

## **TERMS OF REFERENCE**

### **Impact assessment on the amended protective measures for child victims of domestic violence in the Draft Law on Domestic Violence Prevention**

#### **I. RATIONALE**

On 25 May 2021, The Minister of the Ministry of Culture, Sport and Tourism (MOCST) approved the Decision 1661/QĐ-BVHTTDL on the Plan to develop the amended Law on Domestic Violence Prevention. The MOCST has assigned the Department of Family Affairs (DOFA) to lead this plan in coordination with related agencies, stakeholders; to advise the minister on the amended law development; mobilize resources to contribute to the amended law development process.

On 16 August 2022, in the meeting on legal topics, the Standing Committee of the National Assembly provided feedbacks to the amended articles and justifications. The Standing Committee of the National Assembly also required the Law development agencies to conduct an assessment on the impact of the amended protective measures for victims of domestic violence in the Draft Law on Domestic Violence Prevention.

World Vision International in Vietnam (WVI-V) and Institute for Sustainable Development (MSD) are international and local non-governmental organizations, who have been operating in Vietnam for many years for the development of disadvantaged children, women and communities. The organizations have strategies and programs to protect children (girls and boys) and women from abuse, violence and exploitation. The amended Law on Domestic Violence Prevention is a key legal framework to promote support services for children and parents at the community as well as other solutions to prevent and combat domestic violence. Field practices and experience of WVI-V and MSD will be a valuable source of information contributing to the policy impact assessment and finally contribute to the amended Law on Domestic Violence Prevention.

The Department of Family Affairs- DOFA, WVI-V and MSD have discussed and agreed to cooperate in conducting the *“Impact assessment on the amended protective measures for child victims of domestic violence in the Draft Law on Domestic Violence Prevention”*. The assessment will look at the impacts of proposed protective measures on child victims and propose recommendations on regulations for prevention and combatting domestic violence against children.

## **II. ASSESSMENT OBJECTIVES AND EXPECTED RESULTS**

### **1. Assessment objectives**

The assessment aims to assess the impacts on the amended protective measures for child victims of domestic violence in the Draft Law on Domestic Violence Prevention and propose recommendations on regulations for prevention and combatting domestic violence against children.

### **2. Outputs**

- 01 report on the results of the impact assessment of the on the amended protective measures for child victims of domestic violence in the Draft Law on Domestic Violence Prevention and recommendations on regulations for prevention and combatting domestic violence against children and supporting, measurements to protecting child victims.
- Data set of the assessment

## **III. ASSESSMENT METHODOLOGY**

### **1. The subjects of the assessment include:**

Impacts of the amended protective measures for child victims of domestic violence in the Draft Law on Domestic Violence Prevention.

### **2. Research objects**

- 1) Children (girls and boys); women and men; and the elderly
- 2) Departments and organizations implement protective measures to protect victims of domestic violence in the Draft Law on Domestic Violence Prevention
- 3) Local authorities, community mass organizations, community groups who participated in protecting victims of domestic violence in the Draft Law on Domestic Violence Prevention
- 4) Support services for women and children who are victims of domestic violence including Women Union at all levels; Social Work Centres; Center for Women and Development; Peace House; National Helpline 111 etc.

### **3. Tentative research questions**

*This research aims to answer the following questions:*

- 1) What are the impacts of protective measures on children in terms of child protection? What are the advantages and disadvantages of these protective measures in the amended law on the Domestic Violence Prevention?
- 2) To what extents the recommendations for the amended law and sub-law based on the findings impacts of the protective measures for child victims in prevention and combatting domestic violence against children in the amended Law on the domestic violence prevention are valid?

The research questions will be discussed and finalized with the consultants to ensure the objectives are met.

#### **4. Research areas**

Data for the study will be collected in 5 provinces which are representatives of regions, urban/ rural/ mountainous areas, ethnicities; preferably provinces having program of WVI-V and MSD.

#### **5. Research design**

The assessment will employ qualitative methods as primary data and desk study as secondary data. Qualitative method includes in-depth interviews and focused group discussions with departments, local authorities, mass organizations, service providers, related stakeholders, women and men, especially at risk people of domestic violence and children. Meanwhile a desk review of secondary data is used for government policy and regulations, government reports, census data, research reports, etc. Detailed assessment design and methods will be provided by consultants.

### **IV. ROLES AND RESPONSIBILITIES OF THE HIRED CONSULTANT TEAM**

#### **1. Selection criteria**

Consultant can be a team or an agency. The consultant is expected to be responsible for leading the research from start to finish under the management and supervision of DOFA and WVI-V. The successful consultant should have the following qualifications to effectively carry out the research:

##### Essential:

- Team leader has a post-graduate degree in social science or a related field and at least 10 years' experience in conducting external research (preferably including policy research, Regulatory impact analysis and/or domestic violence). The consultant team members should have experience/skills in using qualitative methods, and in leading the collection and analysis of qualitative data.
- Strong knowledge and understanding of Vietnamese policy and law development process, political system, policy context, law amendment, domestic violence, rights of women and childrights.
- A strong commitment to delivering timely and high-quality results.
- Excellent written and oral communication skills in English and Vietnamese (in case of a consultant team, at least one team member must fulfill this criterion).

##### Preferred:

- Strong professional experience in policy research, Regulatory impact analysis in the law development process.

- Able to work with project staff and stakeholders at different levels.

## **2. Consultant responsibilities**

- Develop and reach a consensus on the assessment plan, which indicates a timeline, particularly methodologies applied and proposed sample size, data analysis method and plan, report outline, quality control methods, logistics, and other related issues upon discussion with project team. The plan will be developed to address specific objectives as listed above and agreed by DOFA, WVI-V and MSD.
- Provide training for field data collectors, including ethical and gender aspects and covering protocols/guidelines to ensure anonymity and confidentiality of interviewees.
- Supervise the data collection process in the field, applying relevant methods of quality control.
- Analyse the qualitative data, explicitly indicating the gender, ethnicity and disability features.
- Participate in organizing a validation workshop, present the reports, facilitate technical discussions, collect and consolidates feedbacks and confirmation for the draft report. Prepare a presentation of the results for technical meetings.
- Revise and complete the report versions based on inputs from DOFA, WVI-V, MSD, technical meetings; then work with DOFA, WVI-V, MSD to finalize the report.
- Must get endorsement from DOFA, WVI-V, MSD on the research plan, assessment report outline, draft report and final report.
- Must follow Legal regulations of Vietnam on child protection and the Child and Adult Safeguarding Policy of WVI-V.

## **V. TIMELINE**

**Assessment timeline:** 1 September 2022 – 30 September 2022

## **VI. CONSULTANCY FEE AND PROPOSAL**

- **Consultancy fee:** negotiable
- **Proposal:** CV (include Names of all members, Title, Organization, contact details and 2 referees) and the policy impact assessment proposal met the requirements.