



In partnership with the
Republic of Malawi

“CHILUNGAMO II (Justice & Accountability) Programme
Lilongwe, Malawi”

Non-Key Expert No. 05

Terms of Reference – Non-Key Expert



This project is funded by
The European Union

TERMS OF REFERENCE FOR SENIOR NON-KEY EXPERT IN DIGITALIZATION STRATEGIES AND ICT SYSTEMS

SUMMARY

CATEGORY	SENIOR NON-KEY EXPERT
POSITION	Senior Expert on Digitalization Strategies and ICT systems
PURPOSE	<p>The Judiciary has asked for technical support in its digitalization strategy and roadmap to improve the transparency and accessibility of its services. The plan will encompass various aspects of the Judiciary’s operations, including case management, document management, online services, and communication.</p> <p>The consulting mission aims to develop a digitalization strategy for the Malawian Judiciary that aligns with the organization’s goals and priorities. The strategy should outline a roadmap for implementing digital technologies and processes to enhance the delivery of justice services.</p>
EXPECTED OUTPUTS/ DELIVERABLES	<ul style="list-style-type: none">• Inception Report: Detailed assessment methodology, tools, and work plan.• Interim Progress Report: Preliminary findings presented to the Judiciary and Developing Partners.• Presentation of the Digitalization Strategy with a roadmap: PowerPoint presentation to Judiciary and Development Partners summarizing key findings and recommendations.• Final Report:<ol style="list-style-type: none">1) A comprehensive report with findings, analysis, and recommendations.2) Digitalization Strategy which includes a roadmap
EXPECTED OUTCOME	The judiciary has clear guidelines for continuing with its digitalization strategy, and the developing partners have an idea for supporting this process without overlapping.
LOCATION	Blantyre, MALAWI
INPUT	35 WORKING DAYS
TIMEFRAME	August - October



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Background

European Union funded Technical Assistance Facility to provide technical and administrative assistance to the Government of the Republic of Malawi in their implementation of the Chilungamo Programme II, which is continuity for the Chilungamo I, implemented between 2018-2022. The Chilungamo I Programmer’s main objective was to contribute to dignified life through accountable Government, informed democratic choice, and humane and effective delivery of justice.

Chilungamo II builds on previous interventions in the justice sector and will continue to support justice reforms that aim at long-term and sustainable solutions to systemic issues with accessibility and effectiveness of key justice institutions. To this end the project will support institutional capacity building, gradual decentralisation of services and introduction and scaling up of innovative solutions such as alternative sentencing and expansion of paralegal and mediation services. Seven key justice institutions are to be supported under this project, namely, Ministry of Justice, the Judiciary, the Police, the Prisons, the Malawi Human Rights Commission, the Office of the Ombudsman and the Legal Aid Bureau.

European Union – Malawi Cooperation

The European Union is a longstanding leading development partner in the democratic governance sector (DGS) in Malawi. The Multiannual Indicative Programme to Malawi (MIP) includes Democratic and Economic Governance as Priority Area 2. Under this Priority area, the MIP includes ‘advancing democracy, human rights and the rule of law’ as Specific Objective 1 to address challenges related to human rights violations, gender inequality and gender-based violence, violence against children and limited access to justice for the marginalised and vulnerable groups.

Specific Objective 1 has two expected results linked to rule of law, human rights and access to justice:

- Expected result 2.1.2: Universal values of human rights for all, women and girls’ rights, including tools for the effective exercise of human rights such as civil registration and civic education, promoted.
- Expected result 2.1.3: Provision of fair justice, including access to legal assistance enhanced.

Overall Objective of Chilungamo II

The Overall Objective of Chilungamo II (Access to Justice) is to **improve humane and effective delivery of justice for all, especially those living in marginalised and most vulnerable situations**. The Programme also seeks to contribute to the achievement of the objectives laid out in the Malawi’s rule of law and justice reform agenda and Democratic Governance Sector Strategy and to build on successes and lessons learnt from previous programmes and strategies.

To contribute to the Overall Objective, Chilungamo II (Access to Justice) includes the following two Specific Objectives (dealt in more detail below):

- Specific Objective 1: Enhance effectiveness and legal and coordination frameworks of the key justice institutions.
- Specific Objective 2: Improve access to justice for all, especially for the population living in the most vulnerable situations and women.



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Current Situation of the E-Justice Sector in Malawi and Digitalization as a cross-cutting objective

Digital transformation in Malawi's access to justice sector involves leveraging technology to improve the efficiency, effectiveness, and accessibility of legal services and the judicial process. This transformation encompasses various initiatives aimed at utilizing digital tools and platforms to enhance legal aid services, streamline court procedures, increase transparency, and facilitate citizens' access to legal information.

Digital transformation in the access to justice sector in Malawi will have the following components:

Electronic Case Management Systems to improve the overall efficiency of the judicial process, *Prison Management System* to facilitate the efficient administration of correctional facilities *Legal Information Portals*, and *Public Awareness Campaigns* to raise awareness among the public about the availability of digital tools and resources for accessing justice services, as well as educating them about their legal rights and how to navigate the legal system.

Chilungamo I already designed some of these programs but still needed to be implemented. During the second phase, special attention is given to implementing these systems with the grant and solid technical assistance involvement.

Overall, digital transformation in Malawi's access to justice sector aims to leverage technology to enhance the delivery of legal services, promote transparency and accountability, and ultimately ensure that all citizens have equitable access to justice.

Current Situation of the digitalization of the Judiciary and its Case Management System

The Judiciary of Malawi recognizes the importance of digitalization in improving the efficiency and effectiveness of the judicial process. Currently, the Judiciary of Malawi has a case management system that helps streamline and improve the efficiency of the judicial process. The system, which was developed under the Chilungamo I, funded by the EU and GBV Case Management System supported by the UNDP, allows for the electronic tracking of case progress. Further, in March 2024, UNDP supported the Judiciary in implementing video conferencing tools for remote court hearings to increase access to justice, improve efficiency, and ensure the safety of all parties involved.

However, there have been some challenges with the effectiveness of the various ICT interventions. These challenges include an uncoordinated approach and the absence of a roadmap that governs the Judiciary to measure the impacts of technology in their operations. In line with this, there is a need to develop a comprehensive digitalization strategy to guide the implementation of digital solutions across the Judiciary.

Description of the situation for this Consultancy

Different Developing Partners (mainly UNDP and EU) have supported the Judiciary's digitalization and case management with isolated initiatives, including financial support for ICT equipment and technical assistance. The Judiciary must have complete ownership in the process and clear targets for its digital modernization, and the developing partners must be familiar with a roadmap that avoids isolated investment and guarantees support for the most urgent and priority activities.

This consulting mission will be done in-house by the Judiciary, supporting their strategy-building process with technical assistance, ensuring that the leadership of the process is always on the Judiciary, and the



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consultant is given technical assistance for the process and taking it forward with proposals and participative workshops.

The Overall objective of the Consultancy

Technical Assistance in the digitalization strategy of the Judiciary and on the roadmap to improve the Judiciary case management system and other ICT systems. Assessment of the current situation of the case management system and provide recommendations for improvements in the data management systems.

Specific objectives

- A digitalization strategy for the Judiciary aims to improve the efficiency, accessibility, and transparency of the judicial system through the integration of digital technologies. The main activities of the consultant include:
- To develop a Digitalization strategy that aligns with the overall goals and objectives of the Judiciary of Malawi, including the 2024 – 2027 Strategic Plan.
- To identify critical areas within the Judiciary that can benefit from digitalization and recommend appropriate digital solutions, including the E-payment.
- To outline a roadmap for implementing the digitalization strategy, including timelines, resources required, and key stakeholders involved.
- To ensure that the Digitalization strategy is sustainable, scalable, and in line with best practices in digital transformation.

Scope of the activities

- Conducting a comprehensive review of the current state of digitalization within the Judiciary of Malawi, including existing systems, processes, and challenges.
- Engaging with key stakeholders within the Judiciary, including judges, court staff, and IT personnel, to gather input and feedback on Digitalization needs and priorities.
- Benchmarking against international best practices and case studies to identify potential digital solutions that can be implemented within the Judiciary.
- Developing a Digitalization strategy document that outlines the vision, goals, objectives, and key initiatives of the Digitalization effort.
- Presenting the Digitalization strategy document to senior judiciary officials for review and approval.

Methodology to be used

The selected Expert will be required to prepare a methodology during the inception phase, which should include the work plan and specific methodology for the elaboration of the Digitalization Strategy and its Roadmap.



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Deliverables of the Consultant

EXPERT	TASK	TIMELINE
Expert on Digitalization Strategies and ICT systems	Inception Report: Detailing the approach, methodology, and work plan.	3
	Current State Analysis: Study on all the assessments already made and organise participative meetings with all the stakeholders	2
	Technical Assistance for the Digitalization Strategy: TA for the designing process and recompilation of all the inputs for the final Strategy and its presentation.	15
	Roadmap for the implementation of the Strategy: Create a roadmap with a participative process with all the Judiciary stakeholders.	10
	Final Report: A comprehensive report consolidating all findings, analyses, and recommendations.	5
		35

Non-Key Expert Reporting Requirements and Deliverables

The expert will work closely with the Team Leader for the Chilungamo II Programme and the focal point of UNDP and will report to the Judiciary team on digitalization. For logistical support, the expert will work with the DT-Global support team under the Technical Assistance to the Chilungamo II Programme. The work will be done in the ICT department of the Judiciary in Blantyre, Malawi.

Use of Incidental funds

The consultant is expected to present a work plan as part of the Inception Report. For the visits outside the Lilongwe a car with the driver will be hired and the workshops will be financed by Incidental funds.

Supervision of the consultancy

For the formal approval of the deliverables, the Expert shall report to the Team Leader, who shall be responsible for the overall coordination of the Non-Key Expert (NKE) work. In the Judiciary, the focal point for the mission will be Mr. Innocent Mzoma who is the head of ICT in Judiciary. His email addresses are imzoma@gmail.com and imzoma@judiciary.mw and his phone number is 0988375317. Mr. Mzoma will support the NKE during all the meetings needed by the consultant. The focal point will also help the NKE with the necessary material and access to documentation.

Location and Duration of the assignment

Location of the assignment is Blantyre, Malawi. The duration is 35 working days.



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QUALIFICATIONS REQUIRED — EXPERT IN INFRASTRUCTURE

Qualifications and Skills:

- Master’s degree in computer science, Information Technology or Software Engineering

General Professional Experience:

- More than (8) years of working experience in developing Digitalization strategies for public sector organization, preferably within the judicial sector
- More than (5) years of experience in system development, software engineering, and database management.
- More than (5) years of experience in Systems and Network Administration

Specific Professional Experience

- Good understanding in digital transformation, including implementation of digital solutions in complex organizational environment.
- Demonstrated experience in with network management and database systems
- Experience in Case Management
- Proved experience in participatory methods
- Knowledge of judicial processes and reforms