

Constitution Reform Forum



LOCAL GOVERNMENT REFORM

An absolute necessity in T&T

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Has Local Government ever worked in Trinidad & Tobago? Some may argue that things were better in an earlier period and that the rise of party politics in the governance structures of the country has brought with it a heightening of focus on central government and a whittling away of the authority of local government. The CRF is firm in its position that this downward trend must be reversed. It is for this reason that we have earmarked 2012 as the year when we will throw the spotlight on the institution of local government. We started this initiative with a round table discussion on Saturday 3 March, 2012, with participants coming from other NGOs as well as local government bodies.



Participants at the Round-table Discussion, 3rd March 2012. At right is Councillor Kion Williams.

The agenda was simple: what exactly is the state of local government today?

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Back in 2007, in setting out proposals for constitution reform, the CRF made the following proposals in relation to local government:

- Local government should be conducted on a non-party basis.
- To give voice to local-specific realities and concerns, one or two representatives of each local government authority should sit in the Senate.
- A minimum set of needs should be established on a population basis and local government authorities should be granted the resources necessary to achieve and maintain at least these standards within their areas.
- Local government representatives should live in the area they represent.
- Local government representatives should be subject to the right of recall.
- The local government body should be chaired by the person who commands the majority support of the elected representatives.



Michael McIntyre (at front), Frank Clarke, Patricia McGaw and Martine Clarke, at the recently held discussions.

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Issues of Interest:

- Local Government Reform
- Policy Shifts
- Policy Implementation
- Best practices in local governance

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Why an Executive President?

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Local government and constitution reform

The CRF holds the position that these objectives are best achieved if the institution of local government is incorporated within the constitution, one which is shaped by the people, reflects their shared hopes and aspirations and through which, the people set the ground rules within which all national institutions operate.

“The CRF advocates for the incorporation of Local Government in the Constitution.”

Direct people participation in the governance process must be defined as a core pillar in the functioning of the state and not peripheral. This naturally requires that a strong mechanism for governance must exist, with opportunities for people participation.

Local government: The current situation

It is possible that elements of these tenets currently exist. However, where they exist and why they exist, must be identified, evaluated and where deemed functional, must be brought into the mainstream of local government and adopted as preferred practice.

So what is the situation today? Each local government body is charged with the responsibility of addressing three main areas - infrastructure, social issues and health via proper sanitation. To this end, each body produces a regional development plan containing strategies for implementation within three-year periods. This is the tenure of each elected Local Government Council. We can say therefore that local government representatives are elected to be strategists and policy directors of a particular region.

Administration and operational matters are the purview of the Chief Executive Officer (CEO) and the monthly-paid staff, all of whom are appointed by the Ministry of Local Government. The staff also has union representation. The CEO and his/her staff carry the main responsibility for implementation. Since the management of the budget is in the hands of the CEO, councillors need to get the approval of the CEO to implement any project that they see as important. This means that there is little control by Local Government representatives over the implementation of regional projects.

“Councillors must answer to the people, and as such, should be able to operate in a capacity beyond that of just a strategist or policy director.”

Councillors are also answerable to the people in the community. As a result, they often find themselves juggling between implementing their long-term strategic plans and responding to the immediate and specific demands of the people, for example jobs and housing.

Given a situation where representatives are elected based on party affiliation, much of what is prioritized is severely influenced by the party’s agenda. And the party’s agenda is itself defined by what is required to win the next elections. As a result, in many instances, councillors may find themselves giving priority to what is in the interest of the party as opposed to what would meet the needs of the people.

Funding is another major area of concern for Local Government Bodies. There are two budgetary allocations, both of which come from the Central Government. One is the development budget, which is intended to fund projects arising from the three-year plan; this usually falls short of meeting that objective. The other is for recurrent expenditure which, according to one councillor, is usually used up for “firefighting”, to meet ad hoc requests.

Overall, with this complete reliance on Central Government, which has sole authority to decide how much is allocated, the funding of Local Government is on shaky ground. Further, the temporary halt on the collection of property taxes, which was a major contributor to facilitate Local Government expenditure, has further weakened its financial status.

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Photos from the recently held Round-Table Discussion on Local Government Reform 3rd March 2012
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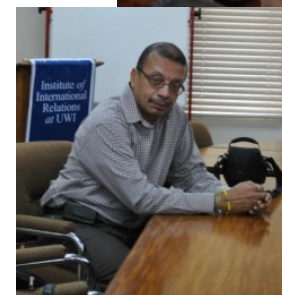
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In photos, from top:
1. Dr. Kuboni addresses participants;
2. Councillor Kion Williams explains the functions of the Councillor;
3 & 4. Martine Clarke & Frank Clarke share their views with participants;
5. Michael Theodore, listens attentively to the discussions.

Local government reform: Recommendations

Total Local Government Reform cannot be achieved overnight. Short steps for people participation and system improvement are recommended:

Policy shifts

1. Election of independent Local Government Representatives should be encouraged. This reduces influence from political party-thinking to that of community-focused priorities.
2. Given the existence of regional development plans, each representative should find mechanisms to involve the people in reviewing these plans. Opportunities for people involvement may include:
 - collection of feedback during walks-about and community visits;
 - building awareness among burgesses of the dates of Council meetings and their welcomed participation at these meetings. Regional bodies should develop a clear communication strategy to encourage this and also ensure that Council meetings are organized to facilitate people participation and
 - building a strong network of community groups and civil society organizations.

These opportunities for meaningful dialogue and input can go a long way in narrowing the gap between the demands of the people and councillors' proposals in their three year plans.

Administration and implementation

1. There is a need to divorce the Local Government representative from being answerable for operational activities that constitute the routine maintenance of a community. Examples of these are garbage collection, maintenance of existing infrastructure, provision of public assistance and communication with the public. These routine activities should be left to the Corporation CEO and staff who are answerable to the various publics. Local Government representatives should:
 - be free to evaluate implemented projects and programmes;
 - obtain feedback from the people on future plans and
 - be a catalyst for the generation of new ideas for community development.
2. Councillors should adopt a leadership role by educating burgesses on the workings of the Local Government systems. In addition, Councillors should encourage burgesses to engage in thorough methods of influence that may include:
 - letters to the CEO;
 - letters to the media;
 - burgesses' attendance at town meetings;
 - creating opportunities for Corporation staff to meet with burgesses and
 - prioritization of projects using criteria that bring benefit to the majority in order to maximize scarce resources.

Education of burgesses on the community priorities and updates on progress can help put plans for development into perspective.



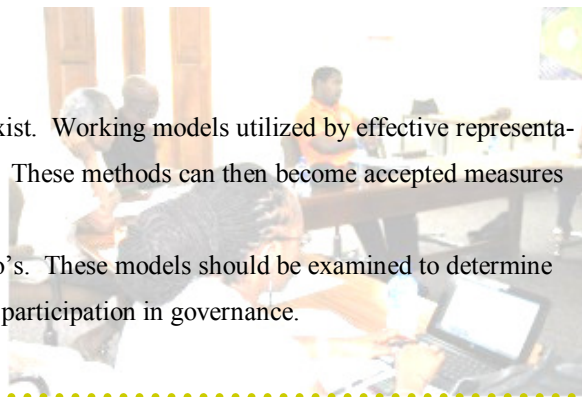
Frank Clarke (left) and Councillor Kion Williams (right) listen attentively to Michael McIntyre



Josephine Lodge and Olabisi Kuboni in conversation at the discussions

Development of Best Practices

1. Examples of good representation by Local Government Councillors exist. Working models utilized by effective representatives should be documented, examined and evaluated via case studies. These methods can then become accepted measures that contribute to a reformed Local Government Framework.
2. Other models of Local Government exist beyond Trinidad and Tobago's. These models should be examined to determine how appropriate they may be for community development and people participation in governance.



Suggestions from TTCAN

*(Trinidad and Tobago
Citizen's Action Network)*

Restructured Local Governance


- Greater recognition of the citizens as owners of the national patrimony and the employers of both "civil" servants and political representatives
- Equitable distribution of the country's wealth
- Better infrastructure and improvement in the standard of living and environment for ALL citizens
- Greater cost efficiency and cost effectiveness in the use of resources
- Greater Transparency and credibility in the conduct of public business
- Greater independence of Local Government from political party control
- Greater collaboration between citizens' groups and government structure
- Greater unity in the community and nation

*Adapted from a presentation by TTCAN at the
National Citizen's Consultation in June 2003*

CRF's Upcoming Events

5th June: Meeting at the International Relations (IR) Building UWI, **5 pm**

30th June: Annual General Meeting
IR Building UWI, **10 am**

For further information please contact the CRF at
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WHY AN EXECUTIVE PRESIDENT?

*The perspective of a member
of the CRF Working Committee*



By David DeMerieux



In a recent two-part series, Mr. John Spence questioned the need for an Executive President and suggested means by which the present powers of the Prime Minister could be curbed.

The CRF, based on its consultations with various interest groups, has made a few suggestions on this matter. The one that I wish to propose is that the executive should consist of a directly-elected President, a Prime Minister and a Cabinet; with ultimate power residing in the Parliament. To achieve this, I am further proposing that the Senate be elected through proportional representation and that Ministers be drawn from this body leaving the constituency representatives free to concentrate on legislation and representation. The leader of the party emerging with a majority in both Houses (combined) should be President with a Prime Minister and Cabinet drawn from an enlarged Senate.

In the arrangement that I am describing, the President would have veto powers with Parliament being the final arbiter and able ultimately to override a Presidential veto. Such a system in a plural society would spread the centres of political power and, along with the enshrining of regional equity in the provision of goods and services, could go a long way in bridging ethnic divisions and unifying the polity.

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The Constitution Reform Forum

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