

JAMAICA 2030: NATIONAL DEVELOPMENT PLAN

GOVERNANCE SECTOR PLAN

1st DRAFT



September 2007

Table of Contents

	<i>Page Numbers</i>
List of Acronyms	2
Introduction	3
Situational Analysis – Abridged Version	4
SWOT Analysis	21
Proposed Vision Statement	27
Incorporation of Best Practices in Sector Plan	29
Initial Goals, Objectives, Strategies	30
The Way Forward	34

List of Acronyms (Incomplete)

Introduction

In the vision of public sector modernization for Jamaica, White Paper 56/2002, Government at Your Service defines governance as “the exercise of power in the economic, political, and administrative management of the country’s resources. Governance comprises the traditions, institutions and processes that determine how power is shared and exercised, and how decisions are made and how authority responds on issues of public concern”.

“Governance has become central to development discourse in the past decade or more.

This is largely founded on the recognition that strong and accountable institutions, political commitment to effective management of the state, and a vibrant and organized civil society are fundamental to development”. Governance is, therefore, most effective when it reflects partnership between the state and non-state actors (private sector and civil society).



About the Sector Plan

Governance is a strategic priority area for the Jamaica 2030: National Development Plan. This Governance Sector Plan is based on a shared vision by civil society, the private sector and the state of the important roles they collectively have to play in effecting a state of governance that embodies participation, transparency, accountability, efficiency and promotion of the rule of law.

It is one of twenty-eight chapters that will inform the development of Jamaica 2030 – a 25-year plan designed to put Jamaica in a position to achieve developed country status by 2030. Jamaica 2030 is based on a fundamental vision to ‘make Jamaica the place of choice to raise families, live, work and do business,’ and on guiding principles which put ‘people’ at the centre of Jamaica’s transformation. Twelve strategic priorities, one of which is Governance, have been identified as critical elements in fulfilling the objectives of the Plan.

The preparation of the Plan will be supported by a quantitative systems dynamics model – Threshold 21 (T21) – which supports comprehensive, integrated planning that would enable the consideration of a wide range of interconnected factors along economic, social and environmental considerations and will be used to project future consequences of different strategies across a whole range of indicators. In addition, it will enable planners to trace causes of changes in any variable or indicator back to the assumptions.

The first draft of this sector plan was developed using the following processes:

- Task Force Meetings to solicit ideas and views from members¹ on governance issues in Jamaica.
- Summarizing the Draft Situational Analysis
- Drawing on the work undertaken by the Jamaica Social Policy (JASPEV) 2015 and White Paper 56/2002 “Government at your Service” to provide direction.
- Research on international best practices (IBPs) in governance.
- Meetings with the Chair of the Task Force.

This document is structured, by headings, as follows:

- Situational Analysis – Abridged Version
- SWOT Analysis
- Proposed Vision Statement
- Goals, Objectives and Strategies

¹ See Appendix 1 for a List of Members of the Governance Task Force.

Situational Analysis

This Situational Analysis will be presented in three parts:

- Governance Challenges facing Jamaica
- Key Governance Issues within the Jamaican context
- Current Initiatives to improve the face of Governance in Jamaica

The term Governance refers to how society is managed. Proper management of society is essential for the creation of a country's overall well-being and that of its citizens.

Governance is further the art of public leadership wherein political management creates a responsible process by which authority is exercised in management of a country's economic, environmental and social resources.

Governance looks beyond the issues of institutions and forms of government. It also encompasses the social coordination mechanisms that contribute to political action. It looks at the decision-making process in all political and social bodies (States, businesses, local communities, non-governmental organizations, etc.) and at all levels of government, from local to global. In addition to its critical contribution to growth and employment, it is critical for the private sector to work alongside civil society and public institutions to make a major contribution to good governance.

Governance is therefore not a set of rules or an activity; it is a process. The task is not simply a matter of providing assistance to reform the State; it is also a matter of helping a society to rethink its own management procedures and define a governance model that best suits the challenges that it faces.

Governance Challenges Facing Jamaica

Jamaica faces governance challenges that transcend and cut across various developmental spheres. On the surface, Jamaica has strong formal institutions. It has a well-established parliamentary democracy and a vibrant civil society. It also possesses a strong and competent civil service. However, society shows signs of social and political polarization, which makes it difficult to form consensus on policies that are in the broad public interest and entail a long time planning horizon. There is a history of political violence and, in recent decades, growing violence associated with organized crime.²

Elements contributing to the weakening of governance in Jamaica include:

- Apathy towards, and alienation from, existing political institutions and processes (and) increasing disregard for the norms of civil society by a growing number of persons, especially the young;



² From IDB Country Strategy with Jamaica (2006 – 2009).

- Poor performance of the economy and the persistence of poverty;
- Increased criminal activity, inclusive of drug trafficking;
- The inability of the State to sustain levels of welfare that were put in place in the post-independence era; and
- The redefined position of the state from its previous function as a development agency to that of a facilitator of market driven policies.

This weakening is reflected in World Bank Reports which have sought to measure governance internationally using six primary indicators. They are:

- (i) voice and accountability (VA)
- (ii) political stability (PS)
- (iii) government effectiveness (GE)
- (iv) regulatory quality (RQ)
- (v) rule of law (ROL)
- (vi) control of corruption (CC)

Indicators (i) and (ii) summarize the manner in which authority figures are elected, monitored and removed from office.³ Indicators (iii) and (iv) speak to the effectiveness of the state in implementing sound policies, implicit to which is the whole question of state capacity.⁴ Indicators (v) and (vi) are concerned with how both private citizens and the state treat with or interact with the rules that govern their daily activities and choices.⁵

The following table tracks Jamaica's performance or rating by the World Bank for seven data years: 1996, 1998, 2000, 2002, 2003, 2004 and 2005. A total of 209 countries are used to provide comparative data for the seven years. The range which captures each indicator is -2.5 to 2.5. The higher or positive values indicate better performance for each indicator. African countries fare worst for each indicator (with largely negative values, while Scandinavian countries fare best with values closer to +2.5). Currently, Jamaica ranks between the 25th and 50th percentiles for political stability, rule of law and control of corruption, in relation to other countries, while for voice & accountability, government effectiveness and regulatory quality, Jamaica ranks between the 50th and 75th percentiles. The table also demonstrates whether or not Jamaica's ranking has improved or deteriorated in the domain years 1996 and 2005.

³ Kaufmann, Daniel, Aart Kraay and Pablo Zoido-Lobaton. 1999. *Governance Matters*. Policy Research Working Paper 2196. Accessed at: http://www.worldbank.org/wbi/governance/gov_pdfs/: 2 and Kaufmann, Daniel, Aart Kraay and Massimo Mastruzzi. 2005. *Governance Matters IV: Governance Indicators for 1996-2004*. Accessed at: <http://www.worldbank.org/wbi/governance/pubs/govmatters4.html/>: 130.

⁴ Kaufmann *et al.* 1999: 2 and Kaufmann *et al.* 2005: 130.

⁵ Kaufmann *et al.* 1999: 2 and Kaufmann *et al.* 2005: 130.

Years →	1996	1998	2000	2002	2003	2004	2005	Progress–
Indicators								I, D or RS*
Voice and Accountability ⁶	0.49	0.68	0.72	0.48	0.47	0.53	0.57	RS
Political Stability ⁷	0.43	-0.08	0.17	-0.33	-0.37	-0.27	-0.33	D
Government effectiveness ⁸	-0.35	-0.63	-0.26	0.01	-0.07	0.14	-0.12	I
Regulatory quality ⁹	0.52	0.54	0.33	0.28	0.26	0.16	0.24	D
Rule of law ¹⁰	-0.26	-0.35	-0.25	-0.52	-0.61	-0.44	-0.55	D
Control of corruption ¹¹	-0.34	-0.33	-0.24	-0.49	-0.56	-0.55	-0.50	D

* Key: Improvement = I; Deterioration = D; and Relative Stability = RS.

**The values highlighted in red are negative. This is to draw out those indicators in which there is need for much improvement.

It is important to note that Jamaica has only improved on one indicator – Government Effectiveness¹² while there has been relative stability with regard to voice and accountability. Four indicators have deteriorated – political stability is much worse than at the beginning of the ranking. Although regulatory quality has deteriorated, it is slightly positive. Rule of law has been erratic but still negative. Control of corruption has gotten worse even though it started in a negative position. This is the overarching picture of governance painted by the World Bank but this is a highly subjective view due to the fact that the sources of this information are limited. Our own local analysis may detect disparities with the World Bank's data.

Notwithstanding, Jamaica continues to make strides towards improving the face of Governance in Jamaica. Many of these initiatives are being led by Government and involve the private sector and civil society, individually and collectively, seeking to meet the benchmarks of good governance. Examples of these initiatives include the: Reform of the Public Sector, Access to Information Act, Local Government Reform, Local Sustainable Development Planning Framework and Medium Term Framework and Strategy.

⁶ Kaufmann *et al.* 2005: 113.

⁷ Kaufmann *et al.* 2005: 116.

⁸ Kaufmann *et al.* 2005: 119.

⁹ Kaufmann *et al.* 2005: 122.

¹⁰ Kaufmann *et al.* 2005: 125.

¹¹ Kaufmann *et al.* 2005: 128.

¹² See Kaufmann *et al.* 2005: 105 for the various items that contribute to the measurement of the indicator.

Key Governance Issues within the Jamaican Context

Governance issues of relevance for discussion in Jamaica include:

- Accountability
- Political stability
- Government effectiveness
- Regulatory quality
- Rule of law
- Control of Corruption
- Human and Civil Rights
 - Freedom of Speech
- Environmental Sustainability



Accountability

Governments worldwide are moving towards openness and transparency. Globally the move to openness is supported by statements aimed at ensuring universal and equitable access to information as a basic human right.

Citizens and regulators are calling for higher levels of transparency and accountability. What the World Bank has found is that a strong relationship exists between good governance and good government performance.

Janet Mather (1997) identified three dimensions of transparency and highlighted the need for practical measures to provide access to information; clarity on how and why decisions were made; and, empowerment of individuals to contribute to decision-making. Following the promulgation of the Universal Declaration of Human Rights in 1948, freedom of information has come to be accepted as a fundamental human right worldwide. In this regard, Jamaica in 2002, passed the "Access to Information Act", which is country's own 'freedom of information' legislation. Its intent is to promote accountability, transparency, and increased public participation in national decision making. Additionally, an Access to Information Unit is headquartered in the Office of the Prime Minister to direct, monitor, and steer the implementation of the Act.

In 2004, a global survey of access legislation showed that 68 governments had passed access or freedom legislation. In almost every country in Europe legislation has been approved enabling citizens to access governmental records, with Sweden being the earliest in 1766. The Table below shows Access legislation by Region.

Region	Number
Africa	3
Asia and the Middle East	12
Americas (including the Caribbean)	14
Europe	37
Oceania	2
Total	68
Region	Number

The passage of the ATI Act is the beginning of a process of changing a culture of secrecy in Jamaica into a culture of openness and transparency. Prior to 2002, civil servants were made to abide by the provisions of the Official Secrets Act (1904) which forbade them to release any information to the public. The current Act limits only by very narrowly focused exemptions to protect sensitive information such as that dealing with security and economic issues. The Official Secrets Act, however, has not been repealed and this represents a possible impediment to the Jamaican citizens' achieving full enjoyment of the right of access to records kept by the government. Despite this impediment, the Access to Information Act makes the process of obtaining government-held information uncomplicated, less expensive, faster, and - importantly - accessible to all Jamaican citizens as opposed to only certain classes of individuals such as journalists.

With respect to the private sector, it is well recognised in the majority of countries today that a code of corporate governance is essential for the effective running of companies. The Private Sector Organization of Jamaica (PSOJ) launched its Corporate Governance Code on November 9, 2006. This Code outlines 16 principles of good corporate governance, which companies are asked to apply in their governance through their respective boards of directors. The principles set out in basic terms what a well governed company should do in relation to directors, remuneration, relations with shareholders and accountability and audit. This Code was developed on the heels of the new 2004 Companies Act which exists to ensure that companies are applying the principles of good corporate governance.

Jamaica's increased focus on corporate governance could be attributed to the 1990's financial sector crisis. Analyses of the period indicate that many companies failed because of poor corporate governance. The companies, buckled under the pressure of unwise investments and decisions that exceeded the capacity of those businesses to be managed effectively. It is well known that corporate governance cannot progress without parallel improvements in public policy. Since then, the Deposit Insurance Scheme and the Financial Deposit Insurance Company were established along with other mechanisms that the GOJ has put in place to prevent such a recurrence and to keep citizens informed of their responsibilities as depositors as well as the responsibilities of deposit-taking institutions.

Additionally, the Bank of Jamaica, as the main regulatory agency, implemented stricter supervision of financial organizations and mandatory requirements. These included the appointment of 'fit and proper' directors and the requirement of deposit-taking financial institutions to separate their banking business from their non-financial business. Corporate Governance ultimately improves accountability, transparency and minimizes misdeeds in companies. With the establishment of good corporate governance in companies, the benefits to be derived include confidence of shareholders, increased productivity of workers and predictable growth.

With respect to corporate governance, there is still a long way to go. The principles, structures and systems of corporate governance can and should be applied not only to listed companies, but also in state-owned enterprises, privately held companies and a range of other bodies including civil society and non-profit organisations. Many Jamaican companies, at all levels, have not effectively applied the principles of corporate governance.

Political Stability

Political stability is the perception of the likelihood that the government in power will be destabilized or overthrown by possibly unconstitutional and/or violent means, including domestic violence and terrorism. The USA, for example, showed a decline in political stability in 2000 -2002 not because the political process was perceived as more unstable than in the 1990s; rather, it reflects perceptions of the risk of terrorist attacks following the events of September 11, 2001 (9/11).

In Jamaica, political stability has wavered over the past three decades. There was much violent upheaval during the late 1970s and this culminated in the 1980 election which was, possibly, the most violent in the country's history and a low point for political stability on the island.

Since 1989, when the PNP won the election, there has been very little difference between the two parties and the political manifestos of both parties attest to this. If nothing else, the lack of ideological distinction between the two parties augurs well for political stability.

However, in August 2007 leading up to the September 3, 2007 general election which was won by the Jamaica Labour Party, there were a number of murders associated with political tribalism in particular the South East St. Andrew constituency. There were 123 murders for August 2007, 30 more than the previous corresponding period in 2006.

Rule of Law

Rule of law and public freedoms is primarily provided by State institutions, and, more specifically relates to:

- the justice system which is responsible for interpreting the law, and penal institutions
- the police, responsible for enforcing the law while respecting individual and

- collective rights
- parliamentary assemblies
- high courts
- institutions responsible for promoting and safeguarding human rights, which ensure that democracy takes root and that there is ownership of human rights values
- various institutions such as mediators (ombudsmen), bar associations, contracts commissions etc

In essence, the rule of law should be understood as a concept comprising several instrumental features that work together to create this rule of law. Each Jamaican citizen is subject to the “rule of law”, meaning that the law of the land is supreme and that all people are equal before the law.

With respect to the justice system, Jamaica enjoys very strong judicial traditions. However, there are numerous challenges in the court system which threatens this strong tradition including:

- increasing demands on often over-stretched resources
- outdated technology
- infrastructural inadequacies

The lengthy delays in the judicial system often result from the aforementioned and other challenges leading to a loss of confidence in the rule of law and a corresponding rise in dangerous social practices such as vigilantism, street justice and human rights abuses.



Currently, the Government is engaged in a strategic review of the Justice Sector with technical assistance from the Canadian Bar Association (CBA). This project, which produced its preliminary report on the Jamaica Justice system, will also earmark statistics management, productivity enhancement and public accountability.¹³ Standards and performance measurements will be developed and implemented in tandem with the thrust towards results-based management. Revision of the laws of the land is undertaken annually and this process has been ongoing since 1973.¹⁴

The Justice Sector Review is part of the Government’s modernization plan for the Justice Sector. Citizens’ continually declare ‘we want justice’¹⁵ and the hope is that this move will help to not only define what is meant by that phrase but how to deliver justice. This review falls under the Public Sector Modernization Programme (PSMP) which is overseen from the Public Sector Reform Unit in the Office of the Cabinet. Funding for

¹³ See <http://www.jis.gov.jm>. *Gov’t to Undertake Strategic Review of the Justice Sector*. Friday, September 01, 2006.

¹⁴ See <http://www.moj.gov.jm/law>.

¹⁵ See <http://www.jis.gov.jm>. *Gov’t to Undertake Strategic Review of the Justice Sector*. Friday, September 01, 2006.

the project is from both the Government of Jamaica (GOJ) and the Canadian International Development Agency (CIDA).

Additionally, in the past years, a number of pieces of legislation have either been enacted or drafted. These include:

- The Charter of Rights and Freedoms (Constitutional Amendment) Bill
- The Offences Against the Person (Amendment) Bill and The Incest (Punishment) (Amendment) Bill
- The Jury (Amendment) Bill
- The Prevention, Suppression and Punishment of Trafficking in Persons Bill
- Proposal for the Enactment of Legislation to Criminalize the Production, Possession and Trafficking in Child Pornography (Cabinet submission)
- Amendment of the Constitution to permit the holding of by-elections within 90 days of a vacancy.¹⁶

The GOJ is on the path towards improving the performance of the justice sector but it will take time to rebuild trust in public institutions and public officials that dispense justice.

Anthony Harriott in *“Police and Crime Control in Jamaica”* (2000) cites that there is a crisis in policing, expressed in:

- A generalized ineffectiveness of the police in controlling crime
- A generalized decline in public confidence in the police
- Popular withdrawal of participation in policing
- Greater resort to violence and its manipulation by the police force

These points cited by Harriott still remain relevant today. Additionally, the abuse of power by members of the Police Force and lack of Police accountability have been major issues cited by citizens. This results in perceptions playing a big part in the status of equality before the law in Jamaica. There is the perception at the grassroots level that there is inequality before the law in terms of socio-economic status, race, place of residence, etc. There are also a number of cleavages that intensify this perception, especially with regard to justice and how the police, in particular, and the justice system in general, treat different groups of people. Perceptions are fuelled by practices, whether past or present in Jamaica. For example, various surveys, studies and media reports state that “the urban poor have said that it is entirely at them that police have trained their guns; and that they are the objects of tougher enforcement measures whenever there's heightened concern over crime. The high numbers of extra-judicial killings (at an estimated rate of over 150 per year over the last three years), and reliable stories of police abuse and excessive use of force in urban ghetto areas, support this contention”¹⁷.

The table below depicts the number of complaints (incidents) against the police received

¹⁶ Economic and Social Survey (ESSJ) 2006. 2007: 24.23-24.24.

¹⁷ Barry Chevannes. 2001. *“Crime, Peace, and Justice in Jamaica”*

by Jamaicans for Justice annually since its inception – July 1999 – September 2003.

Table: Number of Complaints (Incidents) Against the Police Received by Jamaicans for Justice Annually Since Its Inception – July 1999 – September 2003

Type of complaint	1999 July - Dec	2000	2001	2002	2003 Jan - Sept	Total
Shooting (Police and JDF)	3 (1)	19 (1)	44 (2)	40	28	134 (4)
Assault		1	2	5	6	14
Beating (Police and JDF)	1 (2)	20 (1)	34	26	10	91 (3)
Detention		7	19	26	34	86
Death in Lock-Up			6	1		7
False Arrest	3	16	15	8		42
Harassment	1	5	20	22	3	51
Judicial Injustice			6	2	6	14
Professional negligence		1	2	2	1	6
Service Level		5	11	7	4	27

(Figures in brackets refer to incidents involving members of both the Jamaica Constabulary Force and the Jamaica Defense Force/the Army)

Jamaicans for Justice in a paper presented in Belfast¹⁸ categorizes the complaints it receives against members of the JCF in the following manner: Shooting (fatal and non-fatal); Assault; Beating; Detention (alleging that this has not been carried out within the legal requirements), Death while in lock-ups/jails at police stations, False Arrest; Harassment (such as threats or being taken repeatedly to a police station without charge);

¹⁸ “*Complaints Against the Police – A Jamaican Experience*”, A paper presented to the international conference on policing the police: The Challenges, Belfast, Northern Ireland November 5-7, 2003

Judicial Injustice (applies to Police within a court setting), Professional Negligence and unsatisfactory Levels of Service.

There are currently three bodies mandated to receive complaints about the Police from members of the public; these are the Police Public Complaints Authority (PPCA), which is a state-funded organization, independent of the JCF, the Bureau of Special Investigations (BSI) and the Office of Professional Responsibility (OPR), both of which are departments of the JCF. On paper there may seem to be adequate systems in place for investigating complaints against the Police, holding accountable those Police persons who have acted unlawfully and clearing those who have not. However, the recurring situations have shown that the systems are woefully inadequate, and are not functioning, and continue to allow for a culture in which the Police act with impunity.

In light of the above, and with continuing complaints by citizens as well as the death of a pregnant women who was shot three times allegedly by the police in St. Thomas during a protest of another police killing, in September 2007, Prime Minister Hon. Bruce Golding indicated that the Government would be moving with urgency to address national concerns over allegations of police excesses and abuse. Work is to proceed immediately towards the establishment of a single independent authority to investigate instances of abuse by members of the security forces. Under this new work, the three current bodies mentioned above will be reviewed and recommendations for changes made.

Control of Corruption

Corruption is understood to be the “abuse of power, authority or public office to obtain private advantages.” It is not a new phenomenon, nor is it specific to a given geographic area. It is a negation of the basic values that the State and democracy are built on. It has a negative influence on citizens’ trust in their government. It causes direct harm to the effectiveness of public services and creates a poor environment for business, and for investment in particular. It also contributes to criminal exploitation of lawful financial circuits.

In Jamaica, “corruption, in perception and reality, has grown to become a major popular concern and public policy issue.”¹⁹ Corruption can be political, bureaucratic, or private in nature. The most popular definition is the World Bank’s – “the abuse of public power for private benefit.”²⁰ At the level of governance, it is political corruption which is of primary concern. Any definition of political corruption speaks to the main individuals involved in the act and the purpose of the act. It is unscrupulous, unethical behaviour on the part of public officials who have been endowed with the public trust. These public officials are usually individuals at the top echelons of the political system and the purpose of the corrupt act is to entrench or, in a sense, institutionalize the power-hold.²¹

¹⁹ Munroe, Trevor. 2000. *Voice, Participation and Governance in A Changing Environment*. For the Caribbean Group for Cooperation in Economic Development (CGCED): 6.

²⁰ Amundsen, Inge. 2006. *Political Corruption*. CHR. Michelsen Institute, Anti-corruption Resource Centre, U4 Issue 6. Accessed at: <http://www.U4.no>: 5.

²¹ Amundsen 2006: 3.

Serious concerns are raised about the level of corruption in Jamaica, and is further compounded by the failure of authorities to hand out any significant punishment to public officials and members of the security forces who are identified as being involved in acts of corruption. It should be noted that in the last couple of years a number of policemen have been caught and punished for acts of corruption. The hopes of strengthening democracy in Jamaica rests with substantial reduction of corruption, which the public ranks as one of the top problems facing the nation. (Munroe, 2000:14).

One of the main priorities of the new government (2007) is to ensure transparency and accountability in government and the elimination of corruption. The latest Transparency International Corruption Perception Index will be released September 26, 2007. The 2006 report showed Jamaica scored 3.7 out of 10. A score of 10 indicates that a country is highly clean, while a score of 0 indicates that it is highly corrupt. This latest score has placed Jamaica 61st among the 163 countries surveyed and second among the seven Caribbean countries, which is topped by Barbados and Dominica – with the former receiving a score of 6.7 and the latter 4.5 to place 24 and 53 respectively. Haiti with a score of 1.3 and ranked is 63.

What is important, in addition to surveys²² on the prevalence of corruption in Jamaica and establishing transparent parameters to judge the incidence of corruption, is policy actions which can best curtail or control political corruption. Where there is political corruption, political will to tackle it is, at best, considered by the public to be docile. The options are numerous but inter-related as success in one can positively impact the success of the others. The endemic options are to:

- Strengthen courts
- Improve information and analysis
- Set up special institutions of control
- Declare income and assets
- Set up electoral commissions
- Make party financing transparent
- Strengthen civil society.

Some of these options are already in place in Jamaica. Politicians are required to declare income and assets. There is also an Agreement and Declaration on Political Conduct which was signed by representatives of both political parties, an initiative of the Private Sector Organization of Jamaica (PSOJ).²³ The code speaks to eight specific issues: Non-Violence and Non-Intimidation; Safety of Private and Public Property; Avoidance of Confrontation; Public Utterances; Freedom of Access; Avoidance of Defacing of Buildings or Installations; Political Tribalism; and The Code of Ethics. Other areas of note include ethics officers in all ministries and agencies of Government and whose main area of responsibility includes, review functioning of audit, procurement, disciplinary, promotions/appointments committees. The National Contracts Commission, on the other hand is an independent anti-corruption Commission which supplements the role and

²² See, for example, Don Anderson's April 1999 Market Research Services Poll.

²³ See *Agreement and Declaration on Political Conduct*. 2005. Accessed at: <http://www.psoj.org/pcc.pdf>.

functions of the independent Parliamentary Commission of the Contractor General. Its primary objectives are the "promotion of efficiency in the process of the award and implementation of Government contracts and ensuring transparency and equity in the awarding of such contracts". Additionally, in January 2006, the House of Representatives signalled its commitment to ethics by approving a committee to investigate and report on complaints regarding the conduct of parliamentarians. This move came after the Private Sector Organization of Jamaica called for both political parties to sign onto the political code of conduct. The mandate of the Ethics Committee is very wide. It entails:

- Receiving, investigating and reporting on any complaints or departures by members from the political code of conduct;
- Requiring a member to make a full disclosure of any interest which may pose a conflict of interest and investigating and reporting on any such lodged allegation;
- Examining exemption requests made by members of the House in the event of potential conflict of interest pursuant to Section 41 of the Constitution of Jamaica;
- Dealing with any impropriety regarding funding targeted for the constituency;
- Monitoring reports of the Integrity Commission in terms of non-compliance by members of the House in keeping with the Parliament Integrity of Members Act;
- Investigating civil or criminal proceedings filed against any member.
- In addition to being an oversight body, this Ethics Committee also makes recommendations to the Speaker of the House.²⁴

New measures expected to emerge with the current administration to stamp out corruption include²⁵:

- Imposition of criminal sanctions for breaches of the rules governing the award of government contracts
- Establishment of a Special Prosecutor to investigate and prosecute persons involved in corruption
- Enactment of legislation for the impeachment and removal from office of public officials guilty of misconduct, corruption, abuse of authority or betrayal of public trust
- Introduction of whistleblower legislation to protect persons who provide information on wrongdoing on the part of public officials
- Revision of the libel and slander law to ensure that it cannot be used as a firewall to protect wrongdoers.

Up until recently in Jamaica's history, not much academic work or inquiry has gone into political corruption or identifying a framework in which it exists. The few examples are the Dacosta Commission of Enquiry (1973), the Green Commission of Enquiry (1983), the Contractor General's Annual Reports and Transparency International (1998).²⁶

²⁴ See *House approves appointment of Ethics Committee in Jamaica* in The Daily Gleaner, January 23, 2006. Accessed at: <http://www.jamaica-gleaner.com/gleaner/20060123/news/news3.html>.

²⁵ Taken from inaugural address by the Honourable Bruce Golding at the swearing-in ceremony as prime minister of Jamaica, September 11, 2007 at King's House.

²⁶ See Munroe 2000: 13.

Human and Civil Rights

Chapter III of the Jamaican Constitution, “Fundamental Rights and Freedoms,” speaks to the issue of human and civil rights. There are twelve fundamental rights and freedoms as enunciated in articles 14 to 25. Article 13 - Fundamental rights and freedoms of the individual – speaks to entitlement to these twelve rights while Article 26 - Interpretation of Chapter III²⁷ – provides the guidelines or facilitates a better understanding of the twelve rights and freedoms. A most controversial issue that has been topical during 2006 falls under the rubric of Constitutional reform. On July 20, 1999, Standing Order No. 52(1) created a Special Select Committee of the House and Senate to deliberate on this issue.



In addition to the Constitution, Jamaica is party to a number of human rights conventions and protocols. Some of these are:

- Convention to Suppress the Slave trade and Slavery of September 25, 1926, as amended by the Protocol of December 7, 1953.
- Convention concerning Forced Labour of June 28, 1930 (ILO Convention 29).
- Convention concerning Freedom of Association and Protection of the Right to Organize of July 9, 1948 (ILO Convention 87).
- Convention on the Political Rights of Women of March 31, 1953.
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of September 7, 1956.
- Convention Concerning the Abolition of Forced Labour of June 25, 1957 (ILO Convention 105).
- International Convention on the Elimination of All Forms of Racial Discrimination of December 21, 1965.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Trans-national Organized Crime Preamble, supplementing the United Nations Convention Against Trans-national Organized Crime, signed on February 13, 2002.
- Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Trans-national Organized Crime, signed on February 13, 2002.
- Convention Concerning Minimum Age for Admission to Employment of June 26,



²⁷ Freedom of speech is a human and civil rights issue as covered by Chapter III of the Jamaican Constitution.

- 2973 (ILO Convention 138) was ratified on October 13, 2003 (ratified on September 29, 2003).
- Convention on the Worst Forms of Child Labour (Convention 182), ratified on October 13, 2003.²⁸
 - Convention on the Rights of Persons with Disabilities, ratified on March 30, 2007.²⁹

Child prostitution, sexual abuse of children and child trafficking has been identified as serious problems within Jamaica. There is generally no societal pattern of abuse of children; however, there were numerous reports of rape and incest, particularly in inner cities. NGOs have reported that inner city gang leaders and sometimes even fathers initiated sex with young girls as a "right." In 2006, there were 397 cases of carnal abuse reported, a 31 percent increase over the same period in 2005. However, this may have been in part due to increased reporting and not necessarily an increase in the number of crimes. The government continues to express concern about child abuse and acknowledged that incidents were underreported.

From as far back as September 2000, the Government of Jamaica signed a Memorandum of Understanding with the ILO's Programme on the Elimination of Child Labour. This commitment instigated activism by the GOJ in its efforts to incrementally reduce and eliminate child labour in Jamaica and a component of this programme was rehabilitation of child labourers in Spanish Town and Montego Bay.³⁰ In 2002, the Government, in collaboration with the ILO/IPEC, established a National Steering Committee for the Protection of Children, to devise a 'master strategy' to address child labour in Jamaica.³¹ Notwithstanding this, child labour remains a problem to be addressed.

The Child Development Agency, an executive agency, was created in April 2003 under the Ministry of Health to address the gamut of problems faced by Jamaica's children. The Child Care and Protection Act was passed in 2004. However, in 2004, Jamaicans for Justice issued a report which exposed the poor conditions in private and state-run children's homes and places of safety. These 'poor' conditions included deprivation, harsh punishment and sexual abuse. A number of policies and measures have been implemented since the Report was disseminated to address these blaring weaknesses. The Juvenile Act is one such measure. There are others which not only protect but also 'discipline' minors with a view to increasing their personal responsibility for their actions.

In 2006, the Office of the Children's Advocate was also created to strengthen the

²⁸ See http://www.ilocarib.org.tt/oldwww/news/2003/jam_ratification.html. Jamaica has now ratified all eight fundamental ILO Conventions (29, 87, 98, 105, 138, 182 **What are the other 2?**). Convention No. 138 involved denunciation of Conventions 7 - Minimum Age (Sea); Convention 15 - Minimum Age (Trimmers and Stokers); and No. 58 - Minimum Age (Sea) revised.

²⁹ For a more comprehensive list of the human rights treaties, etc that Jamaica has signed, ratified, acceded to, succeeded to or entered into force, please See the University of Minnesota's Human Rights Library at <http://www1.umn.edu/humanrts/research/ratification-jamaica.html>

³⁰ See http://www.ilocarib.org.tt/oldwww/news/2003/jam_ratification.html.

³¹ See <http://www.state.gov/g/drl/rls/hrrpt/2003/27904.htm>.

capacity of the state to care for and protect its minors. This position has broad responsibilities for reviewing laws, policies, practices, and government services affecting children; providing legal services and investigating complaints against government; and publishing reports and issuing best practice guidelines regarding any matter concerning the rights or best interests of children. This office is however hampered in carrying out its functions as staffing shortages and lack of infrastructure limits the office's ability to address all the reports and calls it receives.

The Government has been chided for its record on dealing with sexual violence against women and children. There has been increasing violence against women and children since 2003 and the justice system has also been criticized for the prejudicial/discriminatory way in which it deals with sexual violence, which is the second leading cause of injury to Jamaican women.

According to the International Organization for Migration (IOM), Jamaica is a source for women and children trafficked for purposes of sexual exploitation and labour. In a 2005 exploratory assessment, the IOM stated that some trafficking occurred in Jamaica primarily for sexual exploitation. The report also stated there may be trafficking, including that of children, within the country for domestic servitude and forced labour. Also, the ILO estimates that several hundred minors were involved in the country's sex trade.

On Friday, January 26, 2007, the Jamaican Senate passed the Trafficking in Persons Act, an assault on the scourge of TIP, to punish those incriminated in the practice. To scaffold this initiative, the Victim's Charter was also tabled in both Houses of Parliament.³²

Government Effectiveness

Government effectiveness in the Jamaican context is of utmost importance as it is tied to several issues such as rule of law and corruption which have direct consequences for governance in the country. The overall outlook on government effectiveness in Jamaica prior to initiatives at reforming the public sector was a not a positive one. Trevor Munroe in his case study, "Voice, Participation and Governance in Jamaica" made reference to a decline in government effectiveness to a point where Jamaica's ranking on the UNDP's Human Development Index Reports of 1991-2005 fell dramatically in comparison to other Caribbean states that either remained stable or improved (Munroe 2000:6).

The Jamaican government has made significant strides to tackle several areas of concern under government effectiveness through the reform programme underway for the public sector. The document "Government at Your Service: Public Sector Modernization Vision and Strategy 2002-2012" details plans to re-affirm the values of public service, stressing integrity, objectivity and accountability. This takes into account the problem of corruption. Another aim of the reform process is to secure improvement in the public sector through the establishment of a performance culture.

³² See http://www.jis.gov.jm/tools/printable.asp?print=/justice/html/20070129t100000-0500_11.

A most significant initiative of the reform process is the transformation of key public sector entities to executive agencies. Operating under new regulations these agencies are more transparent and accountable; there is improved productivity as they are performance driven. The entire process is aimed at overhauling the public sector taking Jamaica to a new era where the government is supported by an efficient, productive, transparent and accountable public sector that takes into account the interests and needs of the citizens.

However, while it is laudable that the government has made debt reduction a priority and this is predicated on sound/effective governance, this commitment has, however, constrained government expenditure on education, healthcare and security; in some ways, this imperative has impeded progress at improving socio-economic conditions in the country and consequently the effectiveness of government. Other Caribbean nations, with the exception of Haiti and Guyana, have higher levels of human development, as measured by the United Nations annual index of human development indicators. With a per capita income of US\$3,886 (2006), Jamaica is classified by the World Bank as a lower-middle income developing economy, thus reducing the country's eligibility for grants and concessionary loans, which are increasingly being diverted to lower income countries.

Regulatory Quality

The Doing Business In 2006 survey presents a picture of Jamaica as a country that has made inroads in the ease with which individuals can conduct business which is a consequence of the regulatory environment. Jamaica ranked 43 out of 118 countries on the ease of doing business. This, of course, does not take into consideration crime and other shocks such as macroeconomic imbalances. The relatively high ranking suggests that the Government of Jamaica has created a "regulatory environment conducive to the operation of business"³³ and this recognition by investors augurs well for the country's development. Unlike the top performers, Jamaica has a number of binding constraints: (1) Jamaica regulates businesses in a more costly and more burdensome way; and (2) Jamaica has to make trade-offs between making it easier to do business and providing much-needed social protection for its vulnerable groups.

One of the challenges of the Jamaican government in improving its regulatory quality is making taxes more affordable or less burdensome so as to not "push businesses into the informal economy"³⁴ and pull them into the formal economy. This entails simplification and harmonization of taxes through reforms that are currently ongoing but not yet at the implementation stage.

³³ World Bank. 2006. *Doing Business In 2006*. Accessed at: <http://www.doingbusiness.org/EconomyRankings/>: 3.

³⁴ World Bank 2006: 50.

Equity and Equality in Distribution and Access to Goods & Services

The Human Development Report of 1999 states that equity and equality in the distribution and access to goods and services is characterized by “shrinking time, shrinking space and disappearing borders.”

Globalization offers unique opportunities for human progress. But these opportunities are not evenly distributed among people and nations. There is need for stronger governance at the local, national, regional and global levels to make globalization work for people, not just for profits.



One such initiative to make globalization work for the poor is the Opportunities for the Majority Initiative. This initiative builds on the work of C.K. Prahalad's *The Fortune at the Bottom of the Pyramid* and De Soto's *The Mystery of Capital*. It speaks to recognizing that the poor is a vast, untapped market. Companies like Digicel and Jamaica Money Market Brokers have tapped into this by packaging goods and services in small packages that the poor can afford. There are other initiatives by Jamaica National Small Business Loans and Micro-Finance Enterprise Limited to empower the power to become innovators, entrepreneurs and creators of wealth by offering credit to the poor so that they can generate revenue and transform dead capital into risk or working capital for their profitability.



Many programs have been initiated to increase equity and equality. The Social Safety Net Programme is credited with reducing the incidence of poverty in Jamaica from approximately 28% in 1996 to 14.3% in 2006. There is: the Programme for Advancement through Health and Education (PATH); the National Health Fund (NHF); Jamaica Drug for the Elderly Programme (JADEP); the Social and Economic Support Programme, which aids Member of Parliaments to be agents of redistribution in their communities; and institutions such as Jamaica Social Investment Fund (JSIF) which has been instrumental in building capacity in poor communities across the islands through investments in schools, health centres and community centres and even roads (infrastructure). Additionally, there is the CHASE Fund. All these initiatives are geared at increasing equity and equality among Jamaican citizens and these are only some of the programmes.

Environmental Sustainability

Although Jamaica has made substantial improvements in environmental management, many challenges still remain and need to be addressed. Recent evaluations of the state of the environment indicate that there are a number of worrying trends. Among these are: deteriorating air and water quality, poor management of solid, liquid and hazardous wastes, loss of biodiversity, watershed degradation, net loss of forests cover and increasing incidence of fires.

The current state of the Jamaican environment is a concern for both state and non-state actors. Additionally, the many complexities and unique features of the Jamaican environment require a focus on strategies that can be utilized to ensure that the country's developmental objectives are compatible with the natural environment and in keeping with the tenets of sustainable development. In recognition of the importance of the aforementioned, many of government's sectoral policies over the past ten to twelve years, have reflected the importance of sustainability and seek to take into account social environmental and economic factors. The main planning instrument for environmental conservation and sustainable development is the Jamaica National Environmental Action Plan (JANEAP).



The economic and social well-being of Jamaica is directly linked to the state of its natural resources and the quality of the environment. The island's economic activities (tourism, mining etc.) if not carefully undertaken, can negatively impact on the quality of the environment and natural resources. For example, the tourism sector can be negatively impacted on if the natural environment is degraded. There is the need to



consider resource utilization in more sustainable terms. Additionally, each of Jamaica's important economic sectors therefore has significant environmental aspects and impacts.

Jamaica has initiated various policy responses to address environmental and planning issues – new policies, strategies and action plans, laws and regulations, and becoming party to several multilateral and regional environmental agreements. Notwithstanding, much of the problems hindering progress in the environment and sustainable development arena relate to the inadequate policy, legislative and institutional capacity in critical areas of the system. In addition to a number of general outdated legislation, a critical issue is the inadequate enforcement of existing legislation. Another issue is that

relevant institutions involved in environmental management lack the capacity (financial, human, physical) to effectively execute their mandates and are unable to deal with the complex nature of current problems. Some of this is manifested in the level of post-permit and on-going monitoring and in the country's inability to effectively use market-based incentives or disincentives to improve environmental management.

In spite of the interdependence between the Jamaica economy and the natural environment, there is evidence of a tendency to undervalue natural capital. The result is lack of sustainable use of resources leading to resource depletion and environmental degradation.

Current Initiatives towards Improving the Face of Governance in Jamaica

The following initiatives set out below, many led by Government and others supported by the Government and the rest of civil society, individually and collectively, are seeking to meet the benchmarks of good governance.

Recent Modernization Initiatives (after the mid-1990s) within the Public Sector include:

1. Establishment of nine (9) Executive Agencies as an alternative form of service delivery to the more traditional departments, statutory corporations, government companies and trusts.
2. Introduction of a Financial Management Information System (FMIS) – this is a computer system that provides for timely and accurate accounting of budget expenditure and non-tax revenue by all ministries, departments and entities that receive their budget allocation via warrants of expenditure. The Programme has all the requirements for the management of expenditure in programme accounting format from the Budget stage to the actual preparation of cheques and bank reconciliation.
3. Human Resource Management Information System (HRMIS) - is a comprehensive human resource management information system that provides data on training, succession planning, pension administration and personnel profile reports on every employee in the public sector.
4. Tax Administration Project (TAXARP)
5. Human Resources Policy (including Training)
6. Job Evaluation Review Programme
7. Public Service Pay Review Programme
8. Pensions Reform (including a Green Paper on Pension Reform)
9. Rationalization of State-owned Public Enterprises
10. Review of the Staff Orders
11. Amendment of the Public Service Regulations
12. Health Sector Reform (including Regionalization)
13. Education Decentralization



14. Reform of Secondary Education (ROSE)
15. Local Government Reform Programme
16. Labour Market Reform
17. Delegation by the Public Service Commission of Human Resource Management functions
18. Ministry of Finance Human Resource Delegation
19. Procurement
20. Justice Reform and Review of the Justice System - The Justice System Review will include a review of Jamaica's justice system, and presentation of the recommendations for its improvement including sector policies, technical standards and operational forms, enhance public accountability, strengthening of internal and external controls and reporting; and the development of strategies to facilitate a swifter and more affordable justice system.
21. Financial Sector Reform
22. E-Government
23. Revamping the system of awarding contracts through, inter alia, the creation of a National Contracts Commission
24. Citizen's Charter/Customer Services – with emphasis on improved customer service by way of citizen's charters and other forms of customer service improvements
25. Performance Management Review - the introduction of a system of a system of performance management formalized by the signing of performance agreements between permanent secretaries and the Cabinet Secretary in April 2000 and the undertaking of the performance reviews of each Ministry by the Cabinet Office on a yearly basis.
26. Efficiency Measures Review (The Orane Report) – Reducing Waste in the Public Sector and Introduction of Environmental Stewardship Programmes in some ministries/departments towards reducing waste and environmental impact of government operations
27. Social Policy Framework (JASPEV)
28. Social Safety Net Reform for example, the PATH programme
29. Public Sector Modernization Project
30. Strategic Reviews of the Ministries of Finance and Planning, Education and Culture, Health and National Security and Justice
31. The complete revamping of the Cabinet Office in mid-1993 from traditional functions of preparing agendas for Cabinet Meetings, recording decisions, and transmitting decisions, to functions much more extensive in scope and more akin to those in the older Commonwealth countries of the United Kingdom and Canada. These new responsibilities include the Administrative Reform Programme II (ARP II); Policy Coordination and Analysis; some functions of the Ministry of the Public Service, including Corporate Planning. The Cabinet Secretary, as defined by the Constitution, has been given clear responsibility for



Cabinet Services as well as any other functions determined by the Prime Minister. He is also the Secretary to the Cabinet and serves as the Head of the Civil Service and Chief Advisor to the Prime Minister. The Cabinet Secretary oversees the implementation of decisions taken by Cabinet and chairs the Committee of Permanent Secretaries. The Cabinet Secretary has been given the responsibility for directing administrative reforms within the public sector.

32. Peace Management Initiative

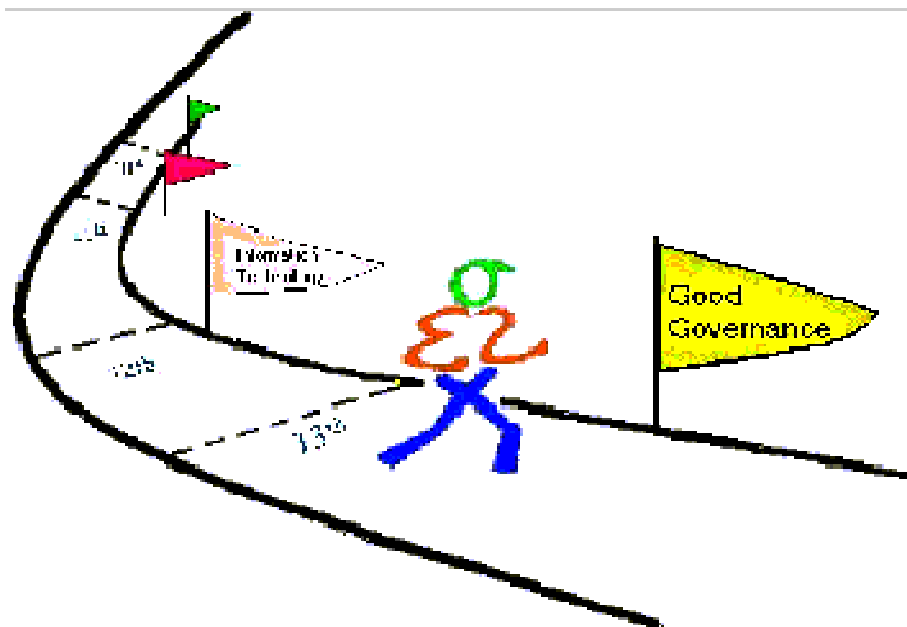
The various reforms that have been or are being put in place represent commitment on the part of the Government to establishing good governance as the most critical and fundamental enabling environment for achieving its overall development goals.

SWOT Analysis

The SWOT Analysis for governance presented below is underpinned by the World Bank's six indicators of the quality of governance, namely:

- Voice and Accountability
- Political Stability and Absence of Violence
- Rule of Law
- Government Effectiveness
- Regulatory Quality
- Control of Corruption

This SWOT analyses the state of governance in Jamaica and, along with the Situational Analysis presented above, will form the basis for identifying goals, objectives and strategies that could be employed to addresses the weaknesses endemic to the sector, and capitalize on the opportunities to generate a more fulsome state of governance.



	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
Strengths	<ul style="list-style-type: none"> • Freedom of the Press 	<ul style="list-style-type: none"> • A world class electoral system • A strong tradition of parliamentary democracy • Political Stability • Open and fair elections • Most Civil liberties are constitutionally recognized 				<ul style="list-style-type: none"> • Access to Information Act, resulting in improvements in accessing information from Government entities • Application of the Consultation Code
Weaknesses	<ul style="list-style-type: none"> • Slow pace of 	<ul style="list-style-type: none"> • Political 	<ul style="list-style-type: none"> • Current state 	<ul style="list-style-type: none"> • Weak ethical 	<ul style="list-style-type: none"> • Weak regulatory 	<ul style="list-style-type: none"> • Weak state

	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
	<p>development of appropriate guidelines/laws/procedures for adherence to effective governance principles (regulatory quality)</p> <ul style="list-style-type: none"> • Weak accountability mechanisms • Capacity of civil society to hold government accountable • Lack of trust by population to government • Narrowly defined mechanisms for citizen participation in 	<p>socialization/culture of the society</p> <ul style="list-style-type: none"> • The current Westminster System of Government which is confrontational and which does not lend itself to consensus and power sharing • Low levels of representation of women in leadership positions 	<p>of Justice system</p> <ul style="list-style-type: none"> • Corruption in the Police Force • Delays in the administration of justice 	<p>framework on both public and private- resulting in corruption</p> <ul style="list-style-type: none"> • Unions have not come abreast of globalization 	<p>framework to protect human rights</p> <ul style="list-style-type: none"> • Lack of internal capacity of some NGOs/CBOs to effectively facilitate community participation 	<p>institutions</p> <ul style="list-style-type: none"> • Perception by the public that many public sector institutions are not effectively carrying out their functions • Lack of trust to institutions (weak social capital) • Lack of transparency of public, corporate and citizen organizations and officials • Slow pace of decentralization

	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
	<p>decision-making processes</p> <ul style="list-style-type: none"> • Lack of resources to monitor and enforce the implementation of laws, policies etc. • Lack of appropriate sanctions • Intolerance of individual human freedoms • Lack of whistleblower protection • Uninformed citizenry • Accountability of civil society to the wider society • Accountability of private sector to the 					<ul style="list-style-type: none"> • Undervaluing environmental capital leading to degradation and loss of ecosystems resulting in economic loss

	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
	<p>wider society</p> <ul style="list-style-type: none"> • Low personal responsibility • Weak values and attitudes 					
Opportunities	<ul style="list-style-type: none"> • Websites of Government entities • GOJ Policy Register • Access to annual reports of GOJ entities by the public • Information and communications technologies • Community internet access points • Integrity Commission 		<ul style="list-style-type: none"> • The Child Care and Protection Act (CCPA) • Office of the Children's Advocate (OCA) • Caribbean Court of Justice (CCJ) 			<ul style="list-style-type: none"> • Public Sector Reform • The current process of the reform of the Justice System • Local Government Reform • Constitutional Reform • Corruption Prevention Act

	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
	<p>for Members of Parliament</p> <ul style="list-style-type: none"> • Funding of Political Parties Act 2006 (draft) • National Contracts Commission, Contractor-General and the Auditor-General • Public Accounts Committee • Anti-Corruption Commission of the Jamaica Constabulary Force • Office for the Prevention of Corruption • Financial Services Commission 					<ul style="list-style-type: none"> • National Security Strategy 2006 • Threshold 21 (T21) • International Development Partners • Ratification of major international accords/treaties • Environmental Management Framework

	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
	<ul style="list-style-type: none"> • Ethics Officers • White Paper 56/2002 – “Government at your Service” • Tripartite or Social Partnership Agreements between Government, Trade Unions and the Private Sector (e.g. MOU) • Medium Term Framework (MTF) • Vibrant civil society in advocacy • Parish Development Committees – best practice Manchester • Code on Corporate Governance 					

	Voice and Accountability	Political Stability and Absence of Violence	Rule of Law	Control of Corruption	Regulatory Quality	Government Effectiveness
	<ul style="list-style-type: none"> • Regulation of professionals (codes of conduct) 					
Threats	<ul style="list-style-type: none"> • Lack of accurate and timely information 	<ul style="list-style-type: none"> • Declining voter turnout (apathy) • Escalating Crime and Violence • Corruption • Entrenched two party political system • Persistence of Garrisons • Squatting • Gangs 	<ul style="list-style-type: none"> • Lack of budgetary support for implementation and enforcement of laws 	<ul style="list-style-type: none"> • Perception that there exists high levels of Public Sector Corruption 	<ul style="list-style-type: none"> • Outdated legislation 	<ul style="list-style-type: none"> • Rising debt • Poverty • Informal Sector/Economy • Unemployment • Weak national security capabilities (terrorism, macro-trafficking, illegal firearms, human trafficking)

The Proposed Vision

Jamaica is served by quality public institutions which partner with society to create efficient and effective; accountable and transparent; ethical and just outcomes which engender the trust and confidence of the Jamaican people while enabling self-actualization.



Incorporation of Best Practices in Sector Plan

A document on international best practices (IBPs) in public, private and civil society was one of the deliverables set by the Governance Task Force. The IBPs were invaluable because they served as litmus tests or parameters, per se, in evaluating Jamaica's performance, in each domain of Governance, against international benchmarks and practices in other developed and developing countries. Examples of these benchmarks are outlined below and it is relatively easy to see how these are reflected in the SWOT and the Goals, Objectives and Strategies.

- Regulations that are transparent and that are easy to comprehend and adhere to will limit the propensity to indulge corruption.
- Information is critical to "good" governance.
- The judiciary must be independent.
- Participatory budgeting can heighten citizen participation and accountability for the alignment of priorities with budgetary allocations.
- Strong enforcement results in good governance at all levels.
- Benchmarking regionally and internationally is important.
- Innovation and the capacity to adapt are fundamental tools for state and non-state governance.
- Strong social capital and strong partnerships are positively linked to good public sector governance.

Ultimately, "an open, outward-oriented mentality and structure"³⁵ underlie international best practices in state and non-state governance principles.

³⁵ Low 2005: 33.

Goals, Objectives and Strategies

The Sector Plan encompasses the steps we need to take in Jamaica to establish effective governance. While Jamaica has made inroads on the Governance landscape, there are still many standards/benchmarks to attain in realizing a system of governance that is world-class. This Governance sector plan will enable Jamaica to attain a system of governance which is acknowledged by citizens, at home and in the Diaspora, and the international community.

Sector goals are, therefore, designed to advance the principles of effective governance:

1. Accountability and transparency
2. Participation in decision-making processes at all levels
3. Efficient economic management
4. Equity and equality
5. Justice
6. Human rights and freedoms
7. Partnerships based on common desired outcomes
8. Ethics
9. Trust
10. Quality of Leadership
11. Civic Pride



Road to Good Governance

SECTOR GOALS	SECTOR OBJECTIVES	SECTOR STRATEGIES
<p>More effective, complementary and transparent government structures, seeking to move decision-making closer to the people</p>	<ul style="list-style-type: none"> • Create Quality Public Institutions 	<ul style="list-style-type: none"> • Foster world-class customer service and professionalism in all public institutions • Create mechanisms for efficient and effective delivery of services • Create efficient and effective regulatory environment, that is responsive to change and dynamic • Build capacity of the public sector entities to effectively implement stated mandates • Build into practices and organizational principles openness and accountability • Build an ethical framework to diminish both the practice and perception of corruption • Ensure access by all to fair treatment and equality in the distribution of goods and services, through the creation of appropriate mechanisms • Develop transformative leadership in public officials
	<ul style="list-style-type: none"> • Create mechanisms for effective citizen participation in decision-making processes 	<ul style="list-style-type: none"> • Effectively infuse participatory processes in government business, national policy framework, investment processes • Strengthen the capacity of local organizations/bodies to facilitate citizen participation • Create frameworks to ensure that information is accurate and accessible to all
	<ul style="list-style-type: none"> • Create mechanisms to regain public trust in public and private authorities and institutions 	<ul style="list-style-type: none"> • Facilitate access to information at all levels of the citizenry • Ensure constant flow of information from government to non-state actors and vice-versa • Institutionalize a culture of openness and accountability to institutions and citizens

SECTOR GOALS	SECTOR OBJECTIVES	SECTOR STRATEGIES
		<ul style="list-style-type: none"> Establish tri-partite partnerships
A modern, inclusive and responsive political system that reflects the socio-cultural and historical realities of Jamaicans.	<ul style="list-style-type: none"> Reform the entrenched two-party system 	<ul style="list-style-type: none"> Eliminate political tribalism De-garrison inner-city communities
	<ul style="list-style-type: none"> Achieve a system of government that is participatory and consensual 	<ul style="list-style-type: none"> Increase and maintain female representation in political leadership positions Maximize voter turn-out
A transparent and accountable state, private sector and civil society of world class standards	<ul style="list-style-type: none"> Foster a culture of innovation linked to transparency and accountability in all the domains of governance 	<ul style="list-style-type: none"> Robust guiding ethical framework that guides the operations of the private sector and civil society Establish reporting mechanisms Promote modern unions with a global perspective Create a legislative framework to facilitate coverage of private sector and civil society Create systems that engender high quality leadership in non-state institutions Offer incentives for innovation that enhance governance
A secure and safe society geared towards protection of self and nation	<ul style="list-style-type: none"> Reform and modernize the justice system to world class standards 	<ul style="list-style-type: none"> Expedite justice Explore regional agreements on security and justice
	<ul style="list-style-type: none"> Strengthen the system of national security so that all citizens can trust and feel safe. 	<ul style="list-style-type: none"> Create mechanisms to address local and global terrorism Build capacity of local law enforcement to address security challenges effectively Improve border security Create a world-class and professional security force that has the trust of all citizens Create mechanisms for efficient and effective delivery of security services

SECTOR GOALS	SECTOR OBJECTIVES	SECTOR STRATEGIES
		<ul style="list-style-type: none"> • Create efficient and effective regulatory environment, that supports the changing security needs of the nation • Build capacity of the public sector entities to effectively implement stated mandates • Build into practices and organizational principles openness and accountability in the execution of security services • Build an ethical framework to diminish both the practice and perception of corruption in the security force
	<ul style="list-style-type: none"> • Encourage tolerance and respect for human rights and freedoms 	<ul style="list-style-type: none"> • Build capacity across the society to facilitate respect for diversity and privacy towards creating an atmosphere of tolerance •
	<ul style="list-style-type: none"> • Inculcate civic pride 	<ul style="list-style-type: none"> • Strengthen national identity towards fostering the promotion of positive Jamaican values and attitudes • Create mechanisms to reinforce positive work ethics and accomplishments of Jamaican people

The Way Forward (Incomplete)

The 1st draft of the sector plan for Governance will be presented to the Planning Institute of Jamaica on May 31st, 2007. It will then be forwarded to the Plan Advisory Group (PAG) for review and comment. Comments from the PIOJ and the PAG will be reviewed and discussed by the Task Force and where appropriate incorporated into the draft sector plan.

Some key steps in the plan development process after May 31st includes:

1. Present first draft Meeting/Workshop to be held in June to with members of the Governance Task Force and JASPEV technical working group on Governance (TWG) to review first draft and decide on next steps especially as it relates to consultations of critical players in the sector
2. Undertake consultations of the first draft with key stakeholders to be identified by the PIOJ, the Chair and the PAG
3. Development of an Action Plan – moving beyond initial strategies to the identification of actions, timelines, indicators and targets and responsibility centres
4. Application of T21³⁶ - run scenarios with individual/combined policy variable changes with T21; identify consistencies, and commence preparation of Second Draft Sector Plans including long-term and short-term action plans; identify inconsistencies, which may be caused by: resource constraints and/or unexpected interactions between variables
5. Submission of second draft of the sector plan by October 30th, 2007

³⁶ The application of T21 will be used where applicable and the where the scenario and data exists.