Terms of Reference

Title: Consultant(s) (Commonwealth Study on Innocent Bystanders and violence against women and girls in cyberspace)

Organizational Section/Unit: Governance and Peace Directorate, Commonwealth Secretariat

Duty Station: Home based

Proposed period: 15th March 2021 - 9th April 2021

Actual work time: 15 workdays in a period of 4 weeks

1. INTRODUCTION

This document sets out the terms of reference to guide the work of the consultant(s) engaged by the Commonwealth Secretariat (“the Secretariat”), to conduct an evidence-based study with a view to identifying how violence against women and girls is perpetrated in cyberspace across the Commonwealth; and the measures required to inform next steps in making cyberspace safe and secure for women and girls in Commonwealth member countries.

2. BACKGROUND

In December 2020, the Commonwealth Secretariat secured a grant under the Conflict, Stability and Security Fund: Cyber & Tech Programme Call for Bids 2020/21- Human Rights in the Digital Age (HURDA) of the United Kingdom’s Foreign, Commonwealth and Development Office.

The Secretariat plans to use the grant to raise awareness and inform legal and policy reform to address the pervasive problem in the Commonwealth, of on-line sharing by purported ‘innocent’ bystanders of communications depicting violence against women and girls (VAWG). This project will provide relevant information, which will provide a firm foundation for future work by the Commonwealth Secretariat to achieve the longer-term goal of Commonwealth countries building effective frameworks for the protection of women and girls’ rights online.

The Commonwealth Secretariat is seeking to engage a qualified consultant to design and undertake evidence-based research and produce a report, which analyses across the Commonwealth, policy and legal frameworks and captures key lessons to date (i.e., successes and areas for further improvement), in consultation with the Secretariat team.

The expected deliverable of this consultancy is a detailed report.
3. PURPOSE OF THE ASSIGNMENT

The purpose of the assignment is to undertake research and to produce a detailed report that assesses the nature and prevalence of online violence against women and girls by purported ‘innocent’ bystanders, and key interventions, good practices and frameworks required to tackle the problem.

The Commonwealth Secretariat is looking for five Consultants who will undertake research and produce detailed reports as follows:

- Africa - two consultants each of whom will focus on agreed Commonwealth countries in that region;
- Asia and Europe - one consultant who will focus on these two regions;
- Caribbean and the Americas - one consultant;
- Pacific - one consultant;

The consultants will produce reports, each drawing on the policy, legal and institutional frameworks and practices in the respective regions.

Each report is expected to map the prevalence of online violence perpetrated by so-called ‘innocent’ bystanders and the state of laws, institutions, policies, and practices in the specified region(s). The findings and recommendations will be provided in a report and will be accompanied by recommendations for legal and policy reform, as well as targeted interventions to tackle the pervasive problem of online violence against women and girls through rule of law and human rights interventions.

4. METHODOLOGY

The Consultant(s) - in close consultation with the Project Manager - will be expected to:

a) conduct desk reviews of literature and materials from across the respective region of the Commonwealth.

b) Write and present a detailed report to the Secretariat

5. SPECIFIC TASKS TO BE PERFORMED BY THE CONSULTANT

Under the guidance of the Project Manager, the Consultant(s) will be required to:

a) Review existing literature on online violence against women and girls and the laws, policy and institutional framework on bystanders in the respective region of the Commonwealth;

b) Map the prevalence of online violence against women and girls perpetrated by purported ‘innocent’ bystanders in the Commonwealth

c) Review relevant policy documents, reports and legislative documents to assess the relevant frameworks used to address online violence against women and girls in the respective Commonwealth region.

d) To present a draft outline of the report by 19 March 2021.

e) To present draft versions of the report by 31st March 2021 and receive thereafter any comments on the draft report from the Secretariat and to take these into account in drafting the final draft of the report.

f) To deliver by no later than 9th April 2021 a satisfactory final version of the report to the Secretariat.

Note: The above mentioned tasks to be performed are intended as a guide and should not be viewed as an inflexible specification as it may be modified following discussion with the selected consultant.

6. EXPECTED TANGIBLE AND MEASURABLE OUTPUT(S)
### Deliverables and Timeline

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Timeline</th>
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<tbody>
<tr>
<td>a) Draft outline of the report</td>
<td>19 March 2021</td>
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<tr>
<td>b) Presentation of draft version of the report</td>
<td>31 March 2021</td>
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<tr>
<td>c) Presentation of satisfactory final version of the report that takes into account the Secretariat’s feedback.</td>
<td>9 April 2021</td>
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7. **INDICATORS TO EVALUATE THE CONSULTANT’S PERFORMANCE**

All outputs shall be assessed in accordance with the following indicators:

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<tr>
<th>Deliverable</th>
<th>Indicators</th>
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<tbody>
<tr>
<td>a, b and c</td>
<td>• Technical precision of the proposal</td>
</tr>
<tr>
<td></td>
<td>• Clear and policy-relevant analysis</td>
</tr>
<tr>
<td>a, b and c</td>
<td>• All Secretariat comments reflected appropriately</td>
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<tr>
<td></td>
<td>• Excellent English drafting style</td>
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<td></td>
<td>• Political nuances fully considered</td>
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<td></td>
<td>• Technical excellence.</td>
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8. **QUALIFICATIONS/EXPERTISE SOUGHT (REQUIRED EDUCATIONAL BACKGROUND, YEARS OF RELEVANT WORK EXPERIENCE, OTHER SPECIAL SKILLS OR KNOWLEDGE REQUIRED)**

- Qualified lawyer in a Commonwealth jurisdiction.
- Advanced degree(s) in law, politics, social science, or international relations;
- Minimum of 10 years of professional expertise in criminal justice and international cooperation in criminal matters, with a focus on electronic evidence and cybercrime;
- Practical professional experience in provision of advice and training to justice system officials;
- Proven ability to network and establish collaborative relationships with a variety of actors;
- Strong research design skills, including capacity to prepare logical, coherent, and consistent reports.
- Prior demonstrated experience from designing and conducting research for institutional donors and for multilateral, bilateral and vertical funding sources.
- Proven ability to work well under pressure and meet strict deadlines.
- Flexibility to adapt to any subsequent changes in the terms of reference.
- Excellent English speaking/writing skills required.
- Strong interpersonal and communication skills.
- Strong analytical, reporting and writing abilities.
- Very good understanding on using MS Word and Excel as well as other relevant MS office software.
- Openness to change and ability to receive/integrate feedback.
- Positive, constructive attitude to work.
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.
- Demonstrates integrity and ethical standards.

9. **ADMINISTRATIVE ARRANGEMENTS**

The tasks associated with this Terms of Reference are expected to be completed through
a home-based preparatory and coordination work. Virtual conference calls will be the main mode of meetings with the Secretariat and other key stakeholders.

The consultant will receive payments on a payment schedule and in accordance with the terms of the consultancy offer letter.