



Jamaica Citizen Scorecard Development



Table of Contents

Executive Summary	2
I. Introduction	5
II. Methodology	9
a. Scope of the Survey	10
b. Survey Instrument Modules	10
c. Population and Sampling	10
d. Limitations	11
e. Data Entry, Analysis and Report Writing	11
f. Analysis of Questionnaires	11
g. Assessment of Verbal Information Received	51
III. Methodology for Scorecard Design	61
a. Justice System Service Standard I	62
b. Justice System Service Standard II	63
c. Justice System Service Standard III	64
d. Justice System Service Standard IV	64
e. Justice System Service Standard V	65
IV. Other Issues for Consideration	66
V. Scorecard Pilot Testing Process	69
a. Scope of the Survey	69
b. Population and Sampling	70
c. Data Entry, Analysis and Report Writing	70
d. Analysis of Scorecard Pilot Testing Questionnaires	70
VI. Scorecard Implementation and Monitoring Plan	66
Annex A: Draft Scorecard	86
Annex B: Matrix of Service Standards, Criteria, Definitions and Relevance	89
Annex C: Indicator Sheets	97
Annex D: Baseline Scorecard	106
Annex E: Documents and Materials Consulted	107
Annex F: Public Consultations	109
Annex G: Questionnaire Disseminations and Compliance	114
Annex H: Input Tracking Matrix	120
Annex I: Profile of Darby Darby & Associates	121
Annex J: Data Instruments	126

Executive Summary

The Citizen Scorecard development assignment was commissioned by the Ministry of Justice (MOJ)/Justice Reform Implementation Unit (JRIU) based on the need at this time to establish a workable feedback mechanism between the citizenry of Jamaica and the Ministry of Justice on how proposed and ongoing justice reform initiatives were being understood by the citizenry and what was their perception of how well the reforms were being undertaken and sustained over time. The objective was to know people's perceptions about service delivery, identify possible intervention areas, assess the level of trust of justice officials, the levels of transparency and accountability in the dispensation of justice and the level of impartiality and consistency of judges in the dispensation of justice.

A questionnaire, provided in Annex J to this study, was designed by Darby Darby & Associates for the study of various groups of organizations and individuals whose organizational and individual livelihoods were affected positively or negatively by their access to the justice system in Jamaica. The questionnaire was designed to enable Darby Darby & Associates acquire a fair understanding of the experiences and challenges that the various groups and individuals encounter in accessing justice. Apart from information gathered on specific thematic areas, respondents were further asked to objectively rate justice providers on issues such as accessibility, availability, quality and reliability. A total of three hundred and sixty three (363) Questionnaires were disseminated for the survey, targeting residents in the parishes of Kingston, Saint Andrew, Saint Thomas, Saint Mary, Portland, Saint Ann, Trelawny, Saint James, Hanover, Westmoreland, Saint Elizabeth, Manchester and Clarendon. In addition to the dissemination of the Questionnaires to a wide cross-section of justice service providers and users (see Annex G); personal interviews were also conducted with the Questionnaires recipients identified in Annex G. These interviews sought to elicit information that might not necessarily have been revealed through the Questionnaires completion process. A detailed rendition of the information obtained from these interviews and the percentage weightings attached to various items of topical interest are located in the body of the consultant report.

Detailed information on various justice system thematic areas that will provide valuable information to the Ministry of Justice as it proceeds with reforms to the Jamaican justice system is presented in pictorial form throughout the consultant report.

It was not part of the consultant's remit to undertake survey initiatives with the Jamaica Constabulary Force (JCF) or the Correctional Services, as these sectors fall under the auspices of the Ministry of National Security. As can be seen in the Criminal Justice Decision Points Diagram in Figure 1 below, the efficient functioning of these sectors do have an impact on how well, or how badly, the rest of the justice system functions and the Ministry of Justice might wish to encourage the Ministry of National Security to undertake a Citizen's Scorecard assessment exercise similar to this one in the near future. Despite this limitation, the consultant, through the Justice Reform Implementation Unit (JRIU) of the Ministry of Justice, initiated dialogue with the Commissioner of Police, and through him to a senior member of the JCF, to obtain contextual information on a number of related justice system convergence points, including the treatment of juveniles and possible future convergent law revision and reform efforts. The Permanent Secretary in the Ministry of National Security was also interviewed with a view to eliciting his

viewpoints on those justice reform and other issues that could usefully assist the successful completion of this consultancy assignment.

A Draft Citizen's Scorecard that was prepared for submission and approval by the Ministry of Justice/JRIU was pilot tested by the consultant during the month of September, 2013. Pilot testing was undertaken through the instrumentality of a specific Questionnaire developed by Darby Darby & Associates which keyed responses to the statements contained in the previously drafted and approved Draft Citizen's Scorecard. Information for the pilot testing was obtained through the conduct of a number of public consultations in both rural and urban areas of Jamaica. An online survey was also conducted using the specific Questionnaire that was developed. A total of two hundred and eighty four (284) Questionnaires on this topic were disseminated in this regard. The detailed results of the pilot testing are presented in the consultancy report and point to the fact that the representative sample of persons that participated in the pilot testing were of the view that the questions asked in the Draft Citizen's Scorecard were clear and unambiguous and were appropriate in their nature, scope and extent for the measurement of the status of justice reform initiatives to be undertaken over time by the MOJ/JRIU. The information obtained from the public consultation and online survey sources has been embodied in the Draft Citizen's Scorecard and this Scorecard has now been converted into a Baseline Scorecard that can be used as the point of reference to track identified changes occurring in various areas of the justice system in future Citizen's Scorecard updates administered by the MOJ/JRIU. This Baseline Scorecard is presented in Annex D of the consultancy report. It is anticipated that future Scorecard updating activities will be conducted and monitored by the MOJ/JRIU at periodic intervals in accordance with the terms of the detailed Implementation and Monitoring Plan that is provided in Section VI of the report.

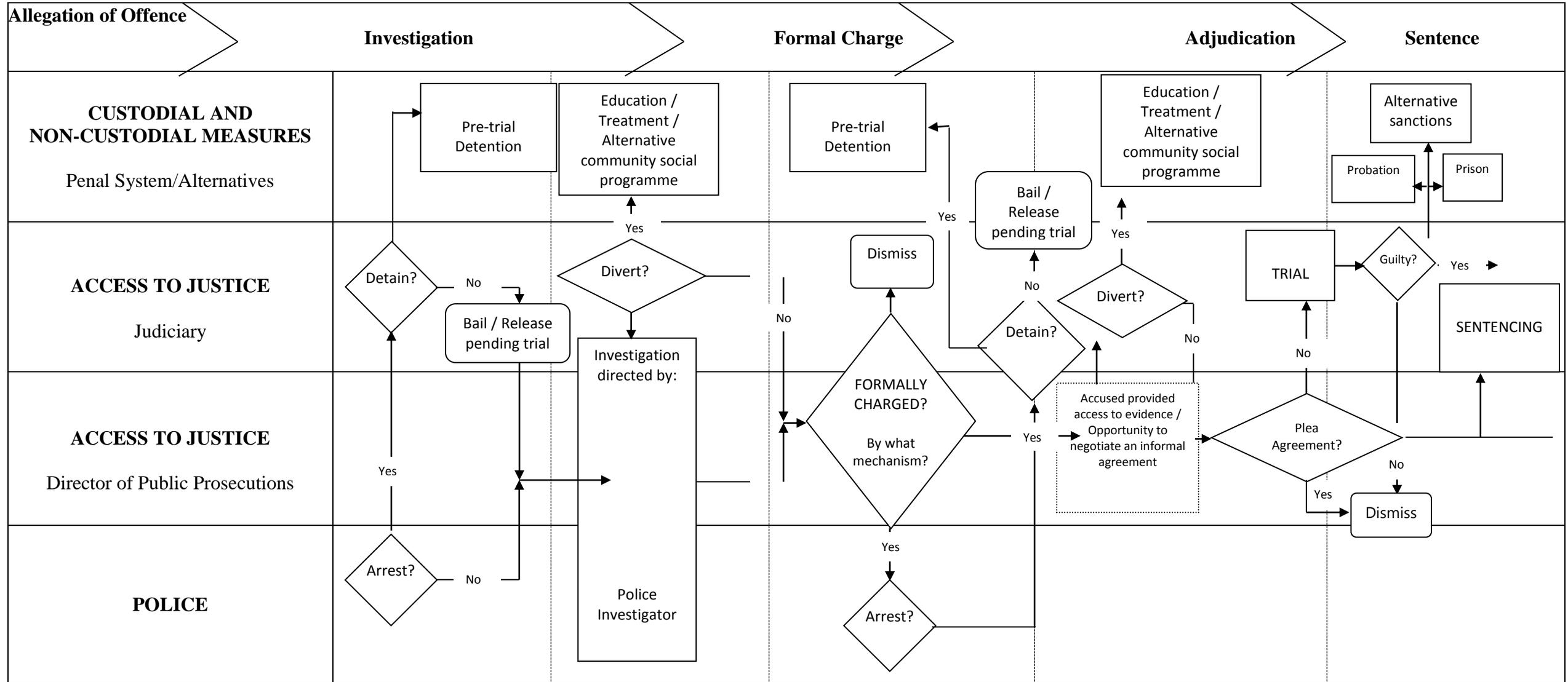
In conclusion, as was stated in "Jamaica 2015,"¹ "One of the major challenges that a policy review faces in Jamaica is to overcome a general skepticism about this kind of exercise. This is built on a common perception (built on experience) that however good the analysis may be—nothing much will happen in the end. It is reasonable to conclude – on the basis of experience—that our problem in Jamaica does not consist of a lack of capacity for analysis, but rather an inability to find ways and means of translating intentions into effective action."

It is the confident hope and expectation that the users of this report will translate its findings and recommendations into effective action that will result in the establishment of a workable feedback mechanism between the citizens of Jamaica and the Ministry of Justice on ongoing and completed justice system reforms.

¹ A framework and action plan for improving effectiveness, collaboration and accountability in the delivery of social policy, page 9

Figure 1

DECISION POINTS IN THE CRIMINAL JUSTICE PROCESS



I. Introduction

The MOJ is responsible for advancing, upholding and facilitating the Rule of Law in the delivery of justice in Jamaica. It administers and delivers justice services, as well as provides policy support and analyses on justice issues. The MOJ is mandated to ensure a balanced national legal framework, to provide an accessible, efficient and fair system of justice for all; to promote respect for rights and freedoms, the Constitution and the Law and to promote an awareness of individual responsibilities and civil obligations.

The MOJ has portfolio responsibilities for the following subject areas:

- ❑ Administration of Justice
- ❑ Conditional Discharge of Forensic Psychiatric Inmates
- ❑ Constitutional Reform
- ❑ Coroners
- ❑ Dispute Resolution
- ❑ Enquiries into the causes of Fire and Accidents
- ❑ Extraditions
- ❑ Justices of the Peace
- ❑ Legal Education
- ❑ Legal Profession
- ❑ Marriage Licenses
- ❑ Mutual Legal Assistance in Criminal Matters
- ❑ Notaries Public
- ❑ Obscene Publication Act
- ❑ Protection of Human Rights
- ❑ Victim Support

The MOJ implements its strategies through its various Implementing Divisions, Departments and Agencies. These are identified below:

Implementing Divisions:

- ❑ Internal Audit

- ❑ Criminal and Civil Justice Administration
- ❑ Finance and Accounts
- ❑ Strategic Planning, Policy Research and Evaluation
- ❑ Human Resource Management and Administration
- ❑ Human Rights
- ❑ Justice Reform
- ❑ Legal Services
- ❑ Management Information Systems
- ❑ Modernisation and Strategic Analysis
- ❑ Projects and Allied Services/Property Management
- ❑ Justice Education/Public Relations
- ❑ Justice Training Institute
- ❑ Victims Support

Implementing Departments and Agencies

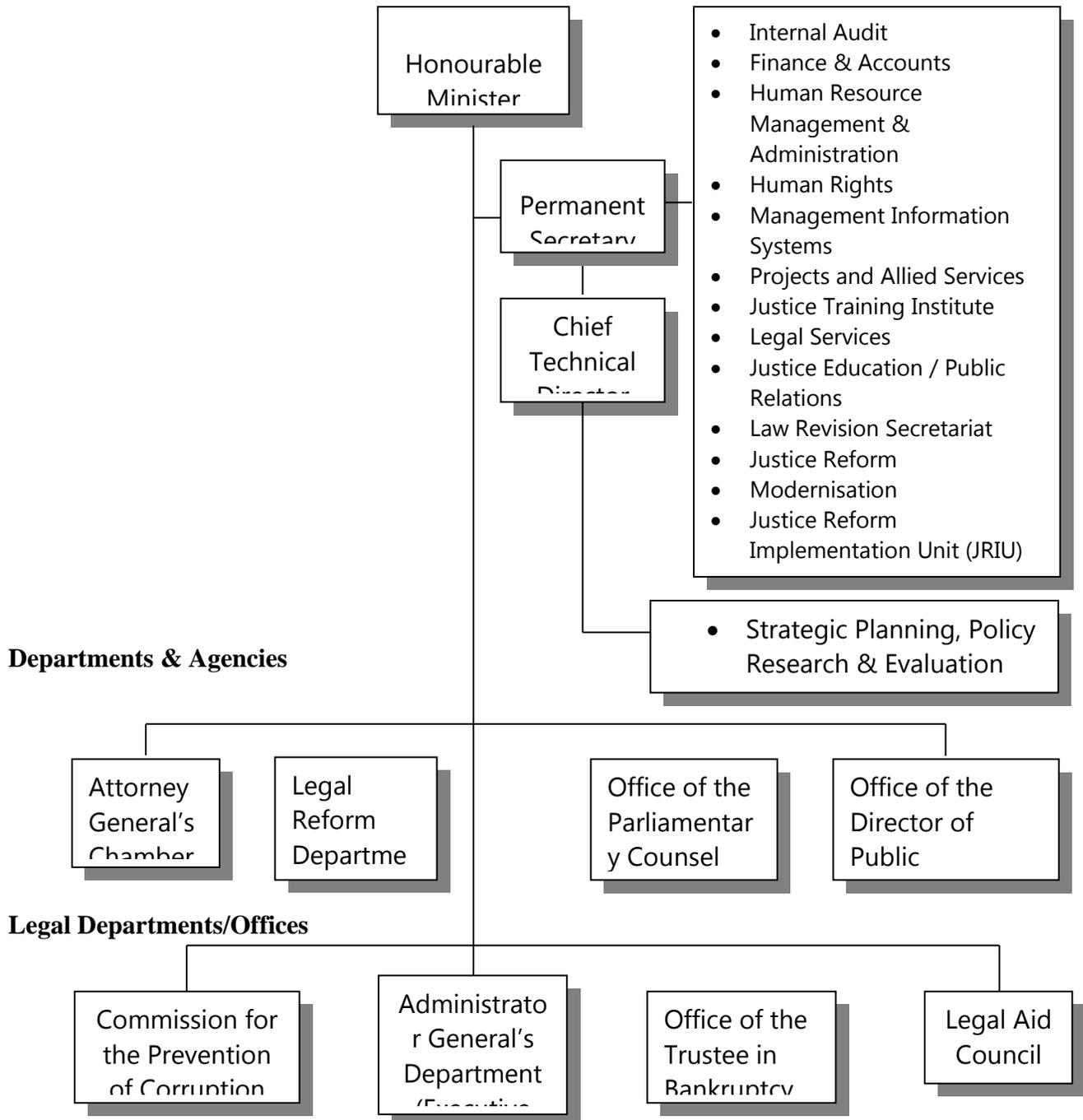
- ❑ Administrator General's Department
- ❑ Attorney General's Chambers
- ❑ Commission for the Prevention of Corruption (for administrative purposes only)
- ❑ Court Management Services (to become autonomous)
- ❑ Office of the Director of Public Prosecutions (ODPP)
- ❑ Law Revision Secretariat
- ❑ Legal Aid Council
- ❑ Office of the Parliamentary Counsel (OPC)
- ❑ Office of the Trustee in Bankruptcy (OTB)
- ❑ Dispute Resolution Foundation (receives a subvention)

- Council of Legal Education (which has responsibility for the Norman Manley Law School) (receives a grant)

The above responsibilities and management relationships are captured in the MOJ Organisational Structure Diagram presented in Figure 2 below:

Figure 2

MINISTRY OF JUSTICE ORGANISATIONAL STRUCTURE



The Government of Jamaica has identified justice reform as a key national development priority and to this end there have been wide ranging consultations and the development of a plan that essentially provides a roadmap for implementing the necessary areas of reform over time. Entitled the Justice System Reform Policy Agenda Framework, 2009, it has as its purpose **“the delivery of a “justice system that is more trusted, accessible and accountable and works together with the private sector and civil society to deliver all necessary services efficiently and effectively.”**² The Framework identifies seven (7) priority areas or pillars upon which successful delivery of justice depends. Among these priorities is **“strengthened public trust and confidence.”** The Framework also identifies the critical need to monitor and evaluate progress in implementing the necessary reforms.

It is against this background that the Ministry of Justice (MOJ)/Justice Reform Implementation Unit (JRIU) commissioned the technical assistance services of Darby Darby & Associates to design a Citizens’ Scorecard that can operate as a feedback mechanism between the citizens of Jamaica and the MOJ/JRIU for monitoring the progress of justice reform in Jamaica. This Citizens’ Scorecard will be focused on the objective of strengthening public trust and confidence in the Jamaican justice system; provide a feedback mechanism between the citizenry and the government and other interested parties and provide useful information about the progress of reforms that directly affect the public’s trust and confidence in the justice system’s services delivery.

The use of Citizens’ Scorecards is well documented as a participatory tool for facilitating public feedback on services such as utilities, health care and education that over time allows government and other parties to track the performance of various service sectors and service providers. The Citizens’ Scorecard focuses its data collection efforts at the level of a household or individual unit and is meant to provide data for sector-wide or policy level responses. The main output from a Citizens’ Scorecard is data reflecting the demand side of services translated into actual scores. Information for its compilation is collected through questionnaires and it can be used as an effective conduit for the delivery of public education information. Based on its experience with the use of the scorecard tool, the World Bank³ identifies the following important benefits and features of its use:

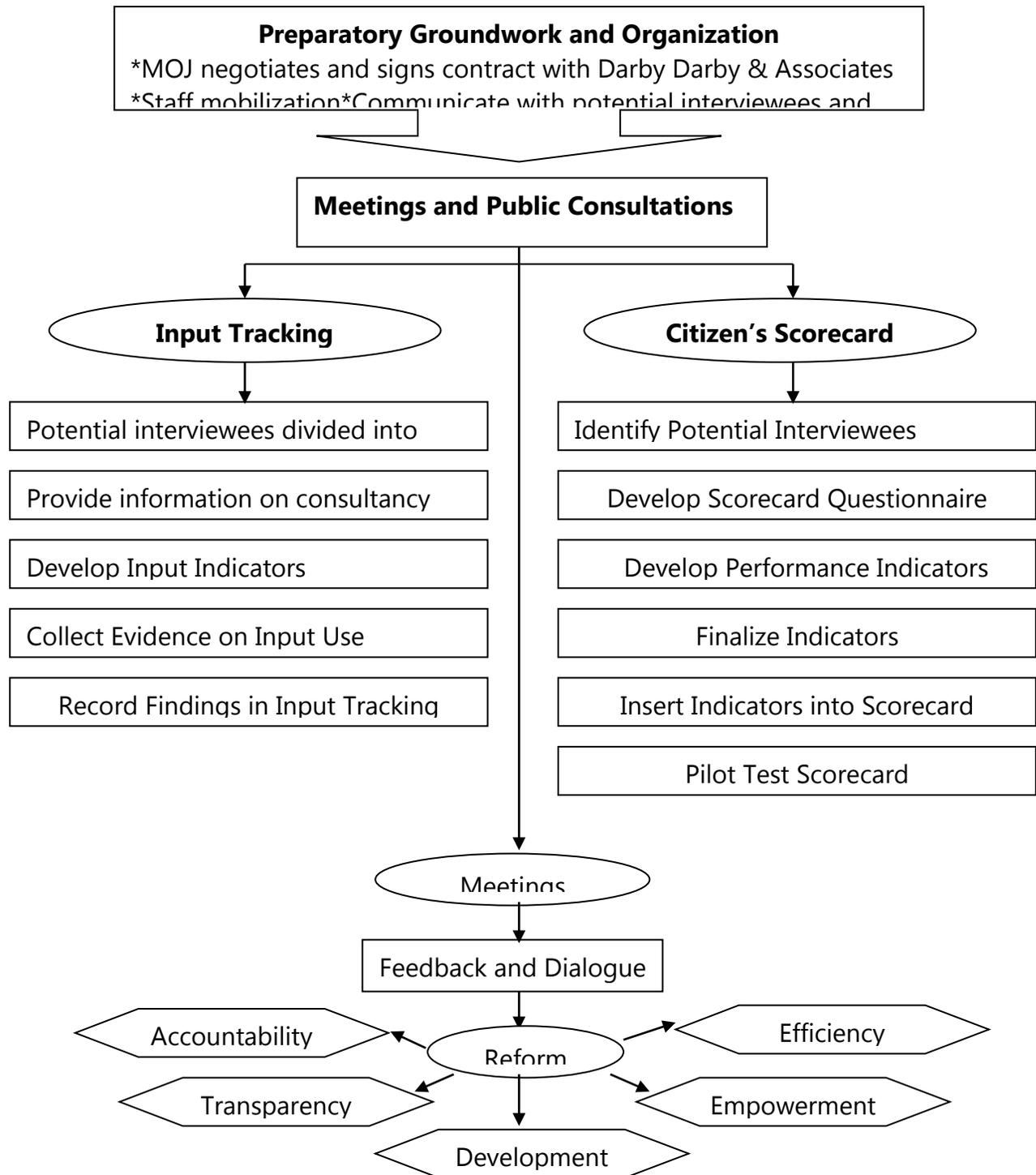
- ❑ Generates experience driven, scientifically analyzed and quantified knowledge that makes it difficult for the service providers to ignore it.
- ❑ Enhances public awareness on issues of service quality. They encourage citizens to proactively demand greater accountability, accessibility and responsiveness from service providers.
- ❑ Facilitates open and proactive discussion on the performance of public agencies. In many cases, it has led to enhanced responsiveness and reforms to improve the quality of service.
- ❑ Enables ministries and planning departments to prioritize budget allocations and monitor implementation.
- ❑ Facilitates partnerships by bringing together citizens, CSOs and government and civil society organizations in face-to-face meetings; and
- ❑ Expands “social capital” by uniting communities around issues of shared concern.

² Page 21

³ See Community Scorecard Process- A short note on the General Methodology for Implementation, by Janmejay Singh and Parmesh Shah of the Social Development Division of the World Bank.

II. Methodology

Figure 3: Flowchart of Stages in Scorecard Development Process



a. Scope of the Survey

Citizen Scorecard information gathering activities were conducted in Kingston, Saint Andrew, Saint Mary, Saint Elizabeth and Montego Bay. A wide cross-section of private firms, civil society organizations and individuals representing highly diverse interests, and use of the justice system, were consulted.

b. Survey Instrument Modules

A questionnaire designed by Darby Darby & Associates to obtain the information from the groups and individuals identified above sought to access information at the organizational and individual justice system user levels. The MOJ and JRIU approved this Questionnaire prior to its dissemination for responses from various interviewees. The Questionnaire, although segmented in modules for electronic transmission purposes, sought to obtain information from the groups and individuals identified in such areas as, justice system performance within the context of provision of services, access to relevant justice information, the use of Automatic Dispute Resolution mechanisms, access to legal aid, and access to the laws of the land. Interviewees were also asked about the challenges in accessing justice service providers, for example, distance, means of transportation, etc. Questions were also asked with regard to the prioritization of legal reform initiatives among various identified options.

Separate public consultation exercises where citizens from a wide cross-section of society were given the opportunity to comment on wide-ranging topics covered by the Questionnaires were also participated in Kingston and Saint Andrew, Saint Mary, Saint Elizabeth and Montego Bay.

c. Population and Sampling

The consultant sought to obtain the perception of the Jamaican citizenry as a whole regarding the Justice System and its quality of service delivery. The study incorporated over 650 individuals and it took place in two phases.

Self-administered questionnaires were issued to obtain citizens' feedback on several aspects of the justice system. Questions were structured in three formats, namely open-ended, close-ended type questions that provided optional answers to which the participants could choose or give their own responses and likert scales where the participants could choose a range of responses.

Questionnaires were divided into six sections

- ❑ Demographic Description of Respondents and General Information on the Justice System
- ❑ Reform of the Justice System
- ❑ Laws and Legal Systems
- ❑ Legal Profession
- ❑ Courts
- ❑ Prisons

The consultant employed simple random and purposive sampling in the issuance of the 363 data instruments. 30% of the sampling units were chosen based on the purposive sampling technique. This Sampling Frame was predefined to include individuals who are familiar with or who have had first-hand experience of the justice system. The other 70% of sampling units were selected randomly in the locations highlighted in Annex F, Sections A-E. This type of sampling does not require a sampling frame and offers a superior level of non-bias. The consultant recorded a

completion rate of ninety five percent (95%). The completion rate was calculated using the formula below:

$$(\# \text{ of completed questionnaires} \div \# \text{ of questionnaires issued}) * 100$$

$$(345 \div 363) * 100 = 95\%$$

Locations	Questionnaires Administered
Kingston Metropolitan Area (KMA)	185
Out of KMA areas	178
Total	363

Interviews were also conducted at this stage of the study. The scope of the interviews included but was not limited to the thematic areas outlined above for the questionnaires. The selection process of interviewees modeled that of expert sampling technique. The consultant chose this method as persons with an extensive knowledge of the justice system could provide deeper insights of the level of efficiency and thereby opening new research dimensions. There were 38 persons interviewed in this study.

d. Limitations

- The contractor was asked to use a small sample size and as a direct result, the findings are not totally generalizable or transferrable.
- The contractor was allowed 40 days to conduct several consultations, design and execute survey, collate the information and prepare the report.
- Some persons were not very willing to participate in the study as they feared reprisal
- The consultant used a combination of non-probability and probability sampling techniques to complete this study. Non-probability methods are however not as representative of the population as are the random sampling techniques.
- The convening of public forums did not generally appeal to persons in all social strata.

e. Data Entry, Analysis and Report Writing

A number of in-house and contracted personnel reporting to Darby Darby & Associates were utilised to collect, collate and interpret the information received from the Questionnaires, and through personal interviews, over a three-week period. This process considerably assisted the drafting of this report by the consultant.

f. Analysis of the Questionnaires

General Information

There were 363 questionnaires disseminated in an effort to gather information on the Jamaican legal system and its efficiency.

The Figure 4 below shows that males made up 42% of the study while females made up the other 58%. Female respondents outnumbering the male respondents should not be viewed as a mere coincidence. In actuality, the gender ratio of this study converges with that of the Jamaican population where there are statistically more women than men.

SEX	FREQUENCY	PERCENTAGE
Male	145	42%
Female	200	58%
Total	345	100%

Figure 4

Figure 5 shows that persons from varying age categories participated in the research exercise. The age group that provided the most contribution to research information is the 46-55 age group. This category of persons is a large and growing one in Jamaica.

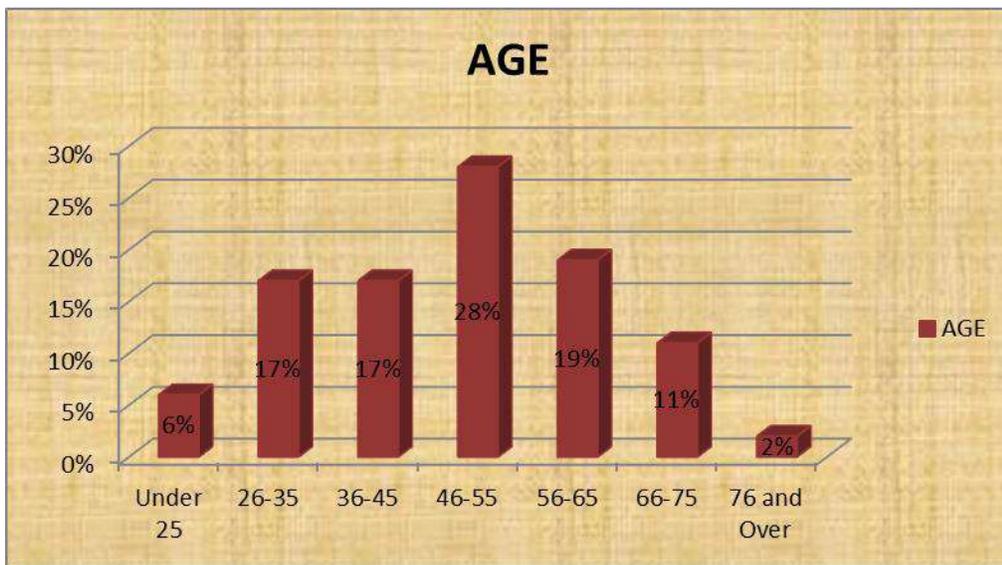


Figure 5

The cohort of individuals surveyed included persons from several fields of work including science and medicine, law, business and finance, education and psychology.

A significant 87% percent of the sample population earns at least \$250,000 per year. Putting this into perspective, approximately 13% of survey respondents are living below the poverty line. This is quite similar to the number of Jamaicans living in absolute poverty.

Figure 6 shows that 81% of the respondents have visited a court. Many of the perceptions that were captured in the study would therefore be based on the actual experience of respondents and not uninformed opinions.

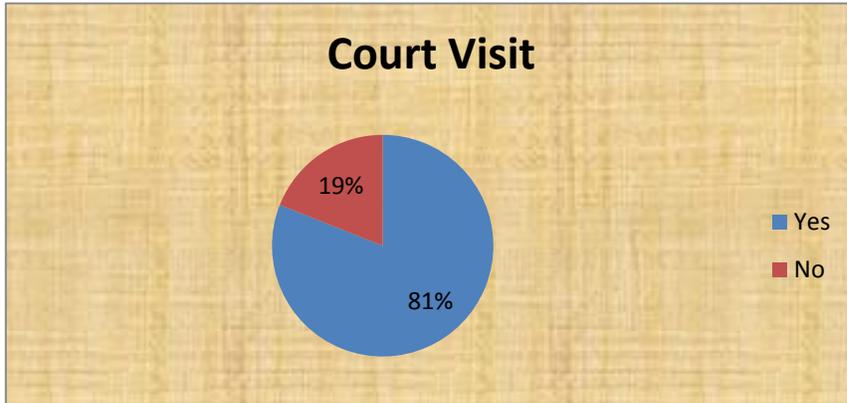


Figure 6

The consultant also gleaned that 81% of those respondents who do visit the courthouses do so by means of a motor vehicle. Taking the mean score of the distance from a person’s home to a court/mediation centre, the data indicates that the typical person resides within a seven-mile radius of a court facility. It is reasonable to conclude users and potential users of court facilities in Jamaica are generally in close proximity to those facilities.

Among the most popular respondent responses for the reasons for undertaking court visits are as follows: As a party to a case, to get information and as an attorney. These responses were weighted 28%, 22% and 15% respectively.

Figure 7 shows that a respective 30% of respondents have been involved in a criminal or civil matter.

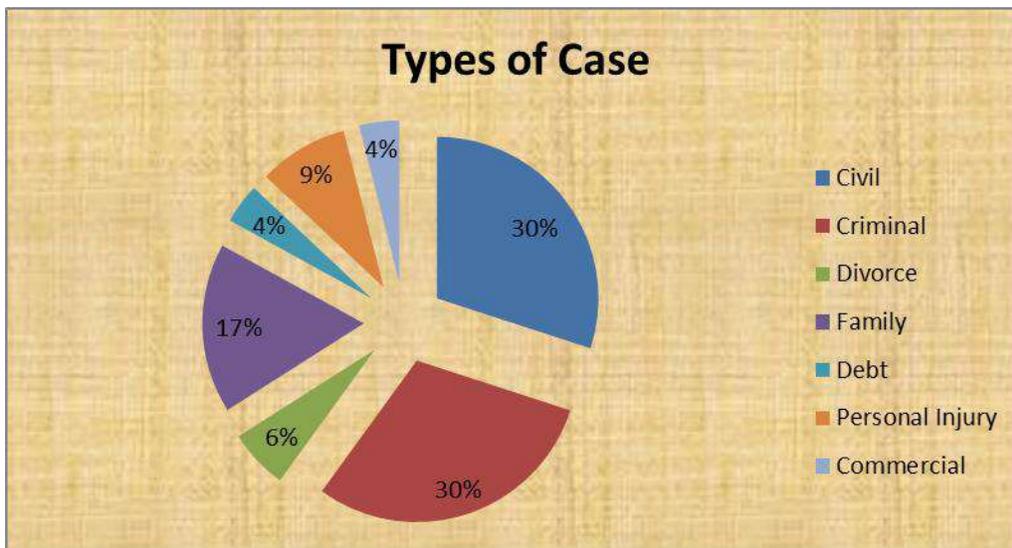


Figure 7

The bar graphs in Figure 8 show the ratings of the conduct of the various categories of personnel working in the court system. Judges, Prosecutors and Police were most ranked as strong-willed, court staff, bailiffs and public servants were most ranked as honest, while the police and lawyers were viewed as predominantly knowledgeable. In comparison to the other court personnel seen as strong willed, the Police apparently exhibited most of this trait.

Conduct of Court Staff

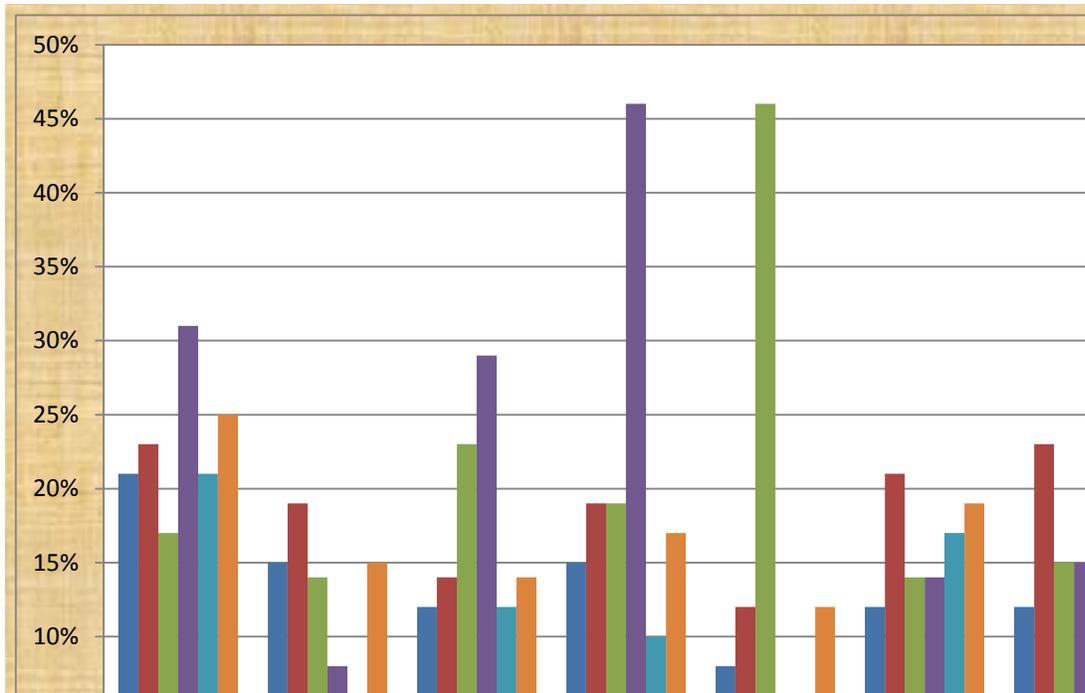


Figure 8

Most respondents in endorsing the good features of the court attested to the cleanliness and good location of courthouses. Conversely, many persons were of the view that the bathrooms, while available, are often in deplorable condition. In addition, respondents mentioned the bureaucratic officiousness of all court employees; with specific reference to magistrates, police, bailiffs and clerks. Courts have been entrusted with the responsibility to efficiently and fairly serve all Jamaicans by providing an impartial, legally recognized and accepted forum for the resolution of disputes. If the personnel that ensure their viability, public perception and acceptance fall short in their customer service duties, this is a critically important area for the mobilization of appropriate MOJ remedial action.

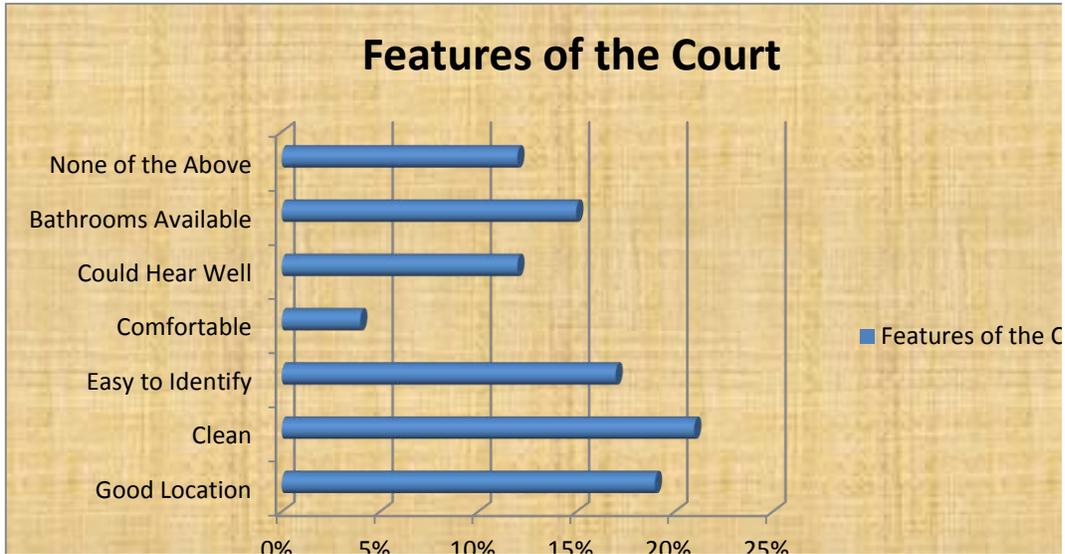


Figure 9

Reform of the Justice System

From Figure 10, 77% of respondents were of the view that incarceration is not the most effective way of deterring crime. The researcher’s findings also revealed that another 77% of respondents believed that the utilization of more non-penal methods would be very effective in deterring crime. As a part of the justice system reform agenda, the Ministry should consider formulating and introducing more non-custodial laws in improving the administration of justice.

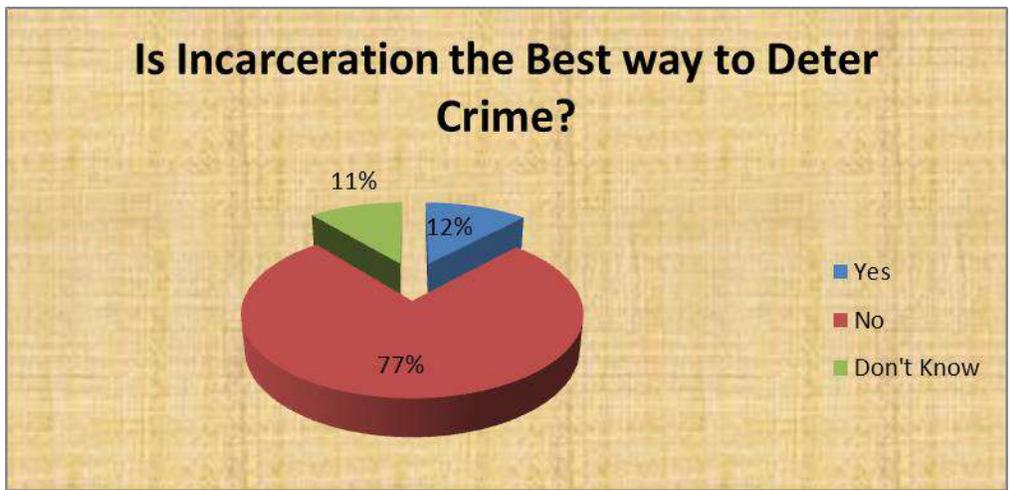


Figure 10

The Ministry of Justice’s Victims Support Unit was found to be well known on the part of survey respondents. The research revealed that 73% of respondents were aware of its existence. However, only 24% of the sampling units were found to have benefited from the unit’s mandate. Looking at Figure 11, it can be inferred that the Children in Court Project and the Special Intervention Project for Schools are more utilized than the other VSU Programs. Statistically, 44% the respondents who said they have utilized the services of the VSU, benefited from the

former Project, while 39% benefited from the latter. Respondents were further asked about the efficacy of the unit in executing its duties. 44% of respondents surveyed expressed their belief that the unit is adequately meeting the needs of victims, while 42% of respondents were of the view that it does not meet the needs of users. One will see that the difference between those who think the unit is effective as opposed to those who do not is small. More focus should be placed on effective delivery of the operational mandates of the Unit with a view to lessening the numbers of persons in that respondent group that believes that the Unit does not meet the needs of its users.

What VSU Program have you benefited from?

VSU Program	Frequency
Children in court project	44%
Telephone Counseling	14%
West Kingston Satellite Counseling Facility	3%
Overcomers in Action	--
Special Intervention Project for Schools	39%

Figure 11

Figure 12 shows that 58% of respondents commend the civil society groups on their positive impact on the justice system. Despite this, the civil society groups need to become more aggressive in their justice system improvement advocacy as 57% of these same respondents believe that they can more positively impact the administration of justice in Jamaica.

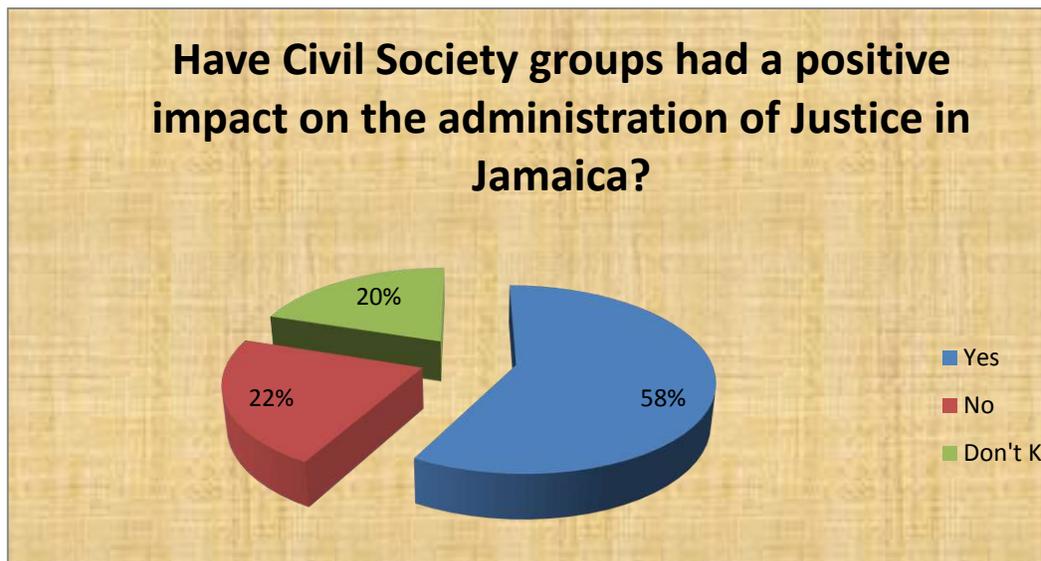


Figure 12

Respondents suggested ways in which Civil Society Groups can have a more meaningful impact on the justice system in the methods outlined in Figure 13. That is the civil society groups can

stimulate change in the administration of justice most effectively by improving public awareness and facilitating public debates on relevant issues.

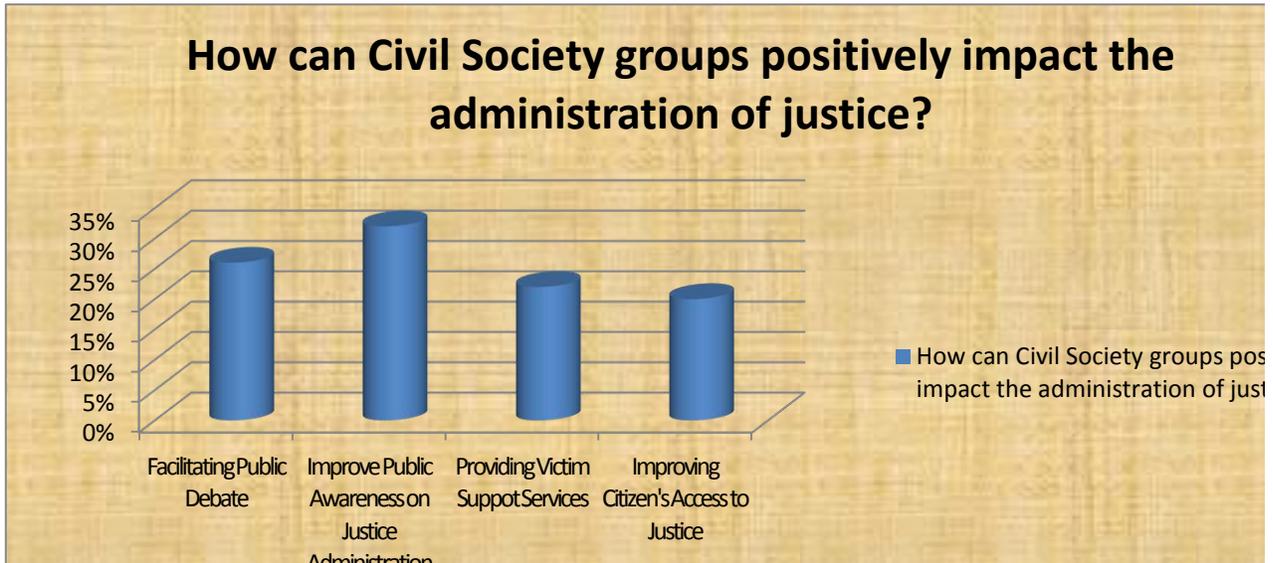


Figure 13

In like manner, citizens believe that civil society groups can enhance the justice reform process by also facilitating public debates, improving public awareness and by being active liaisons between the government and the wider public.

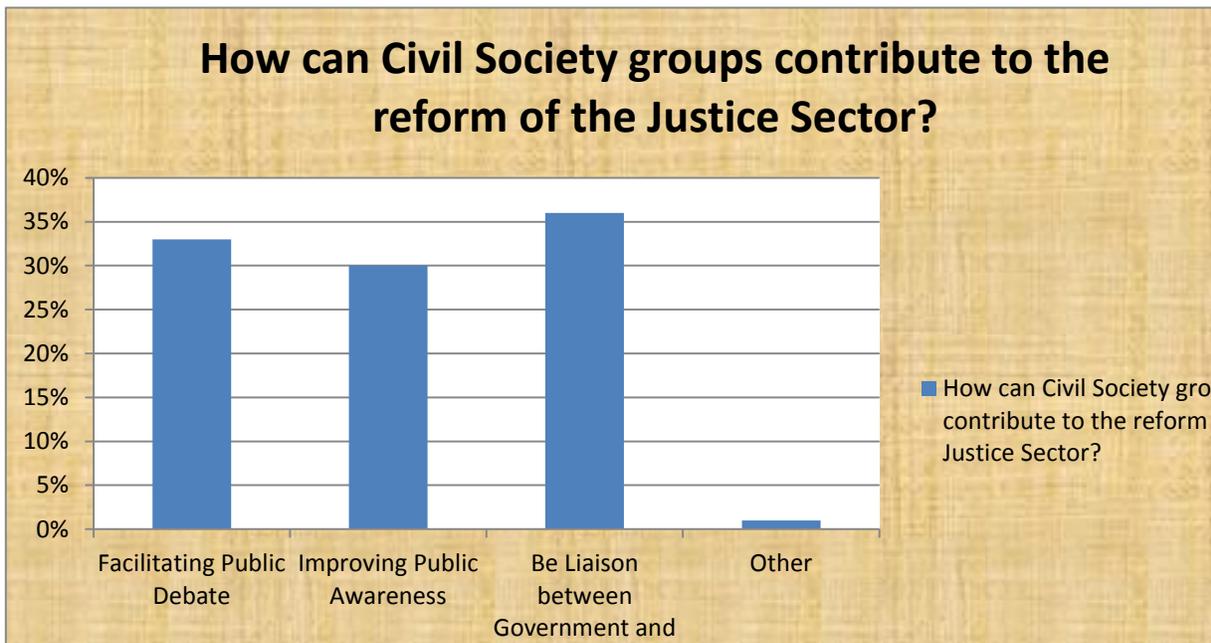


Figure 14

Most respondents were aware of the Ministry of Justice’s function of promoting and protecting human rights in Jamaica. Figure 15 below shows that 89% of all respondents are of this view.

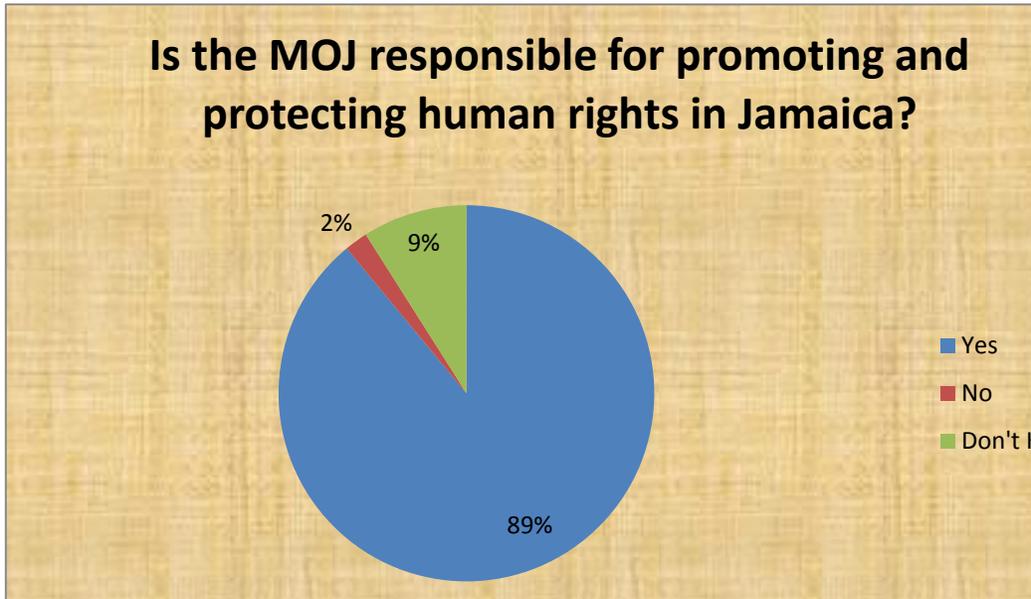


Figure 15

Respondents were asked to indicate the method of settlement they would employ should they have particular types of disputes. The findings are tabulated in Figure 16.

IF YOU WERE INVOLVED IN A DISPUTE WITH ANY OF THE FOLLOWING PARTIES, WHAT ACTION WOULD YOU TAKE FIRST?

	Individual	Family	Company
Go to Court			
Negotiate with the Party	◆	◆	◆
Go to arbitration			
Engage in formal mediation	◆		◆
Engage in informal mediation		◆	
Engage in physical confrontation			

Government	
Go to Court	
Administrative Appeal	
Judicial Review	
Apply to friends/relatives with government connections	

Figure 16

 Most Popular Response for 1st action in a dispute with the mentioned party
 2nd Most Popular Response for 1st action in a dispute with the mentioned party

It seems that for disputes with individuals, family and companies most respondents would rather negotiate with the other party to settle the dispute. In disputes with governmental agencies, respondents indicated that they would rather take the administrative appeal route. It is a matter of some importance that respondents when faced with these options do not choose to utilize the dispute settling capabilities of the courts as a first or second course of action.

In Figure 17, 93% of respondents thought that mediated settlements should be encouraged as they will help to alleviate case backlogs in the courts.

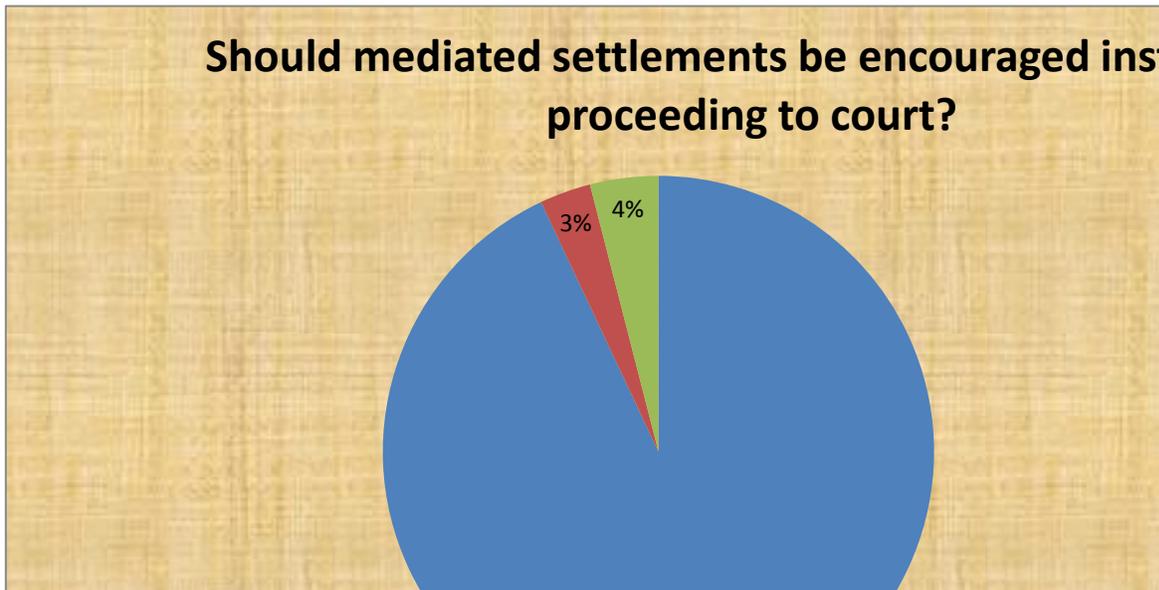


Figure 17

The Dispute Resolution Foundation was introduced as a part of the Justice System which facilitates the settlement of disputes through mediation. Figure 18 illustrates that 51% of the respondents indicated that they are aware of the role of the Dispute Resolution Foundation. Other findings show that of that 51%, 68% of respondents assert that the services are beneficial; however, the services can be improved in the opinion of 67% of those respondents that are aware of its work. It should also be noted among the respondents that are familiar with the Dispute Resolution Foundation, 73% stated that they were not sure what existing standards govern and

are applicable to its functioning. These responses clearly reveal that only about half of the population knows about the DRF and even those who know of its existence are not fully conversant with its operational mandates.

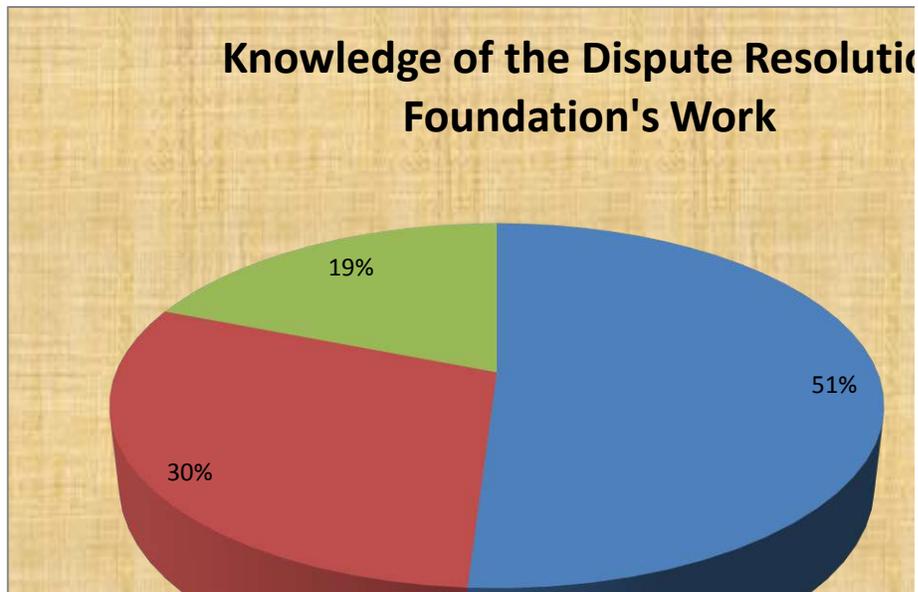


Figure 18

According to Figure 19, 52% of respondents expressed the view that they were unsure whether decisions made by Dispute Resolution Mechanisms are consistent. Another 34% of respondents were of the view that the dispute resolution decisions arrived at by these non-state bodies are not consistent.

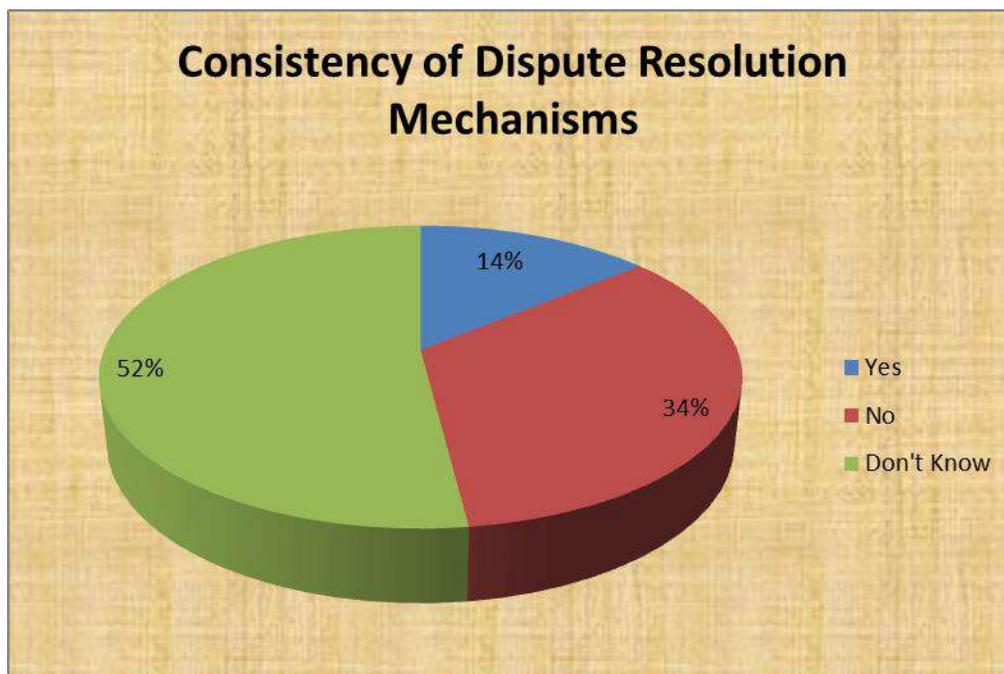


Figure 19

A feature of any justice reform initiative involves identifying the constraints to the effective functioning of the system. It was on this premise that respondents were asked to give their perspectives on those elements of the justice system that need revamping in order to be most beneficial to the citizens. Top priorities were given to police reform, court infrastructure and the improvement of public awareness on legal issues.

On the other side of the coin, increase of salaries, reform of administrative appeal and media coverage were ranked as the least important areas for justice reform in Jamaica. Other popular elements that are mentioned as priorities are alternative dispute resolution, case filing, conflict of interest management, prosecution reform and modernization of procedural rules of court. The graph depicting how persons rank different reform initiatives can be seen below in Figure 20.



Figure 20

Figure 21 shows that 62% of respondents believed that the law protects all citizens without considerations such as age, sex, religion, social origin, colour, status and political affiliation. Most respondents believed that laws are uniformly applied irrespective of the abovementioned potential discriminatory factors.

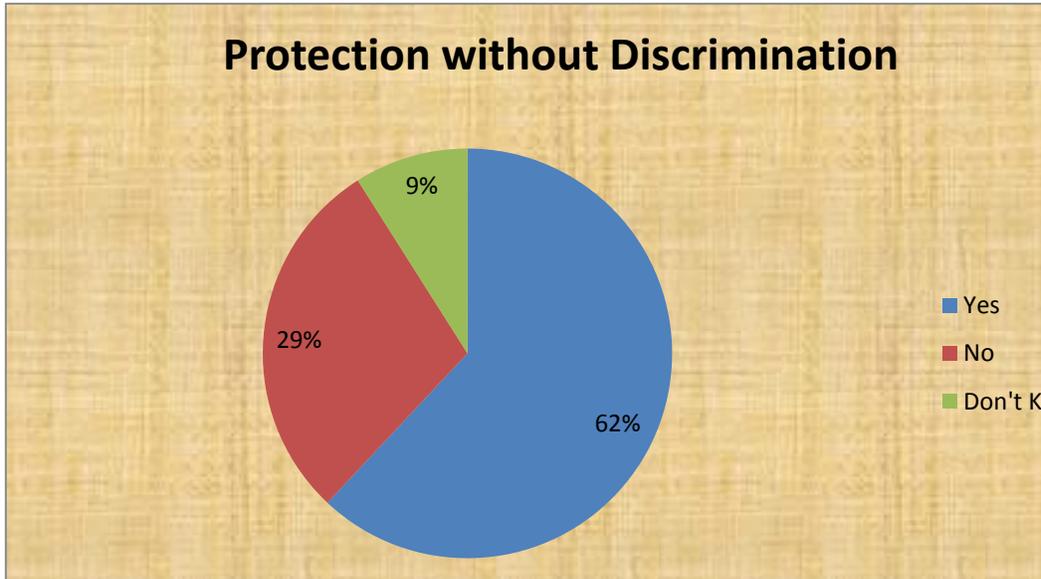


Figure 21

From Figure 22, one will see that 79% of respondents confirmed that they were aware of the existence of minimum and maximum prison sentences prescribed for different offences. This could indicate that the dissemination of the contents of criminal laws by the Ministry of Justice to the wider populace has been good and that the citizens have had relatively free access to those laws.

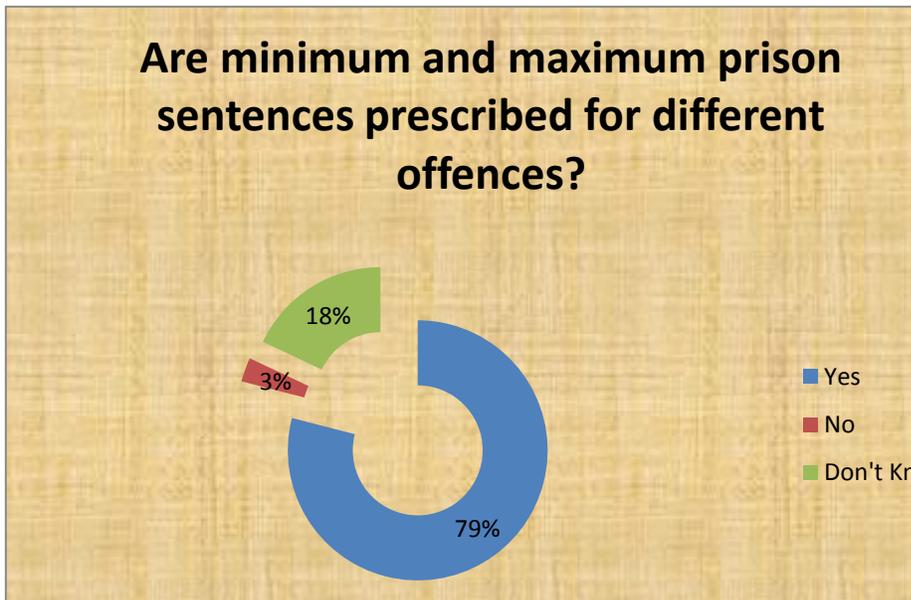


Figure 22

With the utilization of a mean score, the consultant was able to analyze respondents' responses concerning their ability to exercise their rights in criminal matters. It was found that on a scale of 1-10, respondents say that at least 7.8 out of 10 times, one has access to such rights. These rights are inclusive of being informed of one's rights when arrested, to be tried without undue delay, to

have the assistance of an interpreter if one does not speak Standard English, not to be compelled to testify against oneself, to have adequate time and facilities to prepare one's defense and to cross-examine the witnesses against him.

Further findings show that 91% of respondents believed that every person convicted of a crime has the right to have his/her conviction and sentence reviewed by a higher tribunal. As shown in Figure 23 however, 88% of respondents believed that poverty hampers the ability of respondents in obtaining reviews of their convictions and sentences by a higher tribunal.

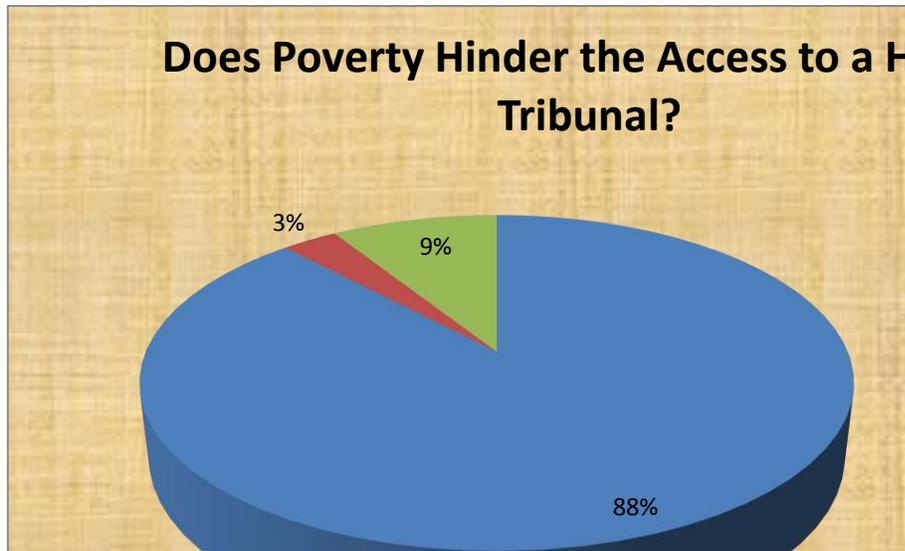


Figure 23

Figure 24 shows that 68% of respondents were of the view that a person can obtain justice in a Jamaican Court of law. Figure 24 also shows that 24% of respondents did not believe that persons can obtain justice in Jamaica. It was discovered that those persons that stated their lack of confidence in the Jamaican court system attributed this to people's inability to retain the services of a good attorney and deficiencies in pre-trial procedures.

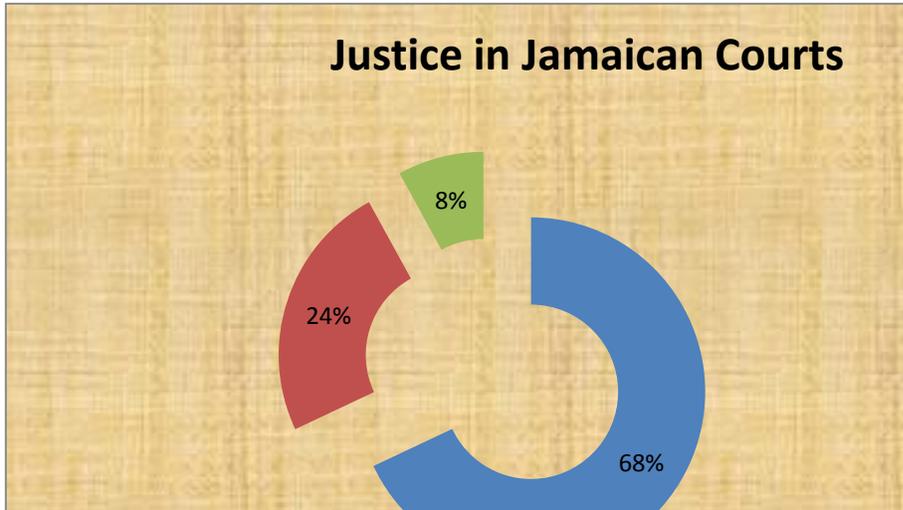


Figure 24

Figure 25 shows that 54% of respondents had confidence in the functioning of the justice system. While most respondents stated their confidence in the justice system, it is a matter of some concern that 46% of respondents did not repose confidence in the functioning of the system.

Confidence in the Justice System	Percentage
Yes	54
No	39
Don't Know	7

Figure 25

The Figure 26 graph below identifies respondents' reasons for non-confidence in the functioning of the justice system. It can be seen that poor pre-trial investigations dominate all other possible sources of no confidence.

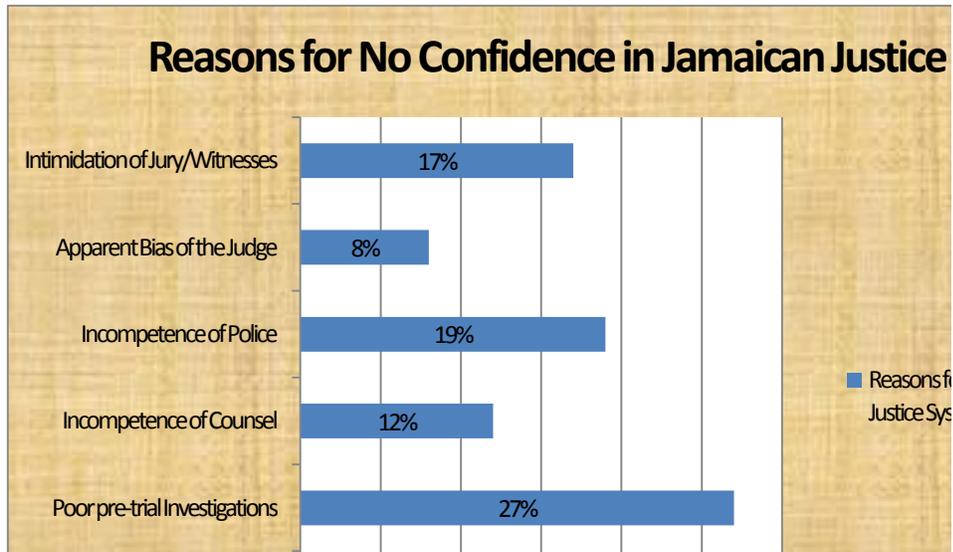


Figure 26

Figure 27 shows that in order to address respondents' feelings of no confidence in the justice system, it is necessary to provide improved access to legal representation and legal information, greater civil society inclusion and a new system of oversight. It must also be noted that some respondents mentioned the need for better pre-trial investigations in the "other" category.



Figure 27

Figure 28 shows that 94% of respondents agree that one's knowledge of their legal rights, is important to daily life. As ignorance of the law is no excuse, it is not surprising that respondents placed great store on the acquisition of knowledge of their legal rights.

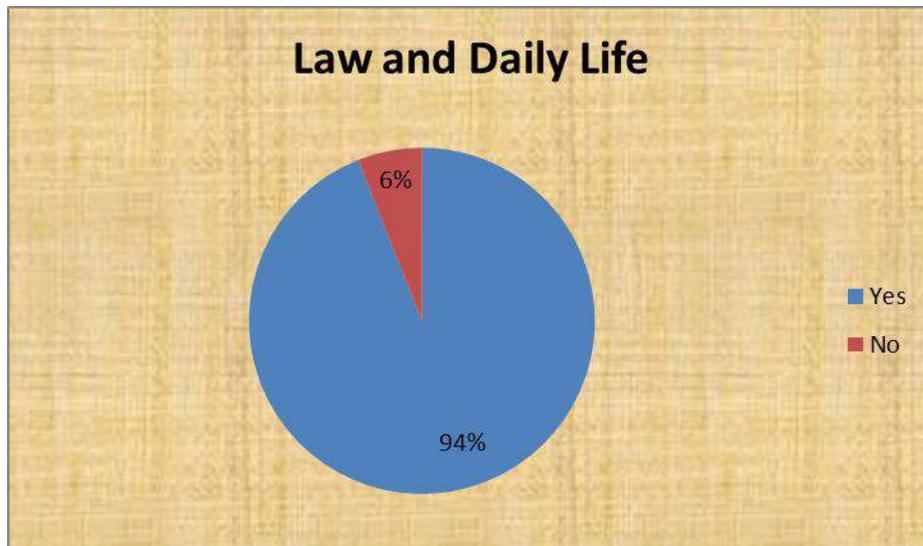


Figure 28

Figure 29 identifies that a substantial 43% of respondents did not seem to be aware of their legal rights. Since respondents regarded the acquisition of such knowledge as important, a clear gap that the MOJ can fill with high-impact public education campaigns has been identified.

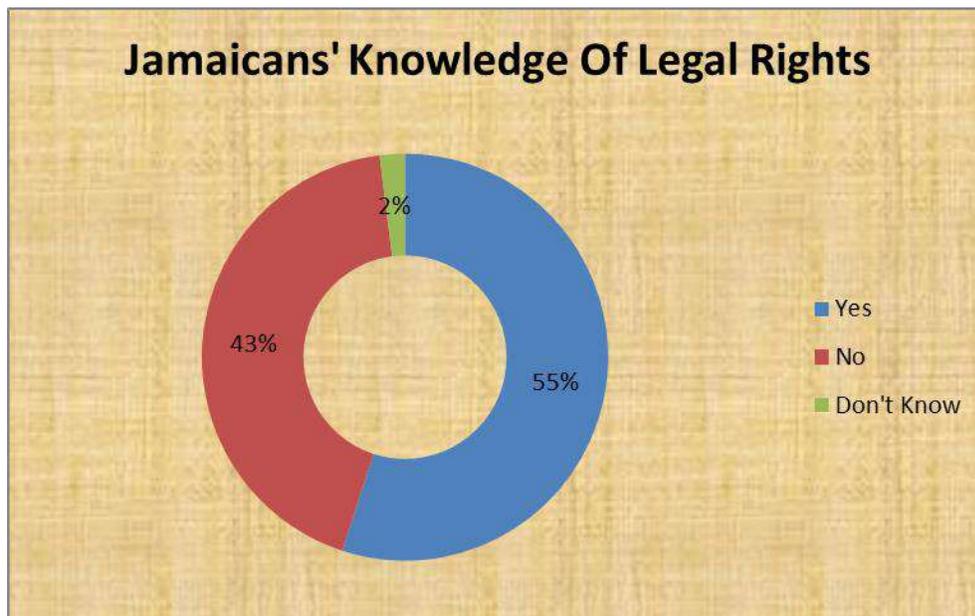


Figure 29

Figure 30 below indicates that 41% of respondents believed that the public can most easily access the Laws of Jamaica through the Ministry of Justice's website. This is quite commendable as one will recall that this Ministry plays a critical role in upholding the legal rights of the citizenry.



Figure 30

In Figure 31, 23% of respondents obtained their legal knowledge from newspapers and magazines. Other respondents obtained such knowledge through acquaintances, friends and relatives, legal training and consultation and radio and television.

Source of Legal Knowledge	Percentage
Television	13
Radio	13
Newspapers/Magazines	23
Employees in the Legal Field	16
Legal Training and Consultation	17
Acquaintances, Friends, Relatives	18

Figure 31

It seems to be a commonly held belief among respondents that Jamaican laws are outdated or partially imperfect. Figure 32 below shows that 37% of the respondents expressed the former belief while 31% stated the latter. This is cause for concern, as this will affect citizens' perception of the climate of fairness in which justice is being administered. Interestingly, 26% of respondents thought that the laws are perfect but just not followed.

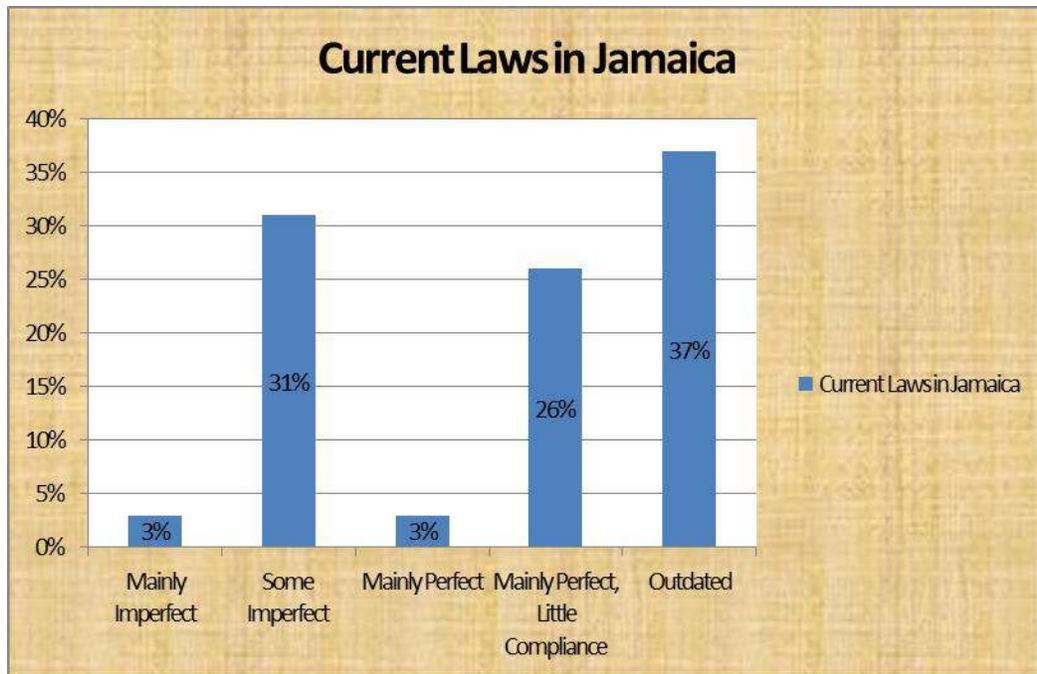


Figure 32

Figure 33 indicates that 79% of respondents believed that citizens are able to report a crime within twenty-four hours and receive a timely response from the Police.

96% of respondents thought that the police are more readily deployed in certain areas. This factor can compromise the level of trust and confidence that citizen's should have in the police. It might be in the interest of the MOJ to bring this matter to the attention of the Ministry of National Security having regard to the possibility that lack of confidence in one element of the law enforcement apparatus can easily spread out to embrace the wider justice related areas being administered by the MOJ.



Figure 33

In Figure 34, 3% of respondents were of the view that the court’s budget is sufficient for its needs. A substantial 78% of respondents believed otherwise. There is no doubt that the vindication of citizen’s rights and availability of resources in sufficient amounts have a positive relationship. As a result, with insufficient resources, the likelihood is that citizens will perceive that the courts are not providing adequate access to justice and dispute resolution services to its users.

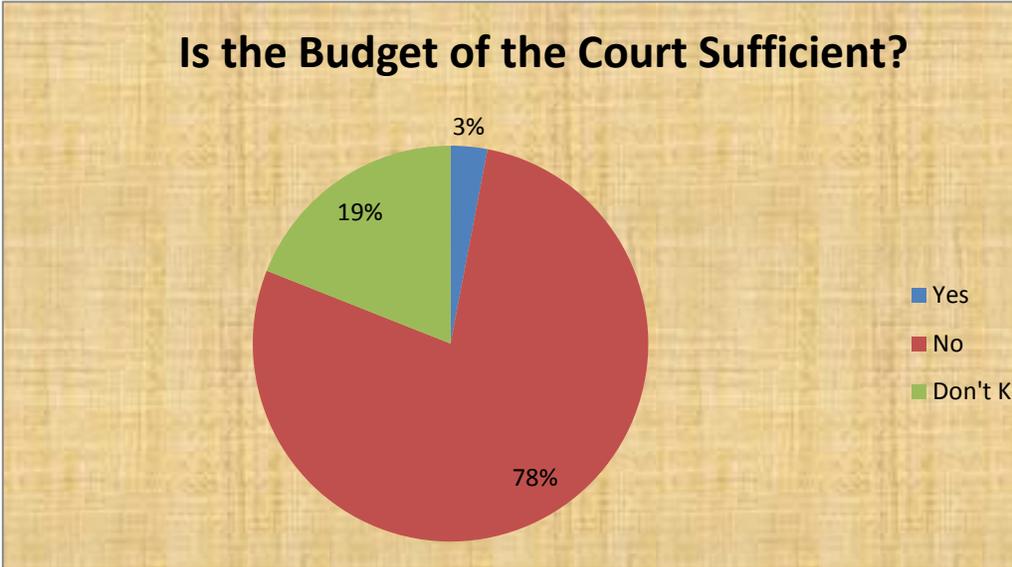


Figure 34

Figure 35 shows that 44% of respondents did not think that formal training opportunities exist for court staff. Another 42% indicated that they are doubtful that ongoing training opportunities exist for court staff. Many respondents suggested that if training is available, more frequency is

required. The importance of every court employee’s role cannot be overstated as contact with court staff is likely the first interface that a citizen has with the court system. This being the case, it is imperative that these front-line personnel be provided with the highest level of training on a continuous basis. Respondents identified some areas in which court personnel should be more sensitized in order to better serve the public. These were court procedure, office procedure, changes in law and staff supervision and gender sensitivity issues.

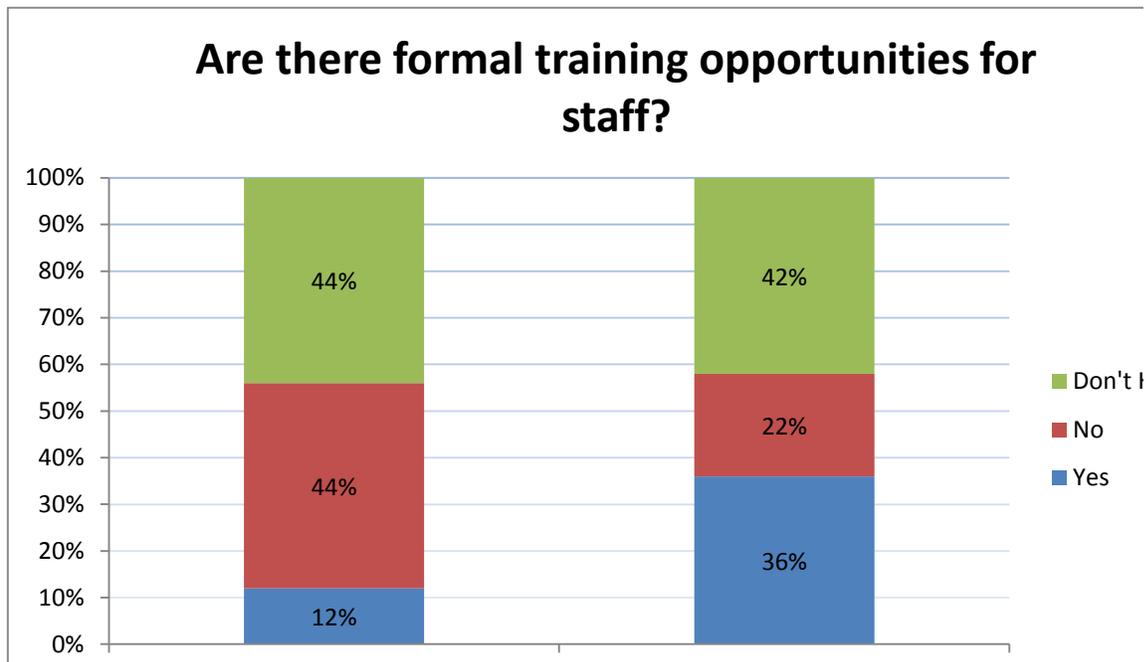


Figure 35

In Figure 36, 56% of the respondents complained that there were no information boards in the courts that display proper court procedures. Only 24% of those respondents who saw the information boards said that the information displayed on them were comprehensible. As users of the court heavily utilize the information displayed on these boards in navigating the procedural requirements of the courts, it is imperative that every attempt be made by the MOJ to ensure that relevant, practical and user-friendly information is obtainable from them.

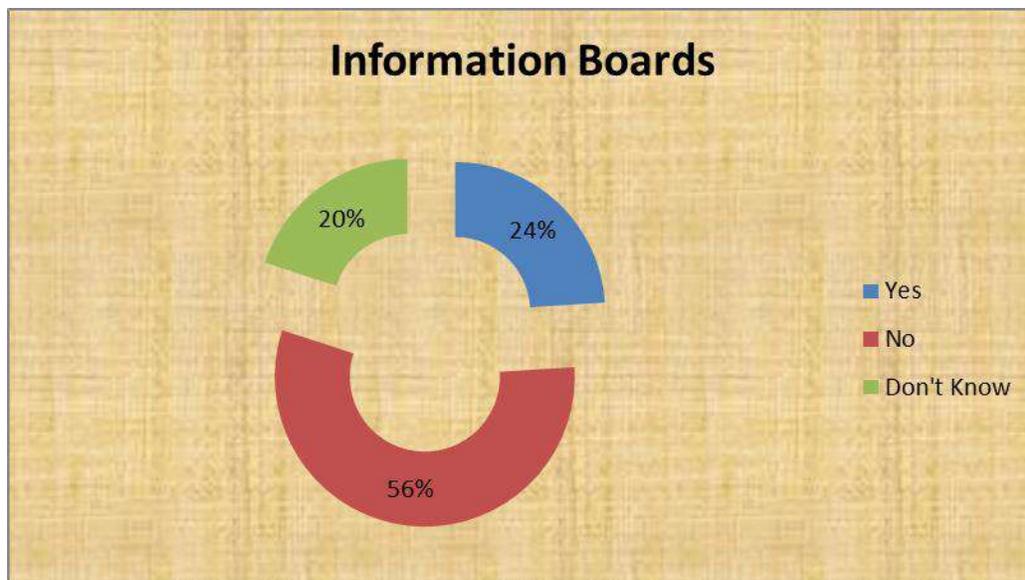


Figure 36

62% of respondents were of the view that the court staff does not treat everyone equally as shown in Figure 37. Some respondents indicated that the level of unfair treatment is worse in some courts than others. The provision of uncompromisingly high and equitable service levels seem to be lacking in our courts. One cannot overstate the importance attaining higher standards. Only 24% of respondents indicated that court staff paid adequate attention to their needs.

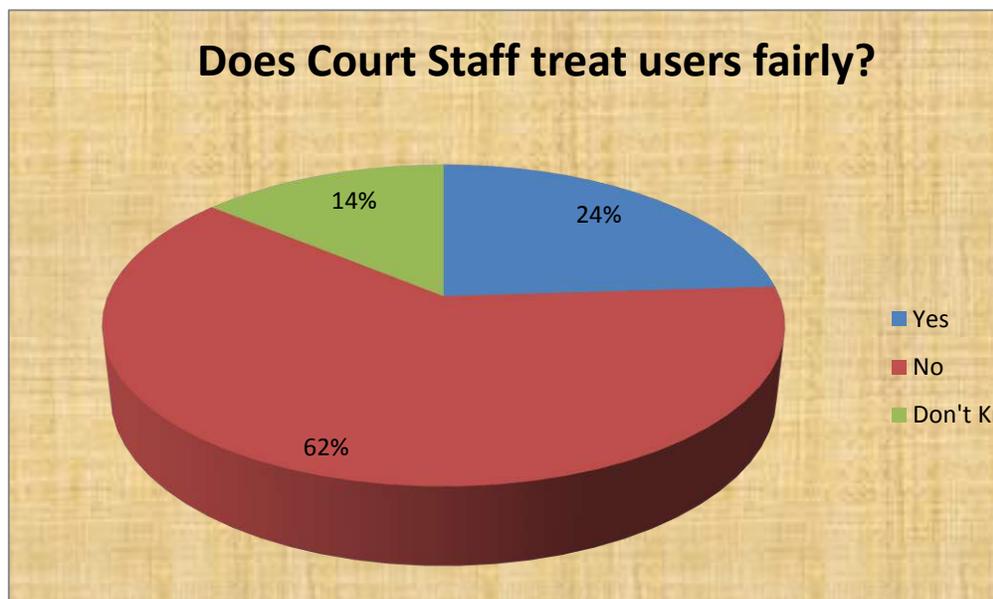


Figure 37

In Figure 38, 63% of respondents thought that court hours are convenient to the public. Although convenient, it seems there is need for revision of the opening hours, as 74% of the respondents also believed that sitting hours should be extended. The consultant believes that this could help the court on many levels, with specific reference to case backlog reduction.

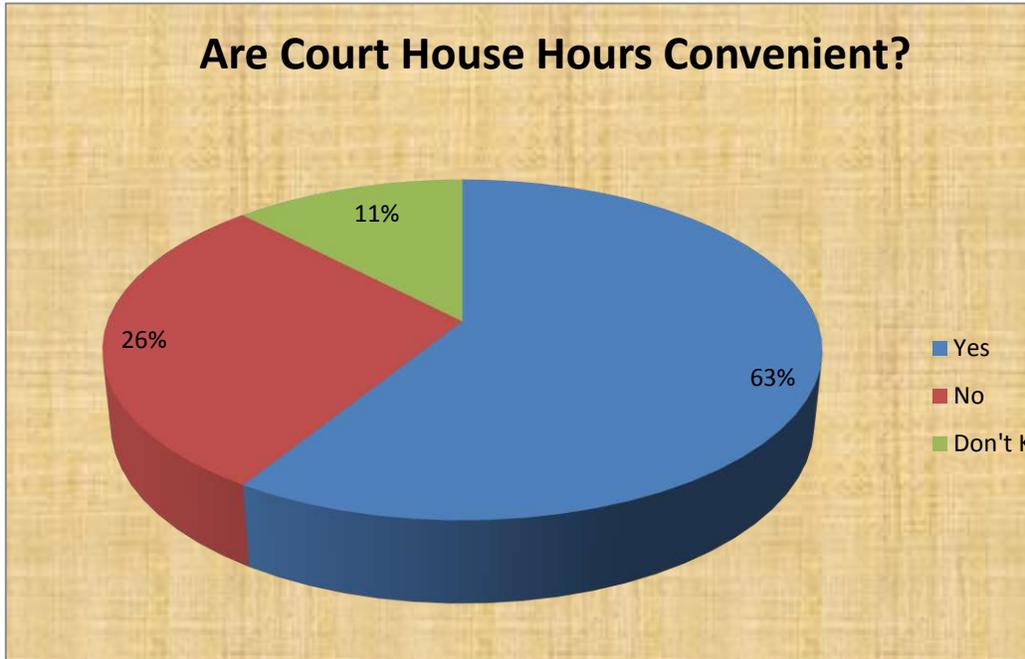


Figure 38

Court facilities must be centrally located and should effectively serve all citizens. One way to measure this is to ensure that court facilities are centrally located and are in areas that are easily accessible to the general public. Figure 39, indicates that 67% of respondents rated court locations as easily accessible by public transportation. Another 24% of respondents however expressed the view that court locations are not conveniently located for the public.

The courts are also fairly properly signed as 52% of respondents said that they were able to locate the court on their first visit.

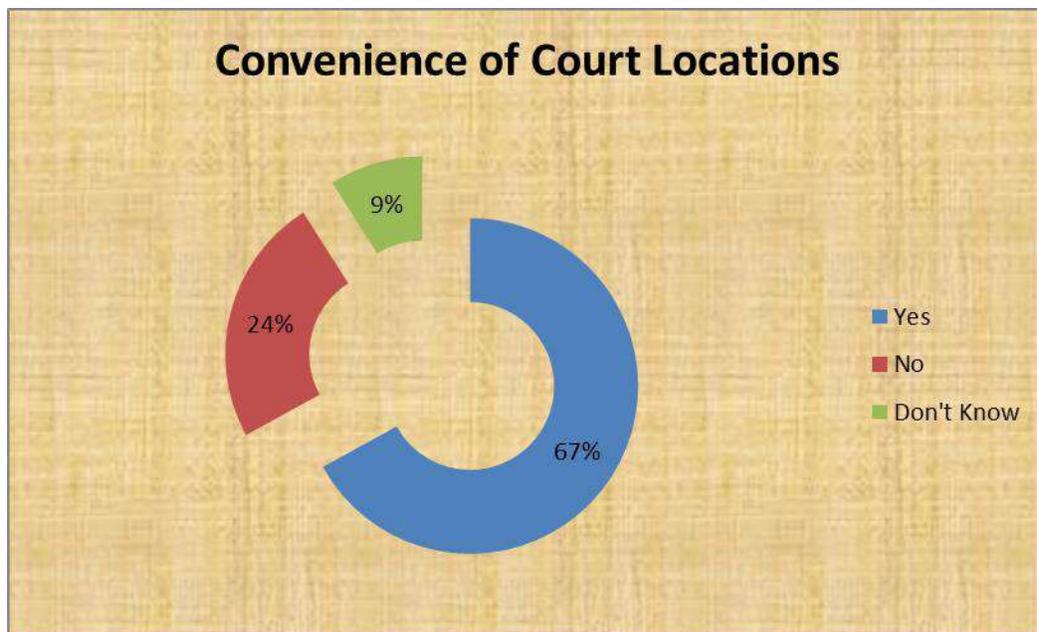


Figure 39

Disabled persons seem to be denied easy access to court facilities. As indicated in Figure 40, 58% of respondents noted that there is a need for court facilities to make provision for the accommodation of special-needs individuals.

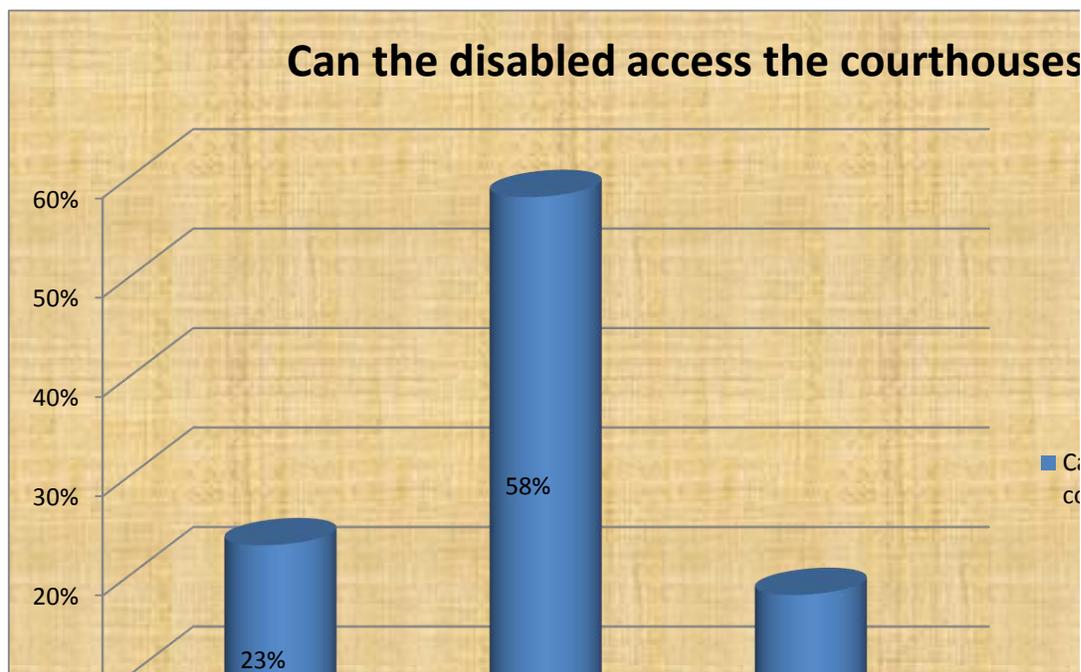


Figure 40

In Figure 41, 62% of respondents were satisfied that security personnel screen individuals before they enter courthouses. As various interests can target courthouses for attack, the screening of all individuals is absolutely necessary to the preservation of the safety of their users.

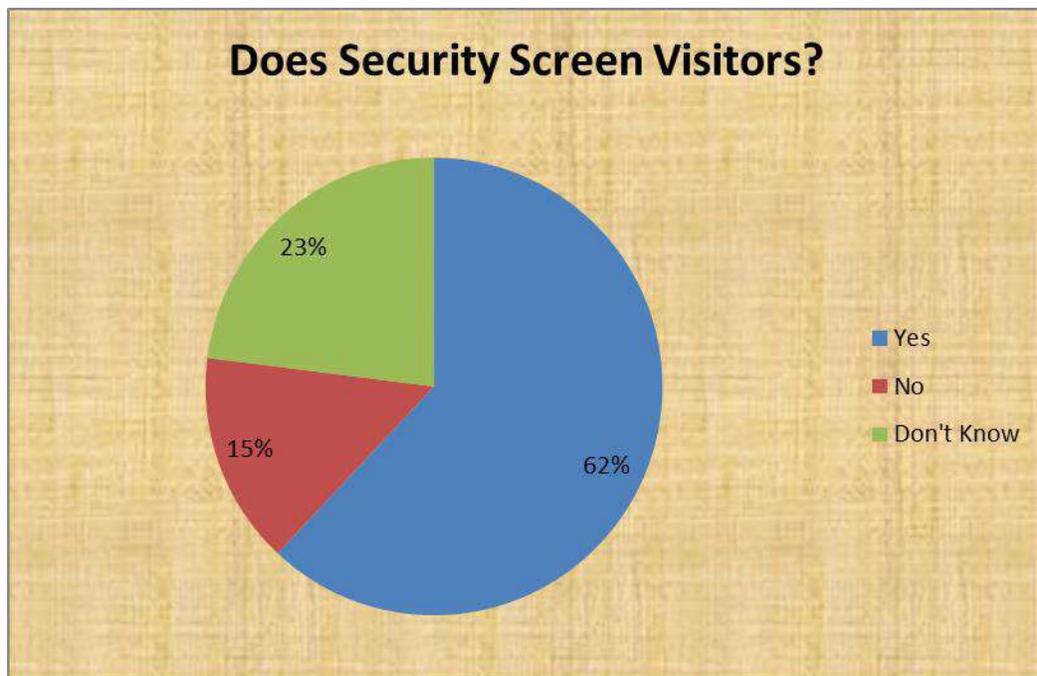


Figure 41

In assessing the safety of courthouses, the consultant sought to find out if weapons were allowed into them. In Figure 42, 59% of all respondents were of the view that this was indeed the case. Creating a sense of security for court users and protecting the integrity of the judicial process involves the barring of potential weapons from court premises. If persons are of the view that weapons are allowed in court premises, it can have serious negative implications for the confidence level of court users.

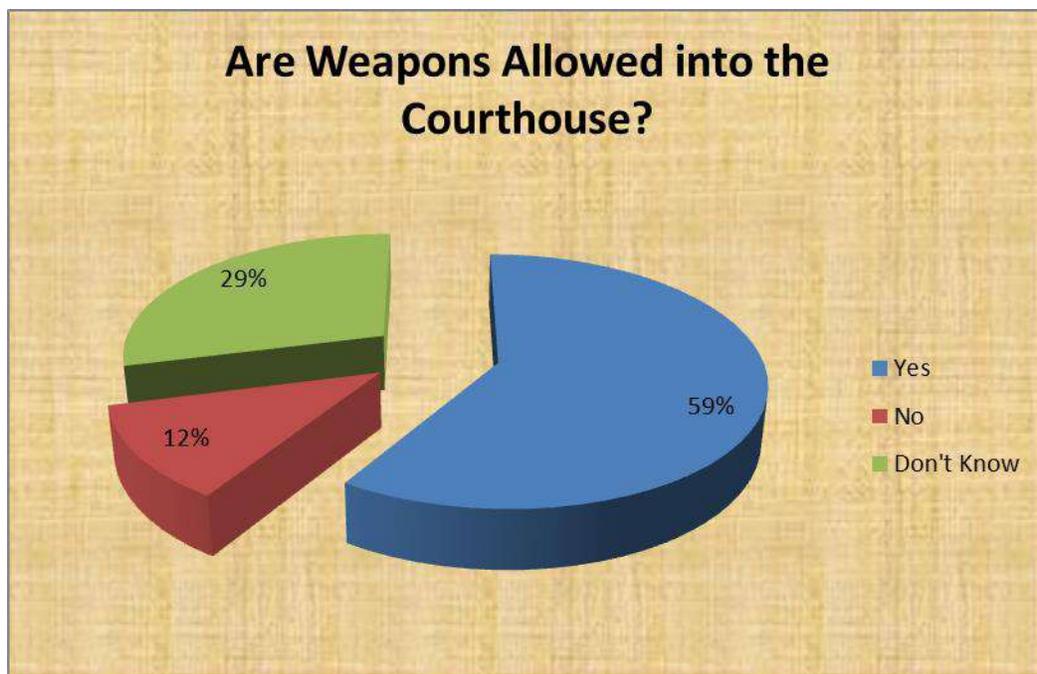


Figure 42

Figure 43 shows that 71% of respondents were of the view that the various parties to cases were not located in separate waiting areas. If courts lack the appropriate barriers between case parties, then such deficiencies pose an unacceptable risk to court staff and users. Within the confines of the courtroom itself, only 27% of respondents were of the view that defendants sit in close proximity to counsel.

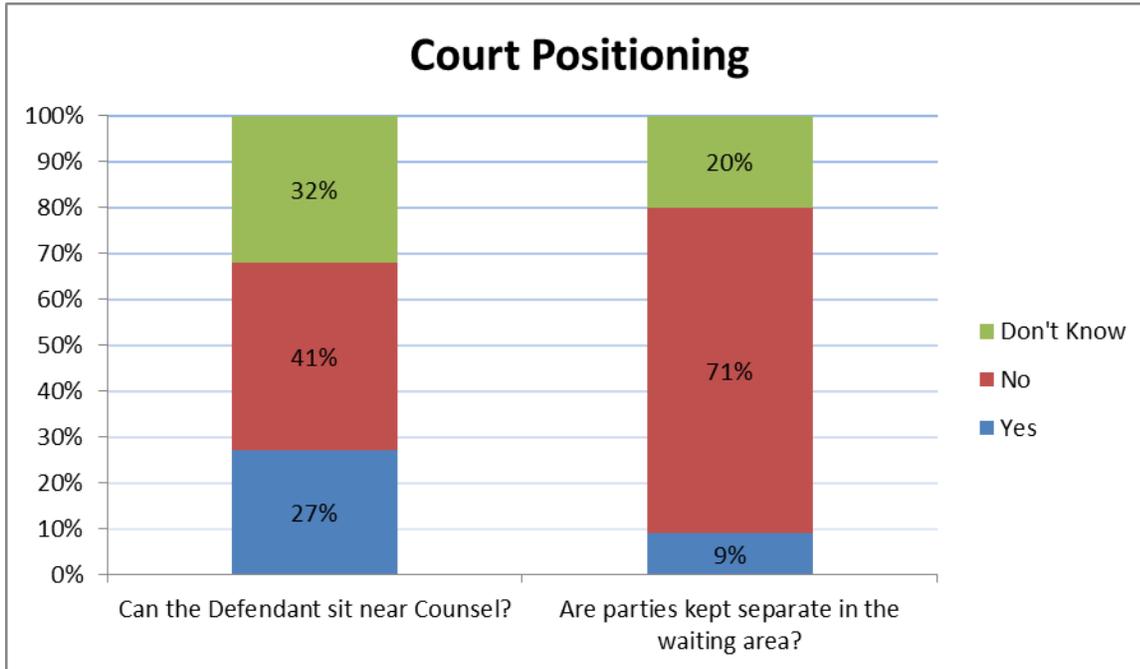


Figure 43

Figure 44 shows that 74% of respondents were of the view that public seating inside the court was not adequate. Adequate seating is also a measure of the provision of proper court infrastructure and is vital to making the courts fully functional, accessible and user-friendly to citizens.

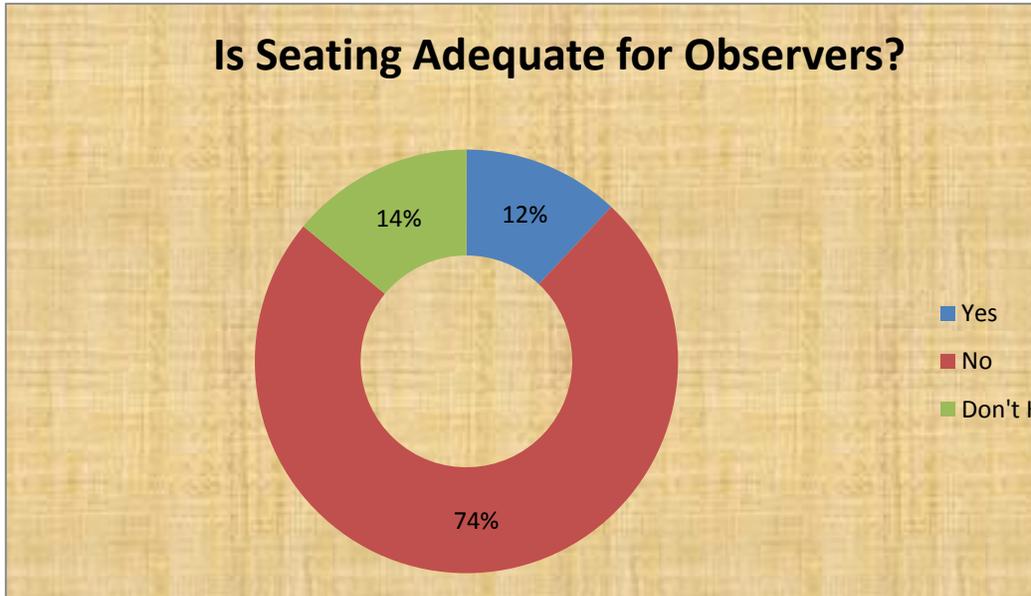


Figure 44

In Figure 45, 50% of respondents were of the view that court rooms were not excessively noisy, 38% responded positively while the remaining 12% were not sure. Silence in court houses is important as court officials as well as users need to hear testimonies and directions given. Judges should insist that noise abatement standards be upheld in the court and that sanctions are meted out to those persons who disobey the rules.

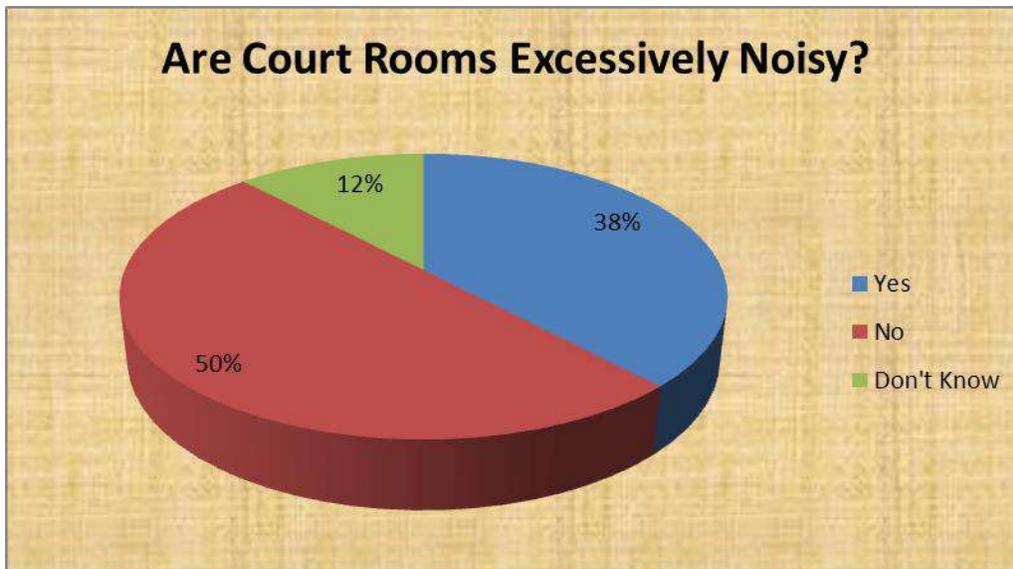


Figure 45

The creation and maintenance of court files are pivotal to efficient case-management. Figure 46 shows that 65% of respondents were of the view that case files were created for each case. However, only 20% of respondents were convinced that the case files were appropriately maintained and accessible.

Efficient case management also involves the protection of files against theft or damage. 18% of respondents believed that court files are protected from theft or damage. Of this 18%, 49% were of the opinion that the protection measures in place were not adequate.

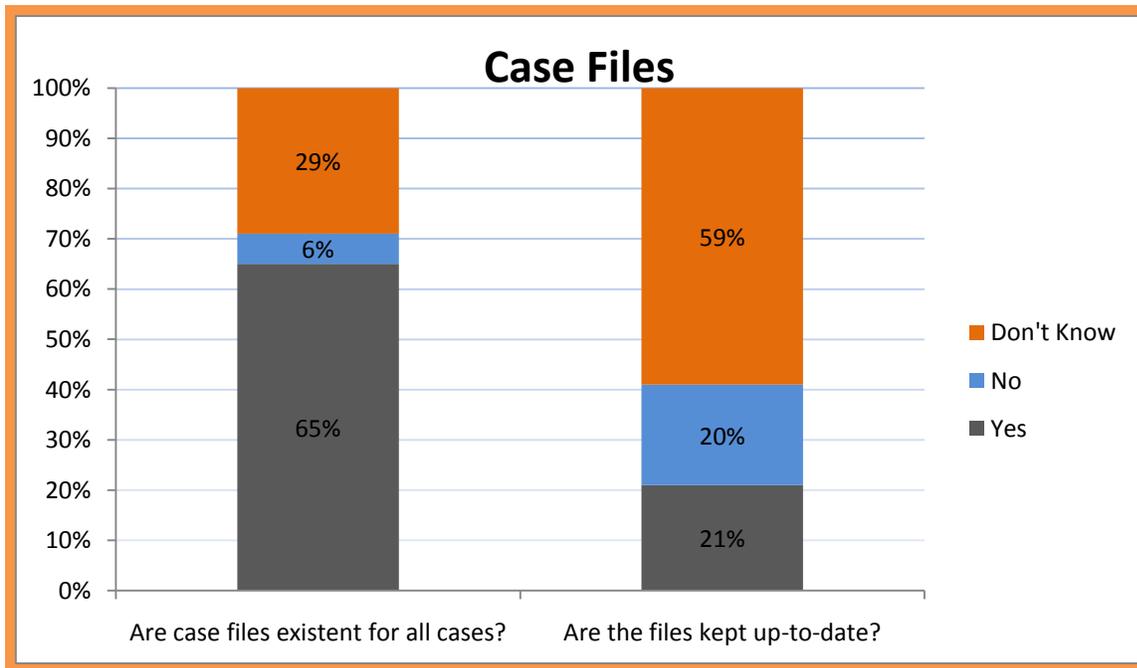


Figure 46

A long-standing criticism in Jamaica has been that, for various reasons, cases become backlogged in the system and take several years to be finally resolved. This state of affairs obstructs the course of justice and can lead to vigilantism and a general lack of confidence in the Rule of Law. 94% of respondents were of the view that the courts have a serious case backlog problem. Such delay in the resolution of cases causes cynicism among court users. One of the Ministry of Justice’s initiatives going forward should be controlling this problem as it is causing the court system to be viewed in a negative light by a substantial number of citizens. Case backlog reduction initiatives should begin in the Resident Magistrate’s Courts.

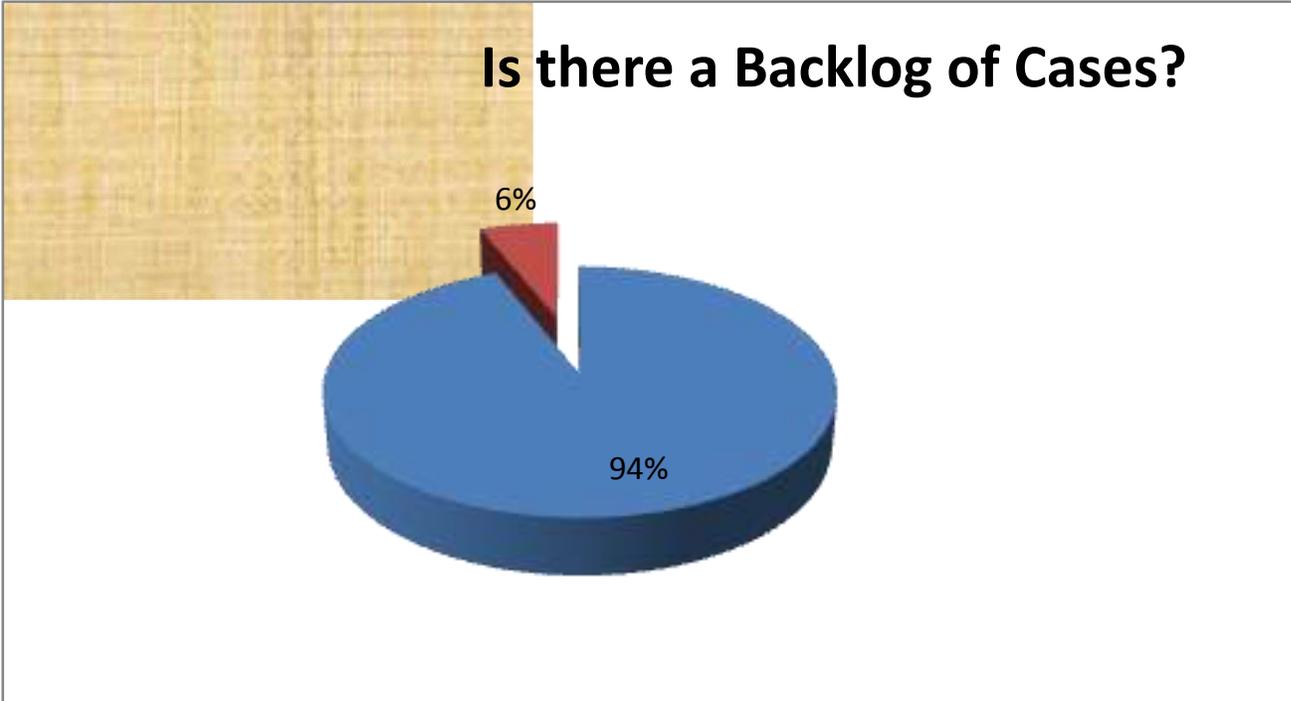


Figure 47

Figure 48 shows the reasons attributed by respondents for case backlogs. All issues identified have important influences on the prompt resolution of cases. The unavailability of witnesses and the difficulty in empanelling jurors were rated as the top case backlog causative factors and weighed 82% and 61% respectively.

REASONS FOR CASE BACKLOGS



Figure 48

Figure 49 shows that 76% of respondents had no idea how cases are assigned to judges. Further findings show that only 24% of respondents were of the view that there is a plan for the

assignment of incoming cases in the courts. A transparent system to assign judges is central to building citizen confidence in the court system.

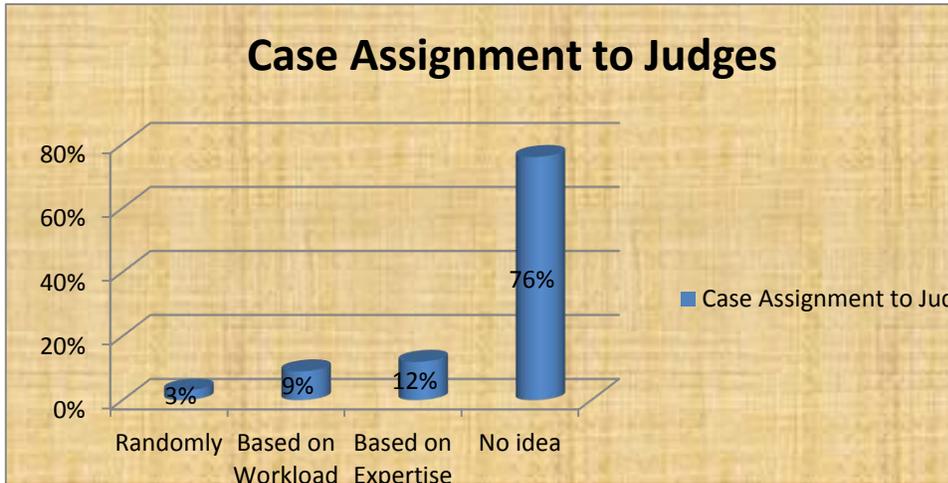


Figure 49

One serious issue has been the imprisonment of minors. 78% of respondents believed that the incarceration of minors should be minimized. No respondents were against this view, whilst, 22% were undecided on the matter.

41% of respondents did not believe that juvenile records are kept in a confidential fashion.

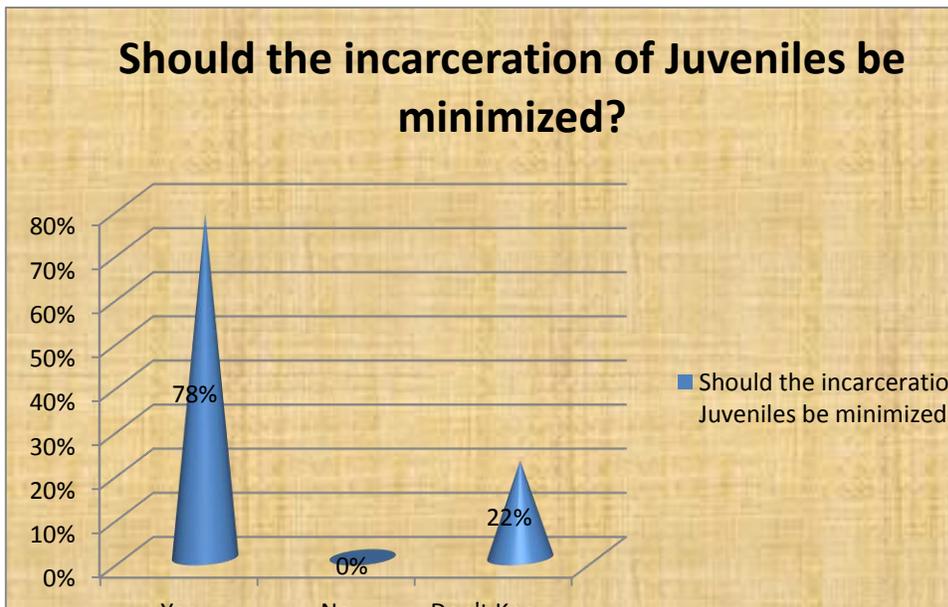


Figure 50

Juvenile detention provides a critical opportunity for the state to intervene and help get troubled children obtain remedial help. One of the most important ways to rehabilitate children in the justice system is through the provision of education. Figure 51 shows that 40% of respondents

were of the opinion that juveniles receive education and vocational training in prisons. 29% said that minors are not educated while incarcerated, while the remaining 31% of respondents were unsure.

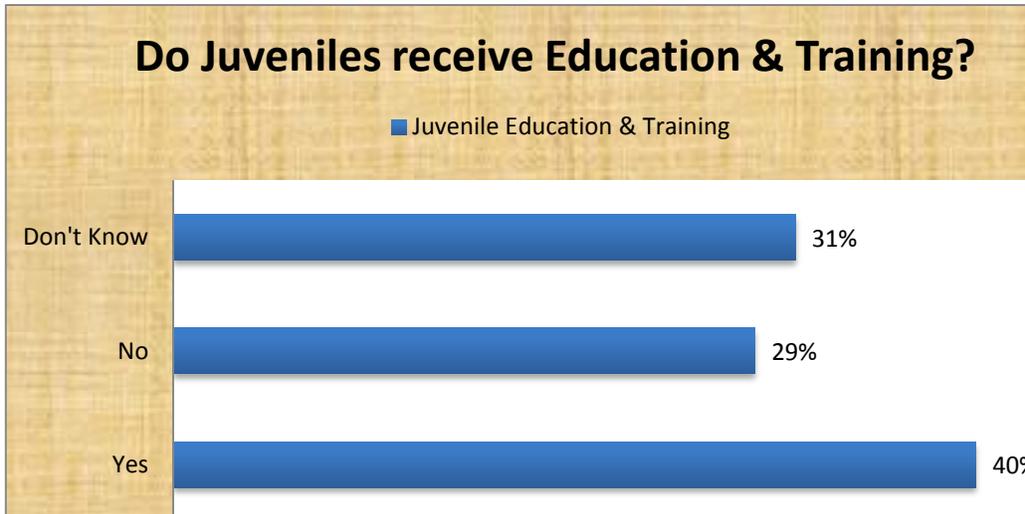


Figure 51

Figure 52 shows that none of the respondents were of the view that children and adults travelled to court together. 47% believed that they travelled separately, whereas, 53% were unsure. Adults are very influential role models for children, so travelling to courts with incarcerated adults could expose them to negative influences.

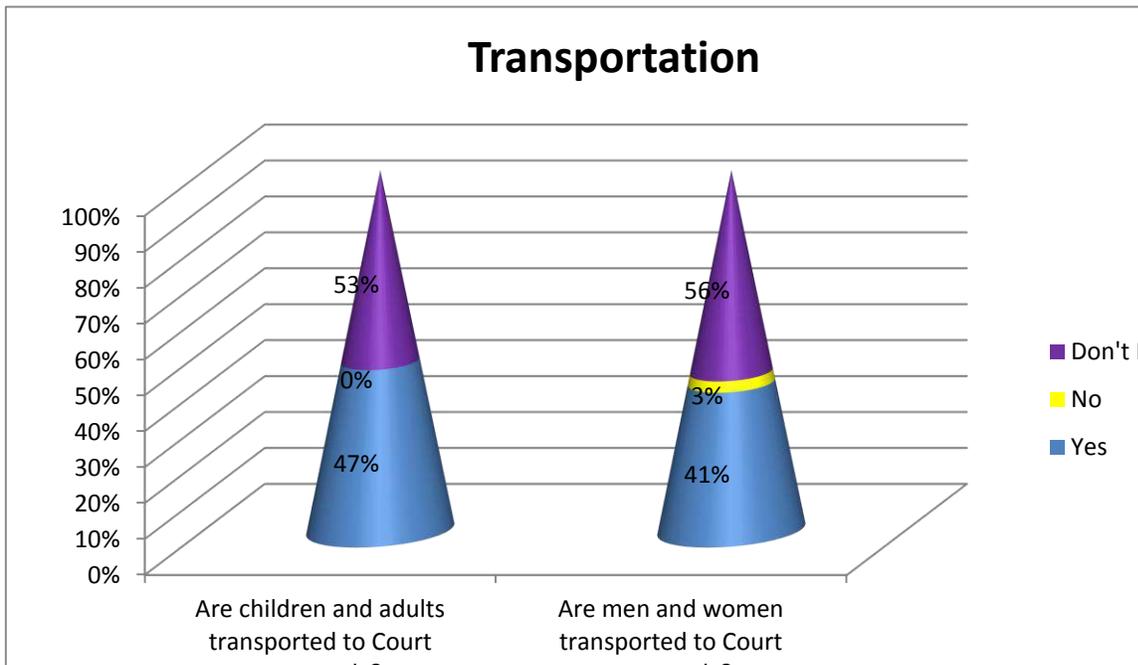


Figure 52

Again with regard to court transportation, 41% of respondents were of the view that men and women travel to court separately. Another 56% expressed uncertainty while the remaining 3% disagreed. Like juveniles, it is important that women and men travel to court separately as men can physically attack or overpower women in protective custody.

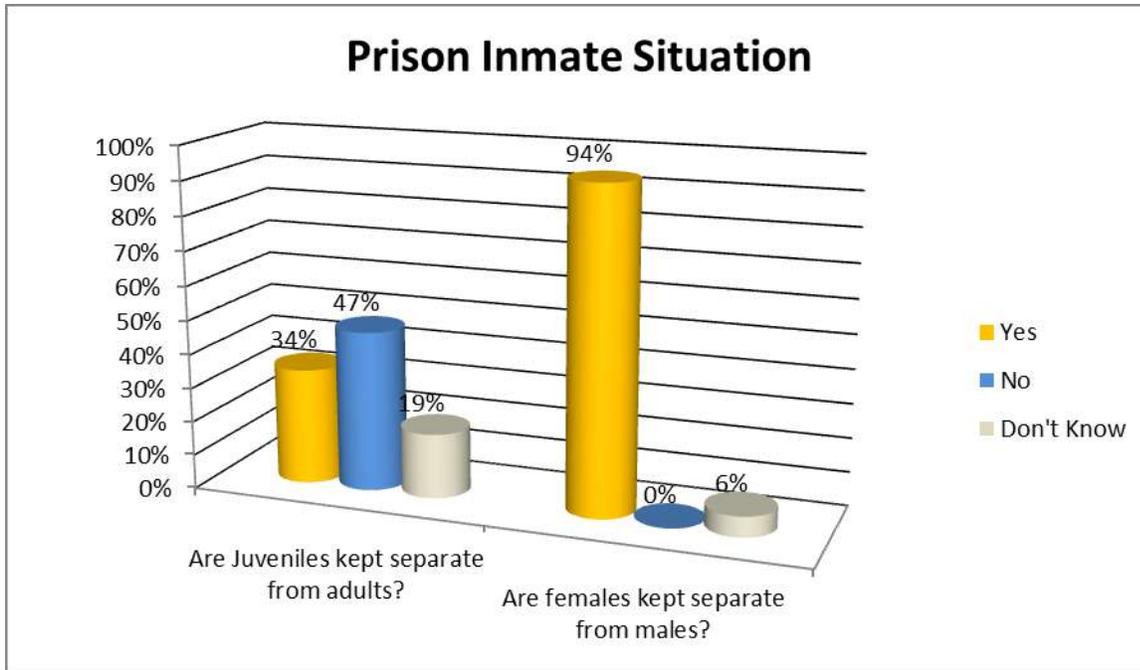


Figure 53

From Figure 53, one may see that 47% of the respondents did not think that minors are separated from adults, 34% disagreed with this assertion while 19% of respondents were uncertain.

The separation of men and women in prisons is also a critical part of prison structure. No one was of the view that women were kept with males, 94% believed they weren't, while 6% were doubtful that this was the case.

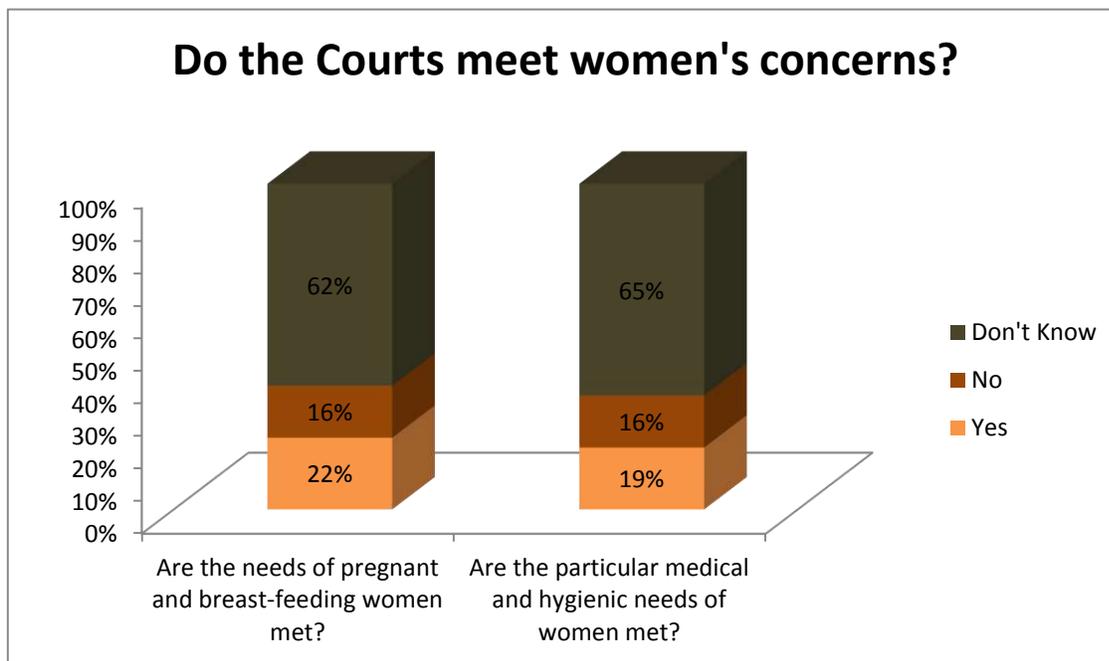


Figure 54

In Figure 54, 62% of the respondents did not know if the needs of pregnant and breast-feeding women were being met, while 22% believed that they were being met. However, 16% of respondents disputed such claims. 65% of respondents were not aware if the particular medical and hygienic needs of women were being met. 19% were of the belief that they were being met. However, the other 16% were of the view that they were not being satisfied.

Figure 55 shows that the facilities for holding detainees were not considered to be adequate as 63% of respondents were of this view. This creates a distinct possibility of violence in the courtrooms.

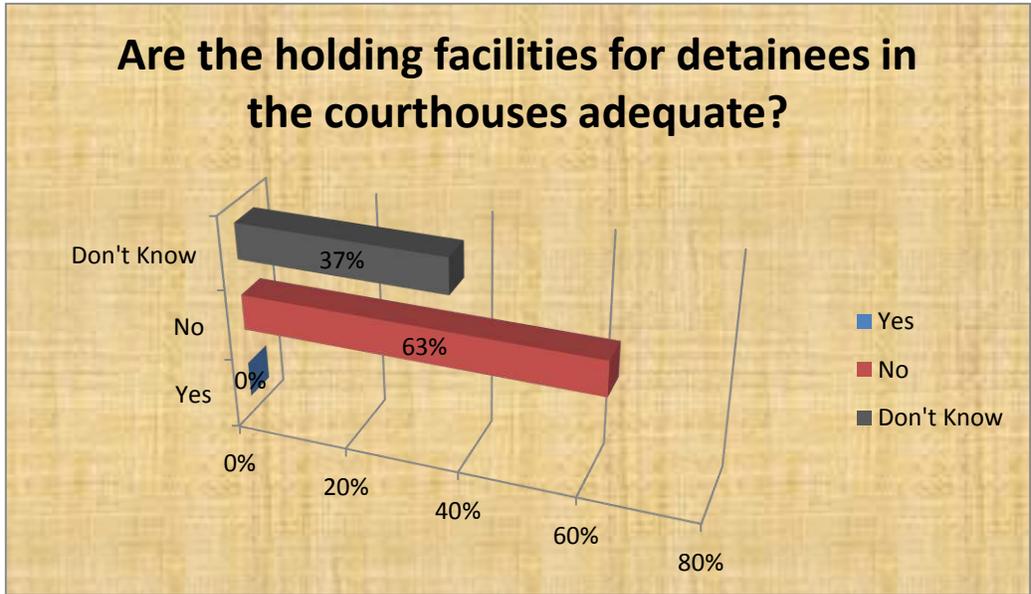


Figure 55

Figure 56 shows that 44% of respondents were uncertain whether restraints on prisoners are used only when necessary. 19% said that restraints were only used out of necessity while the other 37% believed that they were. More effective guidelines should be developed for the utilization of prisoner restraints in the courts.

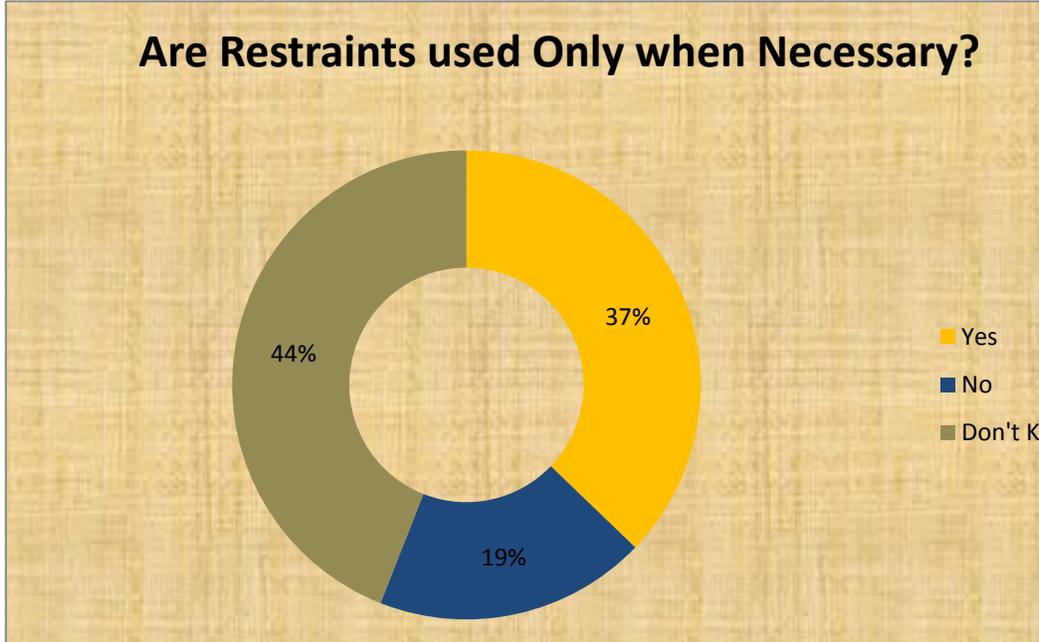


Figure 56

Accessible Legal Aid ensures that persons with limited financial resources can have access to legal services in appropriate circumstances. 57% of respondents were of the view that the general public is aware that Legal Aid is available for those who require legal representation but cannot afford it. While most respondents were of this view, 88% of the respondents nevertheless advocated that there should be a public education campaigns to inform the public of legal aid availability.

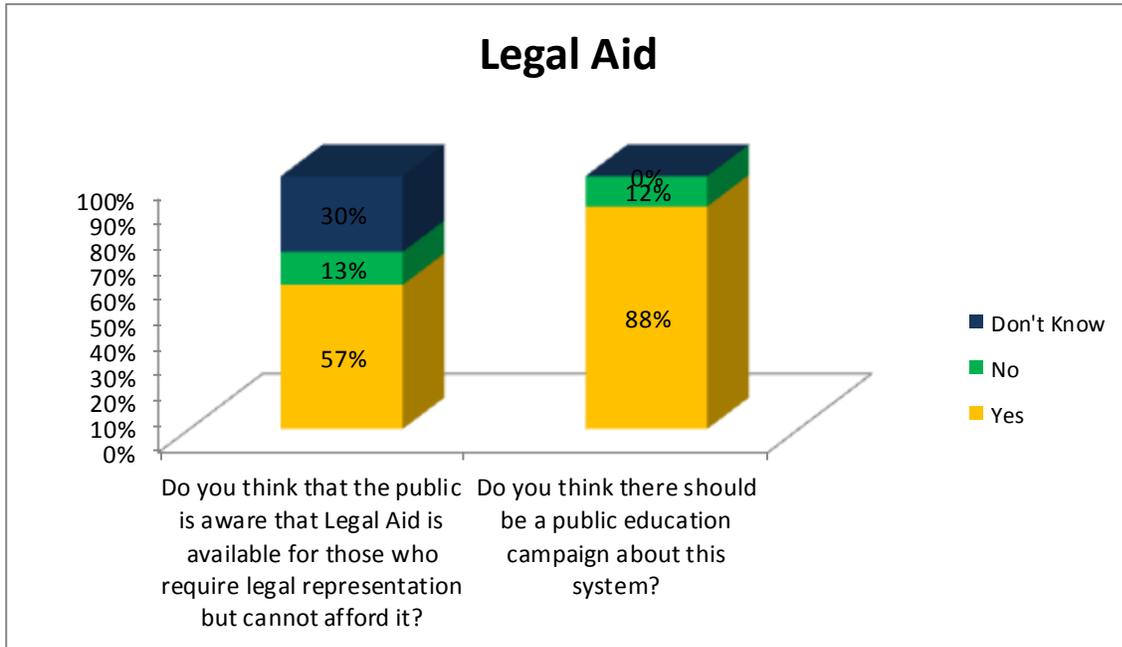


Figure 57

In figure 57.1, 56.7% of respondents were of the view that the public was aware that legal aid is available for those who require legal representation but cannot afford it, 84% thought that the legal aid system needs improvement, 11% did not, while 5% did not know what the position was.

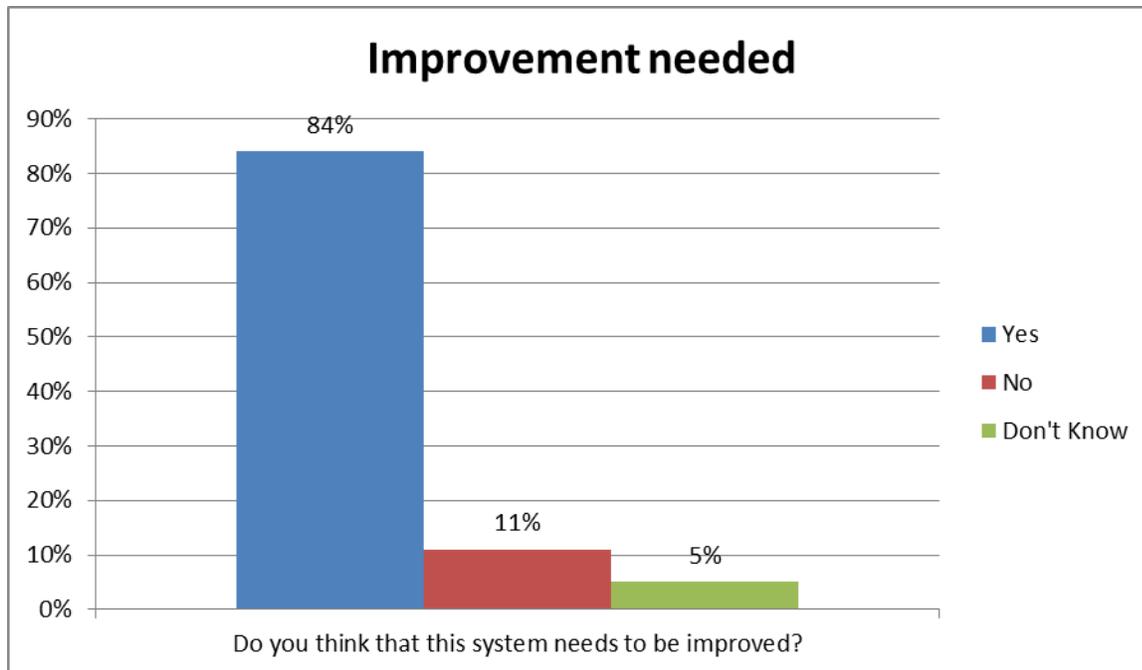


Figure 57.1

Judges are regarded as "the pillars of the justice system" and are therefore expected to display an extensive knowledge of all laws and their applications to specific circumstances. From Figure 58 one will see that 50% of respondents were of the view that judges show knowledge and understanding of the relevant laws. 34.4% were however uncertain if they displayed such a knowledge while the remaining 15.6% believed that judges are not in possession of such knowledge. This 15.6% of respondents also suggested the need for judges to obtain training to acquire more knowledge in their specialized areas.

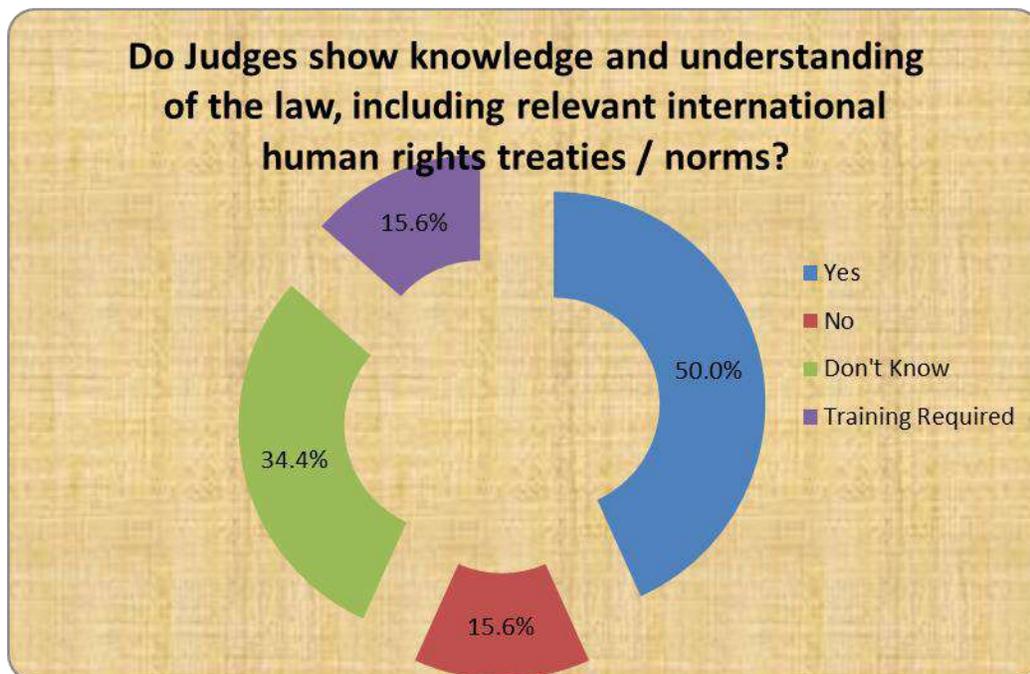


Figure 58

From Figure 59, 71.9% of respondents believed that judges do not make decisions in a timely manner congruent with the applicable laws. Well known defining characteristics of good judges include the ability to make clear, cogent and informed decisions in a timely manner.

Are decisions by Judges made in a timely manner consistent with applicable laws?



Figure 59

In Figure 60, 62.5% of respondents were of the opinion that judges followed basic rules of conduct while 9.4% disagreed. In Figure 60:

- Half the respondents were not certain if judges enforced laws regarding the first appearance of the accused in court. Of the other half, 46.9% believed they did, while 3.1% thought otherwise.
- 59.4% of respondents were unaware whether judges complied with laws regarding orders to dismiss defective warrants. Of the next 40.6% of respondents, 6.2% were doubtful, whilst 34.4% of respondents believed they did.
- 43.8% of respondents were not fully informed whether judges carried out appropriate remedies upon finding a case of illegal detention. 40.6% of respondents believed that they did, however, 15.6% of respondents did not.

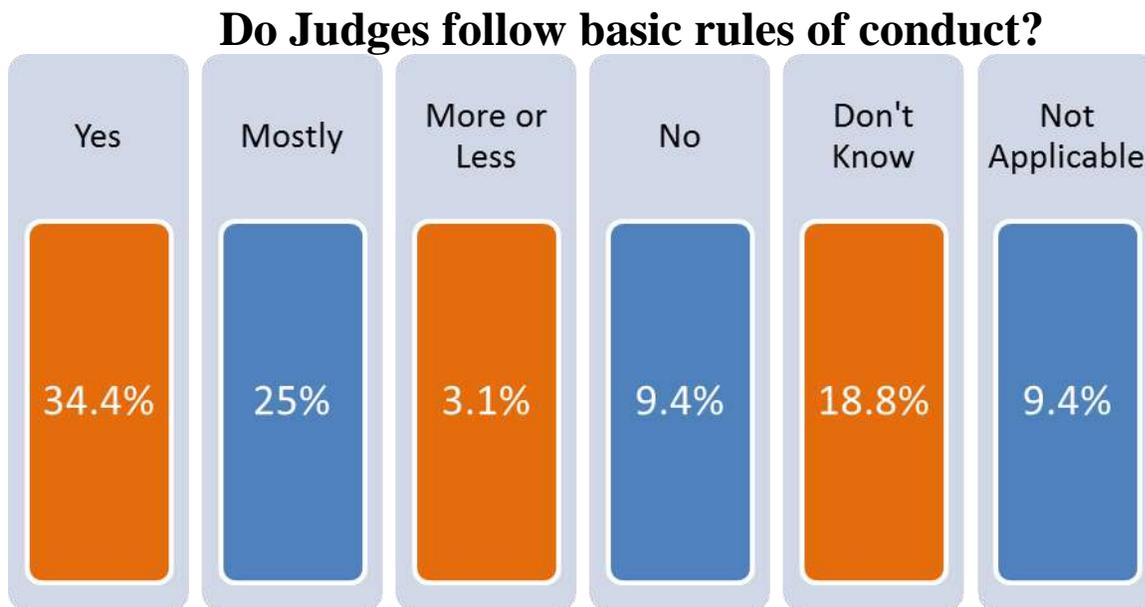


Figure 60

In Figure 61, 53.1%, of respondents thought that sentences were pronounced by judges based on legally relevant grounds and not based on impermissible factors such as the race, gender or ethnicity of the accused. 12.5% of respondents rejected this claim while there was uncertainty among 34.4% of respondents.

Are Judges Correctly Applying the Laws Regarding Arrest and Detention?

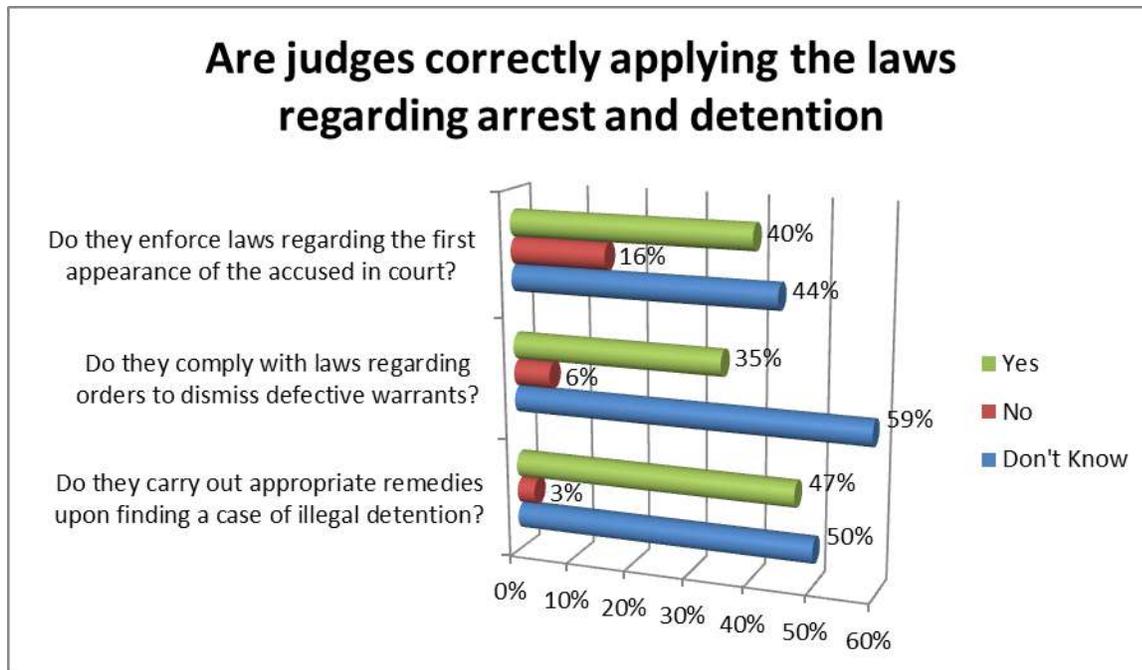


Figure 61

Most respondents were of the view that sentences were uniformly applied. In Figure 62, 53% of respondents thought that sentences are delivered in accordance with legally relevant grounds. 13% of respondents stated that this was not the case, while 34% of respondents stated that they did not know what the true answer was.

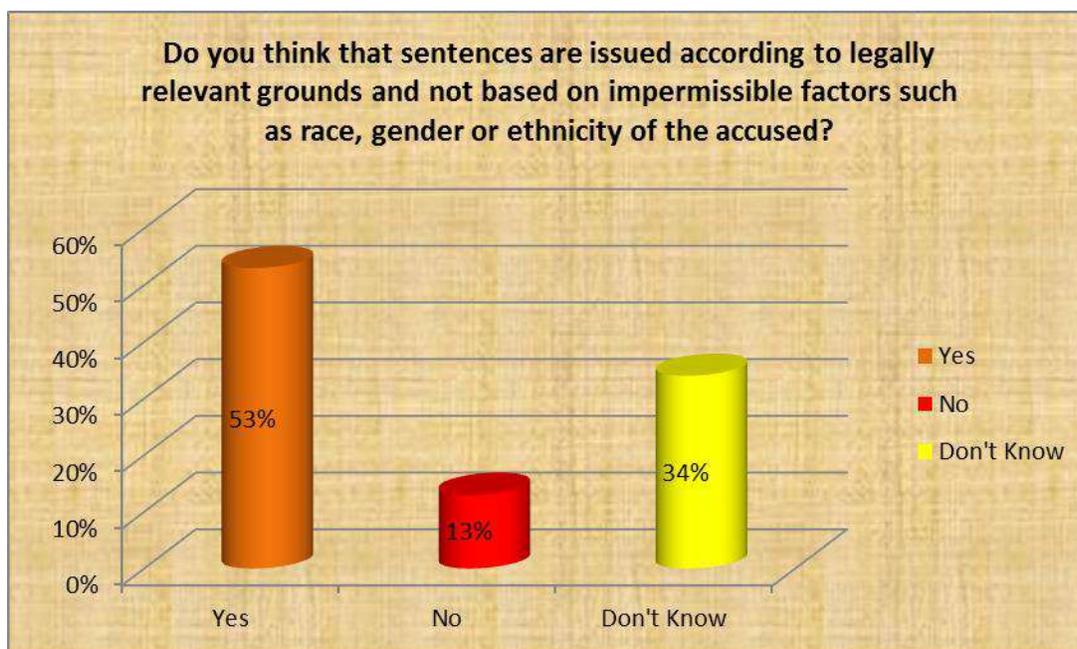


Figure 6

In Figure 63, approximately 72% of respondents believed that Legal Education in Jamaica is at least of a fair standard. 44% of respondents said that legal education in Jamaica is of good quality, while 22% of respondents said that it was of an excellent quality.

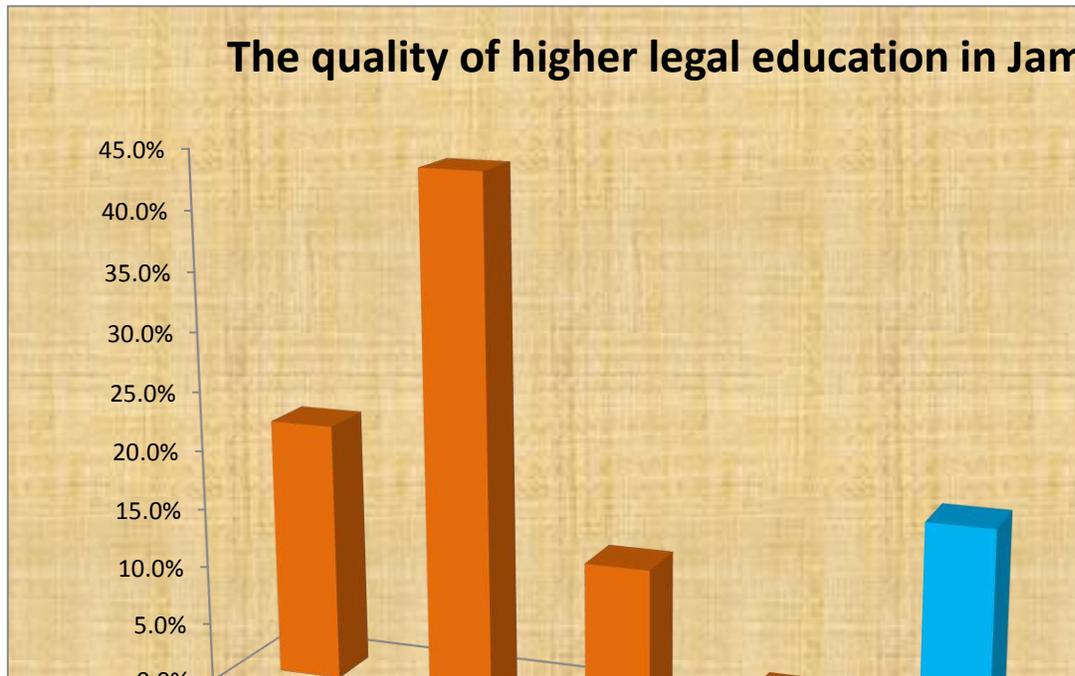


Figure 63

Impressions of Justice System

In Figure 64:

- Most respondents, 45%, did not know whether the salaries of Judges are adequate relative to the professional and ethical requirements of their positions. 3% of respondents fully agreed with this statement.
- A number of respondents, 39%, were not aware of an objective system for career advancement that assigns more qualified and experienced judges to positions that require more responsibility. The minority of respondents, 6%, mostly agreed with the statement.
- 48% of respondents were uncertain whether new judges were required to undergo training before being appointed. Such training guarantees a high level of professionalism and respect for rules of conduct. No respondent selected the fully disagree option.
- The most favourable response on whether judges are able to update their knowledge through continuous training was mostly agree at 33%. The least was fully disagree. 3% of respondents gave this response.

- 22% of respondents fully disagreed as to whether gender representation in the judicial system was balanced. The least frequent response was fully agree which was at the 10% level.
- 45% of respondents agreed that judges are appointed in a fair, competitive and merit-based fashion that allows for the efficient and impartial conduct of their job responsibilities.

Career conditions for Judges

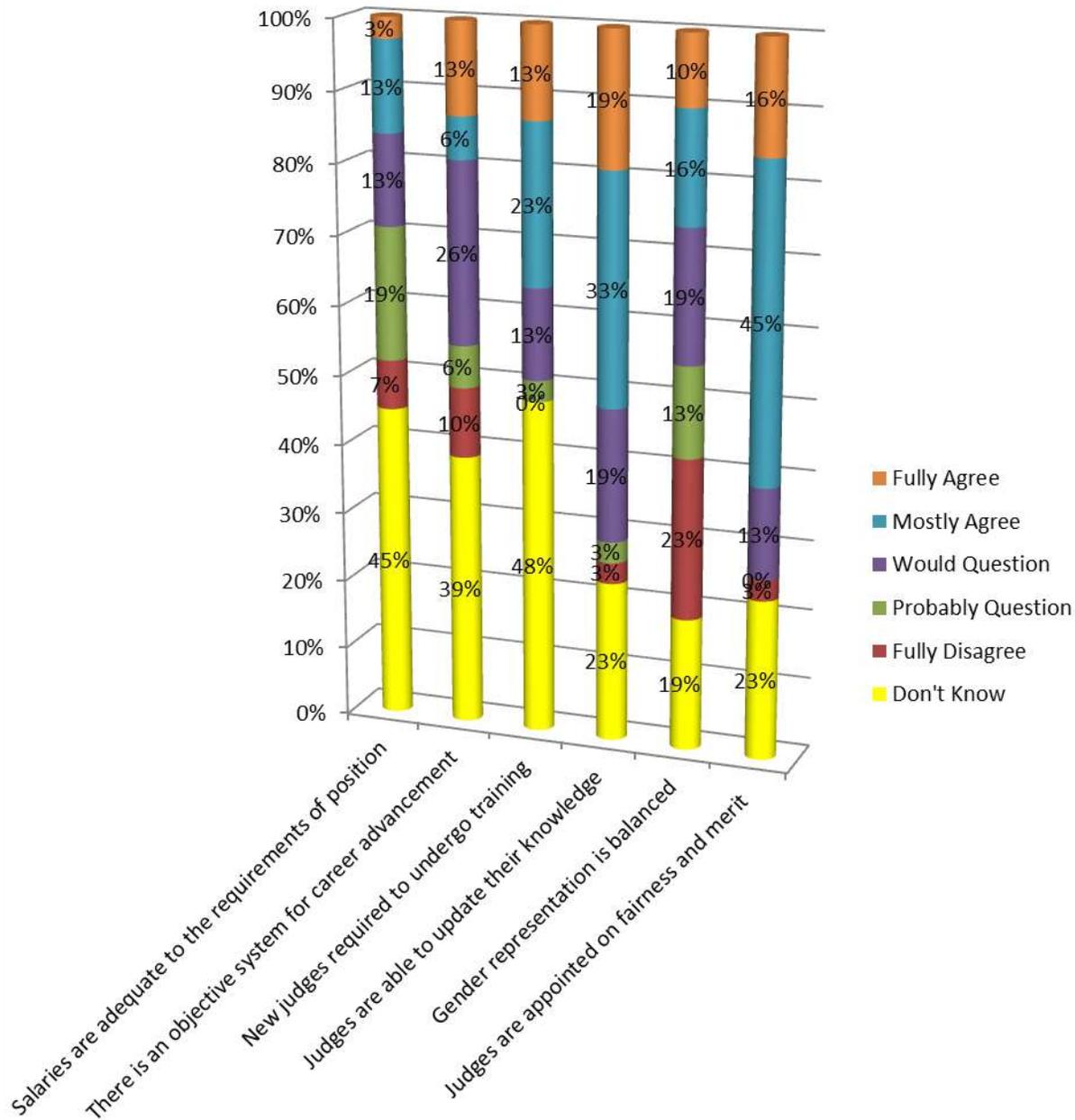


Figure 64

g. Assessment of verbal interview information provided by service providers and justice system users:

Ministry of Justice:

- ❑ The Minister of Justice has been very helpful and supportive to many elements of the legal system. 6% of the participants said this is to be commended. He must however interact with the public a lot more. He should give monthly reports to the Parliament on the progress of the justice reform agenda.
- ❑ Ministry of Justice performance targets need to be publicized as well as the progress being made to achieve individual targets. 29% of interviewees attested to this need.
- ❑ With regard to the high-level Task Force of the various branches of Government that was recommended in the Darby Report [The Justice System Reform Policy Agenda Framework], only one meeting has so far been convened. This meeting was under the chairmanship of former Prime Minister Bruce Golding. (6%)
- ❑ 6% of interviewees were of the view that the Ministry of Justice needs to design a scorecard to track changes being implemented in the court system. The Scorecard needs to focus on the core things being implemented in the reform process and establish timelines for their implementation.
- ❑ Prior to rolling out the Citizen's Scorecard, 18% of interviewees were of the view that there needs to be a baseline education programme sensitizing citizens on the nuances of the administration of justice. Citizens also needed to be educated on the importance of standing up and giving evidence in court when needed. This education programme should be undertaken on a phased basis with topical issues such as how not participating as a juror or not giving eyewitness evidence can negatively affect the administration of justice.
- ❑ 5% of interviewees were of the view that Citizen Scorecard implementation needs to be undertaken after the Ministry of Justice fixes the existing problems.

Laws of Jamaica:

- ❑ The Laws of Jamaica, especially in highly complex areas such as Cyber-Crime and DNA identification, are archaic and out of step with the pace at which technology is developing.
- ❑ 41% of interviewees believed the Laws of Jamaica need to be systematically updated in a timely fashion.
- ❑ The MOJ is no longer employing lawyers in the legislative drafting area. There is a big deficit in this area, which contributes to the ancient vintage of many of the laws.

Legal Aid Provision:

- ❑ 6% of persons cannot get justice because they are unable to afford the cost of legal representation.
- ❑ Expand the legal aid system so that more persons who cannot afford it can get access not just to legal representation for matters they have before the Court but to the services of a mediator or dispute resolution specialist. (18%)
- ❑ There is a need to expand the Norman Manley Law School to integrate a legal aid clinic within its confines, as was previously the case. 6% said this expansion does not seem technically feasible due to the fact that the present School structure cannot be built upwards for structural limitation reasons. It also cannot be expanded outwards, greater than ten feet, on lands owned by the UWI.
- ❑ It was noted that in other jurisdictions, the Office of the Public Defender acts for those who cannot afford legal representation. It was suggested that the remit of the Office of the Public Defender in Jamaica be modified to offer legal representation to the less fortunate. It was also suggested that the legal aid system should be revamped and that the Office of the Public Defender and the existing legal aid offices be merged. (6%)

Prosecution of Cases:

- ❑ 12% of interviewees believed that prosecutorial weaknesses have been displayed in a number of major criminal cases that have been lost by the State.
- ❑ 6% of interviewees were of the view that many of the cases are not ready for trial for various reasons, including the absence of relevant police statements.
- ❑ The readiness of the case depends to a large extent on the Prosecution and the Police and they must work hand-in-hand to ensure that the attendance of witnesses at court is assured. If this is not so, the case should not be brought forward for trial. (12%)
- ❑ The Jamaica Bar Association has sensitized its members as to what is required to expedite their matters in court.
- ❑ 6% of interviewees believed that no Defense Counsel should seek an adjournment of the trial of a case in a criminal matter where all the parties are ready. This leads to an erosion of trust in the system on the part of the public.

Automatic Dispute Resolution:

- ❑ The automatic court mediation process has been significant in settling disputes. This is especially the case in such areas as negligence.
- ❑ 18 % of interviewees were of the view that greater access to mediation and dispute resolution services was needed due to the large unmet need among the citizens for this type of service.

- ❑ 12% of interviewees were of the view that there is formalistic training of Justices of the Peace (JP) in Jamaica. The JP's regard their designation as a mere honorific for the most part.
- ❑ The judiciary is not community-owned and we are not getting the best Lay Magistrates. No reason why we cannot have part-time judges.

Training:

- ❑ The Justice Training Institute (JTI) was established under the auspices of the Ministry of Justice. There have been problems with the JTI training Resident Magistrates. A way should be found to put this type of training under the jurisdiction of the court system. Court leadership has mooted the possible establishment of a separate Judicial Training Institute and its establishment is seen as necessary for addressing the specialized training needs of the judiciary.

Court Infrastructure:

- ❑ 24% of interviewees said that with regard to court appearances, in general terms people are motivated to go to court in settlement of their disputes. The courtroom atmosphere however needs to be made more user-friendly. As an example, witness rooms should be built in all the courts.
- ❑ 24% of interviewees were of the view that the court infrastructure was falling apart. This is especially so at the Magistrate's Court level where significant attention is needed to enable these courts to adequately serve the people. Court buildings need to be moved closer to the people. This is especially the case in rural areas.
- ❑ Courthouses should not be located above police stations. Where this occurs, many citizens come to the conclusion that the police, the clerk and the judge are conspiring together against the accused.
- ❑ Make courts more children friendly. For example by putting the Judge's seat on the same level as the child before the Court, giving children more input into the proceedings and expanding the legal aid system so that any child before the court who can't afford an Attorney is represented.

General Legal System:

- ❑ Registrars should be more visible to the potential users of their services.
- ❑ Do not know if the Court Management Service (CMS) understands that it is a support management entity to the courts. This lack of knowledge has caused friction with the courts. The CMS needs to understand its role viz. a viz. the court system.
- ❑ In an ideal world, the CMS would be located within the confines of the Supreme Court.
- ❑ The independence of the courts does not prevent collaboration with the Ministry of Justice.

- ❑ There is an absence of administrative staff accountability in the legal system at all levels, according to 29% of interviewees. The predominant feeling among members of staff at various levels of the system seems to be that they do not have to account to anyone with regard to the performance of their duties.
- ❑ The court staff does not seem to appreciate that getting the job done is more important than status considerations and that the whole objective is the delivery of efficient service to the customers of the Courts.
- ❑ 47% of interviewees expressed concern with the delays in the conduct of trials.
- ❑ 6% of interviewees were of the view that the proposal to use the Taxpayer Registration Number (TRN) list as a source for potential jurors was a good idea and that sanctions for failure to attend should be imposed as is done in other jurisdictions. This course of action would widen the current juror pool.
- ❑ 12% of interviewees were of the view that the method of choosing jurors for courts, especially the Coroner's Courts, was inadequate.
- ❑ 18% of interviewees stated that attorneys are not prepared for court; too many adjournments are requested.
- ❑ 29% of interviewees felt that it would be difficult to overcome the issues with regard to the reluctance of witnesses to come forward and participate in trials. However it was suggested that witnesses might be less reluctant to come forward and give evidence at trial if the trials were conducted in a timelier manner.
- ❑ The witness protection programme should be revamped. 24% of interviewees expressed the view that the utility of the programme was limited to the willingness of persons to participate in it.
- ❑ 12% of interviewees felt that it would be good to have regular Bail hearings as too many persons are held in detention for far too long before their matters are heard. It was suggested that in conjunction with hearings being heard daily, a day could be set aside in which only such hearings are dealt with.
- ❑ 12% of interviewees were of the view that Court Management Service delivery needs to be improved to head off the opinion of some lawyers who view it as an expanding bureaucracy with no sense of accountability.
- ❑ 18% of interviewees were of the view that the police conducted inefficient investigations.
- ❑ 12% of interviewees were of the view that the citizens were not aware of their rights; they don't know how to access justice; they don't know who to go to; information isn't readily available.
- ❑ 12% of interviewees were of the view that the essence of the justice system is (i) How quickly can my matter be resolved? (ii) How can matters be resolved in a cost-efficient manner?

Courts:

- ❑ 18% of interviewees were of the view that Jamaica is the only Caribbean Country in which the judicial branch is not treated as a separate branch of Government.
- ❑ 12% of interviewees believed trust and confidence of the public in the Supreme Court is still relatively high.
- ❑ A culture of delay is endemic in the society. However, 18% of interviewees stated that a delay benefits some users of the court system (witnesses die, migrate, etc.). The reason why many people in criminal cases do not plead guilty in court is due to the hope that something will happen that results in the collapse of their matter before it.
- ❑ 12% of interviewees were of the view that many Judges have judgments outstanding and need research assistance to speed up their production.
- ❑ 12% of interviewees were of the view that if we want to clear court case backlogs some minor offences should be made ticketable offences in order to enable them to be cleared from court dockets.
- ❑ 12% of interviewees were of the view that a core group of retired judges on contract needs to be re-employed to reduce the backlog of cases.
- ❑ 12% of interviewees were of the view that greater use of video link services was needed to reduce the need for victims of crime to be physically present in Court.
- ❑ 18% of interviewees were of the view that the Courts' Public Information arm needs to be strengthened to enable the timely dissemination of releases and Court Protocols to the public.
- ❑ The objective is to get the courts to operate more efficiently. 12% of interviewees believed witnesses need to get to court efficiently and court sittings need to be better scheduled.
- ❑ The introduction of the Children's/Family Court; allows children to have a separate court from adults. However, 6% of interviewees said that there is a need to go further; more specifically, changes need to be made with regard to the provision of separate detention facilities for children, the introduction of specialized Judges and changes in the administrative rules which govern the management of the courts and the conduct of trials.
- ❑ 6% of interviewees were of the view that there was a need to identify the most pressing fifteen (15) things that need to be addressed in the court system. These things should then be addressed for implementation in order of priority.
- ❑ 6% of interviewees thought that the inability to obtain sufficient jurors to try cases; postponement of cases by the courts and inconsistent sentencing outcomes do not enhance the public's view of the efficiency of the courts.

- ❑ 6% of interviewees mentioned that in Guyana, a law requires judges to produce a judgment in six months. Failure to produce a judgment in this time period is considered defacto evidence of professional misconduct.
- ❑ 6% of interviewees said that there is no system in place to measure whether judges are performing their jobs efficiently or not.
- ❑ 12% of interviewees were of the view that the administrative staff in the Supreme Court needs to be more strongly managed as staff members do not seem to be well trained; do not understand the rules and do not seem accountable to higher authority.
- ❑ Greater use of technology in the Courts is necessary, according to 47% of interviewees. For example, the use of audio recording and/or laptops to record evidence instead of having to write it all down in longhand. The current method is inefficient and contributes to the backlog of cases in the Courts.
- ❑ 6% of interviewees were in favour of implementing a system whereby a criminal case may be adjourned on a maximum of three occasions unless there is a reasonable excuse as cases are languishing in court for far too long.
- ❑ 6% of interviewees were of the view that Judges spend too little time in Court, starting court late and ending early in the afternoon.
- ❑ Judgments cannot be obtained in a timely fashion because Judges are overworked. 12% of interviewees were of this opinion, while they need full-time Judicial Clerks to assist them with their writing and research duties.
- ❑ 29% of interviewees were of the view that there is the need to follow a 3-5 year dedicated backlog reduction plan. Under such a plan additional judges and courtrooms would be provided and these new resources would be solely dedicated to the backlog reduction initiative.
- ❑ 6% of interviewees thought that the Jury system is the best system we have. Do not destroy it.
- ❑ 6% of interviewees thought that there was a need for a properly staffed, dedicated, body to serve summonses. The police are not properly equipped to serve the summonses in a timely and efficient manner.
- ❑ 12% of the interviewees were of the view that court architectural designs need to be undertaken in consultation with the Chief Justice to ensure that relevant operational concerns are taken into account from the outset.
- ❑ 24% of interviewees were of the view that at the end of the day justice isn't been done. They feel they are being dispossessed of their power and constitutional rights.
- ❑ 41% of interviewees were of the view that justice is skewed in favour of the rich and in favour of those who can afford legal representation.

Resident Magistrates Courts:

- ❑ 12 % of interviewees were of the view that Resident Magistrates are given pedestrian work as a large part of their duties. Most of the matters handled by them do not need a judicial officer of at least five years experience to manage them.
- ❑ 18% interviewees were of the view that poor customer service exists at the courts, especially at the RM level.
- ❑ 18% of interviewees say administrators in these courts need greater and more transparent accountability.

Media Involvement:

- ❑ 18% of interviewees say there needs to be fulsome carriage by the media of judge's explanations of why particular sentences have been handed down. Such a course of action would go a far way in alleviating negative public comments on what appears to be sentencing inconsistencies in their eyes.
- ❑ The public should have full access to all court proceedings, said 18%, of interviewees (No "In Camera" trials should be undertaken).

h. Design of Indicators:

Designing appropriate Indicators for legal reform entails a host of difficult conceptual and practical problems. Existing models do not address many of the important issues facing developing countries. For example, reliable measures of corruption, the use of informal dispute-resolution systems and rights-consciousness are often needed in the developing country context. The experience of developed countries may still be a useful guide, but there are no existing models of legal system evaluation that can be taken "off the shelf" and used in Jamaica. Another problem that had to be tackled was the fact that collecting data is costly and time-consuming, and the better and more nuanced the data, the more expensive it will be to gather. Cost issues are of particular importance in Jamaica where reliable information about even basic aspects of the legal system may be unavailable. Taking all the variables into account, it was decided that the best approach was to use a mix of quantitative and qualitative indicators and to, as far as possible; use both objective and subjective means to measure the same thing. As an example, when studying judicial efficiency, it makes sense to measure mean trial duration and to survey users and/or the general population for their perception of whether the courts are efficient in their handling of cases. We can therefore have more confidence in findings that are supported by both quantitative measures and subjective evaluations. If there is a discrepancy between different measures, that in itself is an interesting finding that may lead to additional insights into the problems being encountered.

Based on the information obtained from the various persons and organizations to whom Questionnaires were sent, and with whom interviews were conducted, Indicators were developed using the following principles:

- ❑ Start with the outcome, not the Indicator.

- ❑ Measure outcomes with a balanced basket of Indicators.
- ❑ Test Indicators for their sensitivity to the changes that are desired.
- ❑ Design Indicators that allows the isolation of the experiences of relatively powerless groups, such as people living in poverty.
- ❑ Avoid creating Indicators that encourage or lead to counter-productive behaviour.
- ❑ Use the simplest and least expensive Indicators possible.
- ❑ Design Indicators that are likely to make sense to most people.

Indicators Identified

A. The process by which laws are enacted, administered and enforced is accessible, fair and efficient.

BASKETS	INDICATORS	DATA SOURCES
<p>1. Transparency</p> <p>Definition: The public is informed of legislative proceedings</p>	<p>(i) Timely notice of hearings and laws are published</p> <p>(ii) There is a good faith effort to inform the public of the legislative process</p> <p>(iii) The public views the process of enacting laws as transparent</p>	<p>Administrative Data, Documents and Legislation</p> <p>Administrative Data, Documents, Legislation and Expert Survey</p> <p>Expert Survey, Public Survey, Secondary Survey Data</p>
<p>2. Participation</p> <p>Definition: The public is able to influence legislation</p>	<p>(iv) Members of the public attend meetings where changes to the Laws are presented and discussed</p> <p>(v) There is an opportunity for the public to comment on drafts of Legislation</p> <p>(vi) Expert opinion on the ability of the public to influence recent Legislation</p>	<p>Administrative Data, Case Study / Observation, Documents and Legislation, Expert Survey, Media Review, Public Survey</p> <p>Administrative Data, Documents and Legislation, Expert Survey, Media Review, Public Survey</p> <p>Expert Survey</p> <p>Expert Survey</p>

	(vii) Civil Society groups have confidence in their ability to influence the Legislation and development process	Administrative Data
	(viii) Timeliness of MOJ responses to citizens' complaints	

B. Delivery of Justice: Justice Institutions and leaders are accountable and have the attributes and resources necessary to provide unbiased and efficient services.

BASKETS	INDICATORS	DATA SOURCES
<p>3. Non-state of Informal Justice Mechanisms</p> <p>Definition: Non-state or Informal Justice Mechanisms are transparent, fair and held accountable for high standards of professional and ethical conduct</p>	<p>(ix) Consistency of outcome</p> <p>(x) Public perceptions of the fairness of Non-state or Informal Justice Mechanisms</p> <p>(xi) There are written or oral standards which are available for review and consistently applied</p> <p>(xii) Proportion of women who use State versus Non-state systems as compared to men</p> <p>(xiii) NGO reports of human rights abuses by Non-state or Informal Justice Mechanisms</p>	<p>Administrative Data, Case Study / Observation</p> <p>Expert Survey, Public Survey</p> <p>Case Study / Observation, Documents and Legislation, Expert Survey</p> <p>Expert Survey, Public Survey, Secondary Survey Data</p> <p>Case Study / Observation, Documents and Legislation, Public Survey</p>
<p>4. Legal Representation</p> <p>Definition: People have equal access to and quality of legal representation</p>	<p>(xiv) Percentage of Defendants in cases that may result in a jail sentence, who are represented at trial at least in one hearing</p> <p>(xv) Existence of professional</p>	<p>Case Study / Observation, Documents and Legislation</p> <p>Administrative Data, Documents</p>

	accreditation body for court appointed representatives	and Legislation
<p>5. Judiciary</p> <p>Definition: Judges and Courts are adequately resourced to perform their duties and are held accountable to high standards of professional and ethical conduct</p>	<p>(xvi) Percentage of civil cases involving ‘small claims’</p> <p>(xvii) The Judiciary is perceived as independent</p> <p>(xviii) The government does not overturn Judicial decisions</p> <p>(xix) Judges are appropriately trained to carry out their duties</p>	<p>Administrative Data</p> <p>Expert Survey, Public Survey</p> <p>Documents and Legislation, Expert Survey</p> <p>Administrative Data</p>
<p>6. Engagement</p> <p>Definition: People are equally able to engage with the justice system</p>	<p>(xx) Number of crime reports divided by the number of arrests</p> <p>(xxi) Proportion of public trials involving poor victims</p> <p>(xxii) Availability of free legal Advice</p>	<p>Administrative Data, Secondary Administrative Data</p> <p>Administrative Data</p> <p>Administrative Data, Documents and Legislation, Expert Survey</p>
<p>7. Information / Awareness</p> <p>Definition: People have equal access to an independent reporting mechanism to complain or compliment MOJ law reform actions</p>	<p>(xxiii) Electronic and other avenues to provide feedback to the MOJ established</p>	<p>Administrative Data, Documents</p>

III. Methodology for Scorecard Design

In undertaking to propose a design for a Citizens’ Scorecard for Public Trust and Confidence in the Jamaican Justice System, a number of critical steps were taken:

- ❑ Conducted a review and analysis of the 2009 Justice System Reform Policy Agenda Framework as well as the other documents provided in Attachment 1 to this report.
- ❑ Used the information provided by various organizational and individual users of justice system services to guide Indicator development. This information was gleaned from the information providers through various Questionnaires designed by the lead consultant for the conduct of this consultancy as well as through public consultations that were attended in Kingston and Saint Andrew, St. Mary, Montego Bay and Saint Elizabeth. The Questionnaires were approved by the MOJ/JRIU, prior to dissemination.
- ❑ Conduct a literature review of the Citizens' Scorecard methodology, use and presentation formats.
- ❑ Through the establishment of a hierarchy of cause and effect relationships:
 - a. Identified service standards that would contribute to the goal of strengthening public trust and confidence;
 - b. Identified criteria that reflect the necessary conditions to engender and enhance trust and confidence in the justice system and that would lead to the achievement of these service standards; and
 - c. Proposed indicators that could be used to demonstrate how public trust and confidence is being achieved.
 - d. Developed a scoring system to generate scores and provide a final composite score.

The Citizens' Scorecard for Public Trust and Confidence in the Jamaican Justice System is described in narrative form in this section and is supported by an illustrative and annotated draft of the proposed scorecard in **Annex A** as well as detailed sheets describing the identified scorecard criteria and indicators in **Annex C**.

The scorecard design is structured such that it provides qualitative feedback related to five (5) Justice System Service Standards and a number of criteria under each of those standards. The Service Standards represent those elements of a justice system that will inspire and assure levels of trust and confidence on the part of users in the offerings of the system. These elements include:

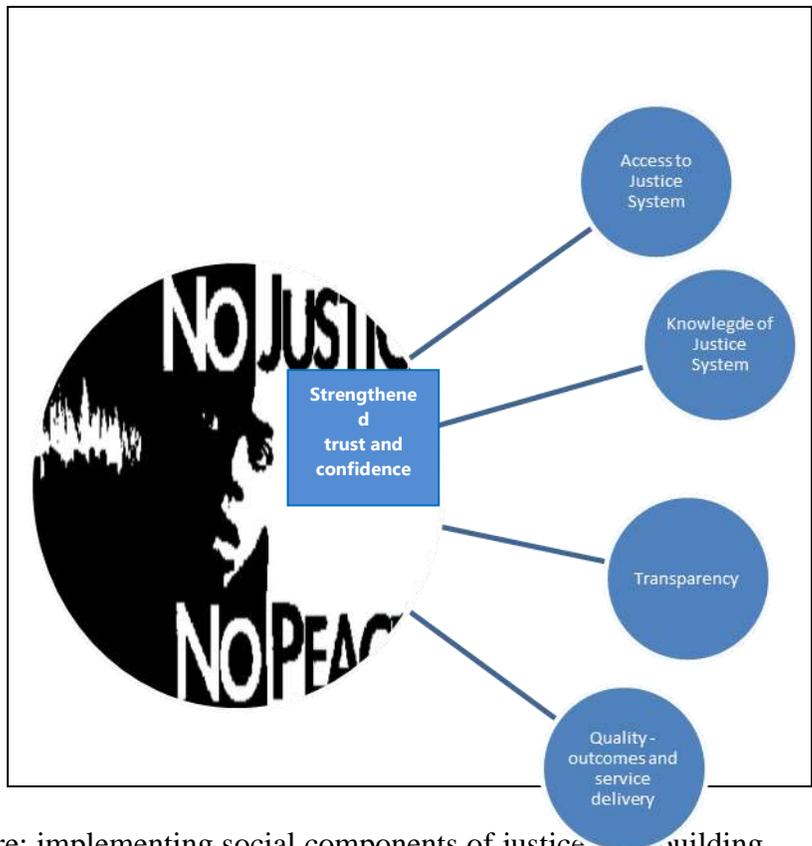
- ❑ Access
- ❑ Adequacy to meet needs
- ❑ Reliability
- ❑ Fairness
- ❑ Legitimacy
- ❑ Availability of information

- ❑ Knowledge
- ❑ Transparency
- ❑ Satisfaction with and quality of service (Effectiveness and Efficiency)

For the purpose of the scorecard these elements were consolidated into five key areas expressed as the following justice system service standards:

- ❑ Equitable access to the justice system
- ❑ Knowledge of the justice system
- ❑ Transparency in the delivery of service to the public
- ❑ Quality and Fairness of Outcomes
- ❑ Quality of Service Delivery

The standards identified above, of necessity, also bear relationships to critical elements of the justice system reform other than the building of trust and confidence. These relationships reflect the cross-cutting nature and interdependence between various aspects of the reform and the consequent impact on perceptions and ultimately strengthening trust and confidence. These areas of reform include improving workforce capacity and quality; reducing barriers to access; improving efficiency and infrastructure; implementing social components of justice, and building capacity for non-state and alternative dispute resolution mechanisms.



The development of the criteria for achieving each service standard emanates from the concept that there are various lower level elements that constitute the ability of the system to deliver on the various standards identified above.

a. Justice System Service Standard I: Equitable access to the justice system

- ❑ Justice services are available to all including vulnerable and diverse populations.

- ❑ Service locations are accessible.
- ❑ Citizens are able to report a crime and are confident that there will be an appropriate response.
- ❑ Sufficient alternative dispute resolution mechanisms are accessible.

Justice System Service Standard I seeks to deal with the broad issue of access to services defined in its broadest sense to include police, courts, prisons and alternative dispute resolution mechanisms. The criteria address the critical underpinnings of access which include:

- ❑ Barriers related to cost (e.g. availability of legal aid, cost of transportation and court services) and physical location (e.g. geographic spread, disabled access) and social factors (e.g. language);
- ❑ Availability of special services to meet the needs of vulnerable and special needs groups including women, juveniles, business community, poor, disabled; and
- ❑ Availability of alternative mechanisms for dispute resolution which requires special mention given the need for its expansion and its potential to vastly reduce the burden on the courts.

b. Justice System Service Standard II: Knowledge of the justice system

- ❑ Information about the operations and services of the justice system is accessible and user-friendly.
- ❑ Information about national legislation is accessible and user-friendly.
- ❑ Adequacy of justice system public education efforts.
- ❑ Electronic and other avenues to provide feedback to the MOJ are established and known.

Justice System Service Standard II seeks to reinforce the basic tenet that information about the justice system is the basis for understanding rights, responsibilities, services and protections under the law. Without the knowledge of what exists, citizens will not be able to avail themselves of the services to which they have access. Knowledge of the justice system in this instance refers to awareness and understanding of laws, rights, procedures, rules and other critical information about how to access justice services. The criteria for achieving this standard include four (4) basic elements:

- ❑ Information about legislation and how specific legislation supports, protects and or impacts individuals and groups of individuals;

- ❑ Information about the operations of the justice system, all its services and rules and procedures which will contribute to perceptions of fairness and transparency;
- ❑ Validating that the extensive public education and communication goals that are part of the reform agenda are implemented effectively; and
- ❑ Ensuring there is a process that enables feedback and learning from the public.

c. Justice System Service Standard III: Transparency in the delivery of service to the public

- ❑ Clear rules and procedures are present.
- ❑ Service providers adhere to rules and procedures.
- ❑ Judiciary perceived as independent and impartial and free from interference or intimidation.
- ❑ Opportunities that are clearly communicated exist for the public/civil society to comment or vote on legislation.

Justice System Service Standard III identifies transparency as the key factor in building trust. This element is what assures the public that there are clear rules and provides part of the basis for the expectations that citizens have in terms of the dispensation of justice. The perception of transparency is also impacted by the extent to which the public is able to participate in key processes such as development of legislation. It also includes knowledge that NGO and CSO advocacy is influential in this process. The criteria for achieving this service standard focus on:

- ❑ Establishing that clear rules exist that builds on citizens' knowledge of the system by allowing them to make their own evaluation of the relevance of the rules and procedures;
- ❑ Rules and procedures are adhered to, such that there is a level playing field and a sense of equity;
- ❑ The need for the public to be assured that the judiciary is independent; and
- ❑ The importance of participation in key processes such as the development of legislation.

d. Justice System Service Standard IV: Quality and Fairness of Outcomes

- ❑ Justice system guarantees fairness and preservation of human rights.
- ❑ Consistent and equitable application of clear rules and procedures.
- ❑ Absence of bias on grounds of ethnicity, gender, class, etc.

□ Non-state or informal justice mechanisms provide alternatives that result in fair outcomes. Justice System Service Standard IV establishes the undeniable fact that in order for citizens to have trust and confidence in the system, they need to be assured or they must perceive that the outcome achieved through and after their interaction with the justice system will be fair. The criteria for achieving this service standard reflect the four (4) critical aspects of being able to provide this assurance:

- There is no bias;
- Consistency in the application of rules related to penalties and sentencing as a means of building confidence that having taken a matter for resolution it will be subject to treatment consistent with the nature of the matter and the applicable rules;
- Human rights are preserved; and
- Alternative mechanisms offer a fair outcome when such avenues of justice are utilised.

The latter is also important in the context of being able to monitor progress in development of ADR and restorative justice solutions.

e. Justice System Service Standard V: Quality of Service Delivery

- Service providers are qualified, competent and held accountable to high standards of professional and ethical conduct.
- Quality of customer service in the interactions of staff with the public.
- Justice system infrastructure is adequate and appropriate and meets the needs of citizens.
- Efficient resolution and clearance of cases.

Justice System Service Standard V will address the idea that justice institutions and leaders must have the attributes and resources necessary to provide unbiased and efficient services. Assurance in the capacity of the justice system and its workforce is critical to overall feelings of confidence. Citizens' sense that the system is reliable by virtue of its efficiency, effectiveness and well-trained workforce is also key to building trust. Trust will also to a large extent be shaped by actual experience or second-hand knowledge of people's experience and engagement using the system. The criteria identified for this standard seek to reflect the public's perception about quality and specifically relate to key issues in the reform agenda such as:

- Training of judiciary, court staff, and other parts of the workforce;
- Strengthening customer service and citizen focus;
- Improving infrastructure; and

- Timely resolution of cases

IV. Other Issues for Consideration

It should be noted that an attempt was made to ensure that the criteria are tied to implementable measureable outputs that are a part of the reform agenda.

The proposed standards and criteria described above will provide the means by which there can be robust monitoring of the public's perspectives on key issues that underscore the goal of strengthening trust and confidence. It is also understood that as the scorecard will reflect public opinion, they must be considered in the context of other monitoring and evaluation mechanisms for the reform process and the realities of financial constraints that may hamper the implementation of reforms.

There are a number of measureable indicators (qualitative and quantitative) which can be used in tandem with the scorecard to provide baseline, establish context and validate the extent to which trust and confidence in the justice system is being built. These indicators include:

- Court Infrastructure improved.
- Alternative Dispute Resolution services network enlarged.
- Percentage of Civil Society groups that report having confidence in their ability to influence the Legislation and development process.
- Number of job-specific training opportunities provided to judges, court staff and MOJ public education staff
- Reduction of backlogged criminal cases in all courts.
- Number of courts using technology for reporting and other functions.
- Number of clients using legal aid services.
- Number of new MOJ/Court public education initiatives.
- Number of MOJ responses to citizens' complaints within established time standards.
- Number of members of the public attending meetings where changes to the Laws are presented and discussed.
- Number of relevant training programmes for justice system workforce – disaggregated by (i) judges; (ii) court staff; (iii) attorneys.
- Proportion of women who use State versus Non-State systems as compared to men.

- ❑ Number of NGO reports of human rights abuses by Non-state or Informal Justice Mechanisms.
- ❑ Percentage of Defendants in cases that may result in a jail sentence, who are represented at trial at least in one hearing.

- ❑ Percentage of civil cases involving “small” claims.

Data Collection

Such data can be obtained from various sources including administrative data and expert opinion. As important stakeholders in the justice system, it is also proposed that the perspectives of service providers be considered in relation to the standards identified in the scorecard. It could be envisaged that for such deep reforms, the effects might not be observable by the citizenry early in the reform process and the perspectives of service providers will allow for a balanced view. Divergence in views of citizens and service providers will also usefully point to gaps in education and communication and help identify where efforts need to be ramped up to ensure reforms impact the delivery of service.

One limitation that must be mentioned is that it might be difficult to observe and reflect small changes in the standards and indicators proposed. This is partly because it takes a sea change of new information to dramatically swing public opinion and such change might not be visible over relatively short periods of time. This deficiency can be addressed by reviewing results in the context of other performance indicators and results and the perspectives shared by service providers.

Scoring System

Data for the updating of the citizens’ scorecard will be collected using questionnaires. These questionnaires can be administered using online surveys and through the conduct of exit polls at select justice system service locations such as dispute resolution centres, legal aid clinics, Resident Magistrates Courts, Family Courts and the Supreme Court. The use of the two methods of administering the questionnaire will ensure that members of the population without access to the Internet or without adequate levels of literacy are reflected in the sample. This helps ensure broad inclusiveness and is particularly important given the perception that lower-income and less educated members of society and other vulnerable groups are not served. A representative sample of the population will be selected and attention will be paid to ensuring gender and age balances.

The data collection process will also include the documentation of anecdotes and other feedback provided by survey respondents during the administration of questionnaires. In the online survey, provision will also be made to capture feedback.

As discussed above, the survey will also be administered to a representative sample of service providers to enable the collection of data for the proposed list of Indicators.

Presentation and Dissemination

Administrative data will be reviewed and where appropriate the data will be obtained from service provider/expert surveys.

A short questionnaire instrument will be developed for the testing of the scorecard which will be modified after testing to address any demonstrated shortcomings, limitations and misinterpretations of the questions.

For sustainability and on the assumption that the scorecard will be done frequently to serve MOJ public education needs, in the long term the data collection could be undertaken by inserting the questionnaire as a module in other large survey efforts such as the biennial Latin America Public Opinion Polls (LAPOP). LAPOP in particular looks at larger but related issues of rule of law, governance and political culture making it ideal for inserting the collection of data for this scorecard. Pairing the scorecard surveys and results with such studies not only ensures its completion, but would also help with their dissemination and publication. Another possible means of ensuring its collection on a periodic basis is to embed the data collection role into the responsibility of appropriate staff and service centers to facilitate annual exit polls of randomly selected service users.

Scoring System

The scoring system is one in which qualitative measures/statements that correspond to scores over a range will be computed for each standard and criterion in order to derive a quantitative score. An average of the scores for the criteria related to each service standard will provide the score for the service standard.

For the purpose of this citizens' scorecard the scoring system is outlined as follows:

- ❑ Respondents will provide their perception of the extent to which each of the service standards and criteria are achieved.
- ❑ Respondents will provide a score that reflects their views on a scale of 0– 5.
- ❑ The ranges of scores are further defined to reflect what the scores mean:
 - ❑ 5 ideal
 - ❑ 4 good efforts are in place – almost there
 - ❑ 3 satisfactory/fair
 - ❑ 2 poor
 - ❑ 1 very poor
 - ❑ 0 none at all

These ranges of scores will also be denoted by a colour as follows:

- a. 5 - blue
- b. 4 - green
- c. 3 - light green
- d. 2 - yellow
- e. 1- orange

f. 0- red

Additionally for each service standard area the total score could be used to evaluate whether there is progress in the reforms “going forward”, not much change “coasting” or whether the system is perceived as “going backwards.” For example a score of 4 and above suggests reforms are “Going Forward”; a score of 2 – 3 might suggest “Coasting” and a score of 2 or below might suggest “Going Backwards” in terms of achieving key reforms. The use of this type of classification is not suggested in the first iteration of the scorecard as such an evaluation will depend on the baseline that is established.

In addition to providing the scores for each criterion (for citizens and service providers), the scorecard will provide composite scores for each of the service standards as well as overall scores for trust and confidence by computing the relevant averages of the scores assigned. The Overall Scores will also be disaggregated for citizens and service providers.

In addition to the scores that will be presented on the scorecard, a colour code will be assigned to each of the scores. The relevant colour will be shown beside the numerical score to add a visual dimension to the interpretation of results. A key will be provided to aid in the interpretation of the scorecard.

Annex A includes an illustrative draft of the scorecard. It first provides an annotated draft with explanations about its presentation along with scores and colour coding for illustrative purposes only. A second illustrative model shows a blank scorecard sheet.

For dissemination purposes it is proposed that the scorecard be presented as a one-page snapshot. This could be complemented by a web-based version that allows each sub-indicator to be linked to the specific survey question(s) and notes from the survey session with feedback including anecdotal support, special issues and gaps to be addressed, and corresponding MOJ and other indicator results.

V. Scorecard Pilot Testing Process

The statements contained in the Annex B Draft Citizen’s Scorecard were tested through the conduct of four public consultations in different areas of Jamaica as well as through the auspices of an Internet Survey. A public consultations Questionnaire and an Internet survey were developed by Darby Darby & Associates and disseminated to participants for their responses. The parameters that defined the Scorecard testing process are described below:

a. Scope of the Survey

Citizen Scorecard information gathering activities were conducted in the parishes of Kingston and Saint Andrew, Saint Elizabeth, Manchester and Saint James. The views of a wide cross-section of individuals representing highly diverse interests, age groups, genders and use of the justice system, were canvassed. All participants had full opportunity to comment on the nature, scope, extent, applicability and relevance of the justice system statements contained in the Draft Citizen’s Scorecard. These comments are fully reflected in the Baseline Scorecard contained in Annex D.

b. Survey Instrument Modules

A questionnaire was designed to obtain information from various individuals on the different service standards of the justice system. Questionnaires were administered online as well as self-administered. The responses to the questions on the data instrument were formatted on likert scales. This was to more easily facilitate the population of the scorecard with the findings from this study. Self-administered questionnaires were disseminated in the locations in Annex F, Sections F-J. A total of 284 questionnaires were disseminated and a completion rate ninety three percent (93%) was recorded.

Completion rate is calculated as:

$$\# \text{ of completed questionnaires} / \# \text{ of questionnaires issued} * 100$$

$$(265 \div 284) * 100 = 93\%$$

The high completion rates recorded for both questionnaires speak particularly to the comprehensibility of the questions.

Locations	Questionnaires/ Online Surveys Administered
Kingston Metropolitan Area (KMA)	39%
Out of KMA areas	61%
Total	100%

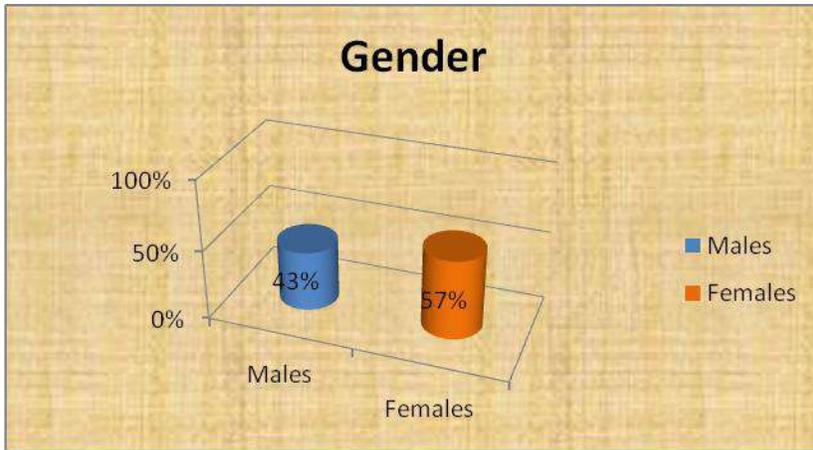
c. Data Entry, Analysis and Report Writing

A number of in-house and contracted personnel reporting to Darby Darby & Associates were utilised to collect, collate and interpret the information received from the Questionnaires and Online Survey over a two-week period. This process allowed the consultant to arrive at informed conclusions on the nature, scope, extent and relevance of the justice system information sought in the Draft Citizen’s Scorecard.

d. Analysis of the Scorecard Pilot Testing Questionnaires and Online Survey Results

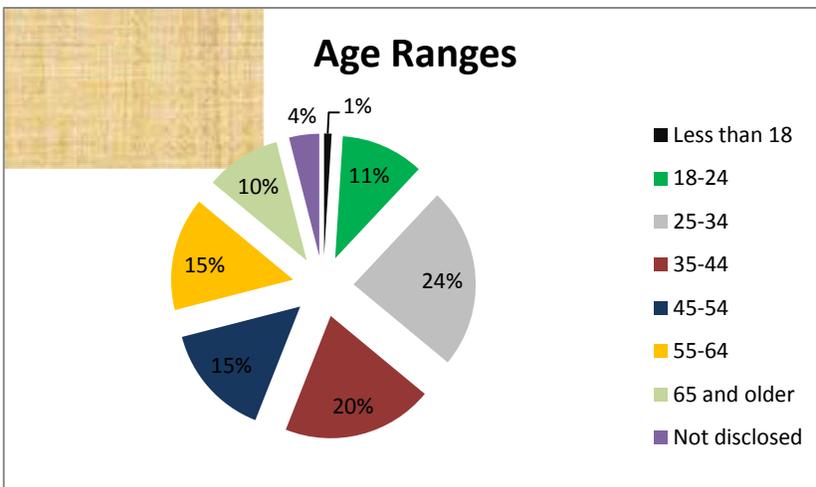
General Information:

Graph 1 below shows the gender make up of the research. Males constituted 43% of the study while females made up the remaining 57%.



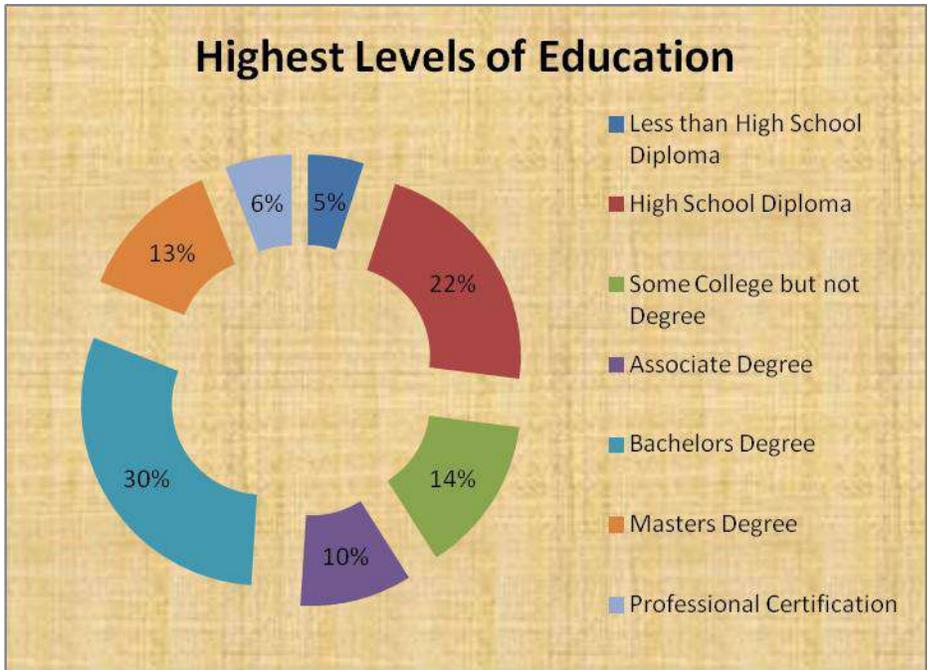
Graph 1

Graph 2 shows that persons who fell within the age range of 25 to 34 comprised the largest percentage of the persons that provided inputs into the survey, 24%. The smallest percentage of the persons surveyed was those under the age of 18 at 1%. 4% of respondent's ages were not disclosed.



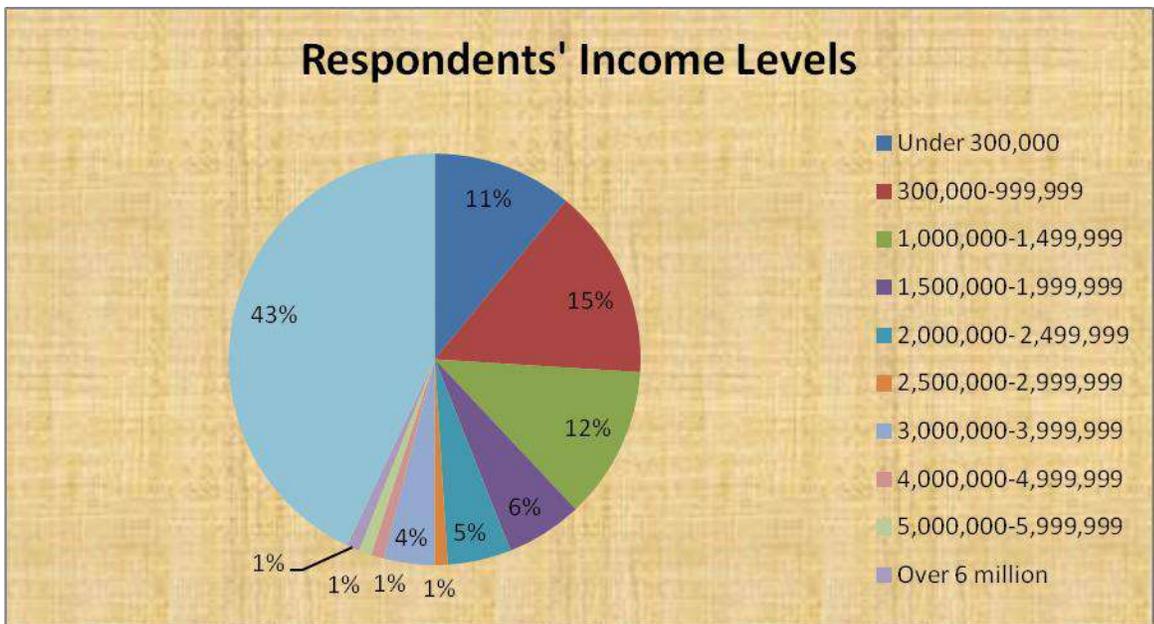
Graph 2

Graph 3 shows that a majority of the respondents, 30%, were at least holders of Bachelor's Degrees. 22% had High School Diplomas and 5% had less than that.



Graph 3

As seen in Graph 4, 43% of the respondents did not wish to reveal their annual income. However, 15%, which is the majority of those who shared their income level, disclosed that they earn \$300,000 to \$999,999 per annum.



Graph 4

Questionnaires respondents included persons from several work sectors like advertising, education, healthcare, financial services and government.

MOJ Feedback Mechanisms

Of all the respondents sampled, 82% said that they were not aware of any avenues through which they can provide feedback to the MOJ about anything related to the justice system.

Bias Possibilities

Apart from stating their belief that possible biases existed in the justice system relating to age, sex, ethnicity, social status, religion, social class etc, about 30% of respondents were of the view that there were additional impediments to obtaining justice. These impediments were considered to be political association, previous criminal convictions, the type of crime committed, social affiliations and an ineffective justice system which has many loopholes that are expertly manipulated for the achievement of undesirable ends.

Instructions for Interpreting Baseline Scorecard

In reading the findings contained in the Annex D Baseline Scorecard, please refer to the key above the scorecard to interpret how most persons commented on the questions contained in it. In addition, the percentages highlighted in the respective colours represent the percentage number of those persons in the sample who provided that particular comment to the relevant scorecard questions.

VI. Scorecard Implementation and Monitoring Plan

This section is divided into three areas. The first area presents a framework for change that is intended to guide MOJ/JRIU implementation efforts. The second area highlights the key features of a recommended implementation and monitoring plan. The third area presents the recommended implementation and monitoring plan in tabular form and attaches priorities to recommended actions.

1. Framework for Change:

Implementing change is difficult for any organization. The following change efforts are however recommended for action by the MOJ/JRIU:

- Achieving an appropriate balance between the need for urgency and the need for quality and focus
- Forming a powerful guiding coalition
- Creating a vision
- Communicating the vision
- Removing obstacles to change
- Planning for and creating short-term wins
- Consolidating improvements and institutionalizing new approaches

Each of these components is briefly described in the following paragraphs:

- **Achieving an appropriate balance between the need for urgency and the need for quality and focus**

Needed change will not take place in an organisation unless staff at all levels recognises that change is needed. At the same time, however, the sense of urgency needed to bring about change should not be allowed to get in the way of providing quality services that are focused on achieving MOJ overall objectives. An appropriate balance therefore must be struck between the need to maintain a sense of urgency-without which the status quo will likely remain unchanged-and the need to maintain a focus on the overall MOJ/JRIU's justice system reform objectives.

- **Forming a powerful guiding coalition**

Opposition to change in any organisation can be considerable. The leadership team that guides the change effort must therefore be powerful and influential enough to withstand the forces supporting the maintenance of the status quo.

- **Creating the vision**

One of the leadership team's first tasks should be to develop a picture of the future that is easy to understand and that communicates how performance will be enhanced if the vision is realised. Without a realistic vision, improvement efforts can easily dissolve into a list of confusing and incompatible programs, plans, and directives that can take the MOJ/JRIU in the wrong direction, or nowhere at all.

- **Communicating the vision**

To make the MOJ/JRIU vision a reality, managers and employees from both organisations must understand the vision and believe that things will work better once the vision has been implemented. Without credible communications, and a lot of it, the hearts and minds of the various personnel involved will never be captured.

- **Removing obstacles to change**

A variety of obstacles can stand in the way of change. The MOJ/JRIU must anticipate these obstacles and develop strategies to overcome them.

- **Planning for and creating short-term wins**

Success breeds success. By creating opportunities for success, and effectively communicating those success stories throughout the MOJ/JRIU, momentum for improvements will begin to accelerate.

- **Consolidating improvement and institutionalising new approaches**

In addition to removing institutional obstacles to change, institutional incentives that reinforce the change effort must be established. What leaders say is important must be consistent with how employees are held accountable for performance. In addition, management systems must provide managers with the tools they need to bring about needed change.

2. Key Implementation Activities

This section discusses the key steps that the MOJ/JRIU needs to take to implement the Citizen's Scorecard Consultancy findings.

- **Adopt the Consultancy Findings**

The MOJ/JRIU's commitment to implementing the consultancy findings will be essential to the success of the implementation effort. As an initial step, the MOJ/JRIU should openly acknowledge and adopt the consultancy report findings. The findings should then be implemented over a precisely delineated timeline.

- **Establish an Implementation Task Force**

The MOJ should establish a task force to guide the implementation of consultancy findings. This task force should be charged by the MOJ Permanent Secretary (P.S.) with driving the implementation process. The task force should be held accountable by the P.S. for ensuring that agreed to Implementation Plan recommendations are met. The task force should be required to meet every two weeks during the implementation period. In addition to guiding the implementation of the consultancy findings, the task force should be specifically charged with identifying obstacles to change and creating strategies for overcoming them. Task Force members must view one of their primary functions as being the identification and elimination of these obstacles. The personal influence and relationships of task force members should, as appropriate, be brought to bear to assist in eliminating specific, seemingly intractable, obstacles.

- **Assign Responsibility for Coordinating the Implementation Effort**

While the Implementation Task Force should provide overall leadership for the proposed implementation efforts, it is not reasonable to expect task force members to oversee day-to-day implementation actions. Ideally, day-to-day implementation actions should be orchestrated by the JRIU in conjunction with the relevant MOJ representatives and other partners.

- **Plan of Action for Communicating Citizen's Scorecard Information**

The dissemination of findings is key to the effective utilisation of the Citizen Scorecard as a feedback mechanism on the progress of MOJ/JRIU justice reforms. The success of scorecard implementation efforts will depend in large part on the quality of internal and external communications. To successfully implement the improvement findings, managers and employees, from both the MOJ and JRIU, must believe that things will work better once the improvement findings have been implemented. As noted, establishing a sense of urgency creating a vision for change, and communicating that vision are key components to the success of MOJ/JRIU scorecard implementation and monitoring efforts. Likewise, the importance of communicating short-term successes is critical to building the momentum for change.

From an internal perspective therefore, effective communication is needed to:

- Ensure wide understanding of the consultancy findings and their implications
- Set reasonable expectations that can be achieved
- Build understanding of the overall implementation process

- Publicise successes
- Build MOJ employee commitment to change

From an external perspective, effective communication is needed to create community support for the justice reform improvement initiatives. A good platform to achieve this could be the implementation of the recommendations contained in the “**Communication Strategy & Action Plan**” prepared by a Jamaican consultancy firm for the Jamaica Justice Reform Programme. It should be stressed that responsibility for effecting communications seeking to create community support for justice reform initiatives should not be the sole purview of the P.S. or Minister of Justice. On the contrary, this responsibility should be shared by all MOJ/JRIU leaders. Each member of the proposed Implementation Task Force should also be tasked with helping to support the communications efforts. The communication efforts should embrace the following actions:

- Identifying target audience(s);
- Deciding best method(s) of information dissemination; and
- Focusing on project management considerations

Identifying target audience(s)

- **Public service providers/concerned ministries**

Findings are shared with each service provider that participated in the provision of information that led to the development of the Citizen’s Scorecard. Experience suggests that face-to-face meetings with service providers create opportunities to obtain direct feedback on the findings and generates buy-in to the overall process (this will be useful for the receptivity to, and conduct of, follow-up activities).

- **Community Service Organisations (CSO’s)**

Findings are shared with CSO’s, particularly those working in areas related to public service delivery, justice reform, governance and human rights, to create an informed network of local organisations. These organisations will be good partners to work with during advocacy and follow-up activities.

- **The Media**

The media should be asked to provide assistance to disseminate the Citizen’s Scorecard findings. Over the long term, the media should be regarded as an ally to increase general coverage and understanding of MOJ/JRIU justice reform initiatives.

- **General Population**

The wider public should be made aware of the findings. An informed general public generates understanding of contemplated reforms, obstacles to progress and what services are presently available for them to access in the present. One tried and tested concept is the “Open-House” organised in a public place where MOJ/JRIU representatives would be made available to respond to the Scorecard findings. The distinctive advantage of the open-house arrangement is its power to engage service providers in active public dialogue compared to closed personal meetings.

- **Donors/supporters**

The individuals and organisations that supported the Citizen's Scorecard development efforts-both financially and intellectually-are usually very interested in a formal presentation of the findings.

Best Methods of Information Dissemination

Pre-launch presentations:

- Convene a meeting or meetings with the sector leaders that were consulted during the course of the Scorecard Consultancy to give these persons an opportunity to discuss the findings before their public release. Sharing the findings through individualised presentations customised to each service provider is likely to generate useful feedback. Following the presentation, service providers can comment on the findings and seek clarifications to interpret results more accurately. In addition, MOJ/JRIU leadership may decide to independently disseminate Scorecard findings within the organisation and use the information for internal decision-making. Providing a customised written document of the findings often helps to facilitate internal implementation of Scorecard findings.

Project Management Considerations:

- **Sampling Design**

A total of at least three hundred Scorecards should be distributed to public consultation participants in hard-copy form and online via the Internet. Public consultation events and Internet dissemination activities should be equally split between Jamaican urban and rural areas.

- **Identifying target audiences**

The key question to consider here is, **“With whom should we share the findings to satisfy the objectives of this Citizen's Scorecard dissemination/development activity?”**

The following are key audiences that should be considered:

- Private sector providers
 - Churches
 - Service Groups, e.g. Kiwanis, Lions
 - CSO's (national)
 - Non-Governmental Organisations (NGO's)
 - The media (print, radio and TV (national)
 - Donors/supporters
 - Other entities of Government, e.g. Courts, Ministry of National Security
 - The general population with special efforts being made to include illiterate persons
- **Information Dissemination**
Present information in a holistic and unbiased manner: It is important to highlight the good and bad areas of performance.

- Convey findings in a value-neutral manner: Let the findings speak for themselves instead of using descriptive adjectives or biased language.
- Use a question/answer format to present findings: Past experience in this area has shown that using a question/answer format during presentations is an easy way for the audience to digest information.

Strengthen MOJ Organisational Capabilities in developing a customer-focused service

As the goal of the Ministry of Justice, is to **“deliver excellent service to customers and users of the justice system by transforming the service delivery culture from a bureaucratic one to one, which is more customer-service oriented, whilst aligning this to the national development 2030 vision to “make Jamaica the place of choice to live, work, raise families and do business,”**⁴ it is suggested that the Customer Service Unit of the MOJ be strengthened to more efficiently deliver on the following:

- Ensure that persons in positions that interface with its external customers possess the appropriate behavioural competencies to perform at the required standard. Through extensive training of staff and the development of supportive standards and operating procedures, a culture of service should be developed. A critical aspect of the strategy should be the ability to continuously measure the satisfaction of service users, identify any gaps in performance and develop improvement interventions. To this end, the Baseline Citizen’s Scorecard should provide a starting point for assessment and ongoing improvement. This could be supplemented by any further information that the MOJ currently has with respect to the experience of users of its services.
- Efforts should be made by MOJ to increase access to information by the public. This will ensure that the users of the justice services are aware of their rights, responsibilities and the mechanisms available to protect the rights of, and deliver, the relevant MOJ services to all users of the system. During this period, the MOJ should concentrate on initiatives that will build citizens awareness of their rights and responsibilities and keep them informed of the avenues available to them to receive redress in the event that services below acceptable standards are provided. The MOJ should broaden and increase its education efforts and liberal use should be made of modern communication technologies to reach a diverse range of persons. There will need to be more collaboration with institutions such as schools, NGOs and community groups to deliver key messages.
- Recognizing that the delivery of excellent service is at times dependent on the response from partners, efforts should be made to build relations and collaborate with other agencies involved in the delivery of justice services. This will help the MOJ develop common service standards and more seamless service delivery between connected justice institutions. A supportive internal customer service regime is crucial in preparing members of staff to deliver quality professional service to system users/customers. Currently, there is a promising internal customer relations environment that can be sustained and grown to higher levels. To reach the desired position, the MOJ should

⁴ See Ministry of Justice Website at www.moj.gov.jm/customer-service

utilize various methods such as continuous training, performance management, sensitization of both internal and external clients, as well as rewards and sanctions where appropriate. Inter-department customer service competitions and peer counselling are also valuable methods to achieve higher levels of performance.

- Attention should be paid to the achievement of greater synergy between all the agencies of justice. Currently, the need exists for formalization of partnerships through Memoranda of Understanding (MOU) and for an expansion of the linkages across various agencies. In the case of the MOJ, beneficial synergies would be obtained from a close partnership with the Supreme Court and the Ministry of National Security. This will contribute towards the ability of the justice sector to speak, and in many cases act, in unison with other agents of the State.
- The goal is to achieve significant improvements in the quality of service delivered to customers and users of the justice system. The aim is to transform the service culture from what could be described as bureaucratic to one that is more customer-service oriented. The Ministry of Justice should deliberately seek to inculcate a service organization ethos among its employees, offices, departments and agencies. Efforts should be made to better analyze and more clearly define what MOJ customers expect and identify areas where the Ministry can improve its service delivery. This will require reviewing and revamping processes associated with the delivery of services to customers such as the provision of legal aid, training of justice system personnel in such areas as customer service and legal and justice administration services (marriage licenses, expungement of criminal records, certificates of no impediment to marriage, etc.). The review exercise will also enable the MOJ to improve and rationalize the mix of services available to the public.

The key strategies and the expected outcomes for citizen-focused service are to:

- **Transform the service delivery culture**
The experience of persons using the Justice system is significantly improved; there is a modern service culture within the Ministry based on the concept of the Ministry as a "service organisation"; the range of services has been rationalized and revamped and aggressive and measurable service standards and targets are used to set benchmarks of excellence. The results from surveys are continuously measured and services improved accordingly.
- **Re-engineer service delivery processes**
Areas for improvement are identified and initiatives implemented; processes are more seamless and connected; and turnaround time for the completion of transactions is shortened.
- **Upgrade service delivery infrastructure**
The MOJ has upgraded the physical environment in all justice service related agencies; and customers/users report greater satisfaction with the physical environment within which justice services are delivered.
- **Expand collaborations and partnerships**

Greater number of partnerships established and functioning with partnerships formalized through MOU; there is greater synergy between the various agencies involved in delivering justice services; and linkages with civil society are expanded.

The above recommendations are in conformity with the existing MOJ Core Values and Principles.⁵

Dissemination of Information to Customers

The MOJ needs to undertake the following information provision activities to enable its customers to be aware of its available services:

- Pamphlets on all MOJ services to be made available from a streamlined MOJ Customer Services Unit. The unit will be streamlined to enable it to provide electronic copies of all MOJ customer information to persons who request them. The existing MOJ Customer Services Unit should be streamlined to more effectively assume these responsibilities. It is also recommended that the Customer Service Unit work in tandem with a JRIU staff member who is totally dedicated to the provision of public education information on the work and achievements of the MOJ/JRIU in the various justice reform areas.
- Establish a suggestion box at the Customer Services Unit to facilitate feedback on the quality of MOJ services.
- Establish Information Desks at all MOJ service points.
- MOJ will provide clean and comfortable reception areas at all service points.
- Copies of blank Citizen's Scorecards placed at the various courthouses, Mediation/DRF Centres, legal aid clinics, law faculties, Law School, the offices of civil society groups, private sector offices and any other place where persons regularly access justice sector services.
- Greater use of technology will increase access to justice services and enhance the speed of information delivery. The Ministry will place more extensive emphasis on the use of technology to promote the services that are offered to the public. The Ministry's website should be revamped to increase the range of transactions that can take place electronically and make it easier for users to interact with, and access, the services offered. Comment sections and a blank Citizen's Scorecard should be strategically placed on the revamped website so that end users can access it from remote areas. Information on the functions, departments and activities performed by the Ministry should continue to be highlighted on the revamped website.

⁵ Service; Professionalism; Integrity; Respect; Innovation; Teamwork

- Posting blank Scorecards online on the existing websites of the MOJ, Supreme Court, DRF and Civil Society groups such as the Jamaica Civil Society Coalition.
- Implementing and launching a website for the RM Courts on which a blank Citizen's Scorecard is accessible.
- Ensuring that a reactivated MOJ Toll-free Hotline is manned by knowledgeable persons trained to handle, and channel, complaints and justice system improvement suggestions from the public.
- Develop a public education campaign that would advise the members of the public of the purpose of the Scorecard, how they can access it and the existence of the Toll-free Hotline and number.
- The MOJ establishes social media websites on Facebook and Twitter that are specifically geared to obtain feedback on justice system service delivery. An officer in the MOJ should be specifically dedicated to capture the feedback generated through these media outlets and transfer the information gleaned to those elements of the MOJ that are responsible for the development of ongoing justice reform activities relevant for inclusion in future Citizen's Scorecard updates.
- The above public education initiatives should incorporate a wide public awareness programme to advise members of the public of their rights, how these rights may be protected, how different departments and agencies operate within the justice sector and how a person might utilize their services. The MOJ should give consideration to having all Members of Parliament contribute to the implementation of the awareness programmes having regard to their greater access and existing relationships with the people in their areas of jurisdiction. Civil society representatives and MOJ representatives should be invited to relevant discussion fora to address those members of the public present.
- Seek the permission of the Chief Justice to identify a specific person at the Supreme Court from whom members of the public may obtain assistance with the completion of future scorecards and obtain assistance in resolving any issues they may have had with the services they received.
- Customer Service Surveys should be conducted once every two years and the results published.

Customer Service Standards

The various MOJ Departments and Agencies process several types of applications and requests, each involving different procedures with different time frames for completion and extensive contact with members of the public. The following represents the minimum standard of service that should be provided to MOJ customers:

- Pleasant, courteous and approachable Customer Service Officers with their names clearly displayed are available to serve customers.
- All office doors are clearly marked to identify the location of each department.
- Citizens do not have to interface with more than two (2) employees when making telephone enquiries.
- Citizens do not have to wait in line for longer than ten (10) minutes.
- Facsimile/e-mail correspondence and voice-mail messages will be acknowledged within two (2) working days.
- Letters will be acknowledged within five (5) working days.
- MOJ staff provides accurate and reliable information.
- Customer Service Surveys are conducted once every two years and the results are published.

Observation/Recommendations/Complaints Protocol

An Observation/Recommendations/Complaints Protocol that is recommended for establishment by the MOJ is as follows:

“We invite you to tell us what you think of our services. You may drop your comments in any one of our suggestion boxes or call our hotline at 1-888-xxxxxxx. You can also e-mail us at ????@moj.gov.jm and contact us at ??? Facebook.com or ??? Twitter.com

If you wish to make an Observation/Recommendation/Complaint about the services that have been provided to you, you may address your Observations/Recommendations/and Complaint to:
The Manager
Customer Service Unit
NCB (South Tower) (??? Floor), Kingston 10
Tel: ????? Fax: ???

Complaints will be investigated fully and fairly. Complainants will be treated with respect and will be provided with an effective response and appropriate redress. More specifically, you can expect your complaint to be acknowledged in writing within five (5) working days and a time frame will be given for resolution of issues.

If you are still not satisfied, call, write or visit:

Senior Director,
Standards and Monitoring Unit,
Cabinet Office, 2a Devon Road, Kingston 6.
Tel: 929-1423, Fax: 929-6676

We invite you to frankly tell us what you think of our service. You may provide your comments in any one of our suggestion boxes or call our hotline at 1-888-xxxxxxx. You can also contact us via e-mail at ????@moj.gov.jm and/or ??? Facebook.com

If you wish to make a complaint you may do so by any of the following means:

Address your comments and complaints to:

The Manager
Customer Service Unit
Ministry of Justice
NCB (North Tower)
Tel: ???? Fax: ???? E-mail: ???

Complaints will be investigated fully and fairly. Complainants will be treated with respect and will be provided with an effective response and appropriate redress. More specifically, you can expect your complaint to be acknowledged in writing within five (5) working days and a time frame will be given for resolution of issues, no matter how difficult.”

The Role of our Customers:

To assist us in performing our duties as expeditiously and as efficiently as possible, there are certain things we ask of you, our customers:

- Please observe and respect the restricted areas of each office
- Treat our records with great care. Our documents are not to be removed from public reference areas and must be returned to the customer service staff after use
- Please be courteous and polite to our staff

IMPLEMENTATION AND MONITORING PLAN

Priority	Recommendations	Responsibility	Begin Implementation	Complete Implementation
	ESTABLISH MANAGEMENT FRAMEWORK			
High	<ul style="list-style-type: none"> ▪ Adopt Consultancy Findings 	<ul style="list-style-type: none"> ▪ P.S. 	Immediately	One Week
High	<ul style="list-style-type: none"> ▪ Establish Implementation Task Force 	<ul style="list-style-type: none"> ▪ P.S. 	Immediately	One Week
High	<ul style="list-style-type: none"> ▪ Assign responsibility for coordinating the Scorecard implementation effort 	<ul style="list-style-type: none"> ▪ P.S. 	Immediately	One Week
High	<ul style="list-style-type: none"> ▪ Identify key strategies and expected outcomes 	<ul style="list-style-type: none"> ▪ MOJ/JRIU 	Immediately	Two Weeks
	GOAL SETTING, PLANNING AND RESOURCE ALLOCATION			
High	<ul style="list-style-type: none"> ▪ Identify target audiences 	<ul style="list-style-type: none"> ▪ MOJ/JRIU 	Immediately	One Week
High	<ul style="list-style-type: none"> ▪ Adopt a resource allocation methodology that clearly links resources and results 	<ul style="list-style-type: none"> ▪ MOJ/JRIU 	Immediately	Two Weeks
	COMMUNICATION			
High	<ul style="list-style-type: none"> ▪ Information dissemination to Customers/Stakeholders (including revamping MOJ website to be more functional in the delivery of key customer service information, establishment of relevant Facebook and Twitter sites) 	<ul style="list-style-type: none"> ▪ MOJ/JRIU 	Two Months	Ongoing
High	MONITORING AND EVALUATION			

	<ul style="list-style-type: none"> ▪ Gathering information for the future updating of the Baseline Scorecard ▪ Analysing and evaluating the utility of gathered information 	<ul style="list-style-type: none"> ▪ JRIU/MOJ Customer Service Unit ▪ JRIU/MOJ 	<p>One Month</p> <p>Two Months</p>	<p>Ongoing</p> <p>Ongoing</p>
--	---	--	---------------------------------------	----------------------------------

Name of scorecard including year conducted

ANNEX-A DRAFT SCORECARD

SCORECARD 2013: PUBLIC TRUST AND CONFIDENCE IN THE JUSTICE SYSTEM (ANNOTATED AND ILLUSTRATIVE)

OVERALL CITIZENS' (SERVICE USERS) SCORE

Scores received from citizens

Each service standard category is provided with associated sub-indicators tabulated below each.

Total average score for each service standard area.

Color corresponding to total citizens' scores.

Justice System Services Standard I: Equitable access to the justice system				
I-1	Justice services are available to all including vulnerable and diverse populations			
I-2	Service locations are accessible			
I-3	Citizens are able to report a crime and confident that there will be an appropriate response		3	
I-4	Sufficient alternative dispute resolution mechanisms are accessible			
Justice System Services Standard II: Knowledge of the justice system				
II-1	Information about the operations and services of the justice system is accessible and user-friendly			
II-2	Information about national legislation is accessible and user-friendly			
II-3	Adequacy of public education efforts related to the justice system			
II-4	Electronic and other avenues to provide feedback to the MOJ are established and known			
Justice System Services Standard III: Transparency in the delivery of service to the public				
III-1	Clear rules and procedures present			
III-2	Service providers adhere to rules and procedures			
III-3	Judiciary perceived as independent and impartial and free from interference or intimidation			
III-4	Opportunities which are clearly communicated exist for the public/civil society to comment or vote on legislation			
Justice System Services Standard IV: Quality and Fairness of Outcomes				
IV-1	Justice system guarantees fairness and preservation of human rights			
IV-2	Consistent and equitable application of clear rules and procedures			
IV-3	Absence of bias on grounds of ethnicity, gender, class etc.			
IV-4	Non-state or informal justice mechanism provides an alternative that results in a fair outcome			
Justice System Services Standard V: Quality of Service Delivery				
V-1	Service providers are qualified, competent and held accountable to high standards of professional and ethical conduct			
V-2	Quality of customer service in the interactions of staff with the public			
V-3	Justice system infrastructure is adequate and appropriate and meets the needs of citizens			
V-4	Efficient resolution and clearance of cases			

Color code to denote score achieved for each indicator and sub-indicator. (Key provided).

Each sub-indicator could be hyperlinked in an online presentation of the scorecard to a notebook page that includes survey questions and other feedback

SCORECARD 2013: PUBLIC TRUST AND CONFIDENCE IN THE JUSTICE SYSTEM

OVERALL CITIZENS' (SERVICE USERS) SCORE:

KEY					
0	1	2	3	4	5
None at all	Very poor	Poor	Fair	Good	Ideal

Justice System Service Standard I: Equitable access to the justice system			
I-1	<i>Justice services are available to all including vulnerable and diverse populations</i>		
I-2	<i>Service locations are accessible</i>		
I-3	<i>Citizens are able to report a crime and confident that there will be an appropriate response</i>		
I-4	<i>Sufficient alternative dispute resolution mechanisms are accessible</i>		
Justice System Service Standard II: Knowledge of the justice system			
II-1	<i>Information about the operations and services of the justice system is accessible and user-friendly</i>		
II-2	<i>Information about national legislation is accessible and user-friendly</i>		
II-3	<i>Adequacy of public education efforts related to the justice system</i>		
II-4	<i>Electronic and other avenues to provide feedback to the MOJ are established and known</i>		
Justice System Service Standard III: Transparency in the delivery of service to the public			
III-1	<i>Clear rules and procedures present</i>		
III-2	<i>Service providers adhere to rules and procedures</i>		
III-3	<i>Judiciary perceived as independent and impartial and free from interference or intimidation</i>		
III-4	<i>Opportunities which are clearly communicated exist for the public/civil society to comment or vote on legislation</i>		
Justice System Service Standard IV: Quality and Fairness of Outcomes			
IV-1	<i>Justice system guarantees fairness and preservation of human rights</i>		
IV-2	<i>Consistent and equitable application of clear rules and procedures</i>		
IV-3	<i>Absence of bias on grounds of ethnicity, gender, class etc.</i>		
IV-4	<i>Non-state or informal justice mechanism provides an alternative that results in a fair outcome</i>		
Justice System Service Standard V: Quality of Service Delivery			
V-1	<i>Service providers are qualified, competent and held accountable to high standards of professional and ethical conduct</i>		
V-2	<i>Quality of customer service in the interactions of staff with the public</i>		
V-3	<i>Justice system infrastructure is adequate and appropriate and meets the needs of citizens</i>		
V-4	<i>Efficient resolution and clearance of cases</i>		

ANNEX B- MATRIX OF SERVICE STANDARDS CRITERIA, DEFINITIONS AND RELEVANCE

Justice System Service Standard I: Equitable access to the justice system			
Criteria	Definition	Relevance	Comments/Remarks
Justice services are available to all including vulnerable and diverse populations.	Availability and accessibility of all services including police, courts, mediation to all citizens. Vulnerable and diverse populations include those with special needs which could present barriers to access. E.g. the poor - legal aid service; services to the business community; treatment of juveniles; language needs; victim support; special services for women.	Citizens must perceive that there is access to justice regardless of their condition to inspire confidence. System must help eliminate barriers to accessing justice to engender trust and ultimately build support for rule of law.	
Service locations are accessible.	Service locations include courts, police stations, correctional facilities, mediation centers. Accessible refers to elements of physical and social access including location viz. geographic spread; disabled access; dress codes etc.	Citizens may not choose to avail themselves of services because of distance, cost to commute, the very poor not being able to meet dress code requirements or other perceived notions about who can access facilities.	
Citizens are able to report a crime and confident that there will be an appropriate response.	Citizens through established procedures are able to report crime to the appropriate authority – the police. Reports will be acted on. Appropriate response refers to timeliness and in line with established rules, procedures and policy.	Encouraging respect for the rule of law can be improved if there is a sense that all citizens regardless of gender, address and status can make reports and expect an appropriate response. This measure also takes a pulse of police perceptions which is inescapable in discussions about justice in the Jamaican context.	Distinction must be made between appropriate and satisfactory response. The appropriate and correct response might not be satisfactory to the complainant.
Sufficient alternative dispute resolution	Alternative dispute resolution mechanisms are those other than the	The time taken to resolve cases in the courts is in itself an	

<p>mechanisms are accessible.</p>	<p>court which allows state and non-state actors to help resolve conflict outside of courts. This includes community based programmes. Accessibility means citizens know about these mechanisms and where and how to avail themselves of the services.</p>	<p>impediment to persons using this medium. The availability and use of alternative mechanisms is critical in reducing backlog and handling lesser offenses. This in turn will help address court efficiency and reduce backlog. Alternative mechanisms need to be established as a credible way of addressing justice needs.</p>	
-----------------------------------	--	---	--

Justice System Service Standard II: Knowledge of the justice system			
Criteria	Definition	Relevance	Comments/Remarks
Information about the operations and services of the justice system is accessible and user-friendly	Information about the services of the justice system refers to structures, courts, legal aid etc. Information about the operations of the justice system refers to rules, procedures, protocols, schedules etc. Accessible means citizens know where and how to get information.	Having knowledge of the system is basic to building trust and confidence and encouraging its use. Knowledge is not possible if citizens do not know how to access information and if they are not able to understand it. Information also impacts perceptions of fairness.	
Information about national legislation is accessible and user-friendly	National legislation refers to existing, new and pending legislation. Information refers to all related matters including the formulation process and opportunities to participate through discussion, comments and advocacy. User-friendly refers to the presentation of information in a manner that can be understood by all users.	Knowledge of existing, new and pending legislation is critical to inform residents of protections, support and penalties and allows citizens to be able to participate in and confidently use the system. Information also impacts perceptions of fairness. And transparency	
Adequacy of public education efforts related to the justice system	Public education efforts refer to all activities by the GOJ to utilize all available media to provide information to the public about existing and new services and initiatives, legislation, rules etc. Adequacy refers to the perception of whether it is enough.	The justice system reform has public education as a priority. The public's view on the adequacy of this input can validate increased efforts to ramp up public education.	
Electronic and other avenues to provide feedback	Electronic and other avenues include all possible means of facilitating two way communication with the public – e.g. website,	Two way communications is vital to collecting feedback that can be used to improve service.	

to the MOJ are established and known	suggestion boxes, public fora etc.		
--------------------------------------	------------------------------------	--	--

Justice System Service Standard III: Transparency in the delivery of service to the public			
Criteria	Definition	Relevance	Comments/Remarks
Clear rules and procedures present	Rules and procedures of the courts and other service areas are well defined, unambiguous and articulated.	Transparency relies on having clear rules and procedures by which all system should users abide and it provides the basis for what should be applied in all situations.	
Service providers adhere to rules and procedures	Service providers include judges, court staff, police and other workforce involved in the administration of justice. Adherence means the providers meticulously abide by the established rules and procedures.	Adherence to rules and regulations conveys a sense of fairness to the process.	
Judiciary perceived as independent and impartial and free from interference or intimidation	Judiciary refers to judges. Independent means judges should not be influenced in any way to act outside their remit. Impartial means that judges will not exercise any bias. Free from interference means judges' decisions will not be hampered. Free from intimidation means judges can act without fear of reprisal, threats etc.	Trust and confidence in large measure depend on the sense of security citizens' feel if they are assured that those elected to adjudicate matters will act in a manner that is free of influence or corruption.	
Opportunities	Opportunities refer to participatory	Citizens' ability to participate in	

which are clearly communicated exist for the public/civil society to comment or vote on legislation	mechanisms for the public and include meetings, information about written submissions etc. Clearly communicated refers to the provision of information about the opportunities through broad public dissemination. Public refers to individual citizens and/or NGO's and other civil society groups.	processes such as the development of national legislation gives participants a stake, demystifies the process and ensures that there is the openness that is associated with transparency.	
---	--	--	--

Justice System Service Standard IV: Quality and Fairness of Outcomes			
Criteria	Definition	Relevance	Comments/Remarks
Justice system guarantees fairness and preservation of human rights	Justice system in broadest sense of all operations, structures and services and that in all undertakings there is an objective to be fair and act in a manner that upholds the established human rights as defined in the Charter of Rights and espoused in other ratified international conventions.	Trust and confidence in the justice system is bolstered if citizens perceive that the outcome which results from using the justice system is fair in treatment and offers recourse consistent with established human rights norms.	
Consistent and equitable application of clear rules and procedures	Refers to rules and procedures being always applied in the relevant situations as prescribed by law and established operations.	The sense that rules are applied transparently and consistently augurs well for the sense that the outcome will be fair.	
Absence of bias	Bias refers to any prejudice, unfairness or application of foregone conclusions/preconceived notions about the nature of a case for resolution or those involved	Trust and confidence is strengthened with the knowledge that the prospect of a fair outcome is not compromised because of ethnicity, race, gender, class or other	

	in it. Examples of grounds for bias include ethnicity, race, gender, class.	perceived disadvantages.	
Non-state or informal justice mechanisms provide an alternative that results in a fair outcome.	Community and other non-state programmes that offer dispute resolution and alternative sentencing options outside of court system.	Alternative mechanisms must be viewed as part of the justice system. To be viable and credible, these alternatives must offer the same quality outcomes as conventional and traditional services for dispensing justice.	Given the efforts to develop alternative mechanisms, this indicator provides good information about the progress of these reforms and their uptake.

Justice System Service Standard V: Quality of Service Delivery			
Criteria	Definition	Relevance	Comments/Remarks
Service providers are qualified, competent and held accountable to high standards of professional and ethical conduct	Service providers refer to all levels of workforce including court staff and the judiciary. Qualified refers to having all staff meet basic requirements for the job. Staff should comply with established codes of ethics and conduct and by the requirements of professional bodies.	Trust and confidence in and ultimately use of a service depends on its ability to consistently deliver quality service to its users. The quality of a service is determined by: <ul style="list-style-type: none"> • effectiveness; • efficiency; • how the service is delivered; and • the quality and accountability of the workforce that provides the service. 	
Quality of customer service in the interactions of staff with the public			

Justice system infrastructure is adequate and appropriate and meets the needs of citizens.	Justice system infrastructure refers to resources available to workforce to execute their duties, technology, appropriate physical space, safety, cleanliness etc.	These measures gauge what citizens think by way of their interactions.	
Efficient resolution and clearance of cases.	Refers to achievement of time standards.		

ANNEX C-INDICATOR SHEETS

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
Number of experts who indicate that the public influenced recent Legislation.	Experts – service providers or other knowledgeable about the justice system. Public – citizens and civil society. Influence – to cause change to draft and final legislation on the basis of advocacy and participation. Unit of measure – Number.	Relevant to measure of transparency.	Expert Survey Service provider interviews Annual.	Increased number suggests that there is increased participation.
Percentage of Civil Society groups that report having confidence in their ability to influence the Legislation and development process.	Civil Society groups include NGOs, professional bodies, media and CBOs. Unit of measure – percentage.	Relevant to measure of transparency.	Survey of service users including CSOs and NGOs Annual.	Increased percentage suggests that more CSOs have experience participating and are influencing; or have information that confirms their ability to influence processes.
Number of	Citizens attending	Relevant to measure of	Administrative data	Increased number reflects

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
members of the public attending meetings where changes to the Laws are presented and discussed	meetings with a view to educating themselves and participating. Unit of measure – number.	transparency and knowledge/awareness.	Observation Media reviews/stories Meeting minutes/consultation documentation.	increased levels of participation and better information about meetings.
Number of timely notices published annually for (i) public hearings; and (ii) laws.	Timely notices – notices published within established and communicated standards. Unit of measure – number Disaggregated for hearings and laws.	Relevant to measure of knowledge and awareness.	Administrative data Annual.	Increased numbers being published and increased numbers being published within time frame required. Suggests improvement in supply of information and public education efforts.
Number of new public education initiatives.	Public education initiatives – publications, programmes, PSAs, advertisements, website and other communications strategies Unit of measure – number Disaggregated by type of initiative.	Relevant to measure of knowledge and awareness.	Administrative data Observation Annual.	Increased numbers reflect ramped up effort to educate the public under the reform.

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
Number of MOJ responses to citizens' complaints within established time standards.	MOJ responses – official acknowledgement and resolution of complaints received in writing Time standard as established by MOJ customer service plans. Unit of measure – number Disaggregated by – gender, age, group/organization complaints.	Relevant to measure of quality of service and transparency.	Administrative data Documents Case studies.	Increased number of responses relative to complaints (aim for 100% response rate) reflecting more individuals providing complaints and participation as well as improved customer service. Increased timeliness in responses showing more responses are being dealt with efficiently.
Number of relevant training programmes for justice system workforce	MOJ endorsed training programmes that are directly intended affect performance of staff and delivery of services. Unit of measure – number (or percentage increase from year to year) Disaggregated by (i)	Relevant to measure of service quality and quality of outcomes of cases.	Administrative data Annual.	Increased number at first and then a sustained level of training. Increased numbers in first instance reflect efforts under reform to achieve consistent levels of knowledge and quality service.

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
	judges; (ii) court staff; (iii) police; (iv) correctional staff; (v) attorneys.			
Number of clients using legal aid services.	Clients – who meet criteria for receiving legal aid. Unit of measure – number (or percentage increase from year to year) Disaggregated by gender, age, type of case.	Relevant to measure of access.	Administrative records Expert surveys Public surveys Annual	Increased numbers suggest increased awareness of service and increased willingness to use justice system despite cost barrier.
Number of courts using advanced technology for efficiency.	Technology – includes court reporting and other infrastructure Disaggregated by type of court; rural/urban location.	Relevant to measure of efficiency and service.	Administrative records Expert surveys Observation Case studies Annual	Increased numbers suggest reform initiatives being implemented to increase efficiency.
Established and documented time standards and rules and procedures are known to the public	Time standards, rules and procedures are established and documented as per MOJ and relevant authorities such as Parliament Unit of Measure –	Relevant to measure of transparency and knowledge/awareness.	Administrative records Legislation Expert surveys Annual.	Increased numbers reporting yes point to increased awareness of the court and justice system operations.

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
	Yes/No or quantifying number of persons who report yes.			
Proportion of women who use State versus Non-State systems as compared to men	State systems – courts and other traditional mechanisms Non-State systems – non-traditional mechanisms for solving dispute and sentencing offered by organizations/entities other than the state. Unit of measure – ratio of women to men.	Relevant to measure of access to justice system, fairness of outcomes and quality of service.	Administrative records Public and expert Surveys Annual.	Results may be interpreted as preferences or levels of satisfaction with state vs. non-state and points to significant issues of gender sensitivity in the handling of cases in state vs. non-state systems.
Number of NGO reports of human rights abuses by Non-state or Informal Justice Mechanisms.	Human rights abuses – infringements of human rights or inability to preserve human rights in the conduct of procedures or in the outcomes Non-State systems – non	Relevant to measure of quality of outcomes/fairness.	Administrative records Public and expert Surveys Media reports Case studies Documents Annual.	

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
	-traditional mechanisms for solving disputes and sentencing offered by organizations/entities other than the state. NGOs – to include CBOs Unit of measure – number or NGOs Disaggregated by – national vs. community based mandates.			
Number of citizens using Non-state or Informal Justice Mechanisms	Non-State systems – non-traditional mechanisms for solving dispute and sentencing offered by organizations/entities other than the state Unit of measure – number Disaggregated by	Relevant to measure of access.	Public surveys Expert surveys Administrative data Other records.	Increased number of cases appropriate for such mechanisms would suggest increased awareness and improved access generally.
Percentage of Defendants in cases that may result in a jail	Unit of measure – percentage of the total number of defendants with similar cases	Relevant to measure of access.	Administrative records Reports.	Increased number reflects increase in access to legal aid services.

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
sentence, who are represented at trial at least in one hearing.	Disaggregation by gender, age.			
Existence of active professional accreditation body for court appointed representatives.	Body that is active in monitoring and administering accreditation to appointed court representatives Unit of measure – Yes/No, could also look at number of court appointed representatives with current accreditation Disaggregated by category of staff/role	Relevant to quality of service.	Administrative data Surveys.	Initial increase in numbers as all staff are brought to standard level followed by a level of accreditation consistent with periodic requirements for representatives and those entering service.
Percentage of civil cases involving 'small claims.'	Civil cases – non criminal	Relevant to measure of access.	Administrative data Expert surveys Case studies Annual	Increase in percentage year to year suggests increased numbers of persons using courts to seek recourse and resolve dispute regardless of size of /value of the claim

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
Number of instances where government overturns judicial decisions via legislative interventions	Number of recorded instances judicial decisions are overruled by governmental legislative interventions Unit of measure – Number of legislative enactments.	Relevant to measure of transparency.	Administrative data Legislation Case studies Annual.	Reduction in instances suggest impartiality as well as correct outcomes.
Number of crime reports divided by the number of arrests.	Crime reports –reports made to the police in accordance with established procedures Arrests – arrests by the police on the basis of investigation supported by evidence Unit of measure – ratio of arrests to reported crimes.	Relevant to measure of access, quality of outcomes.	Administrative data Annual.	Reduced value which would indicate an improved success rate in making arrests related to crimes reports thus improving changes of prosecution.
Proportion of public trials involving poor victims.	Poor victims – victims of crime who meet specific established criteria for poverty. Unit of measure – ratio of total number of public trials to number of trials	Relevant to measure of access and knowledge/awareness.	Administrative data Expert surveys Legislation Case studies Annual.	Increased numbers of poor victims at trial stage suggest improved levels of access to justice and use of the system despite the barrier of cost.

Indicator	Definition and Unit of Measure	Relevance	Collection Method/Source/Frequency	Target and How to Interpret
	including poor victims.			

Annex D – Ministry of Justice’s Baseline Citizens’ Scorecard 2013

OVERALL CITIZENS’ (SERVICE USERS) SCORE: POOR

37.5%

KEY					
0	1	2	3	4	5
None at all	Very poor	Poor	Fair	Good	Ideal
0%	1-20%	21-40%	41-60%	61-80%	80-100%

Justice System Service Standard I: Equitable access to the justice system			36.8%	
I-1	<i>Justice services are available to all including vulnerable and diverse populations</i>		37%	2
I-2	<i>Service locations are accessible</i>		41%	3
I-3	<i>Citizens are able to report a crime with confidence that there will be an appropriate response</i>		32%	2
I-4	<i>Sufficient alternative dispute resolution mechanisms are accessible</i>		37%	3
Justice System Service Standard II: Knowledge of the justice system			39.8%	
II-1	<i>Information about the operations and services of the justice system is accessible and user-friendly</i>		41%	3
II-2	<i>Information about national legislation is accessible and user-friendly</i>		43%	3
II-3	<i>There are adequate of public education efforts related to the justice system</i>		39%	2
II-4	<i>Electronic and other avenues to provide feedback to the MOJ are established and known</i>		36%	2
Justice System Service Standard III: Transparency in the delivery of service to the public			36.3%	
III-1	<i>Clear rules and procedures present</i>		27%	1
III-2	<i>Service providers adhere to rules and procedures</i>		37%	2
III-3	<i>Judiciary perceived as independent and impartial and free from interference or intimidation</i>		43%	3
III-4	<i>Opportunities which are clearly communicated exist for the public/civil society to comment or vote on legislation</i>		38%	2
Justice System Service Standard IV: Quality and Fairness of Outcomes			37%	
IV-1	<i>Justice system guarantees fairness and preservation of human rights</i>		37%	2
IV-2	<i>Consistent and equitable application of clear rules and procedures</i>		35%	2
IV-3	<i>Absence of bias on grounds of ethnicity, gender, class etc.</i>		36%	2
IV-4	<i>Non-state or informal justice mechanism provides an alternative that results in a fair outcome</i>		40%	2
Justice System Service Standard V: Quality of Service Delivery			37.5%	
V-1	<i>Service providers are qualified, competent and held accountable to high standards of professional and ethical conduct</i>		35%	2
V-2	<i>Quality of customer service in the interactions of staff with the public</i>		37%	2
V-3	<i>Justice system infrastructure is adequate and appropriate and meets the needs of citizens</i>		37%	2
V-4	<i>Efficient resolution and clearance of cases</i>		41%	3

Annex E- Documents and Materials Consulted

- ❑ Vision 2030, Jamaica National Development Plan, MTF, 2012-2015
- ❑ Ministry of Justice, Strategic Business Plan, 2011-2015
- ❑ Summary- Caribbean Human Development Report - (Human Development and the Shift to Better Security), 2012-2013
- ❑ World Development Indicators, The World Bank, 2013
- ❑ Jamaica's Public Defender Report on Tivoli Gardens, 2013
- ❑ Global Competitiveness Report, 2012-2013
- ❑ Citizen Report Cards- A Presentation on Methodology-Participation and Civic Engagement Group, Social Development Department, World Bank, 2013
- ❑ Jamaica Justice System Reform Policy Agenda Framework, 2009-2013
- ❑ EU Justice Scorecard: A tool to promote effective justice and growth, 2013
- ❑ Justice Undertakings for Social Transformation Annual Progress Report, April 1, 2012-December 10, 2012
- ❑ Economic and Social Survey of Jamaica, 2012
- ❑ United Nations Office on Drugs and Crime- Independent Project Evaluation of the Support to Crime Prevention and Criminal Justice Reform, 2012
- ❑ Economic & Social Survey Jamaica, 2012
- ❑ White Paper on Justice Reform (Part one); A modern, transparent Justice System- British Colombia Ministry of Justice, October 2012
- ❑ Jamaica Public Service Modernization Vision and Strategy, 2002-2012
- ❑ Latin American Public Opinion Project (LAPOP) – Political Culture of Democracy in Jamaica and the Americas, 2012.
- ❑ Jamaica Medium-Term Socio-Economic Policy Framework, 2009-2012
- ❑ Ministry of Justice Annual Report, 2010-2011
- ❑ Institutul de Politici Publice- Citizen Report Card, Republic of Moldova, January 2011

- ❑ Jamaica Gleaner, Letter of the Day- Double Court times to speed up justice reform, 2011
- ❑ Jamaica National Crime Prevention and Community Safety Strategy, 2010
- ❑ Building Accountable Justice in Sierra Leone, Working Paper 76, FRIDE, 2009
- ❑ Training Manual on Community Scorecard (CSC) and Citizen Report Card (CRC)—Help Age International, 2009
- ❑ Article- Rule of Law, Justice Sector Reforms and Development Cooperation- Swiss Agency for Development and Cooperation (SDC), 2008
- ❑ Jamaica Justice System Reform Task Force Report, 2007
- ❑ Improving Local Governance and Service Delivery: Citizen’s Report Card Learning Tool Kit---2007
- ❑ Criminal Justice Assessment Toolkit, United Nations Office on Drugs and Crime, 2006
- ❑ Global Integrity- Independent Information on Governance and Corruption-Country Reports, 2006
- ❑ Social Development Papers- Participation and Civic Engagement, Paper No. 86-Human Rights and Social Accountability, by John Ackerman, 2005
- ❑ Are they being served? Citizen report on public services for the poor in Peri-Urban Areas of Bangalore--- Association for Promoting Social Action; Public Affairs Centre, 2005
- ❑ Indicators for Ministries of Justice Supervising Prosecutions and Legal Aid-Vera Institute of Justice, Global Guide to Performance Indicators, 2003
- ❑ Quality of Life in Canada: A Citizen’s Report Card- Joseph H Michalski (Ph.D.), 2002
- ❑ Judicial Reform – A process of change through Pilot Courts, Maria Dakiolias and Javier Said, World Bank, 1999
- ❑ Benchmarking the Citizen’s Charter in Jamaica – An Empirical Evaluation-Jimmy Kazaara Tindigarukayo (Ph.D.), Senior Lecturer, SALISES, UWI Mona

Annex F- Public Consultations

Darby Darby and Associates personnel were able to actively participate in the following Public Consultations arranged by the Ministry of Justice for the achievement of wider public consultation objectives:

(a) **August 19, 2013** - Saint Andrew High School for Girls- This consultation catered to members of the public resident in the parishes of Saint Catherine, Kingston and Saint Andrew and Saint Thomas.

(b) **August 20, 2013** - Saint Mary High School – This consultation catered to members of the public resident in Saint Mary, Portland and Saint Ann.

© **August 21, 2013** - Jamaica Conference Centre, Mount Salem, Montego Bay – This consultation catered to members of the public resident in the parishes of Trelawny, Saint James and Hanover.

(d) **August 22, 2013** - Saint Elizabeth Technical High School, Santa Cruz – This consultation catered to members of the public resident in the parishes of Westmoreland, Saint Elizabeth, Manchester and Clarendon.

(e) Community Renewal Program Public Consultation initiated by the Planning Institute of Jamaica on August 14, 2013 at the Jamaica Conference Centre

The Community Renewal Programme (CRP) was developed in response to the security operations of May 2010 in Western Kingston. The programme targets 100 of the most vulnerable and volatile communities in the 5 parishes most affected by crime (i.e. Kingston, St. Andrew, St. Catherine, Clarendon and St. James). The purpose of the CRP is to provide a coordinating framework of a holistic range of interventions that will enable citizens to live full and satisfied lives in safe and just communities.

CRP's Goal

In keeping with Goals 1 & 2 of Vision 2030, the CRP seeks to empower residents to live full and satisfied lives in safe and just communities. This will ultimately:

- ❑ Empower communities to achieve their fullest potential
- ❑ Create secure, cohesive and just communities

Implementation

During Phase 1 the CRP will be implemented in the following communities:

- ❑ Central Downtown
- ❑ Delacree Park
- ❑ Denham Town
- ❑ Fletchers Land
- ❑ Franklin Town
- ❑ Greater Allman Town
- ❑ Greenwich Town

- ❑ Hannah Town
- ❑ Jones Town
- ❑ Majesty Gardens
- ❑ Parade Gardens
- ❑ Rae Town
- ❑ Seaview Gardens
- ❑ Springfield Gardens
- ❑ Tivoli Gardens
- ❑ Trench Town

Main Aims of the Forum:

- ❑ Ensure that the participants understand the roles, responsibilities and processes of the CRP;
- ❑ Determine the main development issues and challenges in the communities being targeted in phase 1 of the CRP implementation; and
- ❑ Facilitate interaction between community members and donors / implementing agencies / political directorate.

MAJESTY GARDENS PILOT (PRESENTATION: MS. SHERRIAN GRAY, TECHNICAL SPECIALIST, CRP, PIOJ)

Overall development thrust is physical and social because those are the main challenges for the community. For example:

- ❑ Poor housing structure
- ❑ Overcrowding
- ❑ Poor sanitation
- ❑ Inadequate garbage disposal
- ❑ Low income level
- ❑ Susceptibility to poverty
- ❑ Low qualification levels

Benefits of the CRP

- ❑ Streamline information between stakeholders
- ❑ Collaborative decision making
- ❑ Identification of intervention gaps

Objective of the intervention

- ❑ Improve physical infrastructure (NHT to construct 400 units and 200 service lots; Food for the poor to provide accommodation for the service lots)
- ❑ Build social capacity
- ❑ Improve community cohesion
- ❑ Improve access to economic and social opportunities

Upcoming activities

- ❑ NHT to construct 400 units and 200 service lots; Food for the poor to provide accommodation for the service lots

- ❑ Construction of a cyber café
- ❑ Sanitation project
- ❑ Parenting programme
- ❑ Gang demobilization
- ❑ Vocational skills training
- ❑ Sports development
- ❑ Tuition support

DISCUSSION SESSION (JONES TOWN)

Kadeen Allen – Facilitator PIOJ (860-0508)

Luke George Cooke – Community Representative

lggcooke@yahoo.co.uk

842-4725 (digi)

772-1753 (lime)

Priority #1-Education

- ❑ Structured approach to literacy and numeracy covering all levels of education from early childhood to adult.
- ❑ Support to be given to educational institutions at all levels

Priority # 2-Security, Safety & Justice

- ❑ Reduction of crime and police brutality
- ❑ Protection of human rights i.e. treatment of citizens with respect
- ❑ Protection of social, political and economic rights e.g. right to education, right to vote, right to own property
- ❑ Street lighting / bushing i.e. infrastructural development to make the community more safe

Priority # 3- Employment & Entrepreneurship

- ❑ Opportunities to apply skills learnt
- ❑ Educational campaign to destigmatize living in an inner city community
- ❑ Provision of incentives to hire persons from the community; link to skills bank initiative
- ❑ Strengthen existing programmes e.g. YUTE, NYS

Priority # 4 - Governance

- ❑ Monitoring and evaluation of programmes
- ❑ Strengthen the capacity of NGOs, CBOs, Faith Based Organizations etc
- ❑ Accountability of Government – transparency
- ❑ Impact based assessment of government institutions and donor agencies

MAIN ISSUES RAISED DURING THE COMMUNITY PRESENTATIONS:

- ❑ Low literacy levels
- ❑ Low skill level
- ❑ High levels of unemployment
- ❑ High level of crime and violence
- ❑ Teen Pregnancy

- ❑ Poor Infrastructure
- ❑ Poor Parenting
- ❑ Child abuse
- ❑ High level of dropouts
- ❑ Absence of a sense of responsibility amongst residents

It should be noted that the focus of the forum was on the physical, social, economic needs of volatile and vulnerable communities. The issue of access to justice was not raised by any of the participants.

LIST OF PRESENTERS/CONTACT PERSON (S)

❑ **Central Downtown**

Vandeque Rhone – PRO/CDTBS [254-6567]
 Claudia Cunningham – President CDTBS [445-9582]

❑ **Delacree Park**

Monique Donaldson – Delacree Park Youth Club
 Garcia Findley – Delacree Park Youth Club

❑ **Fletchers Land**

Sharon Hamilton
 Jermaine Williams

❑ **Franklin Town**

Andrew Geohagen [508-0704]
 Donat Booth [840-3605]

❑ **Greater Allman Town**

Foreward Pearson [495-9420]
 Tamara Reynolds [885-3363]

❑ **Hannah Town**

Fay Francis Campbell CDC

❑ **Majesty Gardens**

Patricia Deleon – Asst. PRO/CDC [579-3880]
 Wayne Bernard – President CDC [446-0559]

❑ **Parade Gardens**

Carol Dick – Member of Parade Gardens CDC [505-8278]
 Sandra Buchanan – President Parade Gardens CDC [369-7179]

❑ **Rose Gardens**

Michelle Foster – Community Representative
 [864-7562; michboo43f@yahoo.com]

❑ **Trench Town**

Mr. Trevor Edmondson [Fathers' United for Change]

Mrs. Debbie Dunn-Ferguson [Agency for Inner-city Renewal]

The following groups were not represented / did not do a presentation.

- ❑ Denham Town
- ❑ Greenwich Town
- ❑ Rae Town
- ❑ Seaview Gardens
- ❑ Springfield Gardens
- ❑ Tivoli Gardens

(f) September 14, 2013- Ardenne High School-Open to members of the public in Kingston & Saint Andrew

(g) September 14, 2013-Pepper Church of GOD Hall-Saint Elizabeth-Open to members of the public in Saint Elizabeth

(h) September 21, 2013-UWI Mona Bowl-Violence Prevention Alliance Public Peace Event

(i) September 26, 2013-Church of GOD Hall-Open to members of the public in Montego Bay

(j)September 29, 2013-Excell Learning Centre-Open to members of the public in Mandeville

Annex G -Questionnaire Dissemination and Compliance

Name of Organization	Name of Contact	Mailing Address	Phone & Fax	Email Address	Questionnaire Sent/Returned
Office of the Chief Justice	The Honourable Mrs. Zaila McCalla, O.J. Chief Justice of Jamaica	Public Building East 134 Tower Street Kingston	922-8300-7 393-8182 922-2933 997-4704 (c) 967-0669 (f)	chiefjustice@supremecourt.gov.jm	Yes/Yes
Court Management Services	Mrs. Deborah Gardner Principal Executive Officer	The Towers, 8th Floor, 25 Dominica Drive, Kingston 5	665-1322 908-4761 (f)	deborah.gardner@cms.gov.jm	Yes/Yes
Judicial Services Commission	Mrs. Judith Cheese-Morris	Office of Services Commission, 30 National Heroes Circle, Kingston 4	922-8600	jmorris@osc.gov.jm	Yes/Yes
United Nations Development Programme	Ms. Sonia Gill, Governance Adviser	1-3 Lady Musgrave Road, Kingston 5	978-2390-9 946-2163 (f)	registry.jm@undp.org	Meeting held on July 9, 2013 at UNDP office. Nature, scope and extent of consultancy discussed.
Victim Support Unit	Rev. Osbourne Bailey, Director of Victim Support Services	47E Old Hope Road Kingston 5	946-0663 298-6808 (c) 929-8416 (f)	osbourne.bailey@moj.gov.jm	Yes/Yes
Ministry of National Security	Major General Stewart Saunders, Permanent Secretary	NCB North Tower 2 Oxford Road Kingston 5,	619-6098 906-4908 906-4923-31 906-5105 (f)	stewart.saunders@mns.gov.jm lona.johnson@mns.gov.jm	Yes/Yes
Bureau of Women's Affairs	Ms. Faith Webster Executive Director	5-9 South Odeon Avenue Kingston 10	754-8576-8 908-4888 929-0549 (f)	faith.webster@opm.gov.jm	Yes/Yes

Name of Organization	Name of Contact	Mailing Address	Phone & Fax	Email Address	Questionnaire Sent/Returned
Attorney General's Chambers	Honourable Patrick Atkinson, Q.C. Attorney General	NCB North Tower 2 Oxford Road Kingston 5	906-4923-31 906 – 2414 754 – 5158 (f)	attorneygeneral@agc.gov.jm	Yes/Yes
Office of the Parliamentary Counsel	Mr. Albert Edwards Chief Parliamentary Counsel	1 st Floor, NCB North Tower 2 Oxford Road Kingston 5	906-1717-21 Ext.2224 906-5093 906-5110 (f) 906-5214 (f)	aledwards@moj.gov.jm or albert.edwards@moj.gov.jm	Yes/No
Ministry of Justice	Senator the Honourable Mark Golding, Minister of Justice	2 Oxford Road, Kingston 5	906-4923	kerry-ann.davis@moj.gov.jm	No
Ministry of Justice	Mrs. Carol Palmer, Permanent Secretary	2 Oxford Road, Kingston 5	906-4923	carol.palmer@moj.gov.jm	No
Ministry of Justice Human Rights Specialist	Mr. Ricardo Sandcroft	6 Oxford Road, Kingston 5	906-4923	ricardo.sandcroft@moj.gov.jm	Yes/Yes
Ministry of Justice	Mr. Simeon Robinson, Programme Manager, Citizen Security & Justice Programme	6 Oxford Road, Kingston 5	920-6321	simeonrobinson@yahoo.com	Yes/Yes
Dispute Resolution Foundation	Mr. John Bassie, Chairman	62 Duke Street, Kingston	948-7812	bassielaw@yahoo.com	Yes/No
Dispute Resolution Foundation	Mr. Paul Hines, CEO	5 Camp Road, Kingston 4	906-2456 908-3657	paul.hines2012@gmail.com	Yes/Yes
Social Development Commission	Ms. Juanita Reid, Acting Director/Director of Research	22 South Camp Road, Kingston 4	928-8304 938-2531 (f)	dorahj@sdcc.gov.jm	Yes/Yes
Private Sector Organization of Jamaica (PSOJ)	Dennis Chung, CEO	39 Hope Road, Kingston 10	927-6957-8 978-6795-6 978-6798 927-5137 (f)	dennisc@psoj.org deo@psoj.org	Yes/Yes

Name of Organization	Name of Contact	Mailing Address	Phone & Fax	Email Address	Questionnaire Sent/Returned
Jamaica Constabulary Force, Inspectorate of the Constabulary	Mr. Delworth Heath, Deputy Commissioner of Police	Office of the Commissioner of Police, 103 Old Hope Road, Kingston 6	929-1282	delworth.heath@jcf.gov.jm	Yes/Yes
Jamaica Promotions (JAMPRO)	Ms. Wendy Lyttle, Actg. President	18 Trafalgar Road, Kingston 10	978-7755	wlyttle@jamprocorp.com	Yes/Yes
Association of Resident Magistrates	Mrs. Lorna Shelly-Williams	Corporate Area Resident Magistrate's Court Half-Way-Tree Road, Kingston 10	706-1534 703-6686	corporatearea.criminalcourt@cms.gov.jm	Yes/No
National Integrity Action, UWI	Professor Trevor Munroe, Executive Director	Producer's House Building, 6A Oxford Road, Kingston	970-2733	kpinnock@niajamaica.org	Yes/Yes
Centre for Gender & Development Studies, UWI	Dr. Leith Dunn, Head of Department	Alister McIntyre Bldg, Block 6 The University of the West Indies, Mona	977-7365 977-9053 (f)	leith.dunn@uwimona.edu.jm	Yes/Yes
Caribbean Policy Research Institute, UWI	Senator Christopher Tufton, Co-Director	Alister McIntyre Bldg, Block H The University of the West Indies, Mona	970-3447 920-2910 970-4544 371-3284 (c)	communication@capricaribbean.org	Yes/No
Norman Manley Law School	Ms. Carol Aina, Principal	University of the West Indies, Mona Campus, UWI	927-1235 977-3605 (f)	carol.aina@uwimona.edu.jm	Yes/Yes
UWI Faculty of Law	Dr. Derrick McKoy, Dean	University of the West Indies, Mona Campus, UWI	927-1895	derrick.mckoy@uwimona.edu.jm	Yes/Yes
Jamaica Confederation of Trade Unions, Hugh Lawson Shearer Trade Union Education Institute	Mr. Danny Roberts, President	12a Gibraltar Camp Way, Mona Campus, UWI	977-4290 927-1660 927-1669	donald.roberts@open.uwi.edu	Yes/Yes

Name of Organization	Name of Contact	Mailing Address	Phone & Fax	Email Address	Questionnaire Sent/Returned
Independent Commission of Investigations (INDECOM)	Mr. Terrence Williams, Commissioner	1 Dumfries Road Kingston 10	968-8875 968-1932 920-2324 960-4767 (f)	terrence.williams@indec.com.jm	Yes/Yes
Planning Institute of Jamaica	Mr. Colin Bullock, Director General	16 Oxford Road, Kingston 5	960-9339 935-5152	cbullock@pioj.gov.jm	Yes/Yes
Statistical Institute of Jamaica	Ms. Carol Coy, Director General	7 Cecilio Avenue, Kingston 10	926-5311 ext. 1001	ccooy@statinja.gov.jm	Yes/Yes
Jamaicans for Justice	Hon. Dr. Carolyn Gomes, OJ	2 Fagan Avenue, Kingston 8	755-4524-6 755-4355 (f)	admin@jamaicansforjustice.org	Yes/Yes
Jamaica Civil Society Coalition - 2	Ms. Carol Narcisse	2 Fagan Avenue, Kingston 8	755-3668 293-1246 (c) 925-6422	carol.narcisse@gmail.com	Yes/Yes
Women's Crisis Centre	Ms. Dundeen Ferguson, President	18 Ripon Road, Kingston 5	929-9038 926-9418 (f)	wicrisiscentre@yahoo.com	Yes/Yes
United Theological College of The West Indies	Rev. Dr. Marjorie Lewis, President	7 John Golding Road, Kingston 7	977-0810	rev_marj_lewis@yahoo.com	Yes/No
Umbrella Church Council of Jamaica	Rev. Rennard White, Chairman		291-5238	towerhillmissionary@cwjam.aica.com	Yes/Yes
Violence Prevention Alliance – 2	Dr. Elizabeth Ward	13 Gibraltar Camp Way, UWI, Kingston 7	702-2079 (f)	vpajamaica@gmail.com	Yes/Yes
Catholic Church Social Justice Commission	Ms. Karlene Cato	Archdiocese Pastoral Centre c/o St. Michael's Theological College, Golding Ave, Kingston 7	977-2920 927-0364	rcjpcommission@yahoo.com	Yes/Yes
Umbrella Group of Churches Jamaica Methodist District Office	Mr. Everal Galbraith, President, Methodist Churches	143 Constant Spring Road, Kingston 8	924-1218 925-3630 925-4290	jamaicamethodist@cwjamai.ca.com	Yes/Yes

Name of Organization	Name of Contact	Mailing Address	Phone & Fax	Email Address	Questionnaire Sent/Returned
Media Association of Jamaica	Mr. Christopher Barnes, Chairman (Tanya Davis, Administrative Assistant)	32 Lyndhurst Road, Kingston 5	908-4955 632-1541	christopher.barnes@gleanerjm.com Tanya.davis@gleanerjm.com	Yes/No
Press Association of Jamaica	Ms. Jenni Campbell, President	5 East Avenue, Kingston 8	631-6390	pressassociationjamaica@gmail.com	Yes/No
Office of the Director of Public Prosecutions	Ms. Paula Llewellyn, C.D., Q.C. Director of Public Prosecutions	Public Building West King Street	922-6321-5 298-6874 (c) 922-4318 (f)	paula.llewellyn@moj.gov.jm	Yes/Yes
Kingston Legal Aid Clinic	Mr. Leroy Equiano, Director	131 Tower Street, Kingston	798-2905(c) 922-3761 922-3792	kgnlegaid@yahoo.com	Yes/Yes
Advocates Association	Mr. George Soutar, OD President	57 Laws Street Kingston,	922-9207 948-0944 (f)	ggslaw@yahoo.com	Yes/No
Jamaican Bar Association	Mr. Ian Wilkinson, Q.C. President	10 Swallowfield Road, Kingston 5	960-4798 322-2143 (c) 967-1528 967-9034 967-3783 (f)	iangwilkinson@wilkinsonlawja.com	Yes/Yes
Jamaica Chamber of Commerce	Mr. Francis Kennedy, President Mr. Trevor Fearon, CEO	Shops 13-15, UDC Office Centre Bldg, 12 Ocean Boulevard, Kingston	922-0150-1 924-9056	pa@jamaicachamber.org.jm	Yes/Yes
Trench Town Peace & Justice Centre	Ms. Sonia Whyte, Director	12 B Collie Smith Drive, Kingston 12	858-0897 © 948-9276 922-3918	sonia_white@yahoo.com cute_n_beautiful13@yahoo.com	Yes/Yes
Cornwall Bar Association	Mr. Michael Erskine, President	c/o Michael B. Library Montego Bay Resident Magistrate's Court, Montego Bay, St. James	955-2041	erskine.brown@yahoo.com	Yes/No

Name of Organization	Name of Contact	Mailing Address	Phone & Fax	Email Address	Questionnaire Sent/Returned
Montego Bay Legal Aid Clinic	Mr. Ian Max Cooke, Director	17 Orange Street, Montego Bay	(Secretary) 982-1712/10 734-1351 (f) 579-7600 CUG 952-2183 971-7150	montegobaylegalaid@yahoo.com	Yes/Yes
Jamaica Hotel & Tourist Association	Mrs. Evelyn Smith, President	Tensing Pen Hotel, West End Road, Negril	957-0387	e.smith@cwjamaica.com	Yes/Yes
Flanker Peace & Justice Centre	Mrs. Marilyn McIntosh-Nash, President	Morning View Drive, Flanker, Montego Bay, St. James	940-4919	marilynnash99@yahoo.com	Yes/Yes

Annex H-Input Tracking Matrix

<u>Input Indicator</u>	<u>Entitlement/ Budget/Recorded Amount</u>	<u>Actual Amount/Number (2012)</u>	<u>Remarks/Comments/Evidence</u>
Court Infrastructure Improved	7	7	Balaclava, Morant Bay, Saint Ann's Bay, Lucea, Port Maria and Annotto Bay RM Courts
Number of mediations held by DRF	852	3,469	
Number of drafters on OPC staff	13	13	The OPC is presently at its maximum approved complement of drafters.
Number of judges, court staff and MOJ staff trained by JTI	1,344	845	The MOJ intends to realign the training curriculum of the JTI to more fully cater to the training needs of judges.
Reduction of backlogged criminal cases in RM Civil and Criminal Courts	205,000	43, 696	The majority of cases in backlog in the RM Courts seem to be related to the issuance of traffic tickets.
Number of clients receiving legal aid services	3,300	2, 163	
Number of new MOJ/Court public education initiatives	30	547	
Number of courts using technology for reporting and other functions	5	5	Criminal Case Management Pilots in Corporate Area, St. Mary, St. James, St. Thomas and Civil RM Courts
Number of victims counseled under Victim Support Programme	12,474	13, 423	5,411 new and 8,012 follow-up clients. And 73.8% were female.
Number of persons sensitized/exposed to Restorative Justice philosophy/principle	2,430	3,044	Initial targets met and exceeded.

Annex I-Profile of Darby Darby & Associates

Based in Kingston, Jamaica, the law firm of Darby Darby & Associates has a well-established nineteen year old practice in various areas of law including, Conveyancing, Succession, Family Law, Debt Collection, and extensive civil litigation. It is presently comprised of two senior partners and utilizes the services of six associates on an ongoing basis to achieve its legal services delivery objectives. As the practice has developed, the firm has been able to provide assistance in various other areas of specialty, which suit the background, temperament and experience of its partners and associates. These additional areas of specialty include the undertaking of various national and international consultancies in the areas of Civil Society Strengthening, Rule of Law Strengthening, Community Policing and other areas under the wider Democracy & Governance rubrics.

Consultancy work has been undertaken in the above areas in all English-speaking Caribbean Countries (Antigua & Barbuda, Barbados, Grenada, Jamaica, St. Lucia, St. Kitts & Nevis, St. Vincent & the Grenadines, Trinidad & Tobago), Belize, Guyana and Suriname.

Consultancy assignments have been undertaken for national, regional and international governments and clients such as: The University of the West Indies, the Caribbean Law Institute, the Eastern Caribbean Supreme Court, the Caribbean Court of Justice; the Organization of Eastern Caribbean States (OECS) Secretariat, the Government of Jamaica, United States private consulting firms such as Research Triangle Institute (RTI); Tetra Tech ARD, Management Systems International (MSI) and Chemonics; the European Union (EU), the United States Agency for International Development (USAID), the World Bank, the Inter-American Development (IDB) and the Canadian International Development Agency (CIDA).

Partner Dennis Darby, an Attorney-at-Law, was called to the Jamaican Bar in 1980 and has had three decades of international donor experience in the design, implementing and monitoring of democracy and governance programs in the Caribbean and Central America regions. His Curriculum Vitae is provided below:

CURRICULUM VITAE DENNIS DWIGHT ANTHONY DARBY

109 A Constant Spring Road
Kingston 10
Jamaica
Telephone: (876) 5466008
E-mail: dennisdarby@hotmail.com
Date of Birth: October 28, 1952

2002 SW 86 Avenue
North Lauderdale
Florida, USA
Telephone: (954) 4824414
E-mail: dennisdarby@hotmail.com

Present

- Consultant - (Rule of Law, Governance, Community Policing).
- Board Chairman - Telstar Cable Limited, Telecommunications Provider.
- Senior Partner - Darby Darby & Associates, Attorneys-at-Law.

Education and Training

- 1980 Master of Laws (LL.M.)
-London School of Economics and Political Science, University of London, U.K.
- 1980 Attorney-At-Law
-Called to Jamaica Bar
- 1977-1979 Legal Practitioners Certificate
-Norman Manley Law School, Jamaica
- 1974-1977 Bachelor of Laws (LL.B.), (Hons.)
-University of the West Indies, Barbados

Short Courses (Under auspices of United States Agency for International Development (USAID))

- Analytical Skills
- Managing Productive Teams
- Program/Project Design
- Program/Project Implementation
- Program/Project Monitoring
- Program/Project Evaluation
- Negotiation of International Contracts
- International Project Financing and Contracting
- Contracting for non-Procurement Personnel
- Planning, Achieving and Learning
- Acquisition and Assistance for Cognizant Technical Officers (CTO)
- Acquisition and Assistance for CTO Supervisors
- Assistance Management
- Automated Directives System Workshops

Consultancies

- Senior Consultant to Chemonics of the United States of America with regard to the development of juvenile justice interventions that can be successfully implemented by USAID in Jamaica. Funded by Chemonics, September, 2013.
- Senior Consultant to Research Triangle Institute (RTI) of the United States of America with regard to an analysis of those legal, policing and NGO strengthening needs of Jamaica which can be effectively addressed by United States international donors. Funded by RTI, January 10, 2012-January 24, 2012.
- Consultant to CIDA/Jamaica with regard to the conduct of a Caribbean Regional Justice Sector Analysis and Programming Options consultancy- Funded by the Canadian International Development Agency (CIDA), September 15, 2011-December 30, 2011.
- Consultant to Telstar Cable Limited of Jamaica with respect to the legal aspects of moving from an Analogue to a Digital transmission platform (ongoing).
- Senior Consultant to Tetrattech ARD of the United States of America with respect to the development of a Project in response to a USAID Request for Proposal for a More Peaceful and Transparent Governance Project in Jamaica which was due to start implementation in Jamaica in 2011.

- Lead Consultant to Jamaican Ministry of Justice with respect to the development of a Justice System Reform Policy Agenda Framework for proposed law reform implementation in Jamaica – Funded by the Canadian International Development Agency (CIDA), September 11, 2008 - January 11, 2009.
- Lead Consultant for CIDA/Barbados on the design of a Caribbean Governance and Accountability Project for twelve (12) Caribbean Countries (Assignment started March 2008 and concluded July 31, 2008).
- Lead Consultant for the provision of advisory/consultancy services for Integration of the OECS Magistracy into the Eastern Caribbean Supreme Court – Eastern Caribbean Supreme Court; funded by Canadian Cooperation Fund (CCF)/CIDA, September 2007 – January 2008.
- Lead Consultant for the development of a Trust Fund Feasibility Plan for Sustainable Financing of the Eastern Caribbean Supreme Court – Eastern Caribbean Supreme Court; funded by Canadian Cooperation Fund (CCF)/CIDA, October, 2007 – November, 2007.
- Advisory/consultancy services for the development of donor financing information for the Jamaican legal system – Canadian International Development Agency (CIDA), February 2007.
- Development of a Jamaican Crime Study, - World Bank, November 2006.
- Evaluation of Canadian International Development Agency Social Conflict and Legal Reform Project - Canadian International Development Agency/Jamaica, January 2006.
- Provided Advisory services in the design and implementation of a Regional Legislative Drafting Facility – United States Agency for International Development/Caribbean, January 2003.
- Implementation of Social Conflict and Legal Reform Project for Jamaica- Bearing Point, August 2000.
- Lead Consultant in an assessment of the Belize Legal System - IRIS Center at the University of Maryland, 2000.
- Prepared a Diagnostic of the training needs of a newly established Commercial Court and Financial Crimes Unit in Jamaica- IDB/Jamaica, 2000.
- Prepared a Jamaican Crime Management Strategy- IDB/Government of Jamaica, Citizen Security and Justice Program, 2000.
- Conducted a Jamaica Constabulary Force/Office of the Director of Public Prosecutions File Management Study- IDB/Government of Jamaica Citizen Security and Justice Program, 2000.
- Conducted Rapid Assessments of the Jamaica Police Public Complaints Authority and Office of Professional Responsibility- IDB/Jamaica, 2000.
- Managed Social Conflict and Legal Reform Project - Bearing Point (formerly KPMG), 2000.
- Conducted the design of a Social Conflict and Legal Reform Project- Canadian International Development Agency (CIDA) in Jamaica, 1999.
- Designed Judges and Magistrates Training Project - Faculty of Law, University of the West Indies, Cave Hill Campus, Barbados, funded by the United Nations Drug Control Programme (UNDCP), 1999.
- Designed Caribbean Regional Administration of Justice Program - USAID in Barbados, 1999.

- Drafted assessment of Guyana's legal system-Thunder & Associates, 1998.
- Conducted Guyana Legal Baseline Study- IDB in Guyana, 1998.
- Member of design team for a Caribbean Regional Money Laundering Project covering 28 English, Spanish, French and Dutch Caribbean Countries- U.S./European Union, 1997.

Management Experience

- Thirty years experience in spearheading international development initiatives in the Caribbean and Central America in such areas as legal and judicial reform, empowering civil society and strengthening democratic governance.
- Wide experience in legal research and the design, implementation, monitoring and evaluation of a broad array of democracy and governance programs in such areas as civil society strengthening, the conduct of national and local government elections, anti-corruption and community policing.
- Team Leader of the bilateral Democracy and Governance portfolio for the United States Agency for International Development (USAID) in Jamaica. Democracy and Governance activities started in the year 2000. Over the years, the DG portfolio has covered the implementation of components relating to judicial and court reforms, civil society strengthening and community policing. USAID/Washington has adopted the community-policing component as a worldwide success model.
- Team Leader of the USAID Caribbean Regional Administration of Justice Program over the period 2001-2005 while located at USAID/Jamaica. The Caribbean Regional Administration of Justice Program covered fourteen independent Caribbean Community Countries and was financed by the Caribbean Regional Program Office of USAID/Jamaica located in Barbados. The program was successfully completed and has left sustainable mechanisms in place in its beneficiary countries for the conduct of court reporting, judicial training, case reporting and regional legislative drafting. With respect to legislative drafting, was instrumental in the establishment, and subsequent development of the activities of the Regional Legislative Drafting Facility, now based in Georgetown, Guyana.
- Team Leader of the Democracy and Governance portfolio of USAID/Guyana while based in Guyana over the period 1995-1999. Activities conducted resulted in significant changes in the operational procedures and physical infrastructure of the Guyana Court System.
- Adviser to USAID/Barbados on the implementation of the Caribbean Law Institute Project, in conjunction with Florida State University, over the period 1986-1995. This project was designed to provide technical assistance, training and financial assistance to the countries of the English-speaking Commonwealth Caribbean in the revision and harmonization of their laws, especially their commercial laws. The Caribbean Law Institute's activities are presently being sustained by the Cave Hill Campus of the University of the West Indies based in Barbados.

Awards/Performance Evaluations

- Jamaica Government scholarship to study law.
- Six-year sustained performance award as Manager of USAID/Barbados' two legal system improvement programs.
- Meritorious Honor Award, USAID/Jamaica-Caribbean.

- Numerous “outstanding” performance evaluations from USAID covering twenty-five years.

Interests/Hobbies

- Religious Studies, Martial Arts, Philosophy.

SURVEY QUESTIONNAIRE
Legal System Assessment

Date of Interview: _____

INTRODUCTION / CONFIDENTIALITY

Good morning/afternoon/evening, my name is _____ from _____ and we are carrying out a survey to help the Ministry of Justice understand what people think about the judicial services they receive and what are the priorities for judicial reform. Would you be willing to answer a few questions about your experience?

I would like to assure you that all the information we collect will be kept in the strictest confidence, and used for research purposes only. We will not report anything specific to your case, we just want to know what you think about the service in general and the way you have been treated. It will not be possible to identify any particular individual or address in the results. **The interview will take no longer that X minutes.**

GENERAL INFORMATION

1. Gender

Male

Female

2. Civil Status

Single

Married

Divorced

Widow(er)

3. Age

Under 25 years

25 - 35 years

36 - 45 years

46 - 55 years

- 56 - 65 years
- 66 - 75 years
- Over 76 years

4. Education

- Primary
 - Secondary
 - Tertiary
 - Professional certification
 - Other (please specify): _____
- _____

5. Occupation

- Attorney
- Judge / Magistrate
- Prosecutor
- Policeman
- Civil Servant
- Doctor / Forensic
- Journalist
- Other (please specify): _____

6. Job Title (please specify): _____

7. Annual Income of Household

- Over \$1,000,000.00
- Between \$250,000.00 and \$1,000,000.00
- Between \$100,000.00 and \$250,000.00
- Between \$100,000.00 and \$250,000.00
- Under \$100,000.00
- Unemployed

8. How far is the Court from your home /community?

9. What mode of transportation did you use to travel to Court?

Motor Vehicle

Motorcycle

Public Transportation

Bicycle

On foot

Other (please specify):

10. Were you represented by an Attorney-at-Law?

Yes

No

Not applicable

11. In what capacity have you attended Court in the past?

As an Attorney-at-Law

To search court records / obtain documents

To get information

To file or deliver court documents

As a Defendant

As a witness

As a victim of a criminal act

As a party to a case

To observe a case but not connected to any person in the proceedings

Pre-court visit

Jury duty

- As a Court employee
- Other (please specify):

12. What type of case have you had at Court?

- Criminal
- Civil
- Divorce
- Family - Custody, domestic Violence, Maintenance etc.
- Personal injury / negligence
- Debt or other money claim
- Conveyancing - Sale Agreement, Lease, Recovery of Rent/possession etc.
- Commercial
- Company
- Administrative / Judicial Review
- Other (please specify):

13. Were you satisfied with the outcome of your visit /matter?

- Very satisfied
- Fairly satisfied
- Fairly dissatisfied
- Very dissatisfied
- Don't know
- Not applicable

14. Which features were observed?

	Judges	Bailiffs	Prosecutors	Police	Lawyers	Public Servants	Court Staff
Objective	<input type="checkbox"/>						
Polite	<input type="checkbox"/>						
Strong-willed	<input type="checkbox"/>						

Knowledgeable	<input type="checkbox"/>								
Honest	<input type="checkbox"/>								
Restorative Justice				<input type="checkbox"/>					
Practical	<input type="checkbox"/>								

REFORM OF THE JUSTICE SYSTEM

1. Do you think that incarceration is the most effective way to deter crime, punish offenders and / or compensate victims of crime?
 - Yes
 - No
 - Don't know

2. Do you think that non-penal methods such as restorative justice, victim support etc would be more effective in deterring crime, punishing offenders of crime and / or compensating victims of crime?
 - Yes
 - No
 - Don't know

3. Do you think that the Government should introduce more non-penal methods of punishing crime?
 - Yes
 - No
 - Don't know

Victim Support

4. Are you aware of the work of the Victim Support Unit (VSU) of the Ministry of Justice?
 - Yes
 - No
 - Don't know

5. Have you benefited from the programs of the VSU?

- Yes
- No
- Don't know

6. What VSU program did you benefit from?

- Telephone Counselling
- Children in the Court Project
- West Kingston Satellite Counselling Facility
- Overcomers in Action
- Special Intervention Project for Schools

7. Do you think that the current support programs provided by the VSU adequately meet the needs of victims of crime?

- Yes
- No
- Don't know

8. Do you think that more support needs to be offered to the victims of crime? / Does the VSU need to offer more support programs or broaden the scope of existing support programs?

- Yes
- No
- Don't know

Civil Society

9. Do you think that Civil Society groups have had a positive impact on the administration of Justice in Jamaica?

- Yes
- No
- Don't know

10. Do you think that Civil Society groups can do more to positively impact the administration of justice in Jamaica?

- Yes
- No
- Don't know

11. Do you think that Civil Society groups can positively contribute to the reform of the Justice Sector?

- Yes
- No
- Don't know

12. In what ways can Civil Society groups positively impact the administration of justice?

- By facilitating public debate on the administration of justice
- By providing information / improving public awareness of administration of justice
- By providing victim support services
- By improving citizen's access to justice
- Other (please specify): _____

13. In what ways can Civil Society groups contribute to the reform of the Justice Sector?

- By facilitating public debate on the reform of the sector
- By providing information / improving public awareness on the reform of the Sector
- By acting as a liaison between the public and the Government regarding reform
- Other (please specify): _____

IMPACT ON SOCIETY

14. If you were leading reform of the justice system in Jamaica, how would you prioritize the reform elements to bring maximal benefit to the society?

RANK

Alternative Dispute Resolution (ADR)	<input type="checkbox"/>
Case filing recording system	
Budget & Administration	<input type="checkbox"/>
Conflict of interest management	
<input type="checkbox"/>	
Court infrastructure	<input type="checkbox"/>
E-governance at the Courts	<input type="checkbox"/>
Increase of salaries	<input type="checkbox"/>
Judicial Education	<input type="checkbox"/>
Disseminating legal information	<input type="checkbox"/>
Media coverage	<input type="checkbox"/>
Modernization of the procedural rules of the Court	<input type="checkbox"/>
Police Reform	<input type="checkbox"/>
Prosecution Reform	<input type="checkbox"/>
Improve public awareness	<input type="checkbox"/>
Empowering the Public Defender	<input type="checkbox"/>
Public enforcement service	<input type="checkbox"/>
Prison Reform	<input type="checkbox"/>
Reform the process of Administrative Appeal	<input type="checkbox"/>
Other (please specify): _____	

COURTS

1. Is the budget to support Court activities adequate?
 - Yes

- No
- Don't know

2. Does the Court hire and fire its own staff?

- Yes
- No
- Don't know

3. Do Court employees, including Judges and support staff, maintain regular work hours and are they present during full Court hours?

- Yes
- No
- Don't know

4. Is there a policy prohibiting nepotism (i.e. favoritism shown on the basis of family relationship)?

- Yes
- No
- Don't know

5. Are the most qualified applicants hired for positions and is there a policy of non-discrimination?

- Yes
- No
- Don't know

6. Does Court staff receive appropriate initial training for their positions?

- Yes
- No
- Don't know

Training Required (please specify): _____

7. Is ongoing training available for Court employees relating to skills, policies, professionalism, changes in the law and changes in Court procedure?

Yes

No

Don't know

Training Required (please specify): _____

8. Are staff members required to follow a code of ethics?

Yes

No

Don't know

9. Have policies been implemented that prevents the corruption of court staff?

Yes

No

Don't know

10. Are staff members who are proven to have accepted financial or other benefits from members of the public in exchange for special attention, appropriately sanctioned?

Yes

No

Don't know

Court Services

11. Are there information boards that display the procedures of the Court?

Yes

No

Don't know

12. Were you able to understand the procedures of the Court easily from these boards?

- Yes
- No
- Don't know

13. Is there an information counter or other central location where members of the public can receive forms or other documentation as well as information about the laws of Jamaica, court cases and court procedures / processes?

- Yes
- No
- Don't know

14. Have you ever obtained any of the material, referred to in question 13, above from the information counter?

- Yes
- No
- Don't know

15. Was the material received clear and easy to understand?

- Yes
- No
- Don't know

16. Was the material provided at a reasonable cost?

- Yes
- No
- Don't know

17. Can a member of the public obtain a copy of the laws of Jamaica, a court order / judgment or court procedures / processes?

- Yes
- No
- Don't know

18. Is the cost to obtain a copy of the material referred to in question 17 above reasonable?

- Yes
- No
- Don't know

19. Did you have difficulty identifying the staff employed by the Court?

- Yes
- No
- Don't know

20. Is the staff generally available and able to assist visitors to the courthouse with their queries?

- Yes
- No
- Don't know
- Other (please specify):
-

21. Did the staff pay adequate attention to your needs?

- Yes
- No
- Don't know
- Other (please specify)
-

22. Did the staff provide adequate information on Court procedures?

- Yes
- No
- Don't know

23. Do you feel that the Court staff treats all people fairly and equally?

- Yes
- No
- Don't know

24. Do you think that visitors to the courthouse receive assistance in a timely manner from staff?

- Yes
- No
- Don't know

25. Are you of the opinion that Court staff strictly adheres to the rules in the performance of their duties?

- Yes
- No
- Don't know

26. Did the Court staff keep visitors informed of the reasons for any delays with their matter?

- Yes
- No
- Don't know

27. Are staff members who speak the Jamaican dialect available to provide information to the public?

- Yes
- No
- Don't know
- Training Required (please specify): _____

28. Does the Court provide translation services for non-English speaking accused, victims and witnesses in proceedings?

- Yes
- No
- Don't know

29. Were you fully informed about the Court fees you were required to pay?

Facilities Yes

No

Don't know

30. Do you think that Court fees are prohibitive and prevent access to the Court by the public?

Yes

No

Don't know

31. If yes, do you think that the fees should be reduced?

Yes

No

Don't know

32. Are Court calendars and schedules accessible by the public?

Yes

No

Don't know

33. Are cases heard at the time that they are set on the Court calendar?

Yes

No

Don't know

34. Are Court proceedings open to the public and to the media?

Yes

No

Don't know

35. Are the sitting / opening times of the Court convenient?

- Don't know Yes
 No

36. Do you think that the sitting times of the Court should be extended?

- Yes
 No

37. Is the Court in a location that can be easily reached by public transportation?

- Yes
 No
 Don't know

38. Are directions to the Court readily available to the public?

- Yes
 No
 Don't know

39. Is the courthouse clearly identifiable?

- Yes
 No
 Don't know

40. Was it easy for you to find the location of the Court on your first visit?

- Yes
 No
 Don't know

41. Are there signs in the Court that clearly demonstrate how to navigate it?

- Yes
 No
 Don't know

42. Can the disabled access the courthouse?

- Yes
- No
- Don't know

43. Does the security personnel screen visitors?

- Yes
- No
- Don't know

44. Are weapons and other security hazards kept out of the courthouse?

- Yes
- No
- Don't know

45. Is the courthouse generally clean and well maintained?

- Yes
- No
- Don't know

46. Are the work areas for Court personnel adequate and equipped with the necessary tools such as telephones, computers, furniture etc.?

- Yes
- No
- Don't know

47. Do you think that courtrooms are designed specifically for court-related purposes?

- Yes
- No
- Don't know

48. Can defendants sit near Counsel?

- Yes
- No

Don't know

49. Are private discussion rooms available for Counsel to consult their client(s)?

Yes

No

Don't know

50. Are there waiting areas for the parties involved in matters to be heard at the Court?

Yes

No

Don't know

51. Are the parties kept safe and separate in the waiting area?

Yes

No

Don't know

52. Is there a work area for preparation of court reports?

Yes

No

Don't know

53. Is the seating for the public in the courtroom adequate?

Yes

No

Don't know

54. Are Judges' chambers adequately sized, appropriately equipped and secure?

Yes

No

Don't know

55. Do you think that courtrooms are excessively noisy?

Yes

No

Court Files
 Don't know

56. Are the proceedings of the Court recorded or summarized in writing?

Yes

No

Don't know

57. Do Court files exist for all cases?

Yes

No

Don't know

58. Are these files kept up-to-date?

Yes

No

Don't know

59. Is there a Court registry?

Yes

No

Don't know

60. Is it easy to file documents at the Court registry?

Yes

No

Don't know

61. Do you think the system for filing documents with the registry needs to be improved?

Yes

No

Don't know

62. Is there an efficient filing system for case records in place?

Yes

No

Don't know

Training Required (please specify): _____

63. Do you think the system for filing court records needs to be improved?

Yes

No

Don't know

64. Are court records protected against theft and damage by natural causes, including the environment and insects?

Yes

No

Don't know

65. If you answered no to question 64 above, do you think a method of protecting files against theft and damage by natural causes should be introduced?

Yes

No

Don't know

66. If you answered yes to question 64 above, do you think the method of protecting files against theft and damage by natural causes is adequate?

Yes

No

Don't know

67. If you answered no to question 66 above, do you think the method of protecting files against theft and damage by natural causes needs to be improved?

Yes

No

Case File No

Don't know

68. Can cases be tracked throughout the legal system?

Yes

No

69. Is there a plan for assigning incoming cases?

Yes

No

Don't know

70. How are cases assigned to Judges?

Randomly

Based on the workload on an ad hoc basis

Objectively based on their expertise and specialization

Subjectively / As a result of professional misconduct

No idea

Other (please specify):

71. Do you believe that the system for assigning cases is corrupt?

Yes

No

Don't know

72. Do you think that Judges are assigned to an appropriate level of cases?

Yes

No

Don't know

73. Are you of the opinion that Judges are aware of amount of cases that are assigned to them?

- Yes
- No
- Don't know

74. Is there a system for witness management / protection?

- Yes
- No
- Don't know

75. If you answered yes to question 74 above, does the system need to be improved?

- Yes
- No
- Don't know

76. If you answered no to question 74 above, do you think that such a system needs to be introduced?

- Yes
- No
- Don't know

77. Do you believe that Judges and/or Counsel are not appropriately prepared for their cases when they are supposed to be heard?

- Yes
- No
- Don't know

78. Are cases begun and completed within the applicable statutory time limits?

- Yes
- No
- Don't know

79. Do you think there is an excessive backlog of pending cases?

Yes

Disputes and Resolution

No

Don't know

80. What is the reason behind the backlog?

Counsel for the parties are not prepared

Judges are not prepared

The court file is not properly maintained

There is great difficulty to compile a jury

Witnesses are unavailable / cannot be located

Breach of the procedure for scheduling cases by administrative personnel

The sitting hours of the Court are too short

Other (please specify):

.....

81. Do you think that extending the hours for hearing cases will help to reduce the backlog of cases to be heard by the Court?

Yes

No

Don't know

82. If you were involved in a dispute with an individual, what action would you take first?

Go to court

Negotiate with the other party

Go to Arbitration

Engage in formal mediation

Engage in informal mediation with community elders, family etc.

Engage in a physical confrontation / harm the other party

Other (please specify):

83. If you were involved in a dispute with a family member, what action would you take first?

Go to court

Negotiate with the other party

Go to Arbitration

Engage in formal mediation

Engage in informal mediation with community elders, family etc.

Engage in a physical confrontation / harm the other party

Other (please specify):

84. If you were involved in a dispute with a company, what action would you take first?

Go to court

Negotiate with the other party

Go to Arbitration

Engage in formal mediation

Engage in informal mediation with community elders, family etc.

Engage in a physical confrontation / harm the other party

Other (please specify):

85. If you were involved in a dispute with a state agency, what action would you take first?

Go to court

Administrative appeal

Judicial Review

Apply to friends/relatives with government connections

Other (please specify):

86. Do you think that mediated settlements should be encouraged, instead of proceeding to court?

Yes

No

Don't know

Non-state or Informal Judicial Mechanisms 87. Do you think that an increase reliance on non-legal methods of resolving disputes such as mediated settlements and dispute resolution will reduce the backlog of cases to be heard by the Court?

Yes

No

Don't know

88. Do you think the decisions of non-state or informal justice mechanisms are consistent?

Yes

No

Don't know

89. Do you think that non-state or informal justice mechanisms are fair?

Yes

No

Don't know

90. Are there written or oral standards, which are available for review and consistently applied?

Yes

No

Don't know

91. Do you think women prefer state to non-state justice systems?

Yes

No

Don't know

92. Do you think that women utilize the services provided by the state justice systems more often than those provided by non-state justice systems?

Yes

No

Don't know

93. Have non-state or informal justice mechanisms been guilty of human rights abuses?

LAWS & LEGAL PROTECTIONS Yes

No

Don't know

94. Is there a right to appeal the decisions of non-state or informal tribunals?

Yes

No

Don't know

95. Do you think that non-state or informal justice mechanisms are corrupt?

Yes

No

Don't know

Basic Human Rights

1. Does the law protect all citizens equally without distinction of any kind, such as race, colour, gender, language, religion, political or other opinion, national or social origin, property, birth or other status?

Yes

No

Don't know

2. Does the law ensure equal rights of men and women to the enjoyment of all laws and legal protections?

Yes

No

Don't know

3. Is the death penalty imposed only for the most serious crimes in accordance with the laws in force at the time of the commission of the crime?

Yes

No

- Don't know
4. Are death penalty sentences carried out only pursuant to final judgments rendered by competent Courts?
- Yes
- No
- Don't know
5. Is the death penalty imposed for crimes committed by persons below eighteen years of age?
- Yes
- No
- Don't know
6. Does the law protect everyone from being subjected to torture or to cruel, inhuman or degrading treatment or punishment?
- Yes
- No
- Don't know
7. Does the law protect everyone from being subjected to arbitrary arrest or detention and from being deprived of their liberty except on such grounds and in accordance with such procedure as are established by law?
- Yes
- No
- Don't know
8. Does every person who is arrested have the right to be informed at the time of arrest of the reasons for his arrest and the right to be promptly informed of any charges against him?
- Yes
- No
- Don't know
9. Are minimum and maximum prison sentences prescribed for different offences?

- Yes
- No
- Don't know

10. Do all persons arrested or detained on a criminal charge, have the legal right to be brought promptly before a Judge or other officer authorized by law?

- Yes
- No
- Don't know

11. Is every person charged with a criminal offence entitled to a trial within a reasonable time or to release?

- Yes
- No
- Don't know

12. Are persons awaiting trial as a general rule entitled to bail and not detained in custody?

- Yes
- No
- Don't know

13. Is every person entitled by law, to a fair and public hearing by a competent, impartial tribunal established by law in the determination of any criminal charge against him?

- Yes
- No
- Don't know

14. Are all judgments rendered in criminal cases or in suits at law made public, unless the interest of juveniles or guardianship of children requires otherwise?

- Yes
- No
- Don't know

15. Is every person charged with a criminal offence, presumed innocent until proved guilty according to law?

- Yes
- No
- Don't know

16. In the determination of criminal charges, does the law guarantee every person the following rights:

a. To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him?

- Yes
- No
- Don't know

b. To have adequate time and facilities for the preparation of his defense and to communicate with counsel of his own choosing?

- Yes
- No
- Don't know

c. To be tried without undue delay?

- Yes
- No
- Don't know

d. To defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it?

- Yes
- No
- Don't know

e. To examine or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him?

- Yes
- No
- Don't know

f. To have the free assistance of an interpreter if he cannot understand himself or speak the language used in Court?

- Yes
- No
- Don't know

g. To not be compelled to testify against himself or to confess guilt?

- Yes
- No
- Don't know

17. Does every person convicted of a crime have the right to have his conviction and sentence reviewed by a higher tribunal?

- Yes
- No
- Don't know

18. Do you believe that some people are unable to exercise that right because they are poor?

- Yes
- No
- Don't know

19. Is any person liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with applicable law and procedure?

- Yes
- No
- Don't know

20. Does the law prohibit a finding of guilt of any criminal offence on account of any act or omission, which did not constitute a criminal offence at the time it was committed?

- Yes
- No
- Don't know

21. Do internal and / or cross-border conflicts threaten or thwart human rights prosecutions and democratic government?

- Yes
- No
- Don't know

22. Do you think that the Courts are fair and equal?

- Yes
- No
- Don't know

23. Do you believe that you can get justice in a Court of law?

- Yes
- No
- Don't know

24. If not, what would prevent you from getting justice in a Court of law?

- Insufficient funds to hire a good Attorney
- Judicial Bias / Improper influence of the Judge
- Failure of the Judge to properly consider the facts of the case and the law
- Deficiency of the pre-court procedures (investigation, record keeping etc.)
- Poorly kept minutes / records of the trial
- Other (please specify): _____

25. Do you have any confidence in the justice system?

Yes

No

Don't know

Society, Perceptions & Awareness

26. Why don't you have any confidence in the justice system?

Did not receive justice

Abuse of power by police

Poor pre-trial investigations

Incompetence and/or inexperience of Counsel

Apparent bias of the Judge

Intimidation of the jury / witnesses

Other (please specify): _____

27. What changes would improve your confidence in the justice system?

A new system of oversight for the courts and legal professionals

Greater inclusion of civil society especially in justice reform

Improved access to legal information, judgments, orders etc.

Improved access to legal representation

Other (please specify): _____

28. Do you understand the procedure to report a crime?

Yes

No

Don't know

29. Do you feel that you sufficiently informed of your legal rights?

- Yes
- Laws are mainly perfect
- No
- Don't know

30. Do you think that knowledge of the law is required in your daily life?

- Yes
- No
- Don't know

31. Do you think that more can and /or should be done to improve the average Jamaican's knowledge of the law?

- Yes
- No
- Don't know

32. What is the source of your legal knowledge, if any?

- Television
- Radio
- Newspapers & Magazines
- Employees of the legal field (Court, Prosecutor's Office, Police etc.)
- Legal consultation
- Acquaintances, friends, relatives
- Other Sources (please specify): _____
- _____
- _____

33. What is your opinion of the current laws in Jamaica?

- Laws are mainly imperfect
- Some laws are imperfect
- Laws are perfect but they are mainly not followed

34. Do you have access to the laws of Jamaica?

Yes

No

Accessibility

Don't know

35. How can you access the laws of Jamaica?

Public library

Court library

Laws can only be accessed by legal professionals

Internet - Ministry of Justice website etc.

Don't know

Other sources (please specify): _____

36. Do you think that access to the laws of Jamaica needs to be improved?

Yes

No

Don't know

37. Do you feel that you are sufficiently informed about the justice system and the steps being taken to reform it?

Yes

No

No

38. Do you think more can and/or should be done to inform you about the justice system and the steps being taken to reform it?

Yes

No

Don't know

39. Do you believe that you can contact the police to report a crime within 24 hours?

Yes

No

Social and Business Interrelations and Regulation

Don't know

40. Do you think that police deployment is different depending on the location?

Yes

No

Don't know

41. Do you think that police are more readily deployed to higher income areas?

Yes

No

Don't know

42. Do you believe that the police will respond if you report a crime?

Yes

No

Don't know

43. Do you feel that your (or your company's) contracts are properly protected and enforced in Jamaica?

Yes, completely

Yes, mostly

No, only partially

No, the system is not effective

Don't know

44. Do you feel your (or your company's) property rights are properly protected and enforced in Jamaica?

Yes, completely

Yes, mostly

No, only partially

No, the system is not effective

Don't know

45. Do you feel the judicial system is able to protect all of your (or your company's)

Legal Representation

legitimate rights and interests?

- Yes, completely
- Yes, mostly
- No, only partially
- No, the system is not effective
- Don't know

46. Do you feel that the functioning of the judicial system is a problem for doing business in Jamaica?

- No, the system is effective
- Don't know No, the system is not effective but that is not the problem for business
- Yes, the system is not effective and this causes problems for business
- Yes, the system is very bad and doing business is very difficult

47. Do you feel that the functioning of the judicial system is a problem for living in / visiting Jamaica?

- No, I feel the judicial system is able to protect my rights
- Don't know No, I feel the judicial system is able to protect the majority of my rights
- Yes, I feel the judicial system is able to protect only my basic rights and does not ensure equality of people under the law
- Yes, even the most basic human rights are not protected

LEGAL PROFESSION

15. Does the law guarantee the defense of the accused in criminal matters?

- Yes
- No

Don't know

Judicial Competence & Independence

16. Is there a system in place for those persons who require legal representation but who cannot

afford it?

Yes

No

Don't know

17. Do you know how such a person goes about obtaining legal representation through this system?

Yes

No

Don't know

18. If you answered no / don't know to question 3 above, do you think there should be a public education campaign about this system?

Yes

No

Don't know

19. If you answered yes to question 3 above, do you think that this system needs to be improved?

Yes

No

Don't know

20. Do Judges demonstrate knowledge and understanding of applicable law, including relevant international human rights treaties / norms?

Yes

No

Don't know

Training Required (please specify): _____

21. Are judicial decisions made in a timely manner consistent with applicable laws? / Are the requirements for a speedy trial met?

Yes

No

Don't know

22. Do Judges comply with the legal obligations, if any, to conduct regular inspections of detention facilities?

Yes

No

Don't know

23. Do Judges conduct a regular review of cases pertaining to detained individuals as required by law?

Yes

No

Don't know

24. Do Judges maintain effective control of Court proceedings, lawyers, staff, witnesses and public?

Yes

No

Don't know

Training Required (please specify): _____

25. Did the Judge follow the basic rules of conduct?

- Yes
- Mostly
- More or Less
- No
- No, I complained and as a result the Judge was disciplined
- No, I complained but no action was taken
- No, but I didn't complain as I believed no action would be taken
- No, but I didnt complain as the misconduct didn't affect me
- Don't know
- Not applicable

26. Do you think that the judiciary is independent and is not susceptible to interference, inducement or intimidation?

- Yes
- No
- Don't know

27. Are Judges correctly applying the laws regarding arrest and detention:

a. Do they enforce laws regarding the first appearance of the accused in court?

- Yes
- No
- Don't know

b. Do they comply with laws regarding orders to dismiss defective warrants?

- Yes
- No
- Don't know

c. Do they carry out appropriate remedies upon finding a case of illegal detention?

- Yes
- No
- Don't know

28. Are Judges enforcing requirements regarding legal assistance:

a. Do they promote access of Defense Lawyers during all phases of the case?

Yes

No

Don't know

b. Do they refrain from questioning unrepresented defendants who have requested Counsel?

Yes

No

Don't know

Do you think that sentences are issued according to legally relevant grounds and not based on impermissible factors such as the race, gender or ethnicity of the accused?

Yes

No

Don't know

29. Do you think that Judges give individual attention to cases and decide them without undue disparity among similar cases?

Yes

No

Don't know

30. Does the government have the power to overturn judicial decisions?

Yes

No

Don't know

31. Do you think there is a difference in the number of judges per population for rich versus poor areas?

Yes

No

Don't know

32. What is your opinion of the quality of higher legal education in Jamaica?

Training & Career Advancement of Judges

- Excellent
- Good
- Fair
- Poor
- Don't know

33. In your opinion, what skill(s) do new graduates possess upon graduation?

- Protecting legal rights
- Starting as a legal clerk
- Starting as a company lawyer, advocate or notary
- Starting as a Judge or Prosecutor
- Graduates are not adequately prepared
- Don't know
- Other (please specify): _____

34. Based on your impression of your trial and/or the justice system in general please grade the statements below according to relevance.
(Check one answer per row)

	Fully agree	Mostly agree	Would Question	Probably Question	Fully disagree	Don't Know
Judges are appointed on a fair and merit based competitive scheme which allows for significant improvement in their general qualification over a period of 5 – 10 years	<input type="checkbox"/>					

Gender representation in the judicial system is balanced

RR6015 Justice

Judges are able to update their knowledge through continuous training

New judges are required to undergo training before being appointed which guarantees a high level of professionalism and respect for rules of conduct

There is an objective system for career advancement that assigns more qualified and impartial judges to positions requiring more responsibility

The salaries of Judges are adequate to the professional and ethical requirements of their positions

1. Are there separate courts for juvenile offenders?

- Yes
- No
- Don't know

2. Are juveniles kept separately from adult prison populations?

- Yes
- No
- Don't know

3. Do juveniles receive special care in prison?

- Yes
- No
- Don't know

4. Are Juveniles given educational and vocational training?

- Yes
- No
- Don't know
- Training Required (please specify): _____

5. Is it possible for juveniles to receive visits from their families?

- Yes
- No
- Don't know

6. Are Juvenile records kept confidential?

- Yes
- No
- Don't know

7. Should pre-trial detention of juveniles be reduced?

- Yes
- No
- Don't know

8. Do you believe that the incarceration of juvenile offenders should be minimized?

Yes

Women

No

Don't know

9. Instead of being incarcerated, should juveniles be punished by alternative means?

Yes

No

Don't know

10. Are women kept separately from the male population?

Yes

No

Don't know

11. Do women have equal access to the same activities and services as men?

Yes

No

Don't know

12. Are the particular medical and hygienic needs of women met?

Yes

No

Don't know

13. Are the needs of pregnant and breast-feeding women met?

Yes

No

Don't know

Prisoner Transport & Custody

14. Are men and women transported to Court separately?

- Yes
- No
- Don't know

15. Are children and adults transported to Court separately?

- Yes
- No
- Don't know

16. Are the holding facilities for detainees in the courthouse adequate?

- Yes
- No
- Don't know

17. Are restraints are used only when necessary?

- Yes
- No
- Don't know

SCORECARD QUESTIONNAIRE

1. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate the extent to which justice services are available to all citizens?
 5. Ideal
 4. Good
 3. Fair
 2. Poor
 1. Very Poor
 0. None at all
2. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate access to justice service locations?
 5. Ideal
 4. Good
 3. Fair
 2. Poor
 1. Very Poor
 0. None at all
3. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate your ability to report a crime and your confidence that you will get a response?
 5. Ideal
 4. Good
 3. Fair
 2. Poor
 1. Very Poor
 0. None at all
4. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate access to alternative mechanisms for resolving disputes such as Dispute Resolution Foundation?
 5. Ideal
 4. Good
 3. Fair
 2. Poor
 1. Very Poor
 0. None at all
5. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate the extent to which justice services are available to all citizens?
 5. Ideal
 4. Good
 3. Fair
 2. Poor
 1. Very Poor

- 0. None at all
6. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe information about the operations and services of the justice system is accessible and easy to understand?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
7. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate the efforts to educate the general public about the justice system?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
8. Are you aware of the different ways in which you can provide feedback to the Ministry of Justice about anything related to the justice system and your experience?
- Yes
 - No
9. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate your awareness and knowledge of the methods for providing feedback to the Ministry of Justice about the system about the system and your experience using the system?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
10. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe the justice system and the workers are guided by clear rules and procedures?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all

11. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe the justice system and the workers are guided by clear rules and procedures?
12. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe that the judiciary (judges) are independent, impartial and free from interference or intimidation?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
13. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate your level of satisfaction with the communication about opportunities for the general public to participate in the development of legislation?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
14. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe that the justice system guarantees a fair outcome and protects the human rights of those who use the system?
15. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe that established rules and procedures are always impartially applied to all matters in the justice system?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
16. On a scale of 0-5, with 0 being none at all and 5 being ideal, to what extent do you believe that the justice system is free from bias related to race, gender and socio-economic position?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor

- 1. Very Poor
- 0. None at all

17. In your opinion, is there bias in the system on grounds other than those mentioned above?

- Yes
- No

18. If the answer to the previous question was yes, please list the grounds for bias.

-

19. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate the likelihood of receiving a fair outcome for cases using mechanisms other than the courts?

- 5. Ideal
- 4. Good
- 3. Fair
- 2. Poor
- 1. Very Poor
- 0. None at all

20. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate justice system workers with respect to the following?

	Ideal	Good	Fair	Poor	Very Poor	None at All
Qualifications	<input type="checkbox"/>					
Competence	<input type="checkbox"/>					
Accountability	<input type="checkbox"/>					
Ethics	<input type="checkbox"/>					
Overall Standard	<input type="checkbox"/>					

21. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate the customer service provided in such justice system entities as the courts, Ministry of Justice Officers, legal aid centres, etc.?

- 5. Ideal
- 4. Good
- 3. Fair
- 2. Poor
- 1. Very Poor
- 0. None at all

22. On a scale of 0-5, with 0 being none at all and 5 being ideal, how would you rate the justice system facilities and its ability to meet the needs of users?

- 5. Ideal

- 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
23. On a scale of 0-5, with 0 being none at all and 5 being ideal, based on your knowledge or perception, how would you rate the speed with which cases are resolved and disposed through the court system?
- 5. Ideal
 - 4. Good
 - 3. Fair
 - 2. Poor
 - 1. Very Poor
 - 0. None at all
24. What is your gender?
- Male
 - Female
25. What is your age?
- Younger than 18
 - 18-24
 - 25-34
 - 35-44
 - 45-64
 - 65 and older
 - Prefer not to answer
26. What is the highest level of education that you have achieved?
- Less than High School Diploma
 - High School Diploma or equivalent
 - Some college but no degree
 - Associate degree
 - Bachelors Degree
 - Masters Degree
 - Doctorate degree
 - Professional certification
27. What category best describes your annual income?
- Under \$300,000
 - \$300,000-\$999,999
 - \$1,000,000-\$1,499,999
 - \$1,500,000-\$1,999,999
 - 2,000,000-\$2,499,999

- \$2,500,000-\$2,999,999
- \$3,000,000-\$3,999,999
- \$4,000,000-\$4,999,999
- \$5,000,000-\$5,999,999
- \$6,000,000 and above
- Prefer not to answer

28. Which of the following categories best describes the industry you work in?

- Automotive
- Advertising
- Consulting Services
- Education
- Entertainment
- Financial Services
- Government Services
- Healthcare
- Human Resources
- Information technology
- Marketing/Sales
- Non-Profit
- Pharmaceuticals
- Public Relations
- Technical Services
- Travel
- Other