

Terms of Reference

Evaluation of the ICRC Detention Programme in the UK and Ireland

1. Background information and rationale of the evaluation

Addressing the needs and concerns of people deprived of their liberty is a key activity of the ICRC worldwide. The ICRC work in detention is rooted in visits to places of detention and is resolutely beneficiary-centric. It is also marked by its multidisciplinary approach, the aim of which is to effectively analyse risks for detainees, mitigate them, and address their consequences.

The ICRC Detention programme in the UK and Ireland (UKIR) consists of detention actions in three different criminal justice contexts. These contexts are Northern Ireland, the Republic of Ireland and England and Wales.

The ICRC UKIR detention action has recently completed its strategic period of 2019-2021. Prior to development of a new strategy, the ICRC UKIR believes it would be prudent to firstly evaluate where the programme in each context currently stands, the progress that has been made since the beginning of the current action, lessons learnt and necessary improvements. The results of this evaluation will be used to inform the development of the 2023-2025 strategy.

2. Aims, objectives and scope of the evaluation

Aims and objectives

The aim of the evaluation is to evaluate the relevance, appropriateness, effectiveness, sustainability and efficiency of the ICRC's UKIR detention programme, in order to understand its achievements and shortcomings, and inform future planning.

This evaluation has two objectives. Firstly, to evaluate four specific areas, these are:

- The extent to which the ICRC UKIR detention team has met the objectives set out in key strategic documents **(effectiveness and efficiency)**
- The performance and effectiveness of how the ICRC UKIR detention team has worked towards achieving the objectives set out. This includes in allocation of human resources, ambitions and strategy, methods of collection of information and presentation to authorities, and its accountability to the affected population. **(effectiveness and efficiency)**
- Assess whether the ICRC UKIR detention programme continues to be relevant and maintains an added value in its context, including in the midst of competent monitoring bodies and other protective mechanisms. **(relevance and appropriateness)**
- Assess the extent to which the ICRC UKIR detention activities fit into the wider ICRC institutional detention strategy. **(relevance, appropriateness and sustainability)**

Secondly, the results of the evaluation should:

- Contribute to informed decisions for the detention strategy of the ICRC UKIR delegation going forward;
- Provide lessons learnt, inputs and best practice examples for the institution as a whole;
- Promote greater accountability for the performance of the ICRC UKIR detention team.

Scope

Timeframe to be assessed: In order to achieve the aims and objectives set out for this evaluation it is important that the evaluation reviews each programme from the start of each current action. This means since 2017 in England and Wales and since 2018 in the Republic of Ireland. In Northern Ireland, the evaluation will look at the period from 2018 onwards, as in 2018 a 'stock take exercise' was already conducted to review the action up until that point.

3. Key evaluation criteria and guiding questions

The ICRC's UKIR detention programme should be evaluated within the backdrop of recognised legal and humanitarian standards, including the ICRC's own recommendations, international human rights law (IHRL), other international standards, non-binding agreements and national legislation governing the deprivation of liberty.

As set out in the aim of this evaluation, important criteria have been identified below as relevant for this evaluation process. In order to clarify these criteria, some questions have been suggested to be refined with the evaluation consultants during inception. The list is not exhaustive.

3.1. Relevance of ICRC action

- To what extent does the detention programme respond to the existing needs that had been identified during the initial assessment?
- To what extent does the detention programme adequately address the most pressing needs of the beneficiaries as highlighted by other monitoring bodies and external literature?
- To what extent does the ICRC bring an added value in comparison to other monitoring bodies and control mechanisms?
- To what extent has the detention programme used systemic thinking to understand the context and shape its actions?
- To what extent have ICRC activities responded to the needs expressed by the beneficiaries?
- To what extent do the authorities share the ICRC's analysis of its key concerns in detention and to what extent are the authorities willing to support and work with the ICRC in achieving shared objectives?
- To what extent does the UKIR detention activities fit with the wider ICRC institutional detention strategy?

3.2. Appropriateness

- Are the chosen approaches and objectives realistic? Are they well-defined? Are they adapted to the needs identified? If not, what are the gaps and how could they be filled?
- Has the delegation's detention strategy been clear on how the general objectives should be achieved?
- Has the strategy evolved and adapted sufficiently when necessary to achieve the overall goal?
- Is there a need to redirect the focus of the strategy? If so, what should be the focus of the strategy? And what are the main protection concerns that need to be tackled?

3.3. Effectiveness and results achieved

- To what extent is the detention programme on course to achieve its objectives?
- Does the ICRC's UKIR detention programme effectively measure the impact of its interventions?
- Highlight achievements and failures, examining the reasons for these. What were the processes involved that led to results? What are the key lessons learned and could these be useful to the wider institution?
- How is the institutional documentation process regarding lessons learnt and monitoring processes?

3.4. Efficiency/HR setup of the ICRC UKIR detention team

Given its multi-disciplinary nature, the implementation and efficiency of the ICRC's UKIR detention programme depends largely on the degree of collaboration between colleagues with different areas of specialisation within the ICRC UKIR detention team, as well as on the adequacy of the HR set-up. To evaluate this, the consultants should look at the following questions:

- Is the set-up of the ICRC UKIR detention team (i.e. profiles, number, skills, etc.) adequate taking into account the objectives of the detention strategy? Why?
- Has the ICRC UKIR detention team worked in an effective manner with other pertinent departments in order to implement a multidisciplinary approach?

3.5. Sustainability

- What steps have been made to work towards sustainability, with which results/limitations?
- What else should be considered to make the ICRC's UKIR detention activities more sustainable?
- To what extent are the different stakeholders able and willing to continue to implement the recommendations made by ICRC?

- Constraints/unmet needs that threaten the sustainability?

4. Approach and Methodology

A criteria-based qualitative methodology is anticipated consisting primarily of qualitative methods such as key informant interviews (primary data collection) and document reviews (secondary data sources). It will need to take into account the specificities of each context (England and Wales, Northern Ireland, Ireland) but draw parallels on systemic strategies (i.e. restrictive regimes).

Key informant interviews will include ICRC staff, prison authorities, (i.e. HMPPS, IPS, NIPS) and monitoring bodies (estimated 30 KIIs).

The ICRC is **not** requesting that the consultants interview detainees as part of the evaluation process, nor accompany the ICRC detention team on detention visits. Interviews with authorities can be virtual or in-person (the ICRC can facilitate this).

The ICRC team will assist the consultant by providing key documentation required for carrying out the desk review.

Below are some examples of evaluation methods and stakeholders that the ICRC would consider pertinent to this evaluation:

- Desk review of all key documents;
- Semi-structured interviews with previous and current staff members (where possible) in London, Belfast and Geneva;
- Semi-structured interviews with interlocutors from each of the three prison services. Interlocutors will include both those working at central level and prison level;
- Semi-structured interviews with other relevant stakeholders, including monitoring bodies.

The final methodology to be adopted for this evaluation will be defined on the basis of the consultants' proposal (see point 6) and the specific needs of this project. It will be formalised in an inception report that will provide the roadmap for this consultancy. The inception report will be validated by an internal evaluation 'steering committee'. However, it is hoped that the chosen consultants shall devise and set out in the inception report a predominantly qualitative and participatory approach. The inception report should also consider methods for dissemination of findings to stakeholders, taking into consideration the confidential nature of the ICRC's work and the different stakeholder groups involved.

The ICRC's UKIR detention team will be available to facilitate access to all the necessary information as well as organise interviews with interlocutors.

4.1. Potential risks and limitations

- Availability of team members and interviewees
- Complexity of understanding and evaluating detention activities in three criminal justice contexts with their own set up, authorities and monitoring bodies, in the allocated time.

The consultants should elaborate any further risks and limitations and propose mitigation measures in the inception report.

5. Ethical Considerations

The consultants must declare and guarantee that:

- They have the authorisation to use and/or respect the copyright of the physical and virtual tools that apply in the exercise of the evaluation, unless they are products of their authorship.
- Commit to Professional Standards for Protection Work, the ICRC's Code of Ethics for Procurement, the ICRC Rules on Personal Data Protection and the ICRC code of conduct. These include:

- Non-discrimination (on the basis of sex, disability, race, religion or belief, political opinion, sexual orientation, national origin, age, class, language, or any other characteristic) and impartiality (the evaluation should be based on the needs of the persons deprived of liberty and not on any other ground);
- Do no harm;
- Respect for the dignity of affected persons;
- Confidentiality: the detention file is sensitive and requires high level of confidentiality during and after the collection of the information. The communication during and after the evaluation process should abide by the ICRC rules in this regard;
- Protection of the data collected.

6. Responsibilities and required skills

The assignment is expected to be undertaken by a small team of two consultants who possess a complementary skillset. One consultant should be an evaluation expert and the other a detention specialist. The latter should have a very good knowledge of ICRC's work in detention.

Although the UKIR detention programme also looks at aspects of provision of healthcare in detention, we are not expecting an in-depth technical evaluation of this subject and so the consultants are not required to have any medical expertise.

The consultants will:

- assume full technical responsibility for the services provided for the development of this consultancy in accordance with the terms of reference in this document;
- guarantee production of high-quality reports and services, being attentive of delivery times, writing and presentation of reports with technical standards, until the final approval of the deliverables;
- maintain consistent communication and coordination via e-mail, telephone or face-to-face conversation with the ICRC Evaluation Manager, so that they can report on progress, limitations, difficulties and recommendations.

The consultants should have the following qualifications and competences:

Evaluation expert

- Proven record in leading evaluations in the protection or detention fields. Experience in a field related to penitentiary, judiciary or social activities is a strong asset;
- Knowledge of and experience in applying standard evaluation principles, and qualitative evaluation methods;
- Ability to draft concise evaluation reports of high quality in English;
- Ability to work in a team;
- Self-employed status (must provide proof in country of origin) or company registration status;
- Availability to travel to the UK and Ireland for inception and/or data collection activities during the evaluation period (May-July 2022) to be agreed.

Detention specialist

- At least five years' professional experience in detention and/or criminal justice related fields;
- Knowledge of ICRC's working procedures and ICRC experience in detention work and prison systems is a strong asset;
- Ability to draft concise evaluation reports of high quality in English;
- Ability to work in a team;
- Availability to travel to the UK and Ireland for inception and/or data collection activities during the evaluation period (May-July 2022) to be agreed.

7. Deliverables

The evaluation process should be completed no later than 15.07.2022. The ICRC is flexible with regards to start date and does not mandate that working days must be consecutive. However, the ICRC envisages that this consultancy will mainly be done virtually/remotely and will require up to a maximum of 30 days for each consultant, spread over approximately 2 months.

The evaluation will include the following activities:

- **Inception report:** the consultants shall prepare an inception report prior to the fully-fledged data collection exercise. The inception report shall present a structured evaluation plan containing the methodology that will be used for answering the evaluation questions (proposed methods, sources and data collection procedures) and data collection tools. The inception report should be submitted and presented to the Evaluation Manager for validation within two weeks after the start of the process.
- **Final evaluation report** to be submitted to the Evaluation Manager.
 - The consultants must produce one report offering consolidated, transversal conclusions and recommendations with regards to the ICRC's UKIR detention strategy.
 - Additionally, the report should include separate analyses of specific elements of the Detention programme.
 - The report should be as concise as possible. Annexes to the main text are possible.
 - Possible structure of the evaluation report: executive summary; introduction/background of the evaluation; description of methodologies used; description and analysis of the UKIR detention programme; lessons learnt; recommendations and a conclusion.
- **Presentation:** Following submission of the report and approval by the Evaluation Manager, the consultants should present the evaluation to the ICRC UKIR delegation and selected ICRC colleagues in Geneva (one presentation).

All the deliverables should be written in English and will remain the intellectual property of the ICRC for an indefinite period. Both the inception report and evaluation report will adhere to the ICRC's evaluation quality standards, to be provided to the consultants at the start of the assignment.

8. Timeline of consultancy

- The evaluation will commence as soon as possible after the appointment of the consultants.
- The deadline for the finalisation of the evaluation process and submission of the final report of the consultancy is 15.07.2022.

9. Other

Any travel and accommodation required must conform to the ICRC travel policy and parameters, including maximum allowances, with arrangements confirmed at contracting stage.

10. How to apply

Please send:

- **Maximum 2-page proposal highlighting how you would approach this evaluation including a suggested timeline/workplan;**
- **CV;**
- **List of relevant assessment/evaluations or projects you were involved in;**
- **Financial proposal (daily rates and anticipated travel costs).**

To: LDN_recruitment_services@icrc.org by 27 April 2022. Please indicate “Detention Evaluation” in the subject line.

You can apply as a team of two (evaluation expert and detention specialist) or as an individual. In the latter case, please specify which of the two consultants’ positions you are applying for.