

ADMINISTRATION OF JUSTICE PROGRAM

(BA-0055)

EXECUTIVE SUMMARY

Borrower:	Barbados	
Guarantor:	Barbados	
Executing agency:	Attorneys General's Office.	
Amount and Source:	IDB: (OC)	US\$ 8,750,000
	Local:	<u>US\$ 3,750,000</u>
	Total:	US\$12,500,000
Financial terms and conditions:	Amortization Period:	20 years
	Grace Period:	5 years
	Disbursement Period:	4 years
	Interest Rate:	variable
	Supervision and Inspection:	1.00 %
	Credit Fee:	0.75 %
	Currency:	U.S. dollars from the Single Currency Facility.

Objectives: The overall objective of the program is to support the Government of Barbados (GOB) in its efforts to modernize the justice sector through improving court administration and processes; enhance access to justice; and reduce economic and social costs associated with criminal behavior.

The program seeks to: (i) strengthen the overall management capacity of the courts through technological enhancement and training; (ii) enhance access to justice through the promotion of Alternative Dispute Resolution (ADR) mechanisms and improvement to the legal aid structure; (iii) implement recently passed legislation in the area of alternative sentencing and promote greater use of rehabilitative strategies aimed at youth; and (iv) improve sector coordination and crime prevention.

Description: The program will have three components: (i) Sector Management; (ii) Access to Justice; and (iii) **Youth** and Rehabilitation.

1. Sector management (US\$4,400,000)

Information management: To support a computerized court management system; modern court reporting capacity; establishment of a sector-wide information system, including research and monitoring capacities which will be overseen by the Task Force on Crime Prevention and include public education and outreach.

Civil society coordination: The program will develop and expand collaboration among civil society groups working in the sector. The Program Technical Unit (PTU) will assist civil society organizations in carrying out projects in the areas of foster care, conflict mediation, crime prevention, and youth training.

2. Access to justice (US\$1,750,000)

Case management: The program will support the introduction and implementation of modern case management techniques in the court system, with the goal of moving cases more rapidly to resolution.

Alternative dispute resolution: Technical assistance will be provided to coordinate a pilot project which promotes the use of ADR mechanisms to broaden access to justice and provide efficient resolution of cases without resort to a formal trial.

Legal aid: The program will support a review of the current legal aid structure and the feasibility of a public defenders office.

3. Youth and rehabilitation (US\$4,500,000)

Institutional strengthening of juvenile justice agencies: For the Probation Department, consultancy services in management reorganization, and training. For the reform schools, staff training and vocational programs and new curriculum development to enhance the overall sector capacity to deliver skills and lifestyle training will be developed.

Rehabilitation capacity: Staff training, including design of manuals for inmate rehabilitation; cognitive behavior training for inmates; and design of a post-release program.

Civil works: A limited program for: (i) renovation of existing reform school; (ii) construction of a new at-risk facility; and (iii) upgrading of existing agriculture and training facilities serving the penal sub-sector.

Bank's country and sector strategy:

The proposed program is consistent with the Bank's country strategy in terms of efforts to modernize justice systems. The program is also consistent with the frame of reference for Bank action in modernization of the state and civil society strengthening projects. The Bank's Country Paper 1998-2001 for Barbados also includes improving the justice system as a principal area of focus.

Environmental/Social review:

The proposed program contains a minor portion of physical infrastructure work, and based on the comments of CESI it is not expected to have any adverse environmental impact. The social implications of the program are significant, not only in the recovery of productive capacity of rehabilitated persons, but in its wide impact on women, youth, and the most vulnerable classes of the society.

Benefits:	Execution of the program will result in a more efficient and accessible justice system, with greater crime prevention and rehabilitation capacity and an improved ability to coordinate activities.
Risks:	The program will require coordination of several governmental departments and many non-governmental entities. The execution structure, particularly the PTU, is designed to make this coordination possible, and the program includes mechanisms for channeling CSO involvement. Program success will also require broad stakeholder participation and public support for rehabilitation and crime prevention efforts. Program design has included a great deal of stakeholder participation, and the program includes a significant public education and outreach sub-component to inform the public on the benefits of rehabilitation, early crime prevention and treatment of delinquency. The program seeks to implement substantial change, a risk which will be mitigated by the fullest assimilation of the new methods and technologies.
Special contractual clauses:	<p><u>Conditions precedent to first disbursement</u></p> <ul style="list-style-type: none"> (i) Selection and hiring of Program Director (PD) and establishment of PTU and selection of PTU staff (para.3.6). (ii) Presentation of final designs for the civil works (para. 2.15). (iii) Presentation of operating regulations that govern the involvement of civil society organizations in the prevention and rehabilitation activities of the loan (para. 2.4, 3.7). (iv) Presentation of annual work plan for the first year of execution (para. 3.16). <p><u>Other special contractual conditions</u></p> <ul style="list-style-type: none"> (i) Contracting of consultants to carryout court reporting within 180 days from the date of eligibility for disbursement (para. 3.14). (ii) Designation of judicial officers participating in the case management pilot project (para 2.6).
Social Equity/ Poverty Reduction	This operation does not qualify as a social equity enhancing project, as described in the indicative targets mandated by the Bank's Eighth Replenishment (Document AB-1704)
Exceptions to Bank policy:	None.
Procurement:	The limits over which international competitive bidding will be used for the procurement of this project are: US\$250,000 for goods and related services, and US\$1.5 million for civil works.

I. FRAME OF REFERENCE

A. Socioeconomic framework

- 1.1 Sound development policies and a record of responsible governance have contributed to impressive social progress in Barbados. In fact, the **1998** U.N. Human Development Report ranked Barbados the highest among Latin American and Caribbean countries. The economy, which grew by 3.7% in 2000, continues to grow on the strength of tourism, off-shore-related financial services, sugar production, and construction.
- 1.2 Notwithstanding the country's advancements, several areas require attention if Barbados is to achieve sustainable growth and development. As Barbados pursues privatization objectives and a policy of fiscal restraint, the influence of competition among private actors will be felt more frequently not only in the marketplace, but in the courtroom as well. Sustainable development for a small, open economy like Barbados requires a judicial system that is able to respond in a timely fashion to commercial disputes and criminal infractions alike, while assuring judicial independence and accessibility to the system.
- 1.3 There exists an inextricable link between sustainable economic and social development for poor and disadvantaged people and security for persons and property. A recent report for the Caribbean Group for Cooperation in Economic Development (CGCED) noted that "personal safety and property rights are under threat, constituting a constant peril to domestic entrepreneurs and hardly an attraction to foreign investors ."
- 1.4 Crime produces costs involved in investigation, arrest, adjudication and incarceration. Additional direct costs include material losses to victims and, in some cases, the health care of persons injured by violence. Other costs result from security systems and guards required by businesses and homes, foregone revenues from potential foreign investors and tourists and the migration of the urban middle class. Apart from the economic cost, large-scale resort to imprisonment is an impediment to development and often an ineffective use of scarce resources.
- 1.5 Among the most vulnerable groups in prison are young people. Empirical studies show that most juvenile offenders do not return to school after release from prison.² Data from criminologists supports the conclusion that education and rehabilitation are critical factors in reducing recidivism. According to criminal risk surveys, the institutionalization of young offenders with adult offenders undermines rehabilitation efforts. On the other hand, separation from high-risk inmates and targeted rehabilitation and education programs provide a means of

¹ Report of the Caribbean Group for Cooperation in Economic Development (CGCED), *Toward a Caribbean Vision 2020: A regional Perspective on Development Challenges, Opportunities and Strategies for the Next Two Decades, Discussion Draft, June 2000*, p.31.

² Trinidad and Tobago, *Youth and Social Development: An Integrated Approach for Social Inclusion*, World Bank, June 2000, p.21.

increasing employability, and productive employment of young ex-offenders decreases recidivism.

B. Crime and violence in Barbados

- 1.6 Like those of other Caribbean countries, the Barbados economy relies heavily on tourism, and the country is paying a high price to meet the criminal justice challenges presented by the rising incidence of crime. While the homicide rate in Barbados is comparatively low (8.6/100,000), violent crime remains unacceptably high. Crimes which frequently involve young male perpetrators, such as robbery, are on the increase and visitors represent 15-20% of all robbery victims. In fact, “on any given day, a visitor is three to four times more likely to be a victim of a robbery than a local **resident**.”³
- 1.7 In an effort to deal with the increase in crime, Caribbean governments have tended to adopt imprisonment-oriented policies, advocating the construction of new prisons to meet the demand for accommodation of offenders. According to a recent survey, the prison population of Barbados, 330/100,000, falls near the median rate for the Caribbean islands, which is considered relatively high in relation to the rest of the world. By way of comparison, the median rate in western and central Africa is 60; in South America 110; in the UK 125; and, in the U.S. 645.⁴
- 1.8 In Barbados, 65% of the prison population is below the age of 30. This is not peculiar to Barbados, but mirrors much of the region. However, the profile of the young offender in Barbados demonstrates the urgent need to employ effective rehabilitation strategies which focus on youth. According to recent statistics, 82% of male inmates in Barbados are between the ages of 16 and 34, and over 25% were imprisoned as teenagers between the ages of 16 and 18.⁵
- 1.9 While crime is essentially a youthful phenomenon in Barbados, in addition to the age factor, educational and socioeconomic background provide other, significant indicators of recidivism. Youth engaged in criminal activity are often secondary school dropouts. When they commit a crime, society pays not only for its costs, but also for the stream of benefits forgone on their few years of education. In Barbados, a staggering 86% of men in prison have no secondary school

³ *Recorded Crime in Barbados 1980-1999*, prepared by the Task Force on Crime Prevention, October 2000, p.21. Crimes which frequently involve young male perpetrators, such as robbery, are on the increase. In 1999 there were 443 recorded robberies as compared with 317 in 1998, and the last six years recorded a higher than average rate for the entire period of 1980-89.

⁴ Roy Walmsley, “World Prison Population List”, UK Home Office Research, Development and Statistics Directorate, Research Findings No. 88. (1994-98).

⁵ *Report on Criminal Risk Factors*, Office of the Attorney General of Barbados, prepared by the National Task Force on Crime Prevention (June 1997).

certificates, and 50% were unemployed at the time of conviction, while those who were employed earned well below the per capita annual poverty line.⁶

- 1.10 In Barbados, 35% of male inmates have been before the courts as juveniles, and the vast majority have had at least one experience of correctional confinement. The costs of youth crime and secondary school dropouts, in addition to the high earnings returns of education, provide strong arguments for investing in targeted interventions to reach first-time, low-risk young offenders and at-risk youth. Such strategies are fundamental if Barbados is to maintain a strong, educated human resource base. Thus, crime prevention and rehabilitation are key elements to maintaining the social conditions necessary for economic growth.
- 1.11 Recognizing the need to revamp existing systems and take advantage of modern legal practices and technology, the Government of Barbados (GOB) (~~GOBA~~) has been strategically employing its budgetary allocations to introduce reforms across a range of departments in the justice sector. In December 1998, Barbados enacted the Penal System Reform Act (the "Act"), which provides the Judiciary with alternative, community-based sentencing options for young, first-time offenders who enter the criminal justice system! Through the provisions of ~~this~~ Act, different types of sanctions and rehabilitation strategies will allow young, low-risk individuals the opportunity to make amends to society through a variety of non-custodial and community-based sentences, and reduce costs associated with prison terms and recidivism.

C. The justice sector

- 1.12 The justice sector in Barbados is based on four key institutions. They are: (i) the Attorney General's Office (AGO); (ii) the Ministry of Home Affairs (MHA); (iii) the Judiciary, and (iv) Civil Society.
- 1.13 The AGO encompasses several departments that perform legal and administrative functions such public prosecutions, representation of the state, legal drafting, law enforcement, the Task Force on Crime Prevention (TFCP) and registration of vital statistics, such as births and deaths. The MHA oversees the Probation Department (PD), all penal institutions, including the reform schools for juvenile offenders (Dodds ~~for~~ boys and Summervale for girls) and other agencies such as the Fire, Immigration and Postal services which are not participating in this program.

⁶ In an October 1998 IDB report on *Poverty and Income Distribution in Barbados*, the per capita annual poverty line is defined as BDS\$5,503.00.

⁷ The Act provides for such non-custodial or alternative sentences as: Attendance Centers (where offenders may be required to participate in work or training activities); Community Service Orders (which require offenders 16 and older to participate in unpaid social work); Curfew Orders (which would require offenders 16 or older to observe a curfew); and Mediation (where 1st time offenders, 21 and under, may apply to have a mediator or 3rd party settle a criminal dispute through unpaid work for the benefit of the injured party or pay compensation or participate in an educational or rehabilitation program), to be supervised by the Probation Department and the Judiciary.

Since 1994, the AGO and MHA have been headed by the same minister, providing close coordination between these two important executive branch agencies of the sector.⁸

- 1.14 The Judiciary includes the ten judges and eight magistrates charged with dispensing justice on the island and the tripartite Judicial Council: which is responsible for formulating policy regarding the courts. Since May 1995, the Government has been renovating and refurbishing its magistrates' courts and police stations, and it plans to begin the construction of a new Judicial Center later this year. It has also completed one computerization project within its Registration Department and continues assessing training needs among personnel in the sector.
- 1.15 The University of the West Indies (UWI) Law Faculty, the Barbados Bar Association, and a wide variety of community-based and other non-governmental organizations (NGOs) make up the Civil Society which is active in the justice sector. Other ministries, such as Education and Social Transformation, play minor and subordinate roles in the sector.

D. Diagnostic of the sector

1. Lack of sector coordination

- 1.16 Lack of inter-agency and civil society coordination. The justice sector in Barbados lacks coordination among the various institutions that comprise it. There exist no strategic alliances or mechanisms for information sharing, which directly contributes to the sector's inefficiency in dispensing justice and responding to, and preventing, rising levels of crime. This lack of sector coordination is particularly acute in the case of state-civil society relations, given that many civil society organizations (CSOs) are active in the justice sector and can provide valuable insight, experience and services to enhance the effectiveness of government programs.
- 1.17 Inadequate information management. The lack of an adequate information management system results in unpaid fines, and delays in the submission of reports by probation, police and forensic departments. A lack of organized information also makes it difficult to record and analyze the performance of the sector agencies in quantitative and qualitative terms, thereby preventing them from monitoring the activities required improve their services.
- 1.18 Inefficient court reporting. Reliance on manual procedures and a lack of appropriate technology have contributed to delays, making access to justice slow.

⁸ Since 1999, the AGO and MHA also share one Permanent Secretary and one Parliamentary Secretary or junior minister.

⁹ The Judicial Council consists of: the Chief Justice (Chairman); the Justices of Appeal and the Judges; the Solicitor-General; a Magistrate; the Registrar; the President of the Bar Association; 3 Attorneys-at-law; and 2 persons representing the interests of the community.

Judges and magistrates continue to take verbatim, hand-written notes of the evidence during court proceedings. The notes, which are later typed, are used to form the basis of the record and judgment. This process contributes to delays in the proceedings since evidence has to be given slowly enough to be recorded manually by the judicial officer.

2. Inaccessibility

- 1.19 Delays. A major cause of delays in the courts is excessive adjournments. For its part, the Judiciary, through the Office of the Chief Justice, has sought to streamline the flow of cases in the courts by implementing more flexible regulations. Nonetheless, delays persist partly due to the lack of adequate management systems in scheduling cases, and the fact that judges and attorneys in Barbados have not been trained to expedite the judicial process. There are insufficient technical resources and judicial education programs for court staff, judges or attorneys in how to manage cases.
- 1.20 Backlogs. One of the principal problems besetting common law courts, such as in Barbados, is the large percentage of cases that require a full-scale trial for resolution. In the U.S., Canada, Australia, and the United Kingdom over 90% of all civil actions settle before trial. The evidence suggests that the pattern in Barbados is just the reverse. Several causes have been identified; however, the absence of judge-driven case management is considered to be the most significant.
- 1.21 Inefficient legal aid. Many Barbadians are uninformed about how to access legal assistance, and the Community Legal Services Commission has no structured public information program. The existing system allows defendants to choose their own lawyer from those registered, while the attorney's fees and costs are paid by the State. This practice has resulted in significant delays, since inevitably a small group of lawyers with reputations for success at trial end up with the bulk of cases. The legal aid office also lacks any formal, working relationship with either the private sector or the Barbados bar.
- 1.22 Lack of public legal information system. The laws of Barbados are presently available in large bound volumes at significant cost, and most statute laws are written in traditional legal style. Few legal libraries or opportunities to access easy-to-understand written information about the laws and rights of citizens of Barbados exist. For persons interested in using the justice sector and informing themselves regarding the applicability of various laws, the lack of easily available legal information impedes their access to justice. Litigants are also unable to access public information regarding the progress of their case through the courts adding to the alienation from the justice process.

3. Lack of focus on youth rehabilitation

- 1.23 Inadequate institutional structure and training. The Probation Department (PD), which advises the Juvenile, Supreme and Magisterial courts, supervises juveniles on probation and conducts social work, including some rehabilitation, has been given the primary responsibility for implementing the 1998 Act. The PD will not be able to meet its new tasks without significant restructuring. For example, the existing corps of probation officers is not only insufficient in number, but it does not have the necessary skills to carry out such functions as counseling, placements in and supervision of community service orders, the administration of attendance centers, and the supervision of curfew orders. These weaknesses in the department are particularly poignant, given judges' reliance on the PD's pre-sentencing reports in deciding juvenile cases.
- 1.24 Inappropriate education and antiquated facilities at reform schools. The Government reform schools of "Dodds" (for boys) and "Summervale" (for girls) suffer from several weaknesses in rehabilitating the youth placed in their care. First, neither boys nor girls receive an appropriate academic or technical education in accordance with a curriculum approved by the Ministry of Education. This inadequacy prevents students from re-integrating into the mainstream educational system upon their release. Second, although the schools provide some vocational training, they neither prepare them for the employment market nor do they conduct individualized assessments of the children's needs. Most importantly, there appears to be little if any concerted attempt to address the behavior that causes the children's committal to the schools in the first place. Third, staff are not necessarily qualified as teachers and often do not have any specialized training in how to address the needs of troubled youth. Finally, the current facilities at the reform schools severely lack the physical infrastructure necessary to accommodate vocational skills training, sports and other rehabilitation programs.
- 1.25 Ineffective prison rehabilitation programs. The only correctional facility in Barbados (Glendairy) is antiquated and overcrowded, with over 700 inmates in a structure built for 350. The existing infrastructure does not provide for the separation of juveniles which, in turn, impedes effective and youth-focussed rehabilitation efforts. The staff lack professional training and resources. The most serious implications for recidivism may be found in the following areas: (i) the majority of inmates receive no risk and skills assessment which could be linked to specific vocational education to develop social and employable skills, and the institution offers no structured training for either inmates or officers; (ii) there is no youth-focussed training which could develop social and interpersonal skills for first-time, low-risk offenders serving short sentences, who must re-integrate into society; and (iii) there exists no formal post-release program, which coordinates with other agencies, to complement the minimal, prison-based rehabilitation and **support** the ex-offender.

E. The Bank's sector strategy

- 1.26 The Bank has been carrying out projects to strengthen the administration of justice and the rule of law since authorized to do **so** by the Report on the Eighth General Increase in the Resources of the Inter-American Development Bank (IDB), which provides that the Bank “can help governments that request such assistance to promote strengthening and modernization of the judicial system. (AB-1704)” Since 1994, **33** loan and technical assistance projects have been approved to strengthen the judicial systems of countries of Latin America and the Caribbean. The breath of the **IDB's** work in justice reform is greatly influenced by the needs and interests of the countries of the region, where concern about growing crime and violence is **as** great as the concern to improve the commercial legal regime. Enhancing citizen access is regarded **as** an important next step in strengthening democracy.

F. The Bank's country strategy

- 1.27 Bank assistance, following the strategy outlined in the Country Paper 1998-2001 presented to the Board in May 1999, aims at promoting efficient utilization and enhancement of the two key determinants of Barbados' comparative advantage namely, natural and human resources. Thus, the primary objectives of the Bank's country strategy are: (i) to strengthen human resource development through assistance to education and health reforms, and poverty reduction; (ii) to strengthen environmental infrastructure and natural resource conservation; (iii) to enhance the environment for, and promote -through dialogue- further private sector development; and (iv) to improve public sector management capacity and justice systems. This program is consistent with the Bank's country strategy in that it seeks to improve the delivery of judicial services and strengthen the justice system.

G. The program strategy

- 1.28 Barbados, like many countries of the English-speaking Caribbean, has a strong, long-standing justice system modeled after the British common law system. Rule of law is well-established in Barbados, however, the judicial system is not able to keep up with all of the demands made by a modern, globalized economy: case delay and backlog has become a significant problem. Though Barbados is not a very violent society, the level of criminality and violence is still unacceptable. Therefore, Barbados is determined to act immediately and effectively to head off this tendency in order to avoid more serious problems with crime that are present in some of the other countries of the region.
- 1.29 The proposed Program supports the GOB in the implementation of important and necessary reforms **to** improve the administration of civil and criminal justice. The program will address several deficiencies and areas **of** weakness identified in the sector using the two basic strategies: prevention and rehabilitation.

II. THE PROGRAM

A. Objectives

- 2.1 The overall objective of the program is to support the Government of Barbados in its efforts to modernize the justice sector through improving court administration and processes; enhancing access to justice; and reducing economic and social costs associated with criminal behavior. The program seeks to: (i) strengthen the overall management capacity of the courts through technological enhancement and training; (ii) enhance access to justice through the promotion of ADR mechanisms and improvement to the legal aid structure; (iii) implement recently passed legislation in the area of alternative sentencing and promote greater use of rehabilitative strategies aimed at youth; and (iv) enhance justice sector coordination and crime prevention strategies.

B. Program description

- 2.2 The program will have three components: (i) sector management; (ii) access to justice; and (iii) youth and rehabilitation.

1. Sector management (US\$4,400,000)

- 2.3 Information management (US\$3,800,000). The program will support the re-engineering and streamlining of information and document flows throughout the sector. Every activity of this component will include training in the use of new systems as well as exposure to change management techniques to ensure full assimilation and utilization of the new technologies installed. The major components will include:

- i) the establishment of a computerized court management system that will *inter alia* track trial dates, mediation orders, case files, and court related reports. A register will be kept of judgements and sentences, the payment of fines, bail sureties, and juror lists.
- ii) the establishment of a modern court reporting capacity to include: (a) consultancy services to provide immediate, limited court reporting services, and review and analyze the current and future requirements in court reporting; (b) the purchase of modern court recording and transcription equipment; and (c) sustainable training programs for local court reporters.
- iii) the establishment of a sector wide information exchange and management capability that will enhance the current sector planning, research and program evaluation as well as public information and outreach. The Task Force for Crime Prevention (TFCP) will oversee the operation and maintenance of this capability. Activities will involve (a) the installation of computer/digital information networks; (b) the introduction of

computerized data management in all penal sub-sector departments to improve general management and reporting; (c) specialized short-term consultants to design and execute public education campaigns and outreach materials to encourage the support and participation in the program by the Barbadian society.

- 2.4** Civil society coordination (US\$600,000). The program will expand the collaboration between government agencies and civil society groups working in the sector. The PTU, **through** a coordinator specifically hired for that purpose, will assist CSOs in accessing resources under this sub-component for undertaking projects in a variety of areas which directly support the efforts of State agencies and the objectives of this Program. Activities envisaged include foster care, after-care services, conflict mediation, and crime prevention initiatives such **as** youth training programs, after-school programs, etc. The selection criteria and the procedures for disbursing resources will be guided by operating regulations that will be approved by the **GOB** and the **Bank** as a condition prior to first disbursement.

2. Access to justice (US\$1,750,000)

- 2.5** Case management (US\$850,000). The program will support the introduction and implementation of modern case management techniques in the court system. Case management involves judges taking an active role in working with litigants from the moment a case is filed, to narrow issues in dispute, encourage settlement, request that parties attempt mediation, and set a timetable for discovery and preparation of the case for trial.
- 2.6** This sub-component will also provide: a consultant to coordinate a case management pilot project involving a subset of judicial officers, who shall be designated as a condition prior to disbursement **of** resources under this component. The consultant will also assist in outreach to, and education of the bar. Once the pilot project is evaluated, it will be expanded to the whole court. Judicial training in evolving areas of the law, and collaboration with the law faculty to assign law students **as** research and drafting assistants to judges, will also be included.
- 2.7** Alternative dispute resolution (US\$750,000). This sub-component will promote the use of negotiation, mediation, early neutral evaluation and settlement conferences to resolve disputes and broaden access to justice. The program will finance: (i) a consultant to coordinate a pilot project in court-annexed alternative dispute resolution whereby trained and certified mediators and early neutral evaluators are available for referral of cases by judges; (ii) assistance to civil society organizations that have an interest in providing mediation and other means of conflict resolution in the community (these community groups would be able to apply for start-up funds from the resources described in paragraph **2.4** above); and (iii) courses in negotiation and mediation for the legal profession, justice sector officials, and the general community.

- 2.8 Legal aid (US\$150,000). The program will support: (i) an evaluation of options for improving the current legal aid structure, including identifying private sector resources; and (ii) the preparation of a study to analyze the feasibility of a Public Defenders' facility.

3. Youth and rehabilitation (US\$4,500,000)

- 2.9 Institutional strengthening of juvenile justice agencies (US\$1,100,000). The program will support the institutional strengthening of the two principal agencies which deal with youth in the criminal justice system: the Probation Department (PD) and the Government reform schools. For the **PD**, the program will provide consultancy services in (i) management reorganization; (ii) design and implementation of specialized short and long term training in risks/needs assessments, including operations manuals; and (iii) design of physical infrastructure improvements and equipment. For the reform schools, the program will finance technical assistance in the following areas: (i) design of a revised educational curriculum in coordination with the Ministry of Education; (ii) design and implementation of vocational and interpersonal training for students, emphasizing employable skills; and (iii) design of a specialized training of the trainers program for staff in cognitive behavioral problems of at-risk youth.
- 2.10 Rehabilitation capacity (US\$1,000,000). The program will finance: (i) training for middle and upper level staff of Glendairy on methods of inmate rehabilitation, including the design of training manuals; (ii) cognitive behavior and interpersonal skills training for inmates; and (iii) the design of a post-release program in coordination with other government agencies, the private sector, and CSOs to facilitate ex-inmate reintegration.
- 2.11 Civil works (US\$2,400,000). A limited program of civil works to complement the program objectives and the institutional and legislative reforms will be supported. Included within this sub-component will be:
- (i) the renovation of the existing Dodds reform school campus' to convert it to a Young Offenders Institution to provide an intensive rehabilitation regime for about 100 low-risk young offenders, who would otherwise be housed in prison with serious adult offenders;
 - (ii) the construction of an open facility industrial school for adolescents who are at-risk of entering serious criminal lifestyles. The facility will ensure that the appropriate level of attention and social and educational remediation is provided **through** life skills, technical/vocational and academic training. The facility will have a capacity for about 40 students; and

¹ The facility which can accommodate **150** boys **is** currently under utilized and houses only **30**. The cost of renovation work **is** estimated to be 10% of **program** direct cost (see annex **11**).

- (iii) the engineering and material costs for the upgrading of the existing agricultural and training facilities which serve the Penal sub-sector. These improvements will provide additional classroom space, trade and farm equipment to support the rehabilitation training initiative and correct unhygienic and unsafe environmental conditions.

C. Program management and technical assistance (US\$750,000)

- 2.12 The program will support the operations of the PTU. It will also finance the contracting of specialist local and international consultants who will provide technical assistance in the execution of specific project activities. In particular, a short-term consultant **will** be contracted to prepare tender documents for the **supply** and commissioning of IT solutions described under Section 2.3. Provision has been made in this allocation for opinion surveys, annual review meetings, the collection of baseline data, and other project evaluation activities.

D. Cost and financing

- 2.13 The total cost of the program is estimated at US\$ 12.5 million equivalent, of which the Bank will finance up to US\$8.75 million or 70% of the total program cost from ordinary capital resources. In addition to the Bank's financing, the GOB will finance the local counterpart of US\$3.75 million equivalent.
- 2.14 The amount financed will be disbursed over a period of four years with a grace period of five years. The amortization period is twenty (20) years. Other conditions are: (i) variable interest rates; (ii) credit fee of 0.75% per annum on the undisbursed balance; and (iii) inspection and supervision fee of 1% of the loan amount. The table below shows the components contributing to the costs of the program.
- 2.15 The costs have been based on estimates prepared in conjunction with consultants contracted specifically for the project preparation exercise and the GOB. Specifically, costs for the consultant activities have been based on historical fees earned by judicial and penal reform sector experts. The costs for the computerization have been developed by the Information Technology (IT) consultants and are based on the implementation of similar and general information systems in Barbados and the Region. Civil works costs have been developed by a combination of local and international architects and engineers who are familiar with the local construction environment, and have extensive design experience in corrections rehabilitation facilities. Bank's approval of final designs for civil works will be a condition precedent to first disbursement.

COST AND FINANCING TABLE (US\$ Thousands)				
CATEGORIES	IDB	LOCAL	TOTAL	%
1.0 PROGRAM ADMINISTRATON	200	550	750	6.0
1.1 Program Technical Unit	0	450	450	
1.2 Technical Assistance	200	100	300	
2.0 DIRECT COSTS	7,600	3,050	10,650	85.2
2.1 Sector management	3,500	900	4,400	35.2
2.1.1 Information management	3,000	800	3,800	
2.1.2 Civil Society coordination	500	100	600	
2.2 Access to Justice	1,150	600	1,750	14.0
2.2.1 Case management	600	250	850	
2.2.2 ADR	450	300	750	
2.2.3 Legal Aid	100	50	150	
2.3 Youth and rehabilitation	2,950	1,550	4,500	36.0
2.3.1 Institutional strengthening	850	250	1,100	
2.3.2 Rehabilitation capacity	700	300	1,000	
2.3.3 Civil works	1,400	1,000	2,400	
3.0 UNALLOCATED	650	0	650	5.2
4.0 FINANCIAL COSTS	300	150	450	3.6
4.1 Interest	175	0	175	
4.2 Commitment fee	0	150	150	
4.3 Audit	25	0	25	
4.4 FIV	100	0	100	
TOTAL	8,750	3,750	12,500	
Percentage	70.00%	30.00%	100.00%	

III. PROGRAM EXECUTION

A. The borrower and guarantor

- 3.1 The Borrower is the Government of Barbados which will assume responsibility for repaying the loan and supplying the counterpart resources **as** required for the execution of the program.

B. Frame work for execution and administration

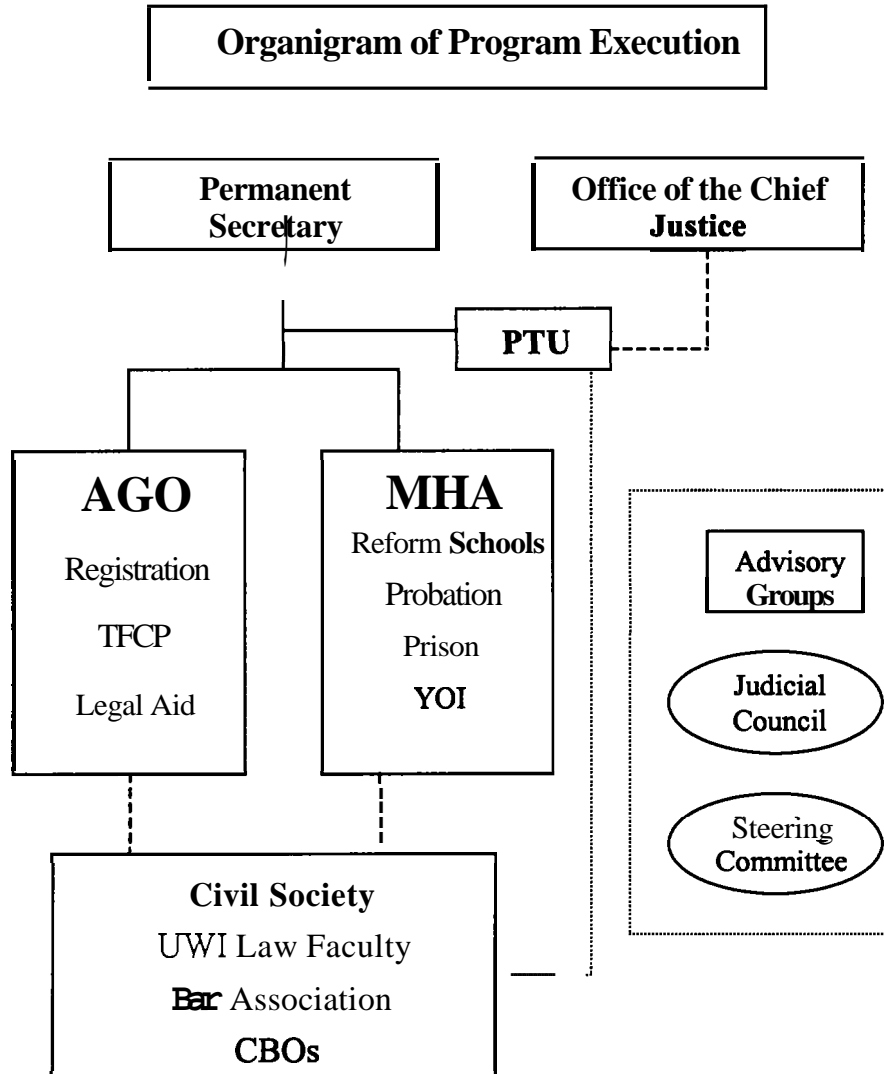
1. Executing agency

- 3.2 The executing agency will be the AGO. The Permanent Secretary of the AGO who is also the Permanent Secretary of the Ministry of Home Affairs will have ultimate responsibility for the program. He will be represented in this capacity by a Program Director who will head a Program Technical Unit (PTU).
- 3.3 The Judiciary, by virtue of its special status under the separation of powers, will be entirely responsible for the disposition of resources allocated in paragraphs 2.5 and 2.7 (i) (Case Management and Court-Annexed ADR) in accordance with existing financial regulations. The Judiciary will be represented in this capacity by the Office of the Chief Justice. However, the PTU will provide all the required administrative and material support to ensure orderly execution of this component as part of the loan operation.
- 3.4 Once the PTU is established the Judicial Council and Project Steering Committee (PSC)¹ will assume an advisory role as well **as** provide general coordination support by virtue of their wide representation of the departments that will be affected by the Program.

2. Program Technical Unit (PTU)

- 3.5 The program will be managed and coordinated by a PTU specifically established for this purpose. The execution of specific activities will take place **through** the relevant units of the AGO, the Judiciary and the MHA, that will assign staff to complement the PTU. The Program Director of the PTU will have responsibility for the execution of the program. He will report directly to the permanent secretary of MHA & AGO and in addition to supervising day-to-day execution of the program, will monitor the qualitative and quantitative objectives, prepare reports and ensure compliance with covenants required under the loan contract. The terms of reference for the program director which will include appropriate performance benchmarks, and the eventual appointee will be approved by the **Bank** prior to contracting.

¹ The Project Steering Committee was established by the GOB **to** coordinate the interests **of** the several departments **of** government involved in the preparation of the Loan. The PSC is comprised **of** senior officials **of** the Registration Department, which is responsible for court administration, the Judiciary, the AGO, the MHA, and the Ministry **of** Economic Affairs.



- 3.6** The other staff of the PTU will comprise a project officer, a financial/administrative officer, and two administrative assistants. To assist in special areas of execution the PTU will hire short-medium term coordinators with expertise in the respective components. Funding will be provided for hiring these coordinators in the areas of information systems, civil society coordination, civil works, and procurement. The PTU will also be assigned technical staff from the key departments as required to carry out specific aspects of the program. The PTU will be established, its staff selected, and mechanisms for managing the program resources instituted as a condition precedent to the first disbursement of the loan.
- 3.7** In order to specifically assist civil society involvement in the program, a society coordinator will be hired within the PTU to oversee the execution of the operating regulations that will govern the engagement of the several CSOs. The presentation of these operating regulations will be a condition precedent to first disbursement. The coordinator will also organize the evaluation of the proposals submitted, and review and provide advice on strengthening the implementation

capacity of the interested organizations that will actively support program objectives.

3. PTU's responsibilities.

- 3.8 Two key responsibilities of the PTU will be to facilitate an expeditious and logical program execution and, ensure the greatest possible transfer **of** expertise acquired during the execution process to the permanent establishment. In this regard, some of the technical staff associated with the unit will be absorbed by the various beneficiary agencies on completion of the program.
- 3.9 Moreover the PTU will specifically be empowered to:
- (i) procure all goods and services included under the loan program in accordance with the regulations of the Bank;
 - (ii) prepare, collect and present all reports as required under the conditions of the loan and **as** necessary for the proper dissemination of information relating to the conduct of the program;
 - (iii) coordinate the activities of the various entities involved in the program in order to achieve the stated objectives; and
 - (iv) perform financial functions.
- 3.10 Included within its financial functions will be the following: (i) maintaining adequate financial, accounting and internal control systems; (ii) organizing an accounting system that allows to keep track of the program's resources on the PTU and on the co-executors, provides the necessary documents to verify transactions and facilitates the timely preparation of financial statements and reports; (iii) preparing and submitting disbursement requests to the Bank and the corresponding justification of expenses, consolidating information received from co executors; (iv) maintaining an adequate disbursements support documentation filing system; and (v) preparing and submitting to the Bank the annual financial statements regarding project's expenses, and the Semi-annual Revolving Fund Status Reports.
- 3.11 Project accounts and revolving fund. The progress of the expenditures will be monitored following the procedures and guidelines established by the Ministry of Finance (MOF). Based upon annual work plans prepared by the AGO and the **MHA** and supplemented by quarterly projected cash requirements, Bank resources and counterpart funds will be transferred to the PTU. The transferred funds will be deposited into a special account that will be established for this purpose in a commercial bank. The establishment of this special account and the procedures for its use will be a condition prior to the first disbursement of the loan. The PTU will establish a revolving fund up to the equivalent of **5%** of the program. PTU will prepare and submit **to** the Bank, within a period of sixty (60) days after the closing of each semester, a semi-annual revolving fund status report

showing for each year the use of the loan's funds as of June 30th and December 31st.

- 3.12 Financial statements and auditing. During program execution, PTU will prepare and submit annual financial statements regarding the use of the program's funds. These financial statements will be submitted within one hundred and twenty (120) days after the closing date of each fiscal year. **An** audit firm acceptable to the Bank will be responsible for the audit of the financial statements submitted to the Bank. The audit costs will be included in the project cost, to be financed by the Bank's loan.

C. Procurement of goods and services

- 3.13 Acquisition of goods and related services and contracting of civil works financed through the Bank loan will be subject to Bank procurement procedures and policies. The PTU will use international public bidding for the acquisition of goods that exceed US\$250,000, and US\$1,500,000 for civil works. These limits are justified considering that in similar projects in the country, international participation is attracted when amounts exceed these limits. All bidding under the set limits will be done following national legislation that requires public bidding for amounts that exceed US\$50,000 and shopping below those amounts. Procurement of consulting services will also be done according to Bank procedures and policies.
- 3.14 Information management systems will be purchased together with maintenance services. The procurement of these systems will allow for the specialized software applications i.e. (court process management) and the requisite hardware to be purchased through open bidding of solutions based on performance specifications that will be approved by the Bank. Given the size and complexity of that procurement, a specialist expert will be contracted with Program resources to prepare the tender documents for the supply and commissioning of the information management systems solutions. Due to the pressing need for court reporting capacity the contracting of consultants will be carried out within 180 days of project execution. The program's procurement plan is presented in Annex II.

D. Execution and disbursement schedule

- 3.15 The disbursement schedule for the program, by source of funds, is presented in the following table:

Table 1

Disbursement schedule (in US\$000)						
Source	Year 1	Year 2	Year 3	Year 4	Total	Percent
IDB	500.0	2,500.0	3,500.0	2,250.0	8,750.0	70.0
Local	450.0	750.0	1,800.0	750.0	3,750.0	30.0
Total	950.0	3,250.0	5,300.0	3,000.0	12,500.0	100.0
% Year	7.6	26.0	42.4	24.0	100.0	

E. Monitoring and evaluation

- 3.16 The program will be carried out in accordance with annual work plans setting out the activities, goals and budget for the relevant year. Within two months of the end of each calendar year of program execution, the PTU will send the Bank a report on the extent to which the targets set out in the work plan for that year have been achieved, together with a proposed work plan for the ensuing year. Within two months of receipt of these documents, the Bank, the **PTU**, the Judicial Council and the PSC will meet to review the report on the previous year's plan and to approve the work plan for the present year. The PTU's reports on success in meeting work plan targets will include canvassing of the views of community-based organizations. The work plan for the first year of the program will be presented to the Bank as a condition prior to first disbursement.
- 3.17 Evaluations **of** the case management and **ADR** pilot projects will be carried out at the end of year two **of** program execution. The evaluations of these pilot projects will be reviewed as part **of** the annual review in the beginning of year three, in order to refine the pilot projects **as** necessary prior to expanding them to the whole court system.
- 3.18 The project will **fund** opinion surveys to be carried out in year one and again in the last year of program execution to: (i) determine how users of the court system evaluate the accessibility, efficiency and user-friendliness **of** the courts; and (ii) measure public understanding and acceptance of penal reform initiatives. These surveys will help in measuring the impact of the sector management and access to justice components.

IV. VIABILITY AND RISKS

A. Institutional viability

- 4.1 The design of program execution and management has been informed by lessons learned in supervising project implementation in Barbados. Careful analysis of past experience in project preparation, planning and execution indicates that the **AGO** and the **MHA** will need assistance in implementation. To offset technical and staffing weaknesses within the **AGO**, the PTU to be set up under this loan will satisfy the Bank's procedures and requirements and will be in charge of the technical and managerial aspects of execution. The institutional viability of program execution will be assured by the PTU, which will be located within the **AGO** and **MHA**, and the Judiciary. The project execution that will be guided by the PTU will involve the personnel and institutions that will ultimately be the recipients or managers of the proposed improvements. The program of change management together with the collaborative role of the PSC and the Judicial Council will ensure that the improvements are lasting and effective.
- 4.2 Program feasibility is also supported by the participation of specialized firms and consultants facilitating, through third party involvement in execution, the tasks of control and monitoring. In the case of construction and rehabilitation of infrastructure, the civil works involved are simple and their execution is well within the experience of the **MHA** and Barbadian technicians.
- 4.3 Finally, project design and preparation involved numerous consultations with a broad range of stakeholders, including judicial administration consultants, resource personnel, information technology suppliers, juvenile and education administrators, technical and human resource development consultants from the United States, Canada, and Britain. The **AGO** and the project team also consulted broadly with the CSOs in order to: (i) inform project design; (ii) build consensus for the program; and (iii) assess the public's level of preparedness for implementation.

B. Socioeconomic viability

- 4.4 **An** economic study was done to assess the overall viability of the program and the impact of investments in youth rehabilitation on the economic development of Barbados. The program is economically viable and contributes significantly to social and economic development. The economic appraisal employed cost effectiveness and cost benefit analysis techniques **as** appropriate.
- 4.5 **ADR** and legal aid reforms would amplify affordability, simplicity and immediacy and extend the access of the justice system to low income individuals. Court administration and process reforms would increase individual and system productivity thus facilitating quicker disposition of litigation and allow for the acquisition of new competencies, **through** the training programs, in emerging areas of law such **as** intellectual property and environmental law. Court

Information Management and Sector Information Management improve decision-making **through** the timely availability of pertinent information. The components together lower social and commercial transactions costs and remove obstacles to efficient resource allocation. The component design represented the least cost solutions.

- 4.6** Crime prevention and rehabilitation programs would preserve and enhance the government's role in providing public safety while at the same time encouraging the development and productive employment of human resources. Experience in Barbados and elsewhere shows that rehabilitation has at least **as** great an impact on reducing recidivism **as** retributive incarceration and at a much lower cost. The main benefits from rehabilitation are the discounted value of lifetime earnings **of** rehabilitated ex-offenders and the savings in re-incarceration costs. Research findings¹ show that when children are assisted to finish school education a significant decrease in crimes committed is possible. On the other hand, similar resources spent to keep youth in regular prisons were responsible for a smaller decrease in crimes. The separation of young boys in a full-time, targeted rehabilitation facility like the YOI employs education as a critical factor in reducing crime and accessing the streams of economic benefits outlined above.
- 4.7** Successful crime prevention leads directly to lower policing, court and incarceration costs. Crime prevention, of which rehabilitation is an integral element, could also assist in producing an enabling environment for private and public sector investments in uses with the highest social returns. In a tourism-based economy, low crime rates could help establish a favorable international image and avert the decline in employment, investments, **GDP** and tax revenues that are more than likely to be the consequences of a high level of violent criminality. Other positive externalities traceable to successful crime prevention efforts are savings in victimization costs, greater quality of community life and more support for essential societal institutions such as the family. The two components show very high internal economic rates of return.

C. Financial viability

- 4.8** The program is financially viable. The impact of the loan on the stock of foreign debt and on debt service is minimal. The annual incremental recurrent expenditure occasioned by the program's operation approximates **5%** of the entire sector's recurrent allocation for and a very small fraction of the country's recurrent expenditure estimates for the 2001-2002 fiscal year. On the basis of known commitments, this proportion is likely to be maintained. Non-labor items

¹ Reports from the **RAND** Corporation reveal that USD1 million spent helping children finish school education prevents **258** crimes from being committed a year, while the same amount spent on regular prisons prevents **60** over the same period. Peter Greenwood, Karwyn Model, C. Peter Rydell, James Chiesa (researchers), *Diverting Children from a Life of Crime*, published by the **RAND** Corporation (1996).

consume most of the estimated recurrent costs because the program demands highly skilled professional and technical staff to deliver the services that constitute the program's output.

- 4.9 In the absence of a change in pricing policy, the opportunity **for** cost recovery is limited to the rehabilitation component where the cost recovery ratio is, approximately 15%. Voluntary contributions for After Care and crime prevention programs activities are also expected to defray a small percentage of recurrent costs. In the light of the Government's relatively strong fiscal position, local funding should be readily available if current fiscal policy is maintained. Annual allocations for the program could be provided without recourse to new taxes if the economy attains over the medium term, growth rates achieved during the last five years.

D. Environmental impact

- 4.10 Training on environmental legislation and regulatory issues for judges and magistrates have been included in accordance with recommendations of the CESI.
- 4.11 The civil works sub-component is relatively minor and will involve renovation **of** existing infrastructure and simple, new construction. Improvements will be carried out in accordance with the legal requirements of the Barbados Town Planning Act and the environmental standards and health regulations established and enforced by the Ministry of Health and the Environment. These designs will be reviewed by the Bank prior to initiation of construction to ensure compliance with program objectives. Based on the review by the CESI, the project is not expected to have any adverse environmental impact.

E. Beneficiaries

1. Analysis of low income beneficiaries

- 4.12 Based on the profiles of inmates, probationees, youth in the reform schools, and beneficiaries of legal aid, the program will benefit the lowest income brackets in Barbados. The program would improve internal efficiency of the justice and penal systems and give preference to making services more available for the rehabilitation of disadvantaged, troubled youth.

2. Impact on gender

- 4.13 Taking into account that the fundamental objective of the program is to modernize the justice and penal system, including improving access in the broadest sense, to judicial service, successful implementation will have **an** impact on all citizens. Gender equity is specifically addressed through the development **of** vocational skills training programs that offer girls the opportunity to develop a trade and broaden their employment options. Indicators to measure impact consider the

increase in girls pursuing non-traditional skills training and review of the course attendance registers that identify male and female students.

F. Risks

- 4.14** Program coordination. The program will involve many governmental departments and non-governmental entities, the coordination of which will be a major challenge. The program will mitigate this **through** a strong, well-equipped execution capacity particularly within the PTU, which will coordinate governmental **as well as** non-governmental actors.
- 4.15** Stakeholder participation and public support for rehabilitation and crime prevention efforts. Increasing rehabilitation and decreasing recidivism will require CSOs, the private sector and the public in general to support and participate in actions such as non-custodial sentencing. In order to foster and maintain the public support which will be critical to project success, the program includes a significant public education and outreach sub-component to inform the public on the benefits of rehabilitation, early crime prevention and treatments of delinquency, and to encourage broad participation in the program by CSOs, the private sector and the public. Consensus as to the need for modernization of the judicial and penal systems, has been developed during project preparation by means of several stakeholder workshops with representatives of CSOs, the relevant ministries and public sector offices; and members of the Judiciary. The conclusions of these meetings have not only informed the preparation of the program, but they have allowed the Bank to maintain a permanent dialogue with diverse representatives of the justice sector in Barbados.
- 4.16** Implementing substantial change. The program will set in train significant changes to the customary way of doing things in the several departments involved. Judicial officers will no longer record proceedings by hand, registrars will be able to access case dockets on-line, probation officers will be able to assemble court reports on computer. To mitigate the risk of difficulties in changing behavior, which are vital to management reforms, consultancies have been designed into the program to ensure the fullest assimilation of the new methods and technologies.

Preliminary Logical Frame : Barbados Administration of Justice Program (BA-0055)			
Narrative Summary	Verifiable Indicators	Means of Measurement	Assumptions
<p><i>Goal of Program:</i></p> <p>Support GOB in modernization of the justice sector to reduce the economic and social costs of the administration of justice.</p>	<p>Cost of resolution of disputes reduced.</p> <p>Increase in the number of citizens accessing court, ADR services.</p> <p>Reduction in number of young offenders reconvicted.</p>	<p>Annual justice sector statistics published by STFCP.</p>	
COMPONENT I: SECTOR MANAGEMENT			
<p><i>Objective:</i></p> <p>Improve content and management of justice sector information.</p>	<p>Courts more user-friendly. Information about cases readily available to the public.</p> <p>Better understanding and acceptance of penal reform initiatives.</p> <p>Report on key statistics of the sector compiled.</p>	<p>Opinion Surveys.</p> <p>Web site in operation.</p> <p>Public survey.</p> <p>Publication of annual reports on justice and crime trends.</p>	
<p><i>Information Management:</i></p> <p>Court information management system implemented.</p> <p>Training for users.</p>	<p>Monthly reports of status of fines. % of fines overdue prepared by end year 1.</p> <p>Reduction in adjournments due to lost documents and late police/probation reports reduced by 20%.</p>	<p>Court system monthly reports</p>	
<p><i>Court Reporting:</i></p> <p>Immediate, limited court reporting capacity implemented.</p>	<p>Three reporters hired by month 6 of project execution.</p>	<p>Semi-annual reports.</p>	<p>Court reporters available to work in Barbados on long term basis.</p>

Preliminary Logical Frame : Barbados Administration of Justice Program (BA-0055)			
Narrative Summary	Verifiable Indicators	Means of Measurement	Assumptions
Study and recommendations regarding court reporting needs carried out.	Voice recording equipment in use in two Magistrates Courts. Plan for training and placing court reporters in all courtrooms completed.	Consultants' final report.	
Court reporting equipment for all courtrooms purchased.	Court reporters producing transcripts in all courtrooms by year four of project execution. Average trial time reduced by 30%, current average: 2 weeks criminal; 1 week civil Trial transcripts available to litigants and judges within 48 hours of hearing.	Visit to court. Statistics from Registrar's Office.	Judges relinquish taking verbatim notes by hand and use court reporting services instead.
<i>Sector Information Management:</i> Information management systems installed in all penal departments. Justice sector computer/digital information networks installed. Public outreach and information capacity expanded.	Monthly sector reports prepared within 10 days. Publication of quarterly sector status reports, on programs and projects ongoing and planned in sector. Web pages created electronic dissemination of public legal information. Infomercials broadcasted. Printed educational materials distributed.	Semi-annual reports. Visit Justice sector website.	

Preliminary Logical Frame : Barbados Administration of Justice Program (BA-0055)			
Narrative Summary	Verifiable Indicators	Means of Measurement	Assumptions
User training delivered.	30% of users capable of operating equipment within 6 months of delivery.	Semi-annual reports.	
Courses in change management delivered.	All senior managers exposed by end of year 1; 30% of operatives by year 2.	Semi-annual reports.	
<i>Civil Society Coordination</i> Collaboration between CSO and government agencies improved.	10 new projects implemented by CSO in approved areas by year 3.	Signed contracts/disbursement request.	Policy framework for the involvement of CSO in the sector approved by GOBA.
COMPONENT II: ACCESS TO JUSTICE			
<i>Objective:</i> Increase speed of resolution of conflicts, and expand access to justice.	Time from filing to final resolution of cases reduced by 20% by end of Program. Increase in citizens' access to justice.	Data from Registrar's office and from Assize, Civil and Magistrates' Courts. Statistics from Community Legal Services	
<i>Case Management:</i> Judges and bar trained in modern case management techniques. Pilot program of modern case management implemented.	Judges and Magistrates attend 2 courses in case management In pilot project: percentage of High Court civil cases with no court activity within 12 months of filing decreases from 46% to 10%; percentage of High Court civil cases settled within 12 months increased from 8% to 20%; percentage settled within 24 months increased from 31% to 40%.	Report on courses submitted to PTU. Pilot project data collection; report of coordinator.	

Preliminary Logical Frame : Barbados Administration of Justice Program (BA-0055)			
Narrative Summary	Verifiable Indicators	Means of Measurement	Assumptions
Plan for expansion of pilot program to whole court prepared and implemented.	All judges using modern case management techniques.	Report by Case Management Coordinator; statistics from Registrar's Office.	Judiciary and bar embrace case management techniques.
<i>Alternative Dispute Resolution:</i> Use of negotiation, mediation and other ADR techniques established.	Use of negotiation, mediation and other forms of ADR increased to 50% of matters currently filled in courts by year 3. Rules of Court revised as necessary to permit judges to refer cases to mediation.	Report by ADR coordinator; statistics from Registrar's Office	Judges, lawyers, and citizens, convinced by courses and outreach efforts that mediation and ADR is an effective, cost-efficient means to resolve disputes. Approval of revision of Rules by Rules Committee.
ADR training for judges, magistrates, mediators, and trainers of trainers implemented.	Courses delivered in the following areas: (i) court-annexed ADR; (ii) mediation; (iii) negotiation; (iv) advanced techniques; and (v) training trainers.	Semi-annual report.	
Pilot project to establish mediation as dispute resolution mechanism in operation.	Standards for certification and evaluation of mediators approved. List of certified mediators in use by judges.	Publication of approved standards. Publication of list of certified mediators.	
<i>Legal Aid</i>	Five mediation centers established.	Site visit.	
Studies on service improvement and public defender completed.	Improved means assessment capacity Number of attorneys on legal aid register providing services increased from 2% to 30%. Findings and recommendations presented to Judicial Council.	Semi-annual reports.	

Preliminary Logical Frame : Barbados Administration of Justice Program (BA-0055)			
Narrative Summary	Verifiable Indicators	Means of Measurement	Assumptions
COMPONENT III: YOUTH AND REHABILITATION			
<i>Objective:</i>			
Capacity of penal institutions to rehabilitate offenders expanded.	<p>Increase in the number of non-custodial sentences.*</p> <p>Increase in number of ex-offenders employed.*</p> <p>Sector's prevention and rehabilitation programs expanded through CSO activities.*</p>	<p>Court reports.</p> <p>After care committee reports.</p> <p>Semi-annual reports.</p>	
<i>Institutional strengthening of juvenile justice agencies:</i>			
Probation Dept. reorganized and institutionally strengthened.	<p>Specialist probation department training delivered.</p> <p>Recommended staffing plan implemented.</p> <p>Time to prepare pre-sentence reports reduced by 50% by year 3.</p> <p>Background reports sent to institutions within 14 days of committal.</p> <p>Employment of 75% young people graduating from reform schools by year 4.</p> <p>More girls pursue non-traditional skills training.</p>	<p>Semi-annual project reports.</p> <p>Semi-annual report.</p> <p>Semi-annual report</p> <p>Semi-annual report</p> <p>After care reports of PD.</p> <p>Review of course attendance registers.</p>	<p>Recognition of graduation by MOE.</p> <p>Support from private sector.</p>
Vocational skills training program that improves employment opportunities of all pupils developed.			

* Baseline data for these indicators will be defined within six months of initiation of program execution.

Preliminary Logical Frame : Barbados Administration of Justice Program (BA-0055)			
Narrative Summary	Verifiable Indicators	Means of Measurement	Assumptions
<p><i>Rehabilitation capacity:</i></p> <p>Training for middle and upper level management of penal institutions delivered.</p> <p>Programs to enhance technical and life skills training for inmates establishment.</p> <p>Workshops to facilitate post-release programs.</p>	<p>All management trained in inmate rehabilitation.</p> <p>Increase of eligible inmates trained from 12% to 60% by year 3.</p> <p>Reduction in recidivism from 66% to 50% by year 3.</p> <p>Establishment of formal, post release programs with community involvement.</p>	<p>Semi-annual report.</p> <p>Court and prison records.</p> <p>Semi-annual report.</p>	<p>Individual assessments confirm 75% inmates capable of receiving training.</p>
<p><i>Civil works:</i></p> <p>Young offenders' institution renovated.</p> <p>School for at-risk boys constructed.</p> <p>Prison agricultural and training facilities upgraded.</p>	<p>Facility operational. 100 low-risk youth relocated from adult prisons to full-time education program.</p> <p>Facility operational. Thirty at-risk adolescents enrolled in approved reform education program.</p> <p>Animal pens and animals removed from main prison.</p> <p>Expanded programme for agricultural training implemented.</p> <p>Production from farms increased 30%.</p>	<p>Attendance register.</p> <p>Inspection, on-site reports.</p> <p>Inspection visit.</p> <p>Product dispatch logs.</p>	<p>Government locates and approves new site for agricultural farm.</p>

PROCUREMENT SCHEDULE				
Principal Procurement	Amount	Bank Financed	Method	Publication date (semester)
A. Goods & Services				
1. Judicial sector/court information System	1,200	70	ICB	
2. Penal sub-sector information system	600	70	ICB	
3. Sector information/communication network	600	80	ICB	
4. Court reporting equipment/system	250	100	ICB	
5. Equipment for penal sub-sector training workshop	250	100	ICB	
6. Materials for new penal system training and agriculture facilities for Glendairy	200	40	LB	
7. Court reporting services	400	70	ICP	
8. ADR Training	320	100	ICP	
B. Consulting				
1. Change and technology management sensitization	300	100	ICP	
2. Court reporting revamp study	80	100	ICP	
3. Public relations – crime prevention and public outreach	60	80	LCP	
4. ADR coordinator	390	60	ICP	
5. Case management coordinator	200	75	ICP	
6. Legal Aid expansion study	80	100	LCP	
7. Institutional strengthening juvenile justice agencies	600	100	ICP	
8. Staff management training-penal system	300	60	ICP	
9. Specialist training-inmates	200	60	LCP	
10. Research assistants	400	0	-	
11. Preparation of Tender Documents for IMS Solutions	30	30	LB	
C. Civil Works and construction				
1. Construction of new boys reform school at Dodds	1,100	70	LB	
2. Renovation of existing infrastructure at the young offenders institutions (YOI).	700	70	LB	

ICP - International calls for proposals
ICB - International competitive bidding
LB - Local bidding
LCP - Local call for proposals

PROPOSED RESOLUTION

BARBADOS. LOAN ____/OC-BA TO THE GOVERNMENT OF BARBADOS

(Administration of Justice Program)

The Board of Executive Directors

RESOLVES:

That the President of the Bank, or such representative as he shall designate, is authorized, in the name and on behalf of the Bank, to enter into such contract or contracts as may be necessary with the Government of Barbados, as Borrower, for the purpose of granting it a financing to cooperate in the execution of the Administration of Justice Program. Such financing will be for the amount of up to US\$8,750,000, from the Single Currency Facility of the Ordinary Capital resources of the Bank, and will be subject to the "Financial Terms and Conditions" and the "Special Contractual Clauses" indicated in the Executive Summary of the Loan Proposal contained in Document PR ____.