

**Terms of Reference for a Project Manager and Deputy Project Manager of  
the Juvenile Justice Unit**

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<b>Project:</b>	Provision of technical support for the establishment and running of the Juvenile Justice Unit
<b>Titles of Posts Required:</b>	1. Project Manager, Juvenile Justice Unit 2. Deputy Project Manager, Juvenile Justice Unit
<b>Assignment:</b>	To establish and manage the work of the Juvenile Justice Unit
<b>Duty Station:</b>	Attorney General's Office
<b>Duration:</b>	21 (Twenty One) months
<b>Starting Date:</b>	1 April 2009
<b>Completion Date:</b>	31 <sup>st</sup> December 2010

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**Background to the Establishment of a Juvenile Justice Unit**

The Government of Maldives initiated a project with the assistance of the United Nations Development Programme (UNDP) on the Review of the Criminal Justice System. A mission was fielded by an international criminal law expert Professor Paul Robinson of the University of Pennsylvania Law School in July 2004 to analyze the situation and make recommendations to the Government of Maldives on changes that needed to be made to the Maldivian criminal justice system. Amongst Professor Robinson's recommendations included the development of a comprehensive Juvenile Justice System.

Subsequently, Professor Kenneth Polk and Associate Professor Christine Alder of the University of Melbourne were commissioned by the Attorney General to analyze and make recommendations to develop the juvenile justice system. In their report, the Strategic Plan for the Reform of the Juvenile Justice System, they made the following recommendations:

1. Guiding principles be developed for a juvenile justice system and that this set of principles be included in the legislation that establishes the juvenile justice system.
2. A comprehensive juvenile justice model be developed, based on the guiding principles, that provides for different levels of intervention at various points in the juvenile justice system, and which maximizes the opportunity for diversion from the system at the early stages of contact with the system.



3. A review be conducted of the secure detainment of young people. The review should consider the process of detainment, the circumstances of their detainment and the compliance of that detainment with relevant UN documents including the Convention on the Rights of the Child, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Convention on the Elimination of Discrimination Against Women (CEDAW).
4. A new Juvenile Justice Act be written that provides the necessary legal basis for the various steps of the new Juvenile Justice System, including: police cautioning, the Juvenile Justice Unit; Community and Sentencing Conference; a sentencing hierarchy that provides for more extensive community based options; sentencing guidelines; and a youth parole board. The Act will establish that all young people under the age of 18 years (present exceptions are to be lifted) will come under the jurisdiction of the Juvenile Court.
5. A Juvenile Justice Unit be created in a Ministry that has responsibilities in relation to the welfare of young people.
6.
  - (a) That the Recommendations of the David Macdonald report on the development of drug services for young people be implemented.
  - (b) Planning should be carried out to assure (1) the development of a wider range of drug treatment programs in the community that are voluntarily accessed through health services and include programs designed to meet the needs of girls and women; and (2) girls and women in secure detention should have access to drug treatment programs that are not shared with men.
7. The URC should be strengthened and sufficiently well resourced to meet the needs of all young people coming into contact with the Juvenile Justice system.
8. The Juvenile Justice Unit to work in collaboration with the Ministry of Education to expand the range of educational options for both boys and girls who have been, or are currently involved with the juvenile justice system.

Based on the recommendations of the Polk and Alder report, it was proposed by the Ministry of Justice that a Juvenile Justice Unit (JJU) be established to combat the increase of juvenile offending and to address the need for the establishment of a system of juvenile justice that facilitates the rehabilitation and reform of young offenders. The work necessary for establishing the Unit was carried out by the Ministry of Justice in collaboration with UNICEF and the relevant stakeholder agencies of the Government. The establishment of the Unit was approved by the President on 7 June 2007.



In August 2008, it was decided by the Government that the Ministry of Justice would function not as a separate Ministry but as a Department operating under the Attorney General's Office (AGO). Subsequently, on 20 January 2009, the Department of Justice was abolished and its mandate incorporated into that of the Attorney General's Office, and with that change, the mandate of the JJU was transferred to the AGO.

### **Justification**

The AGO requests a Project Manager and Deputy Project Manager to manage the JJU for a period of 21 (Twenty One) months because of the limited human resource capacity and the lack of technical expertise within the AGO to ensure the effective establishment and management of the JJU.

### **Mandate of the JJU**

- (a) Developing national policy on juvenile justice.
- (b) Drafting laws and regulations on juvenile justice.
- (c) Drafting guidelines and procedures associated with the work of the Unit;
- (d) Collating, managing, analyzing and utilizing quantitative and qualitative information and data regarding children who come into conflict with the law.
- (e) Identifying the pattern of juvenile offending and based on the results of such research, to propose causes of action to relevant stakeholders.
- (f) Determining the causes for juvenile offending; working towards alleviating juvenile offending in collaboration with relevant stakeholders; and advising government authorities on various projects undertaken by them towards prevention of juvenile offending.
- (g) Developing and implementing a rehabilitation program outside the judicial system for juveniles in conflict with the law.
- (h) Determining how juveniles in conflict with the law are treated by other authorities and maintaining a database as regards the same.
- (i) Implementing community conferencing.
- (j) Developing a mechanism to compensate victims of juvenile offending, and to provide for the same through community conferencing.
- (k) Carrying out research necessary for the functioning of the Unit.



## Major Tasks to be Accomplished:

The major tasks of the assignment is to achieve the specific objectives and tasks set out below in order establish the JJU and for the Unit to function efficiently.

Task	End Product	Time-Frame <sup>1</sup>
1. Prepare a Work Plan for the duration of the project.	Work Plan 2009-2010	First Month
2. Draft guidelines and procedures with respect to all mandates of the JJU to ensure the effective functioning of the Unit	Drafts of the various procedures and guidelines	First Month
(a) Drafting internal procedures for the functioning of the various sections of the Unit.		
(b) Drafting guidelines and procedures on the various programmes undertaken by the Unit. (c) Drafting training manuals for the training of facilitators and other staff		
3. Establish a Legal Section to draft the National Policy on juvenile justice and the Juvenile Justice Act, and to address the legal issues that arise with the implementation of the Act and the operation of the JJU	Establishment and running of Legal Section	Second Month
(a) Setting up section		
(b) Implementing guidelines for the operation of the section (c) Recruiting and training staff		
4. Establish a Data Management and Research Section to develop a system for the collation, management, analysis and utilization of quantitative and qualitative information and data regarding juveniles who come into conflict with the law, and more specifically juveniles who become engaged in the programmes undertaken by	Establishment and running of Data Management and Research Section	

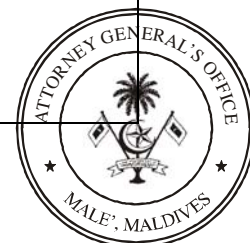
<sup>1</sup> More specific time-frames to be determined later



the JJU		
(a)Setting up section (b)Implementing guidelines for the operation of the section (c)Recruiting and training staff		
5. Establish a Programme Section for the administration of all facilities and programmes under the juvenile justice framework	Establishment and running of Programme Section	
(a)Setting up section (b)Implementing guidelines for the operation of the section (c)Recruiting and training staff		
6. Establish a Community Education and Training Section to carry out activities to create/increase community awareness about juveniles who come into conflict with the law and approaches to the prevention and control of juvenile offending as well as training of staff of the JJU		Establishment and running of Community Education and Training section
(a)Setting up section (b)Implementing guidelines for the operation of the section (c)Recruiting and training staff		
7. Setup a Juvenile Justice Consultative Group selected from key agencies working in the area of child protection to advise and provide technical direction to the JJU and to facilitate the link between other child protection services	Establishment of the Juvenile Justice Consultative Group	Second Month
8. Develop national policy on juveniles in conflict with the law	Final draft of national policy	Third and Fourth Month
(a)Analyse the extent and pattern of juvenile offending in the Maldives through consultation with relevant government departments and through study of existing documents including various government policies,		



<p>legislation, reports, analyses and any other literature on the subject;</p> <p>(b) Prepare a first draft of the national policy;</p> <p>(c) Consult with relevant agencies and departments of the government as well as NGOs and other interest groups either before and/or after preparing the draft;</p> <p>(d) Prepare explanatory notes to assist the reader of the draft and to help inform debate on it;</p> <p>(e) Submit a first draft of the policy to the AGO.</p>		
<p><b>9. Finalise the draft Juvenile Justice Bill</b></p> <p>(a) Based on the national policy, review and finalise the draft Juvenile Justice Bill.</p> <p>(b) Consult with relevant agencies and departments of the government as well as NGOs and other interest groups;</p> <p>(c) Prepare explanatory notes to assist the reader of the draft bill and to help inform debate on it;</p> <p>(d) Submit final draft of the Bill to AGO.</p>	<p>Final draft of the Juvenile Justice Bill</p>	<p>Third and Fourth Month</p>
<p><b>10. Draft Regulations on juvenile justice</b></p> <p>(a) Identify areas where regulations need to be formulated under the Juvenile Justice Bill and prepare first draft(s).</p> <p>(b) Consult with relevant agencies and departments of the government as well as NGOs and other interest groups;</p> <p>(c) Prepare explanatory notes to assist the reader of the draft and to help inform debate on it;</p> <p>(d) Submit draft(s) of the regulations to the AGO.</p>	<p>Final draft of the regulations</p>	<p>Third to Fifth Month</p>



11. Establish a mechanism for Community Conferencing		
(a) Draft procedures and guidelines with regard to the various stages of the conferencing process including a training manual.	Final draft of procedures and training manual	Fourth Month
(b) Establish a conferencing branch of the JJU to coordinate referrals and organise the conferencing process.	Setting up of conferencing branch	
(c) Appoint facilitators to organise and conduct the conferencing process which would consist of the following stages: (1) preparation phase; (2) facilitation phase; (3) agreement phase; and (4) follow-up phase.	Facilitators appointed and trained	
12. Maintain a database on the causes and patterns of juvenile offending; how juveniles in conflict with the law are treated by the respective authorities; steps taken to alleviate/prevent juvenile offending; and any other data relevant to the work of the Unit	Establishment of Database	From Third Month Onwards
13. Effective implementation of the various activities and programmes undertaken by the Unit	All programmes of the Unit to have been launched and staff familiarised with the running of the programmes	From Sixth Month Onwards
14. Effective management of the JJU	The Unit to have a full work force with all staff trained in their respective fields of work	From Tenth Month Onwards

In addition to the completion of the specific tasks mentioned above, the Project Manager and Deputy Project Manager shall ensure that all work mandated to the JJU are carried out in an efficient and timely manner and that the various sections of the Unit are effectively managed.

### **Time Frame**

The required time-frame to make necessary arrangements to setup the Unit including recruitment of staff, implementing the projects and completing the documentation stated above is 21 (Twenty One) months.



## **Qualifications / Experience Required**

1. Masters/Bachelors Degree in Law or other related field such as sociology or psychology<sup>2</sup>.
2. Professional experience in managing or carrying out various projects related to child rights and protection with good knowledge of and work experience in juvenile justice/restorative justice concepts, especially community conferencing<sup>3</sup>.
3. The following qualifications/experience would be an added advantage:
  - (a) Training experience specific to juvenile justice.
  - (b) Skills in collating information, analysis, report writing, and advising government officials.
  - (c) Excellent writing and analytical skills.
  - (d) Ability to work independently.
  - (e) Strong skills in interpersonal relations, networking and communication.
  - (f) Fluency in English and Dhivehi (excellent oral and writing skills).
  - (g) Familiarity in use of information technology (i.e. Microsoft Word/Excel/Powerpoint/Outlook, Corel Draw).

## **Remuneration**

Salary for Project Manager: MRf 25,000.00 (Maldivian Rufiyaa Twenty Five Thousand Only) per month

Salary for Deputy Project Manager: MRf 22,000.00 (Maldivian Rufiyaa Twenty Two Thousand Only) per month

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<sup>2</sup> For the Project Manager, a Masters Degree; For the Deputy Project Manager, a Bachelors Degree.

<sup>3</sup> The Project Manager to have at least 7 years work experience; The Deputy Project Manager to have at least 5 years work experience.

