



**MINISTRY OF JUSTICE
ADMINISTRATIVE COUNCIL OF ECONOMIC DEFENSE – Cade**

TERM OF REFERENCE

BRA/11/008

**Selection of Consultant Specialized in
Interrogation Techniques and Investigative Interviewing**

BRASÍLIA, April, 2014

TERM OF REFERENCE
Product Based Contract – International

1. Selection Background:

Selection of a consultant to design and deliver a training program concerning interrogative interviews and interrogation techniques and strategies to Cade's General Superintendence case handlers and heads of units.

2. Reference Number

BRA/11/008

3. Background

Cade's General Superintendence (SG/Cade) has the attribution to investigate anticompetitive conducts, such as cartels in private markets and public procurements. Cartels are considered major offenses to the economic order – considering it involves both the reduction of consumer welfare and the prejudice of state accounts in case of bid-riggings. For this reason, the SG/Cade has prioritized the fight against such anticompetitive conducts.

The use of interview and interrogation techniques is shown as a useful and effective instrument in anticompetitive conduct investigations, especially during the instruction of administrative proceedings conducted by the SG/Cade. On cartel related investigations, the domain of techniques of interview and investigation by SG/Cade's staff becomes fundamental to guarantee the effectiveness of the proceeding, seeing that, in such cases, there are many phases – in which there are interactions between the staff responsible for the investigations, on one side; and, investigated, witnesses, complainants, informants and third parties interested, on the other side – that allow obtaining information through these techniques. In this context, the training of SG/Cade's staff to perform interviews and interrogations transcends the specific moment of witness hearing, leading to a transverse impact on the Authority's role and, therefore, allowing it to obtain useful information and evidences to the instruction of different cases.

4. PRODOC/PNUD related result

Result 1. Strengthening Brazil's competition environment

5. Consultancy objectives

The consultant is expected to design a workshop, i.e. a theoretical and practical training program for a group of at least 20 Cade's General Superintendence case handlers and heads of units. It concerns investigative interviewing and interrogation techniques and strategies based on observation of verbal and non-verbal language, effective techniques for a better access to information related to hearings and accusatory and non-accusatory interviewing processes.

In addition, the consultant is also expected to assure that this knowledge is replicable within the Competition Authority by providing theoretical training material adapted to Cade's needs, training syllabus and practical exercises used during the original program.

6. Job description

The consultant will be required to interact with the General Superintendent and his deputy in order to discuss and validate the final drafts of the advanced course agenda and training material, based on the expectations of Cade's officials and participants and their training needs mapped. It is expected that the consultant elaborates a framework to enable these training needs and report their findings, and to present a proposal for the training agenda and support material.

Based on the diagnostic produced, the consultant will prepare a training workshop to be delivered in Brasilia/Brazil, providing theoretical material, a clear training syllabus for the workshop and evaluation of the overall quality and achievement of instructional objectives mapped before.

7. Expected products of the assignment

The consultant is expected to come to Brazil to deliver the workshop and its formal report, evaluate the program and produce a final report to be presented to the General Superintendent.

The consultant will be remunerated on a product basis, according to the following table:

| # | Products | Value (U\$) |
|---|--|---------------------|
| 1 | Workshop plan (based on Cade's training needs mapped) | \$ 2.000,00 |
| 2 | Workshop for Cade's staff to be held in Brasilia/Brazil | \$ 17.000,00 |
| 3 | Final Report | \$ 4.000,00 |
| 4 | Workshop's training syllabus and description, and trainer's guide, in order to enable Cade's employees to replicate the training delivered | \$ 1.000,00 |
| 5 | Publishable versions of all material produced and/or used during the workshop | \$ 1.000,00 |
| | Total | \$ 25.000,00 |

8. Professional qualification

Required:

- Professional experience as a trainer/teacher or as a investigator/interviewer;
- Professional experience in public organizations with administrative investigative competences;
- Fluency in oral and written English, in case of non Portuguese native speakers.

Desired:

- Academic background (Masters/Ph.D);
- Previous working experience with antitrust is desired;
- Previous experience in the delivery of investigative interviewing and interrogation techniques workshops to antitrust or public enforcement authorities

9. Selection

This project will run a best CV and workshop proposal selection (The project's selection process will consider the best CV and proposal received). Consultants are expected to submit their CVs and a draft proposal, objectives and content as established in **item n° 7** (expected products of the assignment). It is also advised to consider the expectations presented in **item n° 6** (Job description).

The draft submitted should cover the following themes:

| Aspects | Points |
|--|------------|
| Theory on verbal and non-verbal communication; | 0-10 |
| Accusatory and non – accusatory interviewing processess | 0-10 |
| Theory on effective investigative interviewing and interrogation techniques (different techniques, pros and cons, best situations for each one); | 0-10 |
| Interviewer profile: competences needed and how to develop them; | 0-10 |
| How to develop a interviewing script (how to start, how to build questions, how to conduct the witness/suspects/informants through a specific questioning line); | 0-10 |
| Legal and ethical aspects; | 0-10 |
| Working Case Scenarios of Real Interviews | 0-10 |
| Role Play and Practicing Exercises | 0-10 |
| Curriculum Vitae | 0-40 |
| Max | 120 |

The evaluation committee will examine the CVs and workshop proposals submitted. The commission may also need to contact candidates in order to obtain more information.

10. Support offered

The consultant will receive roundtrip tickets to Brasilia/Brazil and \$ 328.00 *per diem* to afford food and accommodation expenses.

Visa expenses e others should be covered by the consultant.

11. Supervisor

Carlos Emmanuel Joppert Ragazzo

Position at organizational chart

General Superintendent

11. Place of work and schedule

The workshop must be delivered at Cade's office at Brasília, Brazil, for the duration of one week, on May, 2014.

15. Disclaimers

All doubts about this selection process will be addressed by email, and should be sent to prodoc@cade.gov.br.

Candidates shall send their applications (*curriculum vitae*, in English, and the workshop proposal in accordance to the Term of Reference) and other relevant information to the following email - prodoc@cade.gov.br - until April 11th, 2014, with the following subject: International Consulting – [*applicant's name*].

The selection will be made based on the curriculum and submitted workshop proposal analysis. The selected candidate's professional qualification proofs should be delivered on a date to be announced, under penalty of disqualification. The candidates that do not possess the minimum professional qualification provided on the Term of Reference will be automatically disqualified.

Notice for brazilian candidates:

Conforme Decreto nº 5.151 de 22/06/2004: “É vedada a contratação, a qualquer título, de servidores da Administração Pública Federal, Estadual, do Distrito Federal ou Municipal, direta ou indireta, bem como de empregados de suas subsidiárias e controladas”.

Only pre-selected candidates will be contacted.