rights of the child which states :

- The child has from birth right to be cared for by his parents (Article 7.1 of the Convention);
- States parties shall ensure that the child is not separated from his parents against their will (Article 9.1 of the Convention);
- The States parties respect the right of the child who is separated from both parents or one of them to maintain regular personal relations and contacts with both parents, unless this is contrary to the best interests of the child (Article (9.3 of the Convention), finally
- Any child who is temporarily or permanently deprived of their family environment, or in its own interest cannot be left in this environment, is entitled to protection and special aid from the State. (Article 20.1 of the Convention).

In addition, "United Nations rules regarding the treatment of women prisoners and imposition of non-custodial measures to women (Bangkok rules)", resolution adopted by the General Assembly of the UN on December 21, 2010 (Res. 65/228). is a reference text applicable to the protection of mothers in detention and their children to Morocco.

50 to 100 children are directly affected by this situation and to date, no comprehensive study has been conducted in Morocco to determine the situation of children living with their mothers in prison despite several support programmes implemented by the DGAPR in partnership with civil society in recent years.

In this context, the DGAPR wishes to conduct this study with the aim to improve the conditions of these children and to encourage the maintenance and development of the mother-child relationships while ensuring the consistency and sustainability of its action.

2. CONTENT OF THE CONSULTATION

2.1. Objectives de la consultation

The present study general objective is to review the situation of children living with their incarcerated mothers in Morocco against the requirements of the Convention of the United Nations on the rights of the child and rules of the United Nations on the treatment of women prisoners and imposition of non-custodial measures to women (Bangkok rules).

The specific objectives of this study are the following:

1. Analyze the legislative and regulatory framework applicable to children living with their imprisoned mothers
- 2 Examine studies and projects in Morocco on the issue
- 3 Collect existing statistical data and map the presence of children living with their mothers in detention, services adapted existing (example: children mother cell, nursery) and the actors involved

- 4 Collect the voice of children and of their mothers, as well as of the professionals and stakeholders
- 5 Identify good practices and gaps in the care of children living with their mothers in detention
- 6 Recommendations for the protection of children living with their mothers in detention

The data potentially collected as part of this consultation will be disaggregated (place of detention, age, gender, geographical situation of disability, etc.).

The consultant or the firm will work closely with the DGAPR and of the Child Protection section of the Morocco UNICEF.

2.2. Scope of the study

2.2.1 Period covered by the study

Concerning the situation of children living in prison with their incarcerated mothers, the study is limited to the situation during the study. Regarding the review of the legislative framework, the studies and statistical data and best practices, the collection of the voice of children and mothers who lived with their children in detention, the study will cover at least the last 5 years.

2.2.2 Geographic study field

The study will be conducted at the national level and will target women's prison in which live the children with their mother during field visits, in priority areas the Himaya project targets i.e. regions of Casablanca, Fez, Marrakech, Tangier and Agadir.

2.2.3 Groups targeted by the study

The consultation will target the following groups:

- Children living or having lived with their mothers in detention.
- Mothers incarcerated living or having lived in detention with their child;
- Pregnant Women in detention;
- The prison professionals, particularly those involved in development of the sentences and the daily support of mothers living with their child;
- Healthcare in detention;
- The judges and the prosecutors;
- The members of the Moroccan civil society managing programs for women and children in detention

3. METHODOLOGICAL APPROACH

3.1. Methodology:

For this study, the methodology will be based on a qualitative approach in line with the approach based on human rights, gender and equity approach. Secondary data are to collect through the document review of the legislative and regulatory framework applicable to children living with their imprisoned mothers, statistics at the national and local levels, and the data from the studies and projects have been led to the Morocco on the issue.

With regards to primary, data consultant or the firm should go on the ground to gather the information indicated in the section 2.2.3 key informant group targeted by the study.

The methodological approach should be detailed in the methodological note which is the 1st deliverable of the consultation. The report must provide a clear rationale for the choice of the recommended approach, its strengths and its limitations.

3.2. Quality assurance

The collected information should be submitted to an insurance mechanism rigorous validation of data quality, and, using a variety of tools including the triangulation of information sources and the permanent exchange with the program managers at UNICEF and the Ministry of Justice level.

3.3. Participation and inclusion

Furthermore, the study should be conducted according to a participatory and inclusive approach involving a wide range of stakeholders, stakeholders and target populations.

4. THE STUDY PROCESS

The study will be conducted in four phases: (i) design; (ii) collection of data on the ground, (iii) analysis and reporting, and (iv) dissemination of the results.

○ Design :

This phase is dedicated to the structuring of the study. At this point, the consultant or the firm must acquire an in-depth knowledge of the purpose of the study and the national context issue. She/he/it must develop the methodological approach and define the appropriate tools to the collection and analysis of data.

○ Fieldwork data collection:

This phase consists of a mission on the ground about 30 to 40 days to complete data collection and analysis. The collection of data should be in accordance with the methodological approach and the work plan in the methodological note validated by UNICEF Morocco and the DGAPR. At the end of this phase, the consultant or the firm should have available the first analyses of the data collected, the preliminary results and the provisional conclusions and recommendations.

○ Analysis and reporting phase

During this phase the consultant / Office of studies will continue the work of analysis data introduced in the phase of the field data collection and will prepare the draft final report taking into account the remarks and comments made by UNICEF Morocco and the DGAPR in the debriefing at the end meeting of the field phase.

○ Phase of dissemination

The dissemination of the results of the study will be made through a national workshop. Workshop participants will include stakeholders, including government stakeholders, and civil society involved in the study. The comments and recommendations that are adopted at the end of the discussions during the workshop should be taken into account by the consultant or the firm in the final version of the report.

5. STAKEHOLDERS AND USERS OF THE RESULTS OF THE STUDY

5.1. Users of the results of the study

Users of the study will be mainly the DGAPR and UNICEF.

The results of this study will contribute to generate evidence and learn about the tools and means at the disposal of the actors to better meet the needs of the children concerned in respect of their rights and those of their mothers.

5.2. Stakeholders of the study

Stakeholders of the study are: the DGAPR, requesting the study, UNICEF, which provides technical support as part of the cooperation program with the DGAPR Committee for the follow-up of the study, and the / consultant or the firm.

Role and responsibility of the consultant or the firm: The consultant or the firm will assume overall responsibility for the process of the study of the preparation of the methodological note until the production of the final report; she/he/it will be the guarantor quality of different deliverables of the consultation. She/he/it must work closely with the section of the Morocco UNICEF Child Protection.

Role and responsibilities of UNICEF: UNICEF will accompany the consultant or the firm and will provide technical support to the conduct of the study. UNICEF will ensure the mobilization of stakeholders and will make available to the consultant or the firm information and resources in his possession.

Role and responsibilities of the DGAPR: The DGPAR will ensure the overall coordination of this study, will facilitate meetings and field visits of the consultant or the firm and will provide the necessary information so that the work can be realized in the best conditions.

Role and responsibilities of the monitoring of the study Committee: Follow-up Committee in place for tracking and quality assurance of this study will be the main task to review and validate the deliverables of the consultation: the proposed methodological note by the consultant or the firm and give notice on the report to be submitted by the consultant or the firm following the phase of collection and analysis of data. The composition of the Committee will be communicated at a later stage.

6. DELIVERABLES AND ESTIMATED TIMETABLE

The load estimated this consultation is sixty (60) days of expertise over a period of three (3) calendar months.

Payment of the consultation will be done by billing partial **after the reception and the final deliverables validation by the follow-up Committee** according to the following schedule:

Activities and deliverables	Planned from the signing of the contract deadlines	% of payment
Desired starting date	Fall/winter 2018-2019	
Deliverable 1: Rating methodology and work plan	10 days	20%
In Arabic, English, or French about 10-15 pages, detailing the methodology: it must include at least a quantitative and qualitative data collection approach, a documentary review, interviews with stakeholders, field visits and the review		

of regulation. The work plan will specify the interviews and meetings planned and include a detailed schedule		
Deliverable 2: Presentation of the plan forecast and detailed report	10 days	10%
Deliverable 3: Draft report	30 days	40%
<ol style="list-style-type: none"> 1. A draft report in Arabic, English, or French 50-page maximum y included an executive summary announcing the major revelations of the study, graphic illustrations and conclusions/recommendations. The report must include: 2 An analysis of the legislative and regulatory framework applicable to children living with their imprisoned mothers 3 A review of the studies and projects in Morocco on the issue 4 A collection and analysis of statistical data known; 5 Mapping of the presence of children living with their mothers in detention, services adapted existing (example: children mother cell, nursery) and the actors involved 6 Excerpts and analysis of speech of children and their mothers, as well as professionals and stakeholders 7 Identified good practices and gaps in the care of children living with their mothers in detention 8 Recommendations for the protection of children living with their mothers in detention 		
Deliverable 4: Final report of the study + Presentation Powerpoint from the results of the study and Executive summary of the results of the study	10 days	30%
<ul style="list-style-type: none"> • The final analysis of the study report in Arabic and in English or French of 80 pages • A PowerPoint presentation of the results of the study , electronic version (English, french and Arabic) • An Executive of the results of the study summary , about 5-10 pages (Arabic, french and English) 		
TOTAL	60 days	100%

7. PROFILE SOUGHT THE / CONSULTANT (E) OR THE FIRM

The consultant or the firm must meet the following conditions:

- Have a postgraduate level training master in the filed of the right of the child, or childcare studies, social science or political science. Otherwise, have at least 8 years of experience in one of these arteas
- Be familiar with the protection of children of the protection of human rights
- Have at least four (4) years of professional experience in a field related to the theme of this study
- Demonstrate strong writing abilities for the development of the studies and analyses of field situation
- Speak Arabic, English, or French and have vary good drafting skills in one of these languages. In case there is no Arabic speakers, the support of an Arabic interpreter would be required.

For the study, the consultant (s) individual may be assisted consultants or research assistants who will do the work under its responsibility.

8. ETHICAL CONSIDERATIONS

As indicated in the terms of reference, the study will be conducted according to a participatory and inclusive of children approach. Thus, it is expected that children will be primary by the consultant data collection or the firm.

To this effect, this study as all other collection and analysis of data, research and evaluation activities undertaken or requested by UNICEF, (including the activities carried out by individual or institutional contractors and) by partners), when they involve human subjects or the analysis of secondary data, must be conducted in accordance with the UNICEF procedure for ethical standards in the collection and analysis of data, research in accordance with the ethical guidelines of the UNEG for assessment and evaluation. (See annex: procedure of UNICEF).

These standards explicitly recognize the Declaration of Helsinki (1964) and its related amendments, which reflect the spirit and intent, emphasizing the importance of the respect and protection of fundamental rights.

Specifically, with respect to the priority participation of children in the collection and analysis of data, research and evaluation activities, these standards are trying to apply the principles of the best interests of the child non-discrimination and the participation of the Convention on the rights of the child.

Under this Procedure, the requirements and the principles for the production of evidence apply to four central ethical issues, namely:

- The benefits and harm;
- Informed consent;
- Respect for privacy
- Confidentiality;
- Payment and compensation.

They express also, in particular, the position of UNICEF with respect to conflicts of interest and ethical financing of the production of evidence.

Accordingly, proposals for technical offers in the context of this call for tender must clearly, identify the potential ethical issues and methods, as well as the process of ethical review and control of the of the assessment process.

Evaluating technical offers in competition in this tender, shall also consider the importance of defining the ethical implications and related to developing and implementing mitigation strategies in Implementation of collection and analysis of data.

Moreover, according to the UNICEF procedure for ethical standards in the collection and analysis of data, research and evaluation, the people and the members of the team in charge of the collection of primary data involving topics humans must have received a basic training in ethics.

9. APPLICATION

This consultation is an international consultation. It is open to individual consultants / or firms resident in Morocco or abroad.

The consultant or the firm must include in the application a technical proposal and financial offer.

Technical offer:

The technical offer must imperatively and explicitly include the following parts:

1. A methodological note in french of maximum 5 pages and a suggested timetable for the conduct of the study with deliverable 4 no later than April 30, 2019
- 2 The curricula vitae of the principal consultant candidate in the present competition and his team,
- 3 The P11 form the principal consultant completed, with annexed three names of references (the P11 form is available on the UNICEF website: http://www.unicef.org/about/employ/files/Personal_History_Form_UN_P_11_-NICEF_version.doc)
- 4 A description of the structure (for offices)
- 5 A presentation form of the material means and human resources (for offices)
- 6 References from studies / similar investigations in the legal field or the protection of the child conducted by consultants/firms

Financial offer:

The consultant/firm will have to provide a detailed financial note including all fees (including transport, accommodation, translation, per diem) to complete the entire project.

Any incomplete record will be considered as inadmissible *.

The consultant (e) /bureaux of studies will be recruited (e) on the basis of a service contract concluded with the UNICEF Office in the Morocco.

10.CRITERIA FOR ASSESSMENT OF APPLICATIONS

The final evaluation of the offers will be made based on a weighting of the technical evaluation criteria and financial.

o Evaluation of the technical proposal (weighting of 80% of the overall score)

A technical score (St) with a maximum of 100 points is assigned to the technical proposal

An offer that does not meet the criteria of eligibility of the TOR (section 6 and 7) or that does not reach the minimum technical qualification of 70 out of 100 points will be rejected at the end of this first stage. Shortlisted candidates may be invited to an interview to further technical assessment.

The technical score (St) will be awarded according to the table below:

Technical evaluation (max. 100 points)		Maximum points to be awarded
1	Overall response (20 Points)	
1.1	Completeness of the response and the understanding of the needs of UNICEF	15
1.2	Overall consistency between the requirements of terms of reference and the proposal	5
2	Overall experience of key personnel and the ability to complete this project in time appropriate (40 Points)	

2.1	Profile and relevance of the experience and qualifications of the senior consultant or proposed team	20
2.2	Experience in the conduct of studies and other related areas as described in the terms of reference	20
3	Methodology and approach (40 Points)	
	Quality of the proposed approach / methodology	30
3.1	Proposed schedule	10
TOTAL TECHNICAL SCORE		100

○ Evaluation of the financial offer (weighting of 20% of the overall score)

The financial proposal of the economically the cheapest offer (**Om**) appreciated by Global price and consistency in the breakdown of the overall price will receive a **financial (Sf) score** of 100 points.

FINANCIAL EVALUATION (max. 100 points)		
Total estimated cost of the contract (including travel expenses and all other expenses related to the realization of benefits)		100
FINANCIAL assessment - Total Points		100

Financial (F) offers scores will be calculated according to the following formula:

$$SF = 100 \times Om/F$$

OM : offer economically the cheapest

F : Bid price

○ Final assessment of the global offer

The final evaluation of the offer will be made based on a weighting of the technical evaluation criteria and financial:

The **technical score (St)** and each offer **financial score (Sf)** will be then combined into an **overall score (Sg)** by offer according to the following distribution:

$$St = 80\% \text{ of the overall score}$$

$$SF = 20\% \text{ of the overall score.}$$

The overall score awarded to the offers will allow a ranking of offers by the application of the formula, which will determine the offer the best in terms of the selection criteria proposed for the mission:

$$SG = (St \times 80\%) + (FS \times 20\%)$$

The contract will be awarded to the tender the overall score (Sg) the highest.

11. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

Interested bidders are invited to submit their offers in format electronic **exclusively** to the following address: Rabat@UNICEF.org, **no later than October 10, 2018 before midnight (GMT)** deadline for receipt of offers.

The financial proposal must be submitted in a separate message of the technical proposal. The prices or rates must appear in no other part of the offer.

Any incomplete file will be considered to be inadmissible.

Questions concerning this consultation, (**only for information and not for submissions**), should be addressed to Mr. Benyounes Moh at the address:

The United Nations Fund for the children's Office of Morocco
13 bis, Jaafar VT Street, Agdal, Rabat-Morocco
212 537 67 56 96 phone
212 537 67 56 97 fax
bmoh@UNICEF.org

12. NON-EXHAUSTIVE LIST OF THE BACKGROUND DOCUMENTS FOR THIS CONSULTATION

- The United Nations Convention on the rights of the child
- General comments of the Committee on the rights of the child of the United Nations
- Rules of the United Nations concerning the treatment of women prisoners and the imposition of non-custodial measures to women (Bangkok rules)
- Committee on the Rights of the Child, 30 September 2011, Report and Recommendations of the day of general discussion on "Children of incarcerated parents"
- Examples of studies and recommendations on the matter from abroad:
 - Canada: Blanchard, b. (2002). The situation of incarcerated mothers and their children in Quebec. *Criminology*, 35 (2), 91-112
 - Belgium: Lincher, s., William, s., Schoenaers, f., Nisen, l. children 0 to 6 years whose mother is incarcerated in Wallonia-Brussels Federation, Houtman Fund, Brussels, Belgium
 - France: opinion of the controller general of places of deprivation of liberty, August 8, 2013 on young children in prison and their mothers held (France): http://www.cglpl.fr/wp-content/uploads/2013/09/AVIS-JO_nurseries_20130903.PDF

Annex: procedure of UNICEF on the ethical standards in the collection and analysis of data, research and evaluation



3. UNICEF Procedure on Ethics in Evidence