



Ministry of Justice

TERMS OF REFERENCE

Position Title/Grade	Project Manager
Project	Justice Security and Accountability (JSAT)
Location	Kingston, Jamaica W.I
Duration of Assignment	Full-time fixed-term contract – April 20, 2016 to October 19, 2017
Reports To	Permanent Secretary

1. BACKGROUND INFORMATION

1.1. Beneficiary country

Jamaica

1.2. Contracting Authority

Ministry of Justice

1.3. Country background

Jamaica is the largest English-speaking Island in the Caribbean with a population of approximately 2.7 million people. The country faces a number of social and economic challenges, the main ones being crime and violence, a crippling debt burden and a high level of perceived corruption. The formal economy has remained sluggish for a number of years, however the trade in illegal weapons and drugs has flourished and is very well organised. The political environment is relatively stable although there has been some politically-related violence. Since the early 1990s, transnational crime has increased with an emergence of a subculture of violence which has eroded a number of the developmental efforts of the Government. Measures to control crime and violence even if they are modest will require additional resources from a country that is already suffering from a severe fiscal crisis. This means that activities must be focused, form part of a larger development programme, and efficiently managed to ensure that impact is felt where it is most needed. The EU's 2011 Agenda for Change, states that the joined-up approach to security and poverty must be intensified and that the EU should ensure that its objectives in the fields of development policy, peace-building, conflict prevention and international security are mutually reinforcing. It further states the EU should help its partner countries to tackle corruption through governance programmes and to strengthen its links with civil society organisations.

For countries, such as Jamaica, there is a direct link between security and development in that an insecure environment affects social and economic development. Economic and social situation and poverty analysis Jamaica is ranked as a High Human Development Country by the UNDP. Between 1980 and 2012 Jamaica's HDI rose by 0.5% annually from 0.612 to 0.730 today, which gives the country a rank of 85 out of 187 countries with comparable data. The population stands at 2.7 million with a per capita income of 6,701 USD and an adult literacy rate of 86%. The country faces many development challenges including persistent budget deficits, high

external debt, declining income, increasing poverty, environmental vulnerability and high levels of violence¹. Jamaica's public debt is estimated to be 145.9% of GDP for 2012². Debt servicing consumes a significant portion of the annual budget each year (56.5% of the 2009/2010 budget³). This has resulted in low levels of expenditure on critical social services, such as education (5.8% of GDP) and health (2.4% of GDP)⁴. The Government is currently engaged in an Extended Fund Facility (EFF) with the IMF and other multilateral lenders such as IADB and World Bank with on-going efforts aimed at stabilizing the economy to facilitate growth. Given the current economic situation faced by the country; and the austerity measures which the government has already started to implement as part of the EFF, there is a high probability of deterioration in some key social indicators such as unemployment rates, which was estimated to be 13.7% in 2012⁵. Poverty rates declined from about 17% in 2008 to 9.9% in 2009 but subsequently increased to over 18% in 2011, mostly as result of the global crisis and other external shocks. Although the murder rate per capita has declined from 1,683 persons in 2009 to 1,087 persons in 2012, it remains one of the highest in the region and the world. A 2011 World Bank Report on Conflict, Security and Development stated that crime and violence contribute to Jamaica's lacklustre economic growth.

1.4. Current situation in the sector

1.4.1. National development policy

Jamaica's overarching development objectives are outlined in the Vision 2030 Jamaica – National Development Plan, which identifies Security and Safety and Effective Governance as national outcomes for attainment by 2030. The Medium-Term Socio-Economic Policy Framework (MTF) 2012-2015, the second prioritized 3-year plan for the implementation of Vision 2030 Jamaica identifies National Security and Justice as one of four Medium Term Themes, demonstrating the continued priority of these issues to national development. Vision 2030 Jamaica and its associated MTFs provide a sound representation of the Government's overall policy intent and priorities with respect to the project's target sectors; the national outcomes and are supported by the Jamaica Justice System Reform Policy Agenda Framework (JJSRPAF), which identifies seven (7) priorities, among them: (1) Fair and timely case resolution; (2) Improved access to justice; (4) Strengthened linkages between justice sector institutions; (5) Establishing a sound court infrastructure. The on-going reforms in the justice sector have suffered from the extremely limited fiscal space in which the Government operates. Therefore, despite notable achievements in the reforms being undertaken, the pace has been slower than anticipated.

1.4.2. Sector context: policies and challenges

Critical gaps hamper the criminal justice system, thereby hampering the successful prosecution of criminals. The processes in the justice system are inefficient and outdated, dilapidated court houses and attitudinal problems all contribute to delays and backlog of cases. While a case management system has been piloted in the Supreme Court, roll out has been delayed due to a need to update the underpinning business processes. The majority of Jamaica's court infrastructure is of old colonial architecture which needs to be rehabilitated and retrofitted to accommodate modern technology. The need to accelerate on-going reforms was heightened with the passage of the Evidence (Special Measures) Act in November 2012, which now provides the legal framework for the admissibility of evidence via live audio-visual links from remote locations, video recorded evidence, witness anonymity orders, the admission of computer-generated evidence, the admissibility of documents by agreement between the parties in criminal trials, and measures to facilitate the taking and sharing

¹ UNDP Assessment of Development Results Jamaica 2011

² IMF –World Economic Outlook April 2012

³ UNDP Assessment of Development Results Jamaica 2011

⁴ Human Development Report 2011, UNDP

⁵ Economic and Social Survey Jamaica 2012, Planning Institute of Jamaica

of evidence across borders in matters of mutual legal assistance between States. Work is also advanced in the finalization of an update to the 2010 Cybercrimes Act.

The on-going reforms in the security and justice sectors enjoy a high support from the executive arm of the Government, facilitating meaningful on-going policy dialogue. The dialogue has been significantly enhanced through the implementation of the Security Sector Reform (sector budget support) Programme (SSRP), with frequent meetings on key issues with senior officials of the Ministries of National Security and Justice, as well as the JCF. This has continued with the identification of the JSAT, with on-going involvement of the Permanent Secretaries of the Ministries and participation of the Chief Justice, Director of Public Prosecutions and Chief Parliamentary Counsel among others in its identification and validation.

1.5. Related programmes and other donor activities

Under the 10th EDF, the *Security Sector Reform Budget Support Programme* provides support to reforms of the JCF and the justice system. There is a high degree of congruence and complementarity as activities proposed in the JSAT will reinforce those supported under the SSRP to ensure sustainability. In particular, (1) the JSAT activities to support anti-corruption will build on the SSRP's support to the establishment of an anti-corruption policy in the JCF and the *establishment of INDECOM*, through the building of key competences and capacities to enhance implementation of the established policies and structures; (2) The SSRP addressed *critical infrastructural deficiencies at the JCF Twickenham Park facility*, while the activities in the JSAT focus on improving the services delivered at the facility; (3) While extra-ordinary measures under the SSRP resulted in 82.7% and 99.7% reduction in the backlog in the Supreme Court Criminal Division and Circuit courts respectively, the JSAT seeks to address the underlying causal factors that create backlogs in order to sustain these gains. Under the *European Instrument for Democracy and Human Rights*, the EU provides support to a number of civil society organisations and UNICEF to inter alia, to raise the awareness of human rights issues in inner-city communities; ; provide training to staff in Juvenile detention and child care facilities; establish a mobile mental health clinic and psychosocial service for assessment and treatment of children in residential child care facilities; review the Child Care and Protection Act; facilitate the implementation of the National Child Diversion Policy; and implement a prison rehabilitation programme.

The Department of Foreign Affairs, Trade & Development, (DFATD) has been the main TA support to the justice sector and the United Kingdom the main TA support to the security sector, spanning several years, resulting in well-established definition of the main needs and how to address these. There is however, a dearth of support needed to provide the actual equipment and technology to underpin the necessary actions. The Government has been giving on-going support to the reform actions, but the pace has been severely hampered by the on-going fiscal challenges.

2. OBJECTIVE, PURPOSE & EXPECTED RESULTS

2.1. Overall objective

The overall objective of the project which this contract will be a part is as follows:

To improve the standard of living and quality of life of Jamaican citizens by strengthening governance and oversight, with particular regard to the functioning of the security and justice systems.

2.2. Purpose

The purposes of this contract are as follows:

- Manage the implementation of the Ministry of Justices components of the JSAT Project
 - 3A1 Electronic Case Management Systems for selected Courts
 - 3B2 Rehabilitate and equip selected Courts with technology for:
 - Live-Link
 - Pre-recorded evidence
 - Digital recording of evidence
- Assist the Technical Assistant Team (TAT) and the Ministry of Justice with development of requirements
- Prepare monthly, quarterly, and on-demand progress reports
- Work with the Ministry of Justice, the Office of the Chief Justice and other stakeholders to ensure that their interests are properly considered in the implementation of the Project.
- Review all technical requirements presented by the various consultations and advise the MoJ accordingly.
- Conduct sensitization sessions regarding the various technologies being implemented in the JSAT Project

2.3. Results to be achieved by Project Manager

The expected results of this contract are the following in keeping with the requirements informed by relevant stakeholders (MoJ, The Office of the Chief Justice, or any other approved person or groups) are as follows:

- Manage the timely implementation of Electronic Case Management System in selected courts
- Manage the timely implementation of electronic Document Management System in selected courts
- Manage the timely Implementation of Technology to facilitate Live-Link and pre-recorded evidence in the courts in accordance to relevant specification and Legislation
- Manage the timely implementation of Technology in selected courts to facilitate the digital recording of evidence meeting all requirements
- Manage the timely upgrade of Information and Communication Technology (ICT) infrastructure in the courts to facilitate required technologies
- Develop a comprehensive Information Security Strategy to safeguard unauthorised access to the court's digital infrastructure

3. DELIVERABLES

Deliverable	Frequency	Due
1 Detailed Implementation plan in keeping with Program Estimate	Annually	First Quarter after assignment
2 Expenditure report	Monthly	16 th of each month following the activities
3 Implementation status reports	Monthly	5 working days after close of each month
4 Quarterly Project Implementation Report	Quarterly	10 working days after the close of each quarter

4. EXPERTISE REQUIRED

The selected individual should possess the following minimum expertise:

4.1. Qualification

- BSc in Information technology or related field

4.2. Experience

- Four years' experience in conducting systems analysis, implementing system on an enterprise level
- Four years of IT project management experience
- Experience in Information System security
- Good understanding of requirements under the relevant Legislation
- Extensive knowledge in implementing similar technology
- Knowledge of the operations of the Jamaica Court System
- Working knowledge of the EU standards and procedures

4.3. Competence

- Ability to lead and maintain effective working relations
- Functional knowledge of the justice system
- Must be able to work in a multi-functional environment
- Strong analytical and decision-making skills
- Ability to negotiate and build consensus
- Strong technical report writing

5. REPORTING

The Incumbent reports directly to the Permanent Secretary of the Ministry of Justice.

6. GENERAL WORKING CONDITIONS AND SPECIAL REQUIREMENT

- The incumbent will work from the offices of the MOJ with frequent interface with the MOJ's Management Information Systems Division, Project and Allied Services Division, Office of the Chief Justice, the Strategic Planning, Policy Review and Evaluation (SPPRE) and other beneficiaries
- The position involves field visits and other travelling.