



**Project Name:** The Impact of Early Access to Quality Legal Aid on Reducing Unnecessary and Prolonged Pretrial Detention

**Type:** Contract for Services

**Background:** This RFP seeks proposals for a Kenyan researcher or research team to support a survey and document-acquisition field research operation designed to assess the effects of providing well-trained lawyers to recently arrested individuals in the Makadara Magistrates Court, Nairobi, Kenya.

The International Legal Foundation (ILF) is the leading global advocate for the right to counsel and is a specialist in the provision of quality defense services to marginalized and vulnerable accused in conflict-affected and transitioning countries. Established in 2001 in New York as a nonprofit organization, the ILF provides criminal defense services and builds sustainable, effective legal aid institutions around the world. Over the past two decades, the ILF has established a practical approach to meet the urgent need for quality criminal defense in diverse legal systems.

The ILF is launching a research project in Kenya on the impact of prompt access to high-quality and specialized legal representation in misdemeanors and petty offenses with the goal of increasing access to legal aid services. The ILF will provide trained lawyers for the study. The research team, including the Access to Justice Lab at Harvard Law School (A2J Lab) as well as a local, Kenyan research organization, will implement a randomized control trial (RCT) to test the effectiveness of the trained lawyers who will attempt to reduce unnecessary and prolonged pretrial detention and to improve quality of life.

Outcomes the research team will measure include whether early intervention of counsel reduces the number of days of incarceration pre-trial, increases pre-trial release requests, and improves time to disposition. Study outcomes also include whether there is a concomitant effect on trust in the judicial system and on socioeconomic welfare (such as family and housing security), with the hypothesis that all of these variables will improve. The research team will use a combination of administrative and survey data to investigate these primary and secondary outcomes. Surveys will be administered to a sample of 300 participants at baseline and every six weeks thereafter for a period of six months, which amounts to about four additional surveys.

The ILF seeks to hire a local research organization to work closely with the A2J Lab to obtain approval for the study from the Harvard University Area Institutional Review Board (IRB) and assist in the data collection and recording of both administrative and survey data.

The contracted organization will lead the process of obtaining a local Institutional Review Board (IRB) approval and certifications to conduct the research.

Assistance with administrative data collection will include retrieving, translating and coding records, which will include scanning and processing documents. Record coding includes populating a database shared between research institutions. Assistance with administrative data collection will proceed in 3 phases:

Phase 1: On a quarterly basis, retrieve administrative records related to days of incarceration pre-trial, amount of pre-trial release requests, and time to disposition for each enrolled study participant for up to six months beyond their enrollment. Records will be retrieved from the police, prison, prosecution, and court. Records may be only in paper form requiring travel to the location where the documents are held.

Phase 2: Translate into English any records recorded in languages other than English. Assist with obtaining information about colloquialisms and descriptors in the data from local stakeholder partners.

Phase 3: Code records according to a coding protocol developed by the A2J Lab. Record in a shared database created by and shared with the A2J Lab.

Assistance with survey data collection will proceed in four phases. The consultant organization will receive training and guidance on study protocols and best practices from the A2J Lab.

Phase 1: For the study development, the local research organization will provide guidance regarding the best mechanism for delivery of surveys after baseline and administering surveys using those mechanisms. The ILF itself will administer baseline surveys as it enrolls participants. But after baseline, surveys must be administered to participants who are both released from incarceration and remain incarcerated.

Phase 2: Receive and translate survey responses. Record them in a database shared among research teams.

Phase 3: Conduct non-response follow-up. This includes contacting participants who have not responded to the first requests to complete the survey. Thereafter it includes contacting trusted contacts identified by the participant at enrollment who may be able to reach participant when the research team cannot. There must be records of attempts to contact, of success rates, and of mechanisms of contact in a database shared among the research teams.

Phase 4: Provide guidance on the best form of compensation for participants who complete surveys. Deliver compensation for participants who complete surveys. Record details of delivery in a database shared among the research teams.

**Deliverables:**

1. Local IRB approval and certification to conduct research.
2. Brief report outlining guidance and recommendations regarding survey delivery mechanisms.
3. Database of survey administration process including administration dates, completion dates, and compensation delivery dates and amounts. Database should include non-response follow-up administration, when applicable, which should include dates of contact attempts, dates of successful contact, and method of contact.
4. Database containing translated survey responses, identified by study participant.
5. Administrative record retrieval and translation. Delivery of original and coded records to A2J Lab through secure transfer protocols. Database of coded records.

**Submission of Proposals:** Proposals should be sent via email to [RFP@theilf.org](mailto:RFP@theilf.org) no later than January 24, 2024.

**Timeline:** The IRB review and approval process is expected to occur during the first half of 2024. The intervention and study are anticipated to commence in late summer 2024 and the legal aid intervention will continue for a period of 12 months. Survey implementation will continue for 6-months after the completion of the intervention, and final data collection, cleaning and analysis will be conducted thereafter. Therefore, the entire duration of the engagement of the local research organization is estimated to be approximately 22-24 months.

**Budget:** up to USD \$19,000, which should include survey incentives for 300 participants for the initial survey + 4 subsequent surveys with a 75% return rate

**Elements of Proposal:** Proposals should include a description of qualifications and relevant experience, along with a project plan including staff, timeline and budget. Please also include a description of your approach to diversity, equality and inclusion and how you will incorporate that in this project.

**Evaluation Criteria:** Applicants will be evaluated based on the strength of their past work and the cost and feasibility of their proposal.

All reputable organizations are eligible to apply. The ILF is committed to growing the representation of small and/ or diverse businesses among our suppliers. We strongly encourage candidates of all identities, orientations, experiences and communities to apply. Consultants shall ensure that neither they, nor any of their employees and personnel, exposes any intended beneficiary, including children, to any form of discrimination, abuse or exploitation and that they, and each of their employees and personnel, complies with the ILF's policies in relation to protection of children as advised by the ILF from time to time.