



# African Policing Civilian Oversight Forum

## Terms of Reference

### Development of a monitoring framework for policing responses to xenophobic violence and related hate crimes

March 2022

#### 1. Introduction

The African Policing Civilian Oversight Forum (APCOF), with support from the European Union (EU), recently [published research](#) on the role of external police oversight mechanisms in monitoring the response by the South African Police Service (SAPS) to xenophobic violence and related hate crimes. The report found that while there has been significant investment by the South African Human Rights Commission (SAHRC) in understanding and making recommendations to address policing deficits in this area, implementation of those recommendations by SAPS and others has been weak.

APCOF now seeks a suitably qualified expert to develop a monitoring framework for use by the SAHRC to systematically track implementation of its recommendations related to xenophobic violence and the policing of non-nationals.

#### 2. Project overview

This consultancy assignment is part of a broader EU-supported APCOF project to promote equitable and non-discriminatory policing services in South Africa by developing the capacity of SAPS to prevent, detect and respond to racist and xenophobic violence and hate crimes. The project is being undertaken in several distinct but inter-related phases.

Phase one involved the production of three research outputs – an [analysis of SAPS performance](#) in relation to xenophobic violence and related hate crimes; an [examination of the role of Community Policing Forums](#) in the prevention of xenophobic violence; and the subject of this terms of reference, the [role of external police oversight](#) in monitoring the performance of SAPS with respect to xenophobic violence and related hate crimes. Phases two, three and four include consultations with key stakeholders on the findings and recommendations of the research, the development of resources and tools to address deficits identified in the research, and advocacy to promote the implementation of the resources and tools by the stakeholders.

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Related specifically to this consultancy assignment, APCOF's research report on the role of external police oversight found that the South African Human Rights Commission (SAHRC), through its Act, has extensive powers to ensure that the SAPS adheres to human rights-focused policing and, from as early as 1998, has been engaged on issues related to xenophobic violence and related hate crimes. It has conducted multiple activities, investigations, mediations and hearings on issues relating to xenophobia, (im)migration and policing, which are set out in detail in the research report. However, the report found that implementation of these recommendations by SAPS is limited, with many issues identified and subject to evidence-based recommendations by the SAHRC remaining outstanding. The SAHRC's monitoring of its recommendations is weak, and it is aware of this challenge. For example, as part of its 2010 report into xenophobic violence, the SAHRC proposed the development of an internal mechanism to ensure ongoing monitoring of recommendations made in the report to various government structures. However, owing to resource constraints at the time, no such mechanism was subsequently developed.

### **3. Objective of the consultancy assignment**

The objective of the consultancy assignment is to develop a monitoring framework for use by the SAHRC to systematically track implementation of its recommendations to SAPS related to xenophobic violence and the policing of non-nationals. This work responds directly to both the recommendations of APCOF's report, as well as the SAHRC's observations and recommendations about its mandate.

### **4. Expected deliverables**

The expected deliverables are non-negotiable, and all extenuating concerns and limitations should be outlined in the proposal. The deliverables are:

- Inception report, with detailed methodology, work plan and literature review by **1 May 2022**.
- Detailed outline of the monitoring framework, agreed and signed off by the APCOF Director by **15 May 2022**.
- First draft of the monitoring framework to APCOF by **30 May 2022**
- Incorporation of APCOF comments and submission of final draft of the monitoring framework by **15 June 2022**.

### **5. Required qualifications and competencies**

- Qualifications in law, human rights, monitoring and evaluation, criminal justice or related field.
- Previous work experience in the human rights, policing and criminal justice sectors.
- At least 7 years' experience in project/program monitoring and evaluation.
- Strong written communication skills in English.
- Excellent time management and organisational skills.

### **6. Proposals**

APCOF invites proposals from individuals/consortiums who meet the required qualifications and competencies. Proposals should include the following:

- A brief overview of relevant experience and expertise.
- An outline of the methodology and approach to developing the materials (including proposed modes of delivery) which includes a work plan for completing the deliverables.

- Detailed budget.
- Tax compliance certificate.
- Signed integrity declaration form.
- CVs of all individuals who will work on the assignment.
- Two contactable references.

As the submissions are evaluated, please expect further requests for information and/or consultation on the budget proposal. The deadline for the submission of proposals is **15 April 2022** and the successful applicant will be notified by **20 April 2022**.

Please submit your proposal by email and address any queries to:

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