



TERMS OF REFERENCE (TORS)

“Engagement of Individual Consultant for conducting Review and Up-gradation of the Existing Training Curriculum for Judges and Court Staff in the Khyber Pakhtunkhwa”

[Prepared by Dr Khurshid Iqbal]

1. Introduction:

The proposed activity is being executed by the Khyber Pakhtunkhwa (KP) Judicial Academy (Academy), involving both desk-based and field research (in selected districts) of the KP. Established in March 2012 through a provincial statute—the KP Judicial Academy Act, 2012—the Academy is a specialized institute, having a statutory mandate to impart training to judicial officers and court personnel and the personnel of all those departments, organizations, bodies and institutions, which are directly or indirectly connected with the system of administration of justice like Police, Prosecutors, Government Pleaders, Probation Officers, Medico Legal Experts and others. The Academy has also a fully functional research wing, with a view to conduct specialized researches/studies on issues related to the administration of justice in the province. Towards the strengthening of the administration of justice in the province, the Academy is also collaborating with various UN agencies, such as, the UNDP, UNICEF, UNODC and the World Bank and other NGOs.

The proposed activity aims at undertaking a review and up-gradation of the existing training curriculum for Judges and Court Staff in the Khyber Pakhtunkhwa. It stems from the statutory core mandate of the Academy. It seeks to assist the Academy in revisiting the in-service training curriculum for judges and court staff the Academy has devised in 2013, as part of the UNDP’s ‘Strengthening the Rule of Law in Malakand’ (SRLM) project. The curriculum comprises of three manuals:

- A. Case & Court Management for Judges
- B. Case & Court Management for court staff, and
- C. Substantive & Procedural Laws

In the short run, the assistance will help enhance the capacity of the Academy to have more nuanced approach to its curriculum designing task. In the long run, the activity will contribute to the State’s constitutional obligation to administer quick and inexpensive justice through regular capacity building of the District Judiciary and its staff.

The activity seeks to carry out an in-depth study of the existing training curriculum, its promises and pitfalls, in selected districts of the KP, through critical review and up-gradation in light of the training courses conducted so far, gaps, if any, noted by the participants in their comments and suggestions of the participants, training needs and diverse emerging challenges to judicial training and education in the KP. The activity will conclude with certain solid recommendations for review and up-gradation of the existing training curriculum.



2. Objectives/Purpose:

The three training manuals, mentioned above, were devised by the Academy in 2013. The UNDP supported that earlier activity through its current SRLM project. As the SRLM was launched in Nov. 2011, and the Academy established in Feb., 2012, the first ever Training Needs Assessment (TNA) of the District Judiciary (and other justice sector institutions: police, prosecution and bar) was conducted. The TNA was a field research, which the Institute of Management Sciences (IM Sciences)—a Peshawar-based management school, conducted in 12 districts of the KP. The training needs found were to be addressed through the training manuals. Under the manuals, in-service short-duration courses (mostly of 05-days) were conducted by the Academy in 2013 and 2014, respectively.

No worthwhile academic study of the training curriculum has, so far, been conducted. The purpose of the proposed activity is to critically study the manuals and the courses administered in light of such manuals. As the training portfolio of the Academy enters the third year of its life, it is time to review them, most notably, in light of the trainings conducted, so far, to explore their achievements, the nature of their achievements, the challenges they are facing and how to address those challenges.

3. Beneficiaries of the Activity:

Several layers of beneficiaries could be identified. While the ultimate beneficiary is the litigant public, the principle beneficiaries are the District Judiciary, its court staff, the Academy and others include all those associated with the local justice system (such as, the police, prosecution, bar, probation and parole and prison). The Academy is emerging an academic icon, a lighthouse to set and lead the judiciary in the right direction. By means of regular and rigorous scientific study, the Academy will benefit significantly to explore the current quality level of its training curriculum and to update it as per the requirement of the judiciary itself, on the one side, and the challenges of the society, on the other. The review and up-gradation of the training curriculum for the judges and their court staff is also likely to prompt other justice sector actors to carry out a similar activity for their training curriculum so as to create computability, consistency and harmony.

4. Scope of Work:

UNDP under its SRLM project the services of an individual consultant who has considerable field level experience in research particularly in justice sector.

The proposed activity will study the curriculum for judges and court staff for their in-service training courses at the Academy. It involves both desk-based and field research in selected districts of the KP, reflecting on a range of issues surrounding the three existing training manuals, for example: a brief background leading to the making of the manuals, their style and format, compatibility of the manuals with international standards, a critical analysis of the trainings administered under the manuals, challenges to training from the perspectives of the manuals and future prospects for the manuals.



The Individual will be required to perform the following tasks:

The Consultant is expected to deliver the following outputs, which will have to be approved by the Academy in consultation with the UNDP.

Main tasks to be performed are as under:

- Review literature on designing of training curriculum;
- Critical study of the 2012 TNA conducted for exploring gaps in capacity building of judiciary and court staff;
- Critical analysis of training courses conducted in light of the three manuals, using the Academy's training database, particularly;
 - Trainings' daily schedule (Time allocation and management)
 - Resource Persons (expertise, time management, quality of teaching)
 - Evaluation (pre-and post-and overall; on job application of skills)
 - Compatibility with international standards

- Visits to selected districts in the KP to conduct interviews and/or consultations with judges and court staff who have previously received trainings under the manuals;
- Explore the achievements of the training courses conducted under the manuals;
- Explore the challenges of the training course conducted under the manuals
- Report the major findings of the literature review, the critical study of training database and field visits;
- Submission of final research report.

5. Duration of project:

IN DAYS: 15 working days

6. Qualification:

At least postgraduate qualifications in Law and a discipline relevant to the assignment

7. Experience:

The following attributes are required for the selection of the applicant:

- a) At least five years work experience in justice sector, particularly, curriculum designing;
- b) Strong research and analytical background;
- c) Knowledge, competence and experience in training curriculum, preferably judicial training curriculum.

8. Skills required:

- Command on English, Urdu;
- Strong reporting writing skills;
- Strong presentation and interpersonal skills;
- Excellent IT and Ms. Office and research software skills.

9. Deliverables:

Quality assurance and Payment

The individual consultant will be paid on the percentages of the work done and contract price set forth in the table below and upon submission of deliverables mentioned therein.

SN	Deliverable	Period	Percentage of work and payment
1	Undertake review of literature, including the 2012 TNA report.		
2	Develop tools and/or standards and action plan for critical study of the existing three training manuals for judges and court staff.		
3	Validation of tools and/or standards and action plan for the critical study and assessment by the Academy (or its focal person or a Technical Working Group (TWG) in consultation with the UNDP		
4	Designing and arranging visits to selected districts of the KP for interviews /consultations with judges and court staff per the endorsed action plan by the Academy (or its focal person or the TWG.		
6	Compilation of the report of interviews.		
7	Compilation of consolidated report of literature review, critical study of the training database and interviews, containing recommendations.		
8	Validation of the recommendations made in the consolidated report, by the Academy (or its focal person or the TWG) in consultation with UNDP.		
9	Submission of draft reviewed and upgraded existing manuals; to be finally approved by the Academy (or its focal person or the TWG) in consultation with UNDP.		