



CENTER FOR DOMESTIC VIOLENCE PREVENTION

TERMS OF REFERENCE FOR ANALYSIS OF THE EFFECTIVENESS AND PROGRESS IN IMPLEMENTATION OF THE OF DOMESTIC VIOLENCE ACT 2010.

1. Background:

Center of Domestic Violence Prevention (CEDOVIP) through financial and technical support from UN Women and the Government of Sweden is launching this call for applicants to analyze the effectiveness and progress in implementation of the of domestic violence act 2010 since its passing ten years ago.

The Center for Domestic Violence Prevention (CEDOVIP) is a registered local NGO founded in 2003. CEDOVIP works in partnership with communities, institutions, government and civil society to build a movement against violence against women in Uganda.

CEDOVIP coordinates the Domestic Violence Act (DVA) Coalition which is a group of 25 women's rights organizations- that are committed to spearheading efforts to advocate for allocation of technical, human and financial resources by Government for implementation of the Domestic Violence Act, 2010 to monitor its effectiveness in protecting women and girls from domestic violence.

2. Context:

Domestic Violence is one of the most prevalent forms of violence against women and girls in Uganda and manifests in form of physical abuse such as battery, abandonment, controlling behaviours, sexual, economic and psychological abuse. Fifty-one percent of women and 52 % of men aged 15-49 report that they experienced physical violence since age 15. About 60% perpetrators of violence are reported to be intimate partners. Wife battering which is one of the most common forms of violence is widely tolerated, with 49% of women and 41% of men agreeing that it is justified for a man to beat his wife for some given reasons¹ (UDHS 2016). Based on Uganda's population of 38.8 million in 2014 (UBoS, 2014) this means that approximately 2.2 million women experience some form of domestic violence every year. In addition, the Annual Police Crime Reports since 2013 to date shows a consistent increase in the number of reported cases of Domestic violence to the police from 1,597 in 2011 to over 15,000 cases in 2017).

3. Justification:

The connection between domestic violence and the achievement of sustainable development goals has been recognized globally to hinder the realization of a wide range of sustainable development goals especially goal 5 on gender equality and empowerment of Women and

¹She burns the food, she argues with him, she goes out without telling him, she neglects the children and she refuses to have sex with him

girls and 16 on peaceful, effective, accountable and inclusive justice institutions. In 2010, the Government of Uganda enacted the Domestic Violence Act (DVA), which for the first time provided comprehensive legal remedies and definition for domestic violence crimes beyond physical harm to include emotional and economic abuse and outlawed all forms of domestic violence in Uganda among others. Following the enactment of the law, regulations were put in place to operationalize the law which became effective in 2011. It is now nine years since the Domestic Violence Law came into effect and yet it is not clear to what extent the DVA has provided the desired protection for women and girls from domestic violence.

CEDOVIP is seeking the services of a consultant to assess the effectiveness and progress in implementation of the Domestic Violence Act 2010 by the mandated Government institutions including; the Uganda Police Force, The Office of the Directorate of Public Prosecutions, the Judiciary, the Local Government, with emphasis on Local Council One ("LC I") and Local Council Three Courts (LC III), as well as the District's Probation and Social Welfare Officer(s) among others in five (5) regions across Uganda.

The goal of the assessment is to determine the status of implementation of the Domestic Violence Act and its Regulations by each mandated sector², nine years after its passage and the effectiveness of the act in holding perpetrators accountable and protecting women and girls from domestic violence, the gaps and barriers to its implementation and generate recommendations for improving effectiveness and implementation of the Act

The findings from the assessment will be used to inform programming and engagement of Government and JLOS institutions to improve effectiveness of the Domestic Violence Act and access to justice for all women and girls.

4. Scope of work:

Under the supervision of the Executive Director of CEDOVIP in close coordination with UN Women, the consultant will be responsible for the following:

1. Prepare an inception report on the conceptual framework, content, methodology and tools for undertaking the assessment and a draft report structure
2. Conduct a desk review and field-based analysis on the DVA and its regulations to identify weakness or gaps that require amendment and recommendations for amendment or strengthening the act

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- ²Local Government; Local Council I, Local Council Courts and the District's Probation and Social Welfare Officer(s)
 - Ugandan Police Force; Child and Family Protection Unit, Sexual Offences Criminal Investigation Division (CID)
 - Office of the Directorate of Public Prosecutions
 - The Judiciary; Chief Magistrate, G1s and G2s and the family and children court

3. Conduct an analysis of the domestic violence cases that have been handled through the formal justice system since 2011 when the law came into force to; assess whether the judgments were in line with human rights standards, the turn-around time for the cases, and whether or not the law is being used or not and why and the procedural and systemic changes needed in each institution to ensure effective implementation of the DVA.
4. Evaluate the implementation of DVA law by the mandated sectors focusing on :
 - To what extent the Domestic Violence Act and regulations promoted safety and protection of all women and girls especially those facing intersecting forms of discrimination and offender accountability, according to international human rights standards?
 - To what extent the mandated sectors have implemented their respective obligations under the Domestic Violence Act 2010? If not, what are the barriers?
 - The enablers, gaps and obstacles faced in the effective use of the DVA for prosecution and conviction of perpetrators of DV?
 - The changes (content of the law, policy , procedural and systemic) that are needed to ensure effective implementation of the DVA by the mandated institutions

Expected Deliverables/Outputs

- High quality analysis report not exceeding 30 pages (plus annexes) with concrete and realistic recommendations to guide the necessary amendments of the DVA and regulations and its implementation by the mandated actors.
- A policy brief on the key findings and policy recommendations to government and other stakeholders

Deliverables	Time frame/ number of days
An inception report on the conceptual framework ,content, methodology and tools for undertaking the assessment and a draft report structure	4
A desk review and field based analysis report on the weaknesses and gaps in the DVA and regulations and the recommendations for amendment or strengthening the act	10
A high quality analysis report on the domestic violence cases that have been handled through the formal justice system since 2011 when the law came into force; including enablers and barriers and procedural and systemic changes that are needed to ensure effective implementation of the DVA and regulations by the mandated sectors	30
A power point presentation and a policy brief on the key findings and recommendations to government and other stakeholders	5

TIMEFRAME:

The assessment will commence on 20th June 2019 and should be completed by 11th September 2019 with a final validated report submitted to CEDOVIP and UN Women for approval.

Required Skills and Experience

- A PhD, Master's (or equivalent) or higher Degree in Criminal Justice, Law, Human Rights, Gender, International Relations or related field.
- Minimum of 10 years of relevant professional experience in reviewing implementation of laws and carrying out gender-based analysis on judicial rulings, .
- Proven knowledge and analysis in relation to rights-based approach and women's rights, needs and perspectives
- Proven knowledge and understanding of the dynamics of violence against women and girls and women's access to justice.
- Experience and knowledge of Uganda's Legal and Judicial System and Procedures.
- Experience and knowledge in working in partnership with Civil society organizations
- Ability to easily communicate with stakeholders from all social economic backgrounds.

Application process for the Consultant (s):

Applications in sealed envelopes clearly marked '**Consultancy Services for CEDOVIP-DVA Analysis**' including the following information:

A CV of the applicant(s) including details on how they meet the personal specification and a detailed proposal including the following:

- The proposed methodology
- The proposed work plan
- The proposed budget
- Proven experience and contactable references from credible NGO organizational and copies of similar assessments/ surveys conducted.

Must be delivered to the address below not later than 14th June, 2019; 5:00pm.

**Executive Director
Center for Domestic Violence Prevention
Plot 16 Tufnell Drive, Kamwokya
P.O BOX 6770, Kampala.**

NOTE: Only successful applicants will be contacted.