

2023

Barriers to the Successful Implementation of Laws in Saint Lucia

Confia Samantha Jn Paul-Samuel

Follow this and additional works at: <https://scholarworks.waldenu.edu/dissertations>



Part of the [Law Commons](#), [Public Administration Commons](#), and the [Public Policy Commons](#)

This Dissertation is brought to you for free and open access by the Walden Dissertations and Doctoral Studies Collection at ScholarWorks. It has been accepted for inclusion in Walden Dissertations and Doctoral Studies by an authorized administrator of ScholarWorks. For more information, please contact ScholarWorks@waldenu.edu.

Walden University

College of Health Sciences and Public Policy

This is to certify that the doctoral study by

Confia Samantha Jn Paul-Samuel

has been found to be complete and satisfactory in all respects,
and that any and all revisions required by
the review committee have been made.

Review Committee

Dr. Victoria Landu-Adams, Committee Chairperson, Public Policy and Administration
Faculty

Dr. Lori Demeter, Committee Member, Public Policy and Administration Faculty

Dr. Ian Cole, University Reviewer, Public Policy and Administration Faculty

Chief Academic Officer and Provost
Sue Subocz, Ph.D.

Walden University
2023

Abstract

Barriers to the Successful Implementation of Laws in Saint Lucia

by

Confia Samantha Jn Paul-Samuel

Master of Laws, University of the West Indies, 2011

Bachelor of Laws, University of Wolverhampton, 2006

Professional Administrative Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Public Administration

Walden University

February 2023

Abstract

Saint Lucia experiences barriers to successfully implementing some of its enacted laws. As a developing country, when legislative efforts are hampered, the law enactment process is negatively impacted. The purpose of this qualitative study was to understand the potential barriers to the successful implementation of laws in Saint Lucia by examining any effective emerging practices to develop new and innovative approaches and methods in addressing the various issues involved. The conceptual framework for this study comprised parliamentary engagement, public participation and policy making in the law enactment process in similar parliamentary jurisdictions. The research questions focused on understanding the potential barriers to successfully implementing some laws in Saint Lucia. Data were collected using semi structured interviews with 10 participants who were immersed in the intricacies of law enactment in Saint Lucia and selected using a nonprobability purposive sampling approach. Thematic analysis of the data revealed eight themes that adversely affected the implementation of laws in Saint Lucia. Two themes were developed as significant issues: lack of resources and lack of public participation including stakeholder consultations. This information was distilled from the data to produce the recommendations from this study which will be useful to the client organization and both public and private sectors. This study builds on the few previous studies conducted on this subject and adds knowledge on both the topic and in fostering positive social change for Saint Lucia as a developing country, for similar jurisdictions, and in the lives of citizens through the benefits that will be derived from the implementation of the recommendations.

Barriers to the Successful Implementation of Laws in Saint Lucia

by

Confia Samantha Jn Paul-Samuel

Master of Laws, University of the West Indies, 2011

Bachelor of Laws, University of Wolverhampton, 2006

Proposal Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Public Administration

Walden University

February 2023

Dedication

For my amazing family, my daughter Samura, my husband Lawrence, and my mother Angela – collectively. I had vowed never to study to this level again after my daughter Samura was born. However, life has a way of moving us in different directions, but it also points to how to get there. Ironically, you all were my reasons for moving in this direction and together with the Almighty, gave me the strength I needed to persevere to the end, and I am forever thankful.

I am also dedicating this study to the amazing land of my birth – Saint Lucia. My love and concern for our people and region and their continuous progress is what propelled me to address this area for my research study.

Acknowledgments

My sincere thanks go to my research Chair Dr. Landu-Adams, who carefully guided me through the labyrinth of issues synonymous with study. I also want to thank my 2nd committee member Dr Lori Demeter for her prompt responses and guidance, Dr. Stout my course director, and my student advisor Laura Brodkey for their invaluable assistance. It is hard to believe that I am only one of the many students that they guide daily. I also want to acknowledge and thank all my professors at Walden University who all guided and nurtured me and made every goal attainable along this journey.

My appreciation goes to the participants in this research effort. This project would not have been possible without them. I especially wish to acknowledge the staff of the Attorney General's Chambers in Saint Lucia and both Attorney General Stephen Julien, who so generously allowed me to conduct the study and his successor Attorney General Leslie Mondesir. The staff of the Legislative Drafting Unit and the Director Ms. Gillian Vidal-Jules and particularly Mrs. Tricia Cypal-Edward who was assigned as my study liaison and who was instrumental in assisting with the many requirements of this study.

I want to thank all my family, my brothers, nieces, nephews, cousins, and friends who supported me in "yet another one" of my endeavors and both prayed and cried with me when I needed it. A very special thanks to my chief supporter, sounding board and friend my beloved husband Lawrence; my forever teacher and prayer warrior, my mom Angela, the best example I know of perseverance and steadfastness, and my *raison d'être*, my daughter Samura. None of this would not be possible without the Almighty who guided me to and through this path. I remain forever grateful.

Table of Contents

List of Tables	v
Section 1: Introduction.....	1
Introduction.....	1
Organizational Background and Problem Statement	4
Purpose.....	8
Summary of Data Sources and Analysis.....	9
Documents	11
Interviews.....	12
Definitions.....	13
Significance.....	17
Summary	19
Section 2: Conceptual Approach and Relevant Literature.....	20
Introduction.....	20
Literature Search Strategy.....	21
Conceptual Framework.....	22
Literature Review for the Study.....	24
Present Concepts.....	24
Emerging and Evolving Concepts in Other Parliamentary Settings or Jurisdictions	27
Summary	34
Section 3: Data Collection Process and Analysis	35

Introduction.....	35
Practice-Focused Question and Research Design.....	35
Roles of the Researcher and Client Organization.....	36
Methodology.....	38
Archival and Operational Data.....	39
Procedures for Recruitment, Participation, and Data Collection.....	40
Strategy for Data Analysis.....	44
Issues of Trustworthiness.....	47
Credibility.....	48
Transferability.....	48
Dependability.....	49
Confirmability.....	49
Ethical Procedures.....	50
Summary.....	51
Section 4: Results and Recommendations.....	53
Introduction.....	53
Data Collection.....	53
Data Analysis.....	55
The Barriers to Successfully Implementing Some Laws in Saint Lucia.....	59
Lack of Resources.....	61
Lack of Public Participation and Stakeholder Consultations.....	66
Lack of Policy.....	69

Political and Government Influence in law Enactment	70
Lack of Operational Planning	73
Lack of Knowledge and Understanding of Law Enactment	76
Parliament	77
Regional and International	79
Findings.....	83
Evaluation and Recommendations.....	83
Implications for the Client Organization and Broader Community.....	86
Deliverables and Recommendations.....	87
Deliverable for the Client Organization.....	93
Implications for Positive Social Change.....	94
Evidence and Trustworthiness	95
Credibility	95
Transferability.....	96
Dependability	97
Confirmability.....	97
Strengths and Limitations of the Study.....	98
Strengths, Weaknesses, and Limitations of the Study	98
Unanticipated Limitations or Outcomes	99
Summary	100
Section 5: Dissemination Plan and Conclusion	102
Dissemination of the Findings	102

Concluding Statement.....	103
References.....	105
Appendix A: Questionnaire Guide.....	112
Appendix B: Deliverable for Client Organization	115

List of Tables

Table 1. Conceptual Approach for an Enhanced Law Enactment Process.....	23
Table 2. Participant Information.....	55
Table 3. Themes Generated from the Data.....	58

Section 1: Introduction

Introduction

The Legislative Drafting Unit (i.e., the Unit), which operates within the Attorney General's Chambers in Saint Lucia, is the primary unit responsible for producing, finalizing, and facilitating laws through the Parliamentary or enactment process. Saint Lucia is an island in the Caribbean, and because it was both a French and English colony before it gained independence in 1979, the legal system is a mix of civil and English common law (Stlucia.org, n.d.). Laws are enacted through the legislature, Parliament instead of Congress, as in the United States, though the two processes have many similarities and differences. Though Saint Lucia is a small jurisdiction with approximately 180,000 people, the legislation requests are generally administered through the Unit, and the backlog that has resulted is staggering (World Bank, n.d.).

Producing legislation can be very costly, given the time, expertise, collaboration, skills, and other resources required by the enactment process (Majamba, 2019). This position is particularly precarious for Saint Lucia, a small, developing country with limited resources. Producing and developing legislation for enactment can take excessive time, sometimes years, to finalize (Majamba, 2019). According to the Deputy Director of the Unit, given the meager resources available for use by the Unit as a government department, when enormous chunks of those resources are allocated to laws that may not be implemented or utilized, the management and prioritizing process becomes almost impossible to control.

There are more than a few cases where legislation is enacted but has not come into force or commenced or is delayed from coming into force as the operating law. An example of this was seen in a law such as the Consumer Protection Act, Cap 13.24, enacted in 2016 but only commenced 6 years after enactment as operating law in Saint Lucia in 2022 (Supplement to the Revised Edition of the Laws of Saint Lucia, 2017). Additionally, before its commencement, the Deputy Director of the Unit explained that the Consumer Protection Act required amendments before it could be brought into force.

Non commencement or delay in commencement is separate from the scenario where the Government's policy was not translated into law when legislation was the intent. Several participants, when interviewed for this study in their respective roles, could recount various policies that did not translate into law.

Non implementation of the enacted laws also includes not allocating the staffing, funding, and other essential requirements necessary for the act's proper administration. For example, in the latter scenario, administrative bodies may have been provided for by a particular act; however, the act's provisions are prevented from being realized if these bodies are not established. For example, the Clinical Trials Act, Cap. 11.23 was enacted in 2016 and has not been brought into force by the time of this study in late 2022. Several participants in this study cited that an act's delay may be due to the unavailability of the bodies provided for by the act to allow for its administration.

Additionally, some laws are in force, but their provisions are not being utilized. There are laws cited where the provisions of the enacted laws are not being followed or enforced. Participant 8 cited the amendment to the Motor Vehicles and Road Traffic Act,

Cap. 8.01, mandating drivers to wear a seat belt, among its other provisions. The penalties include demerit points for noncompliance, which has yet to be utilized by the courts.

Given the urgent need to deal with the backlog of legislation, it is troubling that there is little alleviation of this non-implementation situation. Yang and Pandey (2011) cited several possibilities for some of these ongoing issues, including bureaucratic red tape, the requirement of public participation and opinions to be considered in the process, the policy development level required to enact these laws, and other operational issues. These reasons may all apply to the law enactment process in Saint Lucia.

Jain (2020), Murphy (2020), Crompton (2015), and Lundin and Öberg (2014) have provided various points of view that may help examine these issues. Crompton sought to explore the interactions between policymakers, planners, and the public. These interactions were critical in examining the issues I focused on in the current study and provided helpful information related to law and policymaking relationship(s) generally related to this research area. Lundin and Öberg also analyzed the extent to which public administrators use expert knowledge (such as research or evaluation reports) when they prepare policy advice and how politicians deliberate on the administrators' information. They posited that the role that experts' knowledge or skill will play in policymaking is a consequence of the local political environment.

The challenges in the law-enactment process also have other repercussions in how it affects the operation of legislation, including the effect on the public, and has severe implications for many related areas, impacting all stakeholders involved in the law-

enactment process. It is hoped that any recommendations derived from the findings of this study will promote positive social change and enhance the law enactment environment for Saint Lucia.

In this section, I discuss the organizational background of the study site, the study site's administrative problems, and the problem addressed in this study. A summary of the data sources and the approach to analyzing the data are presented. Given the Westminster parliamentary nature of this study, I also provide some definitions for clarity purposes. The potential significance of the research is described, including the study's significance for positive social change.

Organizational Background and Problem Statement

The Attorney General's Chambers (n.d.) has a wide range of duties, including serving as the principal legal adviser to the Government, individual government departments, and individual government ministers on all legal matters, such as drafting legal instruments and answering questions in Parliament, representing the state in civil litigation, and various related duties. Given the Government's ever-increasing annual legislative agenda, the Unit was formed to undertake legislative drafting, law enactment, parliamentary duties, and other related responsibilities. It was developed as, and has remained, a Unit within the Attorney General's Chambers in Saint Lucia. The Unit is accountable to the attorney general for drafting legislation (in the form of bills or statutory instruments) or approving laws prepared by other government ministries or departments and regional bodies. The Unit also has responsibility for the periodic revision of the Revised Edition of the Laws of Saint Lucia (because the attorney general

is the law revision commissioner) under the Revised Edition of the Laws Act, Cap. 1.07 and for interpreting laws (The Attorney General's Chambers, n.d.).

According to the Deputy Director of the Unit, the Unit's legal staff consists of lawyers acting as legislative drafters and parliamentary counsel to accomplish its various tasks, such as providing advice to parliamentarians and the attorney general in parliamentary matters. Generally, parliamentary counsel services are used at the policymaking stage and translate the policy into legislative provisions, such as a bill or statutory instrument (Crabbe, 1993). Therefore, it is arguable that the central role of parliamentary counsel is to give proper shape to the Government's policies in the form of legal provisions prepared for implementation.

However, apart from the inherent complexities of law production in Saint Lucia, given its additional status as a developing country, various resources, including adequately trained staff, may not always be available (Majamba, 2019; Stos, 2019). Therefore, the need for an administrative study of this type centered around a gradually worsening scenario of a continuously growing legislative agenda, complex and time-consuming work, and limited staff. Any barriers to successfully implementing enacted laws in this already challenging environment must be addressed as a priority.

There are several inherent hurdles in the law enactment process, particularly in a small developing country like Saint Lucia. When these efforts are hampered, for instance, when the legislation is not realized or does not come into force, this negatively impacts every aspect of the law enactment process (Majamba, 2019). The impact is also felt by all who may benefit from the provisions, including the entire population. Therefore, in this

study I addressed the potential reasons for the persistent barriers to implementing some laws in Saint Lucia. Addressing this problem may also provide valuable insights for other jurisdictions experiencing similar challenges.

The number of laws currently not in force (or being utilized) in Saint Lucia provides vital evidence that there is a problem (Supplement to the Revised Edition of the Laws of Saint Lucia, 2017). Given the precarious status of Saint Lucia as a developing country and the effort and resources required to produce legislation, it is counterproductive when even one law is not implemented or delayed from coming into force for any period after enactment. According to the Deputy Director of the Unit, as a developing country with limited resources, Saint Lucia has not been able to do an annual revision of its laws, which is the ideal standard for law reporting. For instance, in 2020, the annual revision was completed for the laws up to 2017. The enacted laws from 2018 would have to be confirmed by researching when a commencement order for the relevant law was published in the *Saint Lucia Gazette*, which could be a tedious exercise.

Additionally, there is a mechanism that allows a bill, or when it becomes an act (when it is assented to by the governor general to become an act of Parliament), to not immediately come into force or commence until the minister by order brings it into force. This mechanism would be in the form of clauses or sections of the act that read in the application section, “This act shall come into force on a date to be fixed by the Minister by Order published in the Gazette” (Consumer Protection Act, Cap. 13.24, section 1(2)). The application clause or section may also read, “The Minister may fix different dates for

the coming into force of different parts or sections of this act” (Consumer Protection Act, Cap. 13.24, section 1(2)).

For instance, in 2015, of the substantive acts enacted (not the many amendment acts), at least 40% of those laws have yet to commence in 2020 (Supplement to the Revised Edition Laws of Saint Lucia, 2017). In addition, many of these enacted laws may be amended even before they come into force (Supplement to the Revised Edition Laws of Saint Lucia, 2017). This phenomenon is also viewed against the backdrop of continually increasing requests for laws as deduced from the various reports on the status of work produced by the Unit, juxtaposed with the few available legislative drafting staff.

According to the Deputy Director of the Unit, despite the efforts by the Unit to recruit and train more appropriate staff, the overwhelming ratio of work backlog to inadequate staff levels persists. Specifically, this reoccurring problem of non implementation of some laws impacts the Unit’s productivity levels. It also negates the original intent of the law and the responsibility to the various stakeholders, who depend on these provisions as part of their vital annual objectives.

While this is a complex area, understanding the barriers to implementing laws in Saint Lucia is possible through a qualitative case study of key stakeholders involved in the law-enactment process. Therefore, this study provided an opportunity to both understand and uncover these barriers through the data collected from interviews and the review of current, archival, and other operational material.

The results of this qualitative study provide meaningful information about what is contributing to the barriers to implementing laws in Saint Lucia. This information was

distilled from the data to produce the deliverable for this study (see Appendix B). The deliverable will be helpful to the client organization as well as both the public and private sectors, given the recommendations for developing new and innovative methods to address the jurisdiction's various issues implementing laws.

Purpose

Like many jurisdictions, there are incessant complaints about the slow pace of legislation production in Saint Lucia (Iglesias, 2020; Majamba, 2019). With this qualitative professional administrative study, I aimed to understand potential barriers to implementing laws in Saint Lucia successfully. I examined the effective emerging practices to develop new and innovative methods in addressing the various issues that act as potential barriers in implementing some of the laws enacted in Saint Lucia. Therefore, the study was built on underlying conceptual approaches that included the impact of parliamentary and parliamentarian engagement, public participation, and policy development on law enactment in similar jurisdictions. Because no official source currently addresses the cause of these barriers to implementing some laws in Saint Lucia, this study was conducted to address this gap. The practice-focus research question that guided this study was: What are the potential barriers to successfully implementing some laws in Saint Lucia?

This study was focused on analyzing the experiences of key stakeholders in the law-enactment process to examine the impact of the different elements currently engaged in the process. This study shows the myriad of issues that may significantly contribute to the current barriers in law enactment (and law enforcement) in Saint Lucia. Some of the

issues may have been apparent but were significantly highlighted by the frequency and depth of explanations provided by the collected data of this study (see Appendix B). This information in the deliverable will assist the Unit and relevant stakeholders in the law-enactment process in both highlighting the issues and providing recommendations to enhance (or reform) the law-enactment process and thus eliminate or lessen the barriers to law implementation in Saint Lucia (see Appendix B).

Summary of Data Sources and Analysis

In this administrative study, I employed a quantitative approach and a case study design. Qualitative research is a nonnumerical process where data are acquired by observing the subjects to discover meanings and patterns of relationships (Babbie, 2017; Rudestam & Newton, 2015). A quantitative study builds on inductive as opposed to deductive reasoning from the researcher's direct interaction with the study participants (Creswell & Creswell, 2018). Rudestam and Newton (2015) also posited that in qualitative research design, it is more likely that a theory will emerge when the data are collected, which is an inductive approach.

This study was based on collecting and analyzing qualitative data, which allowed for a thorough evaluation of the potential barriers, issues, and other administrative shortcomings within the law-enactment process in Saint Lucia. The qualitative research approach is often employed to solve practical problems. In this study, the qualitative information was invaluable in allowing for a comprehensive examination of the myriad of issues identified.

A case study allows a researcher to gather in-depth and detailed information about the research subject (Burkholder et al., 2016). According to Yin (2014), as the boundaries between a phenomenon and its context may not always be clear, a case study design relies on more than one data source for evidence. In this study, I used the case study design to gather data from face-to-face interviews (albeit via internet-based platforms) with key stakeholders in the law-enactment process, examination of archival and operational data, and existing and related published research on the subject area from multiple regions, including Saint Lucia. Additionally, the triangulation of several data sources supported the study's validity and reliability (see Yin, 2014). Specifically, I reviewed research on the current and emerging concepts in law enactment in similar parliamentary settings and considered how any successes might be measured.

In this study, I explored the laws affected, the enactment process, and the various challenges from inception to enactment within this parliamentary sovereign jurisdiction. The research questions were open ended, relatively few, and simple in language (see Burkholder et al., 2016). The stakeholders' responses were critical to understanding the challenges and processes involved in law enactment in Saint Lucia. This investigation required two primary data collection sources: an audit of the enacted laws not commenced yet (and other related information) and interviewing relevant stakeholders in the law enactment process. The stakeholders included the key executives and leaders in the Attorney General's Chambers, including the Unit's in-house staff. Stakeholders also included the various government ministries, permanent secretaries, legal officers, and senior government staff who instruct the Unit on their legislative agenda. They also

included key parliament executive staff, ministers of government, and other relevant stakeholders involved in the law enactment process in Saint Lucia.

The criteria for selection as a participant in this study were purposive (see Babbie, 2017). The goal was to purposefully select participants who are fully immersed in and aware of the intricacies of law enactment, the current issues being experienced, and any new concepts used in Saint Lucia and other jurisdictions. I independently decided on a list of people for these interviews and subsequently contacted these persons through their various public offices. Each person was contacted by phone or email to set the optimal time and medium to talk, particularly in these COVID-19 impacted times. I interviewed 10 senior-level officials and other persons who are directly and indirectly involved in law enactment to get a broad enough cross-section of opinions. The sample size was commensurate with the relatively small size of this jurisdiction. (see World Bank, n.d.)

As the purpose of this study was to understand the potential barriers to the successful implementation of laws in Saint Lucia, the findings in this study (see Appendix B) may be used to fill in gaps in knowledge, literature, and population for Westminster parliamentary jurisdictions. The results of this study may also reveal operational oversights and shortcomings, particularly within the context of a developing country. In this applied research study, I sought to outline the issues involved in implementing enacted laws and suggest avenues to address those issues.

Documents

The sources of data included various existing documents, such as performing an audit of the laws of Saint Lucia, archival and operational data, and other related

information. This investigation required thoroughness to ensure the data sets were not incomplete to compromise the data collected for this study (see Rudestam & Newton, 2015). Auditing the laws was essential to look for any patterns, including which laws are not actively in use or commenced. Therefore, the annually revised laws for at least the past 7 years, internal law reports for projected and completed work, consolidated indexes, and other relevant document reviews were reviewed. Some published laws were available online and through the *Saint Lucia Gazette* and the Unit. However, I obtained unpublished sources, such as the annual projected bills and priority bills lists, directly from the Unit. The unpublished work reports were necessary for assessing the work volume allocated to the Unit and critical for analysis in this study.

There were also documents from consultation exercises conducted by the Unit and other relevant material that proved beneficial to this analysis. Given the confidential nature of the Cabinet's documents and other unpublished policy matters, it was prudent to inquire and obtain, where necessary, any approvals and observe any government protocols as required. For comparison purposes, I also reviewed similar sources (both from enacted laws and related sources and stakeholders) from neighboring islands and constitutional and legal sources from the United States to measure similarities and differences.

Interviews

Stakeholders were essential to this investigation, given the invaluable information they could supply during this process to fill in gaps in the information-gathering phase (see Babbie, 2017). I factored in accessibility and cost-effectiveness concerns,

particularly given the current COVID-19 pandemic restrictions, while planning the data collection process. I conducted interviews with both the Unit's in-house staff and the clients, such as the instructing ministries and other relevant stakeholders, to examine appropriate cases (i.e., the affected laws) and consider all the qualitative data collected. According to Creswell and Creswell (2018), qualitative researchers intend to examine the underlying issues present within the social problem under study. Interviews are a method of collecting data that allows for examining issues and interpreting data specific to the research context (Babbie, 2017).

Given the COVID-19 pandemic, the various precautions in place, and the participants' locations in Saint Lucia, I conducted the face-to-face interviews via internet-based platforms. After their participation was confirmed with each participant, the interview was scheduled. I had estimated the interviews to be no longer than 60 minutes in length, but in some cases, the interviews ended up being very lengthy. During the interviews, I asked open-ended questions (see Appendix A) and personally collected interviewee responses using a semi structured, question-by-question technique and Socratic follow-up questions when necessary.

Definitions

The following terms are defined and explained to ensure appropriate context and to assist the reader's understanding.

Act: In the Westminster parliamentary model, an act is the formal product of a legislative body, such as Parliament, essentially seen as an act of the legislature. It is

also referred to as a statute, law, or ordinance (Interpretation Act, Cap, 1.06, The Revised Edition of the Laws of Saint Lucia, 2019).

Bill: A proposal for a new enactment to be tabled in Parliament for deliberation before being enacted into law to become an act or statute (Majamba, 2019).

Commonwealth: An international association consisting of the United Kingdom and states previously part of the British Empire and dependencies where the British monarch is the symbolic head. Commonwealth territories generally share a history of colonialism and the United Kingdom government model, including the Westminster Parliamentary system and the supremacy of Parliament. These influences impact several institutions within the legislative process (Majamba, 2019; Oxford English Dictionary, n.d.).

Commenced: When used regarding any enactment (act or statute), it means the date at which that enactment or statute comes into operation. These dates may be assigned after the bill is assented to by the governor general (Interpretation Act, Cap, 1.06, The Revised Edition of the Laws of Saint Lucia, 2019).

Eastern Caribbean Supreme Court: A superior court of record for the Organisation of Eastern Caribbean States (OECS), which includes six independent states: Antigua and Barbuda, the Commonwealth of Dominica, Grenada, Saint Kitts and Nevis, Saint Lucia, Saint Vincent, and the Grenadines as well as three British Overseas Territories (i.e., Anguilla, British Virgin Islands, and Montserrat). It has unlimited jurisdiction in each member state (Eastern Caribbean Supreme Courts, n.d.).

House of Commons: The lower house and primary chamber of the Parliament of the United Kingdom (equivalent to the House of Representatives of the United States of America; Britannica, n.d.).

Jurisdiction: The geographic area over which authority extends (which is the entire island) because the Eastern Caribbean Supreme Court has legal authority over Saint Lucia as the court of record for the OECS (Eastern Caribbean Supreme Courts, n.d.).

Legislative agenda: While it is generally understood that a legislative agenda consists of the plans of a body or government to create legislation, in Saint Lucia, the legislative agenda is intended as the annual legislative priorities of the Government in the annual throne speech (Government of Saint Lucia, n.d.)

Member state: A country that belongs to a political, economic, or trade organization (Cambridge Dictionary, n.d.).

Napoleonic code: Also known as the French civil code and enacted on March 21, 1804. The code recognized the principles of civil liberty, equality before the law, and the secular character of the state (Britannica, n.d.).

Parliament: In the United Kingdom and jurisdictions with similar Westminster systems, it is the highest legislature, consisting of the sovereign, the House of Lords, and the House of Commons. In similar jurisdictions, while it consists of the ceremonial head of state as a sovereign representative, it consists of the House of Assembly and The Senate (The Free Dictionary, n.d.).

Parliamentary counsel: A specialized lawyer who prepares legislation for introduction into Parliament. Also more commonly referred to as legislative drafter (Merriam-Webster, n.d.).

Ratify: To make a treaty or agreement official by signing it or voting for it, and in the context of this study, to accept or introduce the agreement into domestic or national law (Cambridge Dictionary, n.d.).

Standing orders: Orders or rulings governing the procedures of a society, council, or other deliberative body. For this study, the standing orders are those of the Saint Lucia Parliament made under the authority of the Constitution. The context of the suspension of standing orders relates to the decision of a house of Parliament to operate, usually for a short period, not in accordance with standing orders usually to accommodate some unusual requests or urgent discussions, such as forgoing the different stages of the Bill in Parliament in the enactment process (Majamba, 2019; Saint Lucia Constitution Order, 1978).

Statutory instrument: A government or executive order of subordinate legislation. Not an act or primary legislation (Interpretation Act, Cap, 1.06, The Revised Edition of the Laws of Saint Lucia, 2019).

Ultra vires: Acting or done beyond one's legal power or authority (Cambridge Dictionary, n.d.).

Westminster model: Also known as the Westminster system. A type of parliamentary system government that includes a series of procedures for operating a legislature first developed in England. Under the Westminster system, power resides

exclusively in a single national authority (i.e., Parliament), with no entrenched and autonomous powers vested in any other body (Norton, 2004).

Significance

In this study, I aimed to identify the potential barriers to implementing or accepting some enacted laws and develop approaches and recommendations to address these barriers. The issues are understandably complex given the subject areas of laws, policy, public administration, democracy, constitutional concerns, and forms of democratic governance. However, given the ongoing nature of this problem, key stakeholders at many levels will be impacted by the findings of this study. The impact and benefits to the key stakeholders are twofold. These stakeholders include the Attorney General's Chambers, specifically the Unit; the instructing ministries, ministers, and permanent secretaries; parliamentary representatives; cabinet members; and other persons interested and involved in legislative matters in Saint Lucia. The stakeholders were critical in supplying and clarifying vital information in this study, and through this process, they became more aware of the issues involved and the potential missteps they could avoid in the future. A better understanding of the nature of the problem was achieved through addressing the accumulated issues that emanated from the stakeholders in this study.

This study is also relevant to various public organizations in Saint Lucia because they provide the structure that houses the law-enactment process and affect how the legislation is effectively produced. While some previous studies from similar jurisdictions offered many valuable insights, they had not fully explored why bills or

policies may not become law or the critical issue of why duly enacted laws may not be in force or commenced in the relevant jurisdictions. No current research or literature had identified the reasons for barriers to the successful implementation of laws in Saint Lucia. This gap in the literature highlighted the need for further research to clarify why these barriers to the successful implementation of enacted laws persist and what could remedy or alleviate the challenges. In this study, my intent was to gather information from key stakeholders in the law enactment process. The participants clearly articulated the persistent issues and were fully aware of the shortcomings in the law-enactment process in Saint Lucia. However, while each participant provided a relevant point of view, it was critical to amalgamate the different perspectives to piece together the totality of the issues and develop plausible remedies.

I conducted this analysis to provide potential solutions to the issues, create a sustainable plan of action to avoid the same pitfalls in the future, and add value to the jurisdiction. These answers will ultimately contribute to positive social change, given the benefits of a more efficient, cost-effective, and enhanced environment for law enactment in Saint Lucia. The resulting positive social change also includes benefits that public organizations will find useful, including valuable data on the potential reasons for the current barriers to implementing some enacted laws in Saint Lucia, which will allow for the development of appropriate remedies when preparing to enact legislation. Several government organizations will also benefit from the suggested approaches and recommendations provided in the study (see Appendix B). Additionally, I hope that other

jurisdictions combating similar challenges may apply the data and lessons learned in the current study.

Summary

In this section, I provided background information on law enactment in Saint Lucia and the Unit. The problem, the purpose, and the research question guiding the study were described and some definitions to aid in reader clarity in understanding the Westminster Parliament system in particular were provided. I also indicated where and how data was collected for the study. Before conducting the research, I identified a pragmatic conceptual framework that examined emerging practices and concepts in similar jurisdictions. In Section 2, this framework will be presented along with relevant literature.

Section 2: Conceptual Approach and Relevant Literature

Introduction

In this study, I investigated whether there are barriers to implementing (or even enacting) some laws in Saint Lucia. A secondary aim was to examine the potential scenarios that may hinder legislation's process(es) and how these may be remedied. Within Saint Lucia's legislative process, in a parliamentary setting, the island's legislation is primarily undertaken by the Attorney General's Chambers (through the Unit) in conjunction with the relevant ministry that will administer the particular law. The parliamentary setting referred to in this study is the Westminster system or Westminster model, a type of parliamentary Government that incorporates a series of procedures for operating a legislature that was first developed in England (Norton, 2004). Significantly, in the Westminster system, the executive branch comprises persons who are also members of the legislature. The Westminster system also includes parliamentary opposition members and a ceremonial head of state (currently the representative of the King of England) who is different from the head of government (Norton, 2004). The Westminster system is often contrasted with the presidential system of the United States. To a lesser extent, the Napoleonic Code or French civil code is also seen as a part of the parliamentary setting in Saint Lucia (see Britannica, n.d.).

With the increasing nonacceptance and, consequently, non implementation of specific laws by both the incumbent and the opposition members of Parliament, ministry officials, and the public, it was vital to explore the underlying issues contributing to this

problem. The law enactment environment in Saint Lucia also involves the policymakers, legislative systems and processes, and public participation (or lack of participation).

In this section, I describe the literature search strategy used in this study that assisted me in developing an appropriate conceptual framework for this study. The conceptual framework consisted of relevant, peer-reviewed literature that provided some context to the problem addressed in this study.

Literature Search Strategy

In seeking existing relevant findings, I accessed peer-reviewed articles and studies published in professional journals, including *Statute Law Review*, *Research Journal of Political Science*, and *American Journal of Political Science: Journal of Legislative Studies*. The literature search also included various internationally accredited universities and studies and other related websites. It was essential to examine parliamentary settings; therefore, the key search terms included *law-making* and *law-making in parliamentary settings*. I also limited my search to articles and studies published within the past 5 to 7 years. Finding relevant articles and studies proved to be an ongoing exercise as the literature review was developed in preparation for this study, given the scarce information related to parliamentary settings and developing jurisdictions' experiences. I also reviewed the various relevant government department websites (where available), including the Attorney General's and the *Saint Lucia Gazette's*, which publishes all enacted laws as required by the constitution of Saint Lucia. Given the dearth of current research and information, it was critical to collect adequate data by conducting personal interviews with several senior administrators, including those from the Attorney

General's Chambers, the Unit, the Parliamentary Office, and the government departments that deal directly with the law enactment and policymaking process in Saint Lucia.

Conceptual Framework

The conceptual framework of this study included what is currently obtains in Saint Lucia as it relates to law development juxtaposed against other parliamentary jurisdictions' emerging and evolving concepts. The case study design was appropriate in this study to gather in-depth and detailed information given the many issues to work through in the law-enactment process in Saint Lucia. The following framework, therefore, provided the basis for this study (see Table 1). I aimed to present models or best practices that may currently be in practice related to law enactment in a parliamentary setting and compare those practices with what is currently used in Saint Lucia and similar jurisdictions. I recognized that the practices observed did not answer the study's central aim, which was developing an understanding of the specific or potential barriers to successfully implementing Saint Lucia laws. However, identifying these practices allowed for the examination of what models of law enactment may exist, the emerging trends, and the reasons for the evolution.

Given the nature of the issues addressed, this study required a multiprong approach. The qualitative case study design allowed me to gather in-depth, detailed data through participant interviews (see Burkholder et al., 2016). In this study, it was critical to discover any meanings and patterns of relationships imbedded within the data and themes, given the complex nature of the issues (see Babbie, 2017; Rudestam & Newton, 2015). Therefore, it was helpful to chart any process that may be potentially

advantageous in finding solutions. These concepts provided valuable insight into the law enactment process.

Table 1

Conceptual Approach for an Enhanced Law Enactment Process

Parliamentary/ Parliamentarian Engagement	Citizen/Public Participation	Policy Making/Development
Key Facts	Key Facts	Key Facts
Parliamentarians are elected persons who vote on the proposed bills so they may become law.	The traditional push has been against any public participation in decision making (Crompton, 2015).	Policymaking is a process upon which any proposed law will eventually be premised (Regonini, 2017).
Their role in the law enactment process is to propose, amend and review laws.	Public participation contributes 2 policy decision making and policy decision making forms the premise of law (Barnes & Sullivan, 2007).	The role expertise gets in policymaking is very much a consequence of the local political environment (Lundin, 2014).
Some Motivators	Some Motivators	Some Motivators
Expanded engagement in the governance process (Murphy, 2020).	A turn of events was achieved when citizens were allowed to respond to abusive prosecution and freedom of expression in public debate (Landry, 2010).	The extent to which politicians deliberate on the information provided to them (Lundin & Oberg, 2014).
Citizens' demands for their representatives to play a more independent role (Murphy, 2020).	Effective citizen participation when the government decisions and relations to citizens dichotomy is improved and is vital to democratic governance (Yang & Pandey, 2011).	Some countries have resorted to including a public policy evaluation as a function of parliament (Regonini, 2017).
Independent institutions' support, which corrected the information imbalance between the executive and the legislature (Murphy, 2020).	When civil society organizations develop the requisite capacity, they become more equipped to compete with lobbyist and accomplish more (Calland & Nakhooda, 2012).	In the dynamics of policy in the US Congress concluded that neither branch dominated the other but could at times move ahead of the other (Kelly & Grant, 2008).
The growing need for more transparency (Murphy, 2020).		Potential Pitfalls
Potential Pitfalls	Potential Pitfalls	
Some parliamentarians may have no legal training all background but may get assistance with specialized drafting services (Stos, 2019)	Not entirely clear the level of access the public can achieve Calland & Nakhooda, 2012).	There are many challenges to implementing policy (Organization of Economic Co-operation and Development, 2013).
		There is no guarantee that the policy as implemented will be followed (Regonini, 2017).

Literature Review for the Study

In this literature review, I focused on parliamentary jurisdictions, law enactment processes, constitutional and statute law, public participation issues, public policy matters, and other areas related to the passage of laws and mainly related to developing countries, given Saint Lucia's status as a developing country. These issues are captured within a conceptual framework that aims to showcase what typically obtains in parliamentary jurisdictions in relation to law enactment processes and the emerging concepts relevant to the study.

Peer-reviewed journal articles made up most of the literature reviewed. These contributions provided a base from which to chart the historical background and development processes involved in law enactment. They also helped clarify some issues in investigating the potential barriers to the successful implementation of Saint Lucia laws. I also used other seminal and current works of contributors and experts in the field of law and administration.

Present Concepts

The legal history of a particular jurisdiction, which considers how the law evolved and developed there and why (or if) it has changed, was of particular relevance given the scope of this study. As with most jurisdictions, Saint Lucia's legal history is closely connected to its development, particularly given its status as a former colonized and recently independent state from the United Kingdom. Therefore, it was essential to look at the foundation of law creation in Saint Lucia for this study.

The Saint Lucia Constitution Order (1978) is recognized as the supreme law of Saint Lucia. The Saint Lucia Constitution, like most other constitutions of former colonies, is a product of the United Kingdom's laws (i.e., a statutory instrument). While formerly colonized countries are still referred to as part of the United Kingdom's commonwealth, the Constitution essentially terminated Saint Lucia's association status with the United Kingdom and signaled Saint Lucia's independence as a new jurisdiction.

The Saint Lucia Constitution Order (1978) set out its people's fundamental rights and established the various organs and functions of the state, specifically the powers to make law, appoint critical offices, and hold general elections. Any other law made in Parliament (i.e., statute law), case law, or common law must not contradict the Constitution's provisions. Notably, under Section 19 of the Constitution, the governor-general, his majesty's (i.e., the King of England) representative, is established. Similarly, under Section 108 of the Constitution, the final court of appeal was provided as the "Majesty in Council," the United Kingdom's Privy Council.

While Saint Lucia is considered a democracy and an independent country, not unlike the United States, lingering elements of individual and fundamental rights are still being rationalized given its relatively young independent status (it has been independent from the United Kingdom from 41 years). (Iglesias, 2020; Majamba, 2019; The Saint Lucia Constitution Order, 1978). Brinks and Botero (2010) discussed ineffective rights in terms of inequality and the rule of law in Latin America's democracies. The researchers provided a case study where they applied a new theoretical framework to existing analyses of legal regimes' development surrounding the study's issues and used the legal

regime theory of women's rights theory to explain the failure or success of normative regimes. In highlighting the transition of these jurisdictions from an oligarchy or authoritarian government to a democracy, they offered what they referred to as a narrow definition of the rule of law, contending that this rule of law that is in existence favors marginalized groups and issues, such as women's rights, indigenous land rights, and environmental protections. While law guides behaviors, this rule of law is poorly distributed because these marginalized groups' social circumstances have not changed despite the rights secured.

Conversely, in their article, Bari and Dey (2019) examined and juxtaposed the situation of when laws are enacted to negate established fundamental rights. According to the authors, the enactment of two digital security laws, the Information and Communication Technology Act (ICTA) and the Digital Security Act, in Bangladesh drastically weakened the idea of a society based on democratic virtues. In particular, the ICTA's broad scope, Section 57, had been used by the then regime to launch an unprecedented crackdown on individuals' fundamental human rights, particularly the freedom of speech and expression in Bangladesh. Like Saint Lucia, Bangladesh recently emerged as an independent state in 1971. The Constitution of the People's Republic of Bangladesh (1972) entrenched the bill of rights guaranteeing fundamental human rights and the rule of law in Bangladesh.

Notwithstanding the repeal of Section 57 of the ICTA, the regime misused several critical features of the Digital Security Act to stifle dissent in the same manner. Bari and Dey made recommendations for ensuring the promotion and protection of the democratic

virtues on which Bangladesh was founded that also highlight a law enactment process that will allow for statutes that are ultra vires the Constitution.

Emerging and Evolving Concepts in Other Parliamentary Settings or Jurisdictions

Undoubtedly, all processes will evolve or be required to change, given the unavoidable nature of change (Organization of Economic Co-operation and Development, 2013). Given the issues in this study, it was critical to examine what practices have emerged, what evolutions have occurred in law enactment processes in parliamentary settings or jurisdictions, and how these changes may benefit this study.

Parliamentary Processes and Parliamentarian Engagement

Parliamentarians in a Westminster model are the equivalent of congresspeople in the U.S. Congress to an extent. Parliamentarians are the members of a country's legislative body and vote on the proposed bills in Parliament as to whether they may become law (Norton, 2004).

In the Canadian study of the Parliamentary Group seminar, Stos (2019) observed parliamentarians' functional role in making law in a parliamentary context as well as analyzed the impact of the legislative process and processes within the law-making body in Canada and how they affected democracy in general. The researcher noted that parliamentarians propose, amend, and review laws (and their attendant regulations). Stos also reported that this essential role of the parliamentarians persists, notwithstanding that some parliamentarians may have little or no legal background or training. However, the Parliamentary Counsel (that works within the Legislative Services Branch of the House of Commons) assists the 270 parliamentarians with specialized legislative drafting

services. Stos explained that this service includes the entire gamut of assistance, from inception matters to drafting the law or amendment, as required, and, most times, occurs under significant time constraints. The parliamentarians also have the 150 researchers assigned to the Library of Parliament at their disposal. During the seminar, Stos examined three groups that worked in Parliament to assist parliamentarians in their roles. In interactions with the groups, Stos noted the increase in sponsorship of government bills by independents; the importance of partisanship and vetoing of bills where the opposition party controls the chamber; and the influence of backbenchers, albeit the backbenchers' influence seemed to be on a decline. Stos observed a general increase in the Senate's legislation and amendments and increased consideration of messages in the lower house, the House of Commons. In particular, the researcher noted that members of Parliament who may be electorally vulnerable (e.g., at risk of losing their seats) and more senior senators (who are not elected) tend to be more active in producing legislation.

Murphy (2020) examined motivators for parliamentarians' enhanced roles in Stockholm, Sweden. These roles included an expanded engagement in the governance process and policy proposals, such as dialogue with citizens, shaping draft legislation debate, reviewing legislative proposals, and post legislation matters. Murphy posited that this new role of Parliament was brought about by several factors that included citizens' demands for their representatives to play a more independent role rather than remain a dependent voting block for their political party. The author also saw independent institutions' support, which corrected the information imbalance between the executive and the legislature, as another factor. Murphy cited the growing need for more

transparency in Government. Parliament seems well suited as the central law-making organ with this pivotal role, as another reason for what he describes as Parliament's "full-cycle engagement" in the legislative process (p. 486). From the findings of these studies, it would seem there are undoubted benefits to an enhanced involvement of the persons directly instilled in the voting process; however, in law enactment, several other elements influence the process.

Citizen or Public Participation

It has become more apparent that public participation may be a critical factor for this research, as it contributes to policy decision-making. Policy decision-making, in turn, forms the bedrock or premise of law (Barnes & Sullivan, 2007). Researchers on the subject, such as Crompton (2015), seek to add to the debates about public participation by exploring the interactions between policymakers, planners, and the public and the law and policymaking relationship(s) generally related to this study. While the case reviewed focuses on a high-speed rail network in England. Crompton looks at the informal participatory mechanisms concerning the development of that rail network. Crompton examines how social actors react to formal consultations relating to policy issues, how they now seek public debate, and how "informal origins" of participation have emerged and developed (p. 30). The question remains: why the shift in the need for public participation, given the traditional push against any public participation as we have observed over the years?

Yang and Pandey (2011) also developed and tested an organizational theory model that explores how citizen involvement as a general strategy can improve

administrative decision-making. The new model focused on organizational variables related to influences such as managerial, political support, leadership, red tape, hierarchical authority, participant competence, and representativeness. They tested the hypotheses with data collected from a national survey of local government managers. Their study concluded that effective citizen participation, where the government decisions and government relations to citizens dichotomy are considerably improved, is vital to democratic governance.

In Canada, Landry (2010) examined the social mobilization and sustained political lobbying that led to the adoption of anti-Strategic Lawsuits Against Public Participation (SLAPP) legislation in Quebec, known as Bill 9. The public and political lobbying achieved this turn of events after many years of perseverance. This legislation allowed citizens to respond to abusive prosecution and notably promoted freedom of expression and citizen participation in public debate. While this achievement was primarily seen as a victory by the organizations that led the campaign toward enacting anti-SLAPP measures, many questions remain about the level of protection offered by the new law to the province's citizens. Therefore, Laundry contextualized Quebec's new legislation within the broader Canadian framework. Laundry also explored the social and political processes that led to the bill's enactment and examined the provisions of Bill 9 to determine whether it responds appropriately to SLAPP suits. However, Laundry's discussion on public participation was critical because this legislation powerfully conveys that abusive lawsuits should not be tolerated. The test will be to the extent to which this will be accomplished.

Similarly, in a South African study, Calland and Nakhooda (2012) attempted to address public participation in important government decisions, particularly sustainable energy solutions, in developing the Integrated Resource Plan 2 (IRP 2). IRP 2 is a measure undertaken as part of the sustainable energy solution for the country. While there was evidence of potential subjectivity in the authors' viewpoints and the data quality, this study raised many important issues. The study examined the extent to which the Government considered constitutional and statutory duties and public participation in the IRP 2. Notwithstanding the legal framework that encouraged public participation, the level of access the public could achieve was not entirely clear. This study is valuable in understanding how and if a government may include public participation in a constructive, cohesive, and continuous fashion and the implications for policymaking and laws in general. Calland and Nakhooda illustrated that when civil society organizations develop the requisite capacity, they become more organized and equipped to compete with corporate lobbyists and accomplish more, given the inherent deficiencies of government departments. While the authors may have identified issues specific to South Africa and indicated their limitations, they were broad enough to inform a scholar seeking information on the subject. More in-depth research was beneficial to fully explore the potential of this area of research, though it is recognized that the issues are complex.

Policymaking Matters

A policy is the agreed direction upon which any proposed law will eventually be premised as it is based on what the Government of the day decides it to be (Regonini,

2017). Therefore, the policy must first be decided by whatever avenue(s) the Government adopts or pursues before the law is drafted. According to scholars and organizations such as (Organization of Economic Co-operation and Development, 2013), laws change because change is a natural part of our lives; therefore, policy changes are inevitable and directly impact our laws. There is a fast-growing body of work on policy, policy change, and policy implementation. The Organization for Economic Co-operation and Development (2013), pointed to the theoretical approaches to policy – particularly policy and implementation, as policy implementation will bring the decision into effect. However, implementing policy has many challenges, including differences in situations, beliefs, priorities, and even policy areas of concern (Organization of Economic Co-operation and Development, 2013). Additionally, there are multiple layers to contend with, highlighting no "one-size-fits-all" solution but mixing and matching various parts of theories depending on the policy area and the context (Organization of Economic Co-operation and Development, 2013, p. 25).

Many issues must be considered as one examines the avenue a public administrator may take in developing a policy. Lundin and Öberg (2014) analyzed the extent to which public administrators use expert knowledge, for instance, research or evaluation reports, when they prepare policy advice and how politicians deliberate on the information provided to them by the administrators. The study by Lundin and Öberg is based on original, quantitative data from local politics in Sweden. The findings were that the expert-informed policy advice from the administrators and the critical reflection by the politicians are more pronounced when there is public attention on the issues. They

posit that the empirical analysis indicates that the role expertise gets in policymaking is very much a consequence of the local political environment.

Regonini (2017), on the other hand, explores the professional community of policy experts who assume that all governments seek to strengthen their policy capacity and consider this the primary indicator and requisite of their success. Regonini suggested this is not always the case in all countries, including some European Union countries with long and complicated institutional histories. Regonini looked at the informed and explicit use of policy analysis tools in France, Germany, Spain, and Italy, concluding that this paradigm is not entirely integrated into their governmentality. Regonini concluded that three disciplinary approaches in these countries deserve special attention to generate public decisions as 'law,' 'public finance,' and 'public administration' (p. 167). Some countries have resorted to including a public policy evaluation as a function of Parliament and have included this in their Constitution. Even with this measure, there is no guarantee that the policy model implemented will be recognized and followed (Regonini, 2017).

Kelly and Grant (2008) also sought to examine the dynamics of policy (or law) production in the U.S. Congress and the presidents spanning 1789 to 2004. Kelly and Grant outline three essential perspectives on the dynamics of legislative and executive policymaking. The first perspective points to the executive branch as dominant in policy production. The second makes the case that Congress is the dominant branch in the policy process. A third model argues for a general balance of power between the legislative and executive branches. They utilize a recently created measure of legislative productivity and apply a similar methodology to develop a means of executive

policymaking. Having examined the path in the third model, they concluded that neither branch dominated the other, but either branch could move ahead of the other for lengthy periods.

Undoubtedly, the issues encountered in this study are complex but interrelated. There are the evolving concepts of parliamentary oversight and citizen participation, and transparency matters and how they may impact policymaking and, therefore, law enactment. There is a fair amount of research into the issues and problems that may cause barriers to law enactment. Some studies, such as those reviewed, speak to the plethora of challenges associated with law enactment. However, given the depth of the issues and the myriad of differences in each jurisdiction being examined, only some of the results would apply to a jurisdiction such as Saint Lucia.

Summary

In this section, the literary search strategy and the conceptual framework of the study were described. It was encouraging from the literature review that some studies highlighted emerging practices in other parliamentary jurisdictions. From the available information found, the literature review both helped in forming the conceptual framework and in developing the approach for data collection for this study.

Section 3: Data Collection Process and Analysis

Introduction

With this qualitative professional administrative study, I aimed to develop an understanding of the potential barriers to successfully implementing laws in Saint Lucia. Given the difficulties already involved in the law enactment process, particularly for a developing country like Saint Lucia, when these enacted laws are not implemented, every aspect of the law-enactment process is negatively impacted. The Attorney General's Chambers primarily undertakes Saint Lucia's legislation through the Unit in conjunction with the relevant ministry administering the law. With the increasing non implementation of some enacted laws, it was critical to examine the reasons for this ongoing issue.

In this section, I discuss the data collection and analysis processes for this study. The section also includes an explanation of how the proposed deliverable will address the research question and a description of the research approach and methodology. The researcher's role as a student researcher and her relationship with the client organization are described. Issues of trustworthiness and ethical procedures are also addressed.

Practice-Focused Question and Research Design

The practice-focused question that guided this study was: What are the potential barriers to implementing or accepting some enacted laws in Saint Lucia? According to Burkholder et al. (2016), all research studies require the logical connection of their various elements. In this qualitative case study, the inquiry required inductive reasoning to observe the social phenomenon under study; therefore, I developed the study, so the

problem, purpose, and research question aligned with the study design and data collection procedures.

A case study requires a detailed investigation of the current phenomenon's actual circumstances (Burkholder et al., 2016). This study built upon previous research that identified three areas where there was a measure of success for a more enhanced law enactment process in some areas (i.e., Calland & Nakhooda, 2012; Murphy, 2020; Regonini, 2017).

To achieve the requisite details, the sources of evidence for this study included published research in related areas, archival and operational data, and other evidence generated by this administrative study. To gather data, I conducted face-to-face, internet platform-based interviews with senior executives within the relevant ministries, the Unit's in-house staff, and other relevant stakeholders involved in the law enactment process in Saint Lucia.

The qualitative approach allowed for themes to be developed from the data collected in the study. The themes that address the problems identified by the client organization both identified vital issues affecting the jurisdiction and acted as a roadmap for identifying potential solutions. I collated the recommendations, which are the direct result of the data analysis, into the deliverable for this study (see Appendix B).

Roles of the Researcher and Client Organization

My professional relationship with the client organization and project includes having operated as the director of the Unit and chief parliamentary counsel working directly with the attorney general in Saint Lucia. My roles included managing all aspects

of the Unit, including reviewing, drafting, advising, and supervising all new legislation, amendments, treaties, and memoranda of understanding as required by each ministry for presentation in Parliament. I also presented to and advised the Cabinet, including the prime minister, permanent secretaries, ministries, and other related agencies, on their proposed legislative agenda and identified legislative areas for improvement and reform. I also interfaced with private, technical, regional, and international bodies on existing and proposed legislative matters.

Therefore, I had firsthand experience with the challenges faced by the Unit and intimate knowledge of their inner workings. My responsibilities exposed me to a wide range of issues that impacted on the Unit's productivity. As a past director, I was motivated to assist in resolving the Unit's continuing challenges. I was also motivated by my interest in completing the doctorate in public administration program at Walden University; however, I recognized that the issues in this study were complex and that no recommended remedy would be a one-size-fits-all solution.

I used safeguards against personal bias during the data collection and analysis stages by remaining cognizant of the case study interview guide, which guided my reflection and helped me stay within the parameters of the study. These guides promote focused attention for reliable data coding and use triangulation to validate data findings (Chapman, 2014). While remaining aware of the relationship held with the client organization, the literature, documents, and data included in this research study limited my personal bias in forecasting outcomes and kept my focus on the study's details (see Surmiak, 2018).

While the client organization provided various unpublished operational data that were helpful in the study, I used this data together with other relevant published data to bracket and limit my personal filters (see Wilson, 2015). Additionally, the client organization did not need to provide me with access to participants for the study. This was another measure taken to bolster the trustworthiness of the data collected (see Burkholder et al., 2016).

I used vigilance to ensure the study was reviewed based on its merit and not on my prior associations; however, I found that many key stakeholders I had encountered during my tenure had changed. In any case, I aimed to remain unbiased during the entire study and relied solely on the data collected in this study to arrive at any findings (see Surmiak, 2018).

Methodology

This study's data sources included current research, personal interviews, published articles, unpublished reports, and memoranda from the Unit related to this study. In conjunction with the questions developed for the interviews, the data sources provided valuable evidence that allowed for identifying the different elements that may successfully combat the current barriers to implementing some laws in Saint Lucia.

I aimed to build on the emerging concepts explored in other parliamentary jurisdictions throughout this study. This goal included determining whether the policymakers and administrators would be open to incorporating the concepts that may apply to Saint Lucia and other concepts developed due to this exploratory exercise.

I focused on a single phenomenon in this study because the primary purpose was to explore the potential barriers to implementing laws in Saint Lucia. As in all research, the purpose was to answer the research question. This study was qualitative and required inductive reasoning where the research question is developed with an open-ended format (see Burkholder et al., 2016).

Archival and Operational Data

Given the volume of work expected and produced by the Unit, it was essential to collect data on the legislation and the legislation scheduled to be produced by the Unit. The legislation produced is available to everyone in the annual Revised Editions of the Laws of Saint Lucia. The Unit produced the last revision of the 2017 laws as of January 2021. This delay in producing an annual requirement for the revised laws highlighted the backlog of laws awaiting to be included in the revision exercise.

Any laws produced from 2018 were available and retrievable from the Saint Lucia National Printery or Gazette at a cost, if not a subscriber at the time the legislation is enacted. Both the Revised Editions of the Laws of Saint Lucia, when updated, and the laws following the updates are available through the *Gazette* as required by law. They are the most reliable source of information on the laws of Saint Lucia (The Saint Lucia Constitution Order, 1978).

Status reports are also available from the Unit. These status reports are produced periodically by the Unit, and they are internal, operational information and are not published. They present some quantitative data showing all the outstanding bills and statutory instruments to be produced or in progress as well as the date received, the title

of the bill or statutory instrument, the authorizing ministry, the officer currently responsible for the bill, and any other relevant comments. Some reports obtained represented the Unit's tasks between 2013 and 2015 but also required more recent information for comparison purposes, particularly until 2019 (before the effects of the COVID-19 pandemic). I obtained the status reports after receiving authorization to do so from the Unit's director.

While these data sources were critical in assessing the severity of the problem, they by no means provided all the information required to satisfy the aims of this study. Therefore, the enacted laws, the status reports, and the information obtained from personal interviews with the senior administration all allowed for the impartial observance of statistics and other data collected and could be used to answer to the research question (see Wilson, 2015).

Procedures for Recruitment, Participation, and Data Collection

Participants

The criteria for selection as a participant in this study were purposive. I used a nonprobability purposive sampling approach (see Babbie, 2017). It is sometimes appropriate to use a purposeful population sample based on their knowledge and the elements and purpose of the study. Therefore, my goal was to purposefully select 10 participants who were fully immersed in and aware of the intricacies of law enactment, the current issues being experienced, and any new concepts used in Saint Lucia or other similar jurisdictions.

I conducted 10 comprehensive, semi structured interviews with senior-level officials to get a broad enough cross-section of opinions. This plan adequately addressed the research question, which was open ended and straightforward in language (see Burkholder et al., 2016). Interviews can be used along with other methods in a qualitative case study (Burkholder et al., 2016).

Within the purposefully determined population, I selected the participants to be interviewed randomly. While Saint Lucia is a small country with a relatively small population, having lived outside of the island for the past 6 years provided some level of anonymity that allowed me to mitigate any bias or personal knowledge of the potential participants. The idea was to target the senior administrators of relevant ministries, the parliamentary office, Attorney General's Chambers, the Unit, and other relevant offices involved in law enactment.

The collected data from the participant interviews proved sufficient for analysis. I worked independently to decide on a list of possible participants for these interviews and subsequently contacted these people based on the guidance provided by Walden University to ascertain their availability and interest in participating in the study. Each person was contacted by phone or email to set the optimal time and medium to hold the interview. The logistics proved challenging, particularly in these COVID-19 impacted times, because many potential participants were unavailable. It was important that I identified myself as a doctoral student with Walden University. who is conducting an administrative study on the potential barriers to implementing laws in Saint Lucia. This

clarification was to ensure that this study was not undertaken by the Unit given my former role with the Unit.

When participants agreed to participate in this study, I obtained their contact information, including their email addresses. The relevant consent form was then emailed to them. I required their signature on the consent form before conducting the interview. With the email, I also confirmed the best medium to speak to them over. Most of the participants opted for internet platforms that were used for the interviews.

Procedures

Because the study took place during the COVID-19 pandemic and various precautions had to be followed and given that participants were all located in Saint Lucia, I conducted the face-to-face interviews via an internet-based platform. Each appointment was confirmed with the willing and suitable participant for a time convenient for both parties. My expectation was that the interviews would not be longer than 60 minutes; however, some participants opted to supply more lengthy responses than others, which affected the interview durations.

I advised the participants that their involvement in the study was entirely voluntary and that they could withdraw from it at any time, as advocated by Teddlie and Yu (2007). The participants were also assured that they would not be identified or singled out in any way. After confirming their contact email addresses, I sought permission from the participants to contact them should the need arise to clarify or follow up on any response. Confirming their contact email addresses was also helpful in allowing for

information to be forwarded to them upon completion of the finalized study and in thanking them for their valuable time.

I used a semi structured, question-by-question technique during the interviews and asked Socratic follow-up questions when necessary. (The interview questions are listed in Appendix A.) A notepad and computer were used to take notes and record answers during the interviews to ensure the entire essence of the interviews was captured. I explained the goals of study to each participant before beginning the interviews.

I audio recorded the interviews to ensure that the participants' responses were accurately captured for review and transcription purposes. The participants' interview responses provided significant insight into their experiences within the law-enactment processes used in Saint Lucia. The interviews added another layer of soundness to the data previously collected because the participants provided direct evidence and responses regarding the research question.

The participants' interview responses provided valuable data on their experiences in law enactment, their observations, and any recommendations they had. The interviews also provided balance and allowed for the cross-examination of all the data collectively in comparing various participants' responses and weighing the various advantages, shortcomings, and pitfalls of the processes described. The authentic and significant value of the qualitative data from multiple sources is better obtained using these evidentiary principles as they also promote trustworthiness (see Oswald, 2019).

Strategy for Data Analysis

In this subsection, I describe the data analysis and coding procedures as well as the measures employed to ensure data integrity. The analysis and synthesis were performed on a clean data file to ensure that there was no information remaining to identify the interviewees or lead to any biases. I used Microsoft Word to manage the data. Microsoft Word was also used to construct the questions, record notes from the interviews, and transcribe the interviews. The internet-based communications platform, Zoom, was used for interviews. Zoom allowed for the recording of audio and generation of transcripts. However, the transcript generated by Zoom required correction, so I uploaded the transcriptions into Microsoft Word and edited the documents while listening to the recorded interview audio to ensure the correct words were transcribed. I prepared a document or file of each interview and also a new document deleting all personal identifiers.

All the transcribed interviews were compiled into one large document (masterwork file). The participants have reviewed these documents to clarify and correct them, thus providing credibility to the collected data. The first document or file was stored on a password-protected thumb drive in my office fire safe. Any observations of outliers or misaligned data were noted.

Data from the interviews were used to answer research questions and the sub questions that were a natural consequence of the issues as they developed during this stage. The interview data were automatically transcribed through the Zoom platform functions and manually completed and coded without qualitative research software. The

coding was done via a Microsoft Word comment tool to highlight specific text within the separate transcripts.

The interview data were first reviewed for familiarization using Braun and Clarke's (2006) first step of a six-phase framework for thematic analysis, as well as the suggestions of Adu (2019) in promoting a detailed initial document compiling in his prescription-focused coding and sorting strategy. Adu promoted systematically analyzing qualitative data transparently and consistently, which will support the trustworthiness of their findings. Thus, Adu supports coding the data, categorizing codes into groups, and producing categories and themes. This thematic analysis could be achieved by manually coding using Microsoft Word and qualitative data analysis software.

Notably, the categories or themes that emerge from the data address the research question(s) or purpose and, at the same time, represent the relevant information in the data (Adu, 2019). Therefore, thematic analysis was suitable for this study given the depth of the issues to be examined and to gather as much of the rich, detailed, valuable data (Nowell et al., 2017). The use of thematic coding is deemed suitable for a novice researcher, given the breadth of detail to work through, as it offers a readily understandable type of analysis of this complex topic (Saldaña, 2016).

The highlighted information was transferred to a Microsoft document and grouped to form an initial foundational set of coded data from the interview transcripts. The strategy promoted by Adu (2019) was adopted. Firstly, initial codes were applied to the data. These codes were grouped into categories which were then used to generate

themes. This strategy is like that of (Evers, 2018; Maguire & Delahunt, 2017), which promotes reviewing the interview themes to form recognizable groups based on terms or patterns in the participant responses. Themes are then labeled with codes to organize the participant answers from wide to explicit concepts linked by themes fitting the research design framework. This process ensured thoroughness and greater familiarization of the data, which was essential for the following stages (Adu, 2019).

A content analysis sequence, including inductive analysis, was used to conduct thematic analysis coding further. During the coding stage, codes were applied to sections of the text by identifying terms, situations, and experiences by the statements and observations of the participants. Observation of the themes formed from initial coding showed that the participants interviewed had identified several barriers, issues, and potential causes for the failures in the law enactment processes. The participants also provided sufficient details and personal examples that both showed the connectivity of the issues and charted the inadequacies in the various processes (Adu, 2019).

The themes identified for this study were formed from coded data using separate documents with initial codes from interview responses, memo notes, research journals, and transcripts of the recorded interviews. The data were plentiful. The codes were repetitive but allowed for the development of themes and categories. Adu (2019) encourages taking memos of notes as a valuable way of tracking the researcher's thought process in interacting with data. The aim was to pursue data reduction activities, given the volume of data to sort through.

Utilizing Adu's (2019) presumption-focused coding strategy and the sorting strategy interchangeably, it was possible to examine whether there are potential connections. Concept mapping was used to relate the data to the research question and grasp the relationships among the coding scheme's various codes (Adu, 2019; Conceição et al., 2017). Similarly, connections were made among the themes discovered to decipher whether the themes that emerged addressed the research question or purpose of the study and, at the same time, represented the relevant information in the data.

The information from the rich data collected from the interviews, the operational data detailing the significant backlog of work, and published research and legislation (or lack of) served as necessary triangulation of data as promoted by Patton (2002) and Yin (2014). Adu (2019) also promoted good quality and transparency in research as generating credibility, which is the hallmark of a good data analysis process.

The coding scheme made it possible to identify defined themes within the data using Adu's strategy of assigning codes, grouping them into categories, and generating themes. These themes pointed to the potential barriers to the successful implementation of laws in Saint Lucia and provided a detailed road map on potential remedies. These remedies were captured in the deliverable for this study, attached as Appendix B.

Issues of Trustworthiness

It was essential to ensure that all efforts were made to ensure data integrity. These efforts focused on credibility, transferability, dependability, and confirmability (Burkholder et al., 2016).

Credibility

All research strategies must be ethical, and it was critical to employ ethical considerations to repel any potential bias (Teddlie & Yu, 2007). Firstly, obtaining the participants' consent to participate in the study was paramount. Other considerations included triangulation, which uses multiple methods to develop a comprehensive understanding of the issues (Patton, 2002). Peer-reviewed journal articles were also used and included much of the literature reviewed. Member checking was also employed, also known as participant or respondent validation, where the data or results are returned to participants to check for accuracy. Member checking is a technique for exploring the credibility of results. In addition, all the study results were shared with the client organization at every stage to ensure transparency in the process.

Transferability

Transferability is the idea that the collected data types significantly influence a study's reliability and replicability (Peräkylä, 1997). Quantitative data sets are often more easily accessible and transferable among researchers. Data were not usually subject to any other interpretation beyond what the numbers represent (Peräkylä, 1997). Notwithstanding this is a qualitative and not a quantitative study, it is possible that the responses received may also be applicable in some areas to similar jurisdictions, which would be a bonus of this study. It is also recognized that some of the issues encountered may only relate primarily to Saint Lucia, given the many differences and peculiarities that may be specific to this jurisdiction.

Dependability

According to Babbie (2017), dependability is a critical criterion for qualitative research and therefore was of the utmost importance that the analysis systems described above were utilized as planned. All data collection and synthesis are reviewable. In addition, every step of the process was thoroughly explained and vetted by the participants.

Confirmability

Confirmability is another essential criterion of trustworthiness that was established and is required, particularly as a qualitative student researcher. According to Burkholder et al. (2016), qualitative research admits researcher subjectivity, but its methods must be based on verifiable procedures, analyses, and conclusions. This criterion deals with confidence in the researcher's findings based on the participants' narratives and words (data) rather than the researcher's potential biases. Therefore, it was essential to maintain vigilance as an unbiased moderator by using bracketing, as highly recommended by Adu (2014).

I am intimately aware of the issues being researched as a former Unit director. Because of this knowledge, a compilation of any subjective or opinionated ideas reflected during this exercise was maintained. It was also essential to let the audience know the researcher's background, views, and preconceived ideas. The constant engagement in self-evaluation and transparency assisted in allowing me to attain credible findings (Adu, 2014).

Ethical Procedures

This section highlights the procedures used to ensure the ethical protection of the participants in this study relating to recruitment, consent, privacy, client authorization, and Walden University Institutional Review Board (IRB) approval.

I worked with a list of potential interviewees. The goal was to secure at least 10 participants based on their area of knowledge related to this study. The criteria for selection as a participant in this study were purposive. The participants were selected based on their knowledge and involvement in the law-enactment process in Saint Lucia (Babbie, 2017).

A letter of invitation, interview questions (see Appendix A), and the requisite consent forms were prepared and used for the study from guidance received from Walden University IRB. The IRB approval number for this study is 03-28-22-0931920. It expires on March 27, 2023.

The letters of invitation and consent forms were distributed before each interview. They were forwarded in sequence to each participant for their acceptance and reply via my Walden University email address. The participants were reminded that this was a voluntary study, that they could withdraw from it at any time, and were given no incentive to participate. The participants were assigned pseudonyms, and personally identifiable information was marked for exclusion during the coding process.

My university email is password protected, and I am the only person with access to it. I also used my laptop computer to gather and record data. My laptop is also password-protected, and I am the only one with access to it. The data and signed consent

forms are stored on my laptop. The first document or file was stored on a password-protected thumb drive in my office fire safe. When the data is no longer required, I will delete all copies from my computer and request that participants delete or securely store their copies. To secure the destruction or disposal of the data, I will use clearing or digital wiping of the thumb drive to ensure the data cannot be recovered.

Summary

This qualitative research study aimed to seek answers to the potential barriers to implementing or accepting some enacted laws in Saint Lucia. There were many issues to sort through in the data collection process. The data included archival and operational data and data from the interview participants in discovering the issues and challenges experienced. The role of the researcher and client organization was considered in addressing any biases.

The methodology was outlined to identify the data sources used to address the practice focused research question. Relevant details of the data collection process were explained, including the several procedures used. The emerging practices that informed the conceptual framework were considered in addressing the research method used for this study. Trustworthiness strategies and the ethical procedures used in the study were explained.

I relied on several analysis strategies, particularly Adu's (2019), in using both Adu's presumption-focused coding and sorting strategy to code the data, categorize the codes into groups, and produce categories and themes. Given the many different issues encountered and the vast volume of data generated, the strategies employed

also allowed for the examination of other potential connections, even from among the themes discovered to decipher whether the themes that emerged addressed the research question (Adu, 2019).

Section 4 addresses the study's results and recommendations, including data collection and analysis, the findings, and deliverables.

Section 4: Results and Recommendations

Introduction

In this qualitative administrative study, I sought potential answers to the reoccurring issues that act as barriers to the successful implementation of laws in Saint Lucia. Therefore, this study's central research question concerned the potential barriers to successfully implementing some laws in Saint Lucia.

In the absence of previous studies that address these issues, this study was instructive in providing a comprehensive review of the causes of the barriers to the successful implementation of laws in Saint Lucia and exploring potential solutions. It is important to note that Saint Lucia is a developing country with a parliamentary legislature.

In this section, I present the findings from the analysis of qualitative data collected from interviews and supplemented with published research on related areas, laws, journals, and other operational data within the Unit. All data collected were analyzed. The participants' responses shared many similarities and differences. The patterns in the data made it possible to create codes, categories, and themes that represented the relevant information found in the data and attain credible findings (see Adu, 2019).

Data Collection

After receiving the requisite approvals from Walden University's IRB, I began data collection for the study. The participant selection criteria were purposive, given the technical nature of the data to be collected (see Babbie, 2017). Since I undertook this

study during COVID-19-impacted times, locating and securing potential participants was challenging because many offices were closed, and participants were often unavailable. To recruit participants, I emailed them a letter of invitation that indicated the relevant details for the interview. The interviews were estimated to be between 60 to 90 minutes in length.

I secured 10 participants from a list of potential candidates for this study. The willing participants were emailed relevant consent forms, which required their approval before the interviews could commence. All the participants opted to conduct the interviews over internet platforms. After the candidates indicated that they would participate in the study, the times for the interviews were scheduled.

As the criteria for selection as a participant for this study was purposive, the data were gathered from 10 participants who were all well versed in the law-enactment process in Saint Lucia (see Babbie, 2017). The interviews consisted of 16 open-ended, semi structured questions developed for the study and approved by Walden University IRB (see Appendix A). The participants were from various backgrounds and experiences. This variety of experiences allowed for comprehensive and robust discussions that went beyond the scope of this study, given the nature of open-ended questions used. Some participants operated in the legal sphere, while others worked in public administration in the government service, others were technical contractors, and some possessed experience in multiple areas accumulated over the years. Their interview responses were used to assess potential problems currently impacting the successful implementation of laws and to explore any opinions or ideas on how the law-enactment process in Saint

Lucia could be enhanced. Table 2 displays information on the participants and their areas of concern.

Table 2

Participant Information

Name	Gender	Occupation/areas of operation	Areas of concern/themes
Participant 1	F	Law/public service/regional	1,2,3,4,5,6,7,8
Participant 2	M	Policy/trade/regional/international	1,2,3,4,6,7,8
Participant 3	M	Finance/regional/international	1,2,3,4,5,6,7,8
Participant 4	M	Law/public service	2,3,4,5,6,8
Participant 5	M	Policy/trade/public service	3,4,6,8
Participant 6	F	Public service	3,4,5,6,8
Participant 7	F	Law/public service	2,3,4,8
Participant 8	M	Law/public service	2,5,8
Participant 9	F	Law/public service	1,2,3,4,6,7,8
Participant 10	F	Law/public service/judiciary	1,2,3,4,5,6,8

Data Analysis

I used the presumption-focused coding strategy and the sorting strategy, as suggested by Adu (2019), to make sense of the collected data. This approach allowed for the generation of codes to represent relevant statements identified from each interview. At the coding stage, codes were applied to sections of the text by identifying terms, situations, and experiences as well as statements and observations of the participants. I completed this first stage after the interviews were transcribed.

The transcribing phase included preparing memos and notes as well as matching participants' data to their roles and functions where necessary. The technique used in this phase is similar to concept mapping used to relate the data to the research question and grasp the relationships among the coding scheme's various codes (Adu, 2019; Conceição et al., 2017). The coding scheme made it possible to identify defined themes within the data using Adu's (2019) strategy of assigning codes, grouping them into categories, and generating themes. The observation of any trends, outliers, or misaligned data was noted at this point. As the number of codes identified was voluminous, I recognized that the assigning phase would be ongoing even when the process of grouping these codes into categories would begin. While Adu's sorting technique was used to begin the process of identifying the initial codes, it was also helpful to utilize Adu's meaning-making technique that involved looking for the codes' underlying meanings, ultimately leading to the development of categories and the study's themes.

For this study, given the interchangeable use of technical language and the many other issues to address, it was necessary to carefully understand what was being conveyed by each participant, distill what was meant, and determine where each statement could be categorized. This process was a lengthy exercise that required careful analysis. While Adu (2019) and others also promoted qualitative data analysis software, such as QDAS and NVivo, especially when working with extensive data, given the interchangeable language inherent in the data in the current study, I found it more rewarding to use manual coding for the analysis of this data. Manual coding also allowed for familiarizing

myself with the data and identification of the nuances in the responses that may not have been readily noticeable but, in many cases, were critical in understanding the issues being discussed.

Given the depth of the responses and the myriad of issues presented from the interviews, it was necessary to examine whether there were potential connections among the themes that emerged because these potential connections needed to be compared with the data, thereby confirming the relationships (see Adu, 2019). This detailed analysis was very rewarding. The interviews included three categories of questions, and their open-ended nature organically produced subcategories (see Appendix A). The categories included the participant's background, potential causes for barriers to law implementation, and potential solutions to the problem(s). While previous findings on the topic were scarce, prior research had generated a conceptual framework from which this study was built.

In this conceptual framework, three reoccurring practices from various jurisdictions that had produced varying measures of success in law enactment were identified. These practices included the benefits of enhanced parliamentary processes and parliamentarian engagement, citizen or public participation, and policymaking matters (Murphy, 2020; Regonini, 2017; Yang & Pandey, 2011). These practices outlined the benefits and pitfalls observed in application by the researchers (see Table 1). The analysis in the current study produced eight general themes. Table 3 shows the general themes identified and the number of times they were mentioned by the participants. The themes identified also included the practices encountered in prior research that had formed the

initial conceptual approach. The themes developed in this study were multifaceted, given the peculiarities of Saint Lucia as a jurisdiction. They allowed for both examining the potential causes for barriers in law implementation and, in so doing, for the rationalization of the potential solutions.

Table 3

Themes Generated from the Data

No.	Themes Generated from the Study	Mentions by Participants
1	lack of knowledge and understanding of law enactment	11
2	lack of resources	35
3	lack of operational planning	31
4	lack of policy	20
5	parliamentary	15
6	lack of political and government influence in law enactment	25
7	regional and international	30
8	lack of public participation and stakeholder consultations	28

To gain the most from this study, it was essential to ensure that the questions posed to the participants fully addressed the research question. The research question was: What are the potential barriers to successfully implementing some laws in Saint Lucia? This question was answered primarily by analyzing the data collected from the interviews and from the review of published and operational material related to this study.

Law enactment is critical to societal development and affects many stakeholders (Majamba, 2019). According to the Deputy Director of the Unit, like many jurisdictions, the law-enactment process in Saint Lucia has become the focus of attention given the slow pace at which law is enacted in an environment where the laws are often urgently required. The slow pace of law enactment has been attributed to several factors.

Saint Lucia is also seen as particularly vulnerable, given its size, population, and status as a developing country (World Bank, n.d.). Because of my focus on understanding the potential barriers to law implementation in Saint Lucia, it was critical to explore relevant data, including the experiences of persons immersed in law enactment and their lived experiences, to seek explanations and direction in addressing the issues raised in this study.

The Barriers to Successfully Implementing Some Laws in Saint Lucia

While the research question addressed the potential causes for the barriers to implementing laws in Saint Lucia, it was prudent to assimilate how this manifested in the jurisdiction. The data showed that this was represented in several ways:

- Where the government's policy, initially intended to be law, does not translate into law.
- Where the duly enacted law does not come into force or is delayed from coming into force (i.e., would need a commencement order that was inordinately delayed, has not occurred, or has little likelihood of occurring).
- Where the provisions of the enacted laws are not being utilized, followed, or enforced.

Each of these cases, whether the law or intended law was not implemented or is not in use, results in additional stress to the law-enactment processes in Saint Lucia. The costly nature of law production in the time, expertise, collaboration, skills, and other resources required by the enactment process negatively impacts every aspect of the law-enactment environment (Majamba, 2019).

The interview questions consisted of three general categories that focused on the participants' background and knowledge in the law-enactment field, their ideas on potential barriers to law implementation, and their thoughts on potential solutions to the problems they identified. In most cases, the participants' ideas on the causation issues were also helpful in identifying the solutions despite the issues being complex and varied.

The themes that emerged from the data encapsulated and represented how the law-enactment process has been affected. These themes included lack of knowledge and understanding of the processes, lack of resources, operational issues, policy matters, parliamentary issues, political and government issues, regional and international issues, public participation, and stakeholder consultation issues (see Table 3). The most significant and mentioned issues identified were the severe lack of resources, financial and otherwise, and the lack of stakeholder consultation or engagement at every level of the process. These issues were two of the eight major themes that emerged from the data. All 10 participants pointed to examples of a lack of resources. Additionally, the participants all highlighted the impact of the lack of engagement from stakeholders on productivity generally and specifically the direct impact on law production in Saint Lucia.

Additionally, from the eight major themes that emerged, policy issues, lack of resources, political and government issues, and operations issues were the most frequently mentioned and discussed. While the other five themes were not mentioned as much, they also presented valuable information that was helpful in identifying potential barriers to the successful implementation of laws and developing a more thorough understanding of the legal environment within Saint Lucia.

Lack of Resources

The interview data indicated a lack of resources as a central theme. Every participant mentioned a lack of resources, resulting in 35 individual examples from the interviews. This theme was not surprising given the status of Saint Lucia as a small, developing country and still relatively newly independent from British rule (see The Saint Lucia Constitution Order, 1978). The participants provided specific examples of the scarcity of resources they encountered in their individual experiences. These examples formed the categories of financial constraints, prohibitive costs within the law-enactment system, and a lack of skilled human resources. The lack of human resources pointed specifically to legislative drafters within the Unit and the resultant delays caused by a severe loss of time in navigating the limited resources available and the demands placed on the Unit. As was typical for this study, the issues that arose in the data and were coded and categorized to form themes for the study were intertwined and nuanced and needed careful analysis.

Concerning general financial constraints, several participant examples spanned various areas. For example, Participant 2 spoke about “the cost of implementation of

laws, technical skills, software, other laws – some costs are very prohibitive (but) there are conditional measures, like technical and financial, that must be met before the measures [and law] can be put in place.” Participant 8 referred to “various costs implications.” Participant 2 also pointed to “too little resources both drafters [in-house and consultants] and the government also strapped by costs.”

The financial constraints frequently lead to accepting funding aid from funding agencies which is needed. However, another burden is created by doing so, i.e., accepting law provisions that are not seen as necessarily beneficial for Saint Lucia, only used as leverage for the funding agency, akin to a quid pro quo. Participant 4 stated, "legislation prepared at the behest of international organizations to which the Government is constrained to agree with but is not truly vested in, and the act is passed to get the special funding offered." These examples bring home the point that the need for finances may sometimes work to compromise the jurisdiction's intent and plans. This scenario was seen as a significant reason for the lack of will exhibited by the government in enacting those provisions that originated from foreign agreements. The international and regional nexus is also discussed in this study as a critical interconnected issue (Adu, 2019).

These responses from the participants highlighted the economic realities of small island states like Saint Lucia. These issues need to be addressed as a matter of priority in any efforts that are being made to identify and address the barriers to law implementation in the jurisdiction. In this regard Participant 3 made the observation:

If you bring in all this legislation but if it is going to take time to get [the pieces in at] a cost that is high, then it means it's not gonna be as effective as it should be

... so little bits and pieces have to come in together to make us, as I see it as efficient as countries like U.S. and Canada and England.

As a result of the high cost of the requisite mechanisms required in law enactment, including technical skills and infrastructure, when these are not in place, the delays are seen as catastrophic and counterproductive to the law-enactment efforts and also impact business in general. Participant 3 stated that:

Part of the reason why doing business is so difficult in Saint Lucia was because of all these laws that are on our books that are, you know, making it...you require too many consents, too many approvals, making it difficult for banks really, etc.

Additionally, Participant 4 also pointed out that “costs [is as a result] of the non-implemented or non acceptance of enacted laws.” Non implementation is an added burden given the economic reality already faced by this jurisdiction in its inability to finance law enactment in some cases. It is evident that further delay only increases the cost to the jurisdiction.

Other unavoidable or unforeseeable issues, e.g., costs implications of natural and other disasters, budgeting constraints, and realities of developing country status, exacerbate the financial situation even more, as observed by Participant 1, who identified the “lack of funding, perhaps not anticipated at the time, e.g., COVID-19,” as a potential barrier to law implementation in the jurisdiction.

Another overwhelming area of consensus in identifying the lack of resources was the lack of skilled legislative drafters in the Unit. Participant 10 stated that there was a "lack of resources, the expertise required, legislative drafters, not just in Saint Lucia, but

throughout the region [but] does not seem to be a priority of the Government.” Most participants lamented the lack of qualified staff. Participant 1 specifically spoke to the “lack of and shortage of legislative drafters.” Participant 10 also suggested the “need to enlarge the Legislative Drafting Unit” considering the severe shortage of legislative drafters.

An important observation was made by Participant 3, who stated:

Even tiny changes in the laws requires a lot of redrafting... I got the impression that there was a staffing constraint in the drafting Unit, ... but there was always a hint that it was perhaps more than just mere drafting. Now it's a unique skill that not every lawyer possesses.

The issue of the lack of skilled legislative drafters was critical given the number of lawyers operating in Saint Lucia per capita, as published annually by the *Saint Lucia Gazette*. However, given the technical education and skill required, only a handful of lawyers have qualified as legislative drafters on the island. The available qualified legislative drafters are inadequate to fulfill the backlog of work that continually pours into the Unit, as evidenced by the internal status of work reports supplied by the Unit. According to the Deputy Director of the Unit, while the situation has improved over the past few years and foreign (non-national) drafters and other short-term legislative drafting consultants have had to be secured to work for Saint Lucia, there is still a need for more legislative drafters given the backlog of work to be undertaken.

The responses also discussed work produced by foreign legislative drafting consultants or lawyers that produce drafts for the jurisdiction. Participant 1 spoke about

"the disconnect between Consultants versus legislative drafters, which results in duplicating work [and] adding to costs and time." This highlighted the issue of hiring consultants who may be skilled in legislative drafting but are not familiar with the region or jurisdiction's conventions, laws, practices, and customs. Incomplete or improper legislative drafting results in additional work for the Unit repairing large parts of the prepared legislation, which is unsuitable for use in the jurisdiction, and further adds to the work burden of the Unit.

Other human resources were also cited as lacking in the process. Participant 2 related the "need for technical and financial assistance" as a dire need. Participant 7 also stated, "need more technical expertise, drafters and need more support from international agencies."

This theme also included the related category of time as a critical resource which becomes more vital when it is continually diminished when other elements in the law-enactment process are not in place or not functioning correctly. Participant 1 stated that:

[there was] not enough time for internal discussion, which is integral for the process. Time delay in getting responses from the instructing ministries; also, not sufficient time for the Parliamentarians to have sight of the legislation, let alone to prepare or host consultations.

Participant 2 shared that "time is a critical aspect to digest changes, religious beliefs, etc., (and) need for more time also for implementation."

As a result of the severe lack of time and sometimes time delays within the process, some of the participants suggested that this also negatively impacts the Unit's

work. For example, participant 1 stated, “Legislation is [usually] prepared with little or short notice and without the requisite background research or work [as a result of time constraints]. [Therefore] the legislation is not quite complete before it is required to be prepared for Parliament.” Participant 3 offered that “sometimes the delay that you get in the Drafting Unit [is] getting these things out on a timely basis, for very long delays [results in delays] in getting reform in this country.”

Therefore, the data suggested that given the severe lack of resources, any delay would further negatively impact the law-enactment efforts. The issues are undoubtedly intertwined and inextricably related. Participant 8 highlighted that “delays caused by a heavy workload, prohibitive costs, and lack of political will” contribute to the barriers to law enactment. Participant 10 brings home the central point that “given the shortages of the Legislative Drafting Unit, when the legislation does not come in, it is a total waste of limited resources.”

Lack of Public Participation and Stakeholder Consultations

The lack of public participation and stakeholder consultations also emerged as one of two major themes that developed from the interview data and were discussed by *every* participant as one of the central barriers to law implementation in Saint Lucia. As with most of the themes that were categorized from the data collected, this theme was also multifaceted. There were 28 references to public participation and stakeholder consultations that reflected various issues related to the consultation process.

Most participants felt there was a general lack of consultation by both technical people and the general population in creating the requisite awareness. There were also

others referred to as stakeholders or interest groups who also fell into this category.

However, several law enactment institutions, such as the Unit and Parliament, are also seen as key stakeholders in the law-enactment process. While the terms technical people, the public, stakeholders, and interest groups were used interchangeably, there was some sentiment that only certain people may know of legislation. In contrast, others did not, which was a vexing issue for some.

It was a reoccurring response that only a few people knew about proposed legislation, forming a category for this theme. Participant 10 observed, "People may never notice the progress of a Bill in parliament until it is about to become a law, then the challenges are raised."

Participant 3 also shared:

When people are at least aware ..., then the drafts are made available to the public and to the institutions that are the ones that are going to be dealing with it with sufficient time for them to be,...a good process of feedback to look to the draftspeople so that the necessary changes can be made ...then the legislation can be can be enacted without people saying they did not have some time or did not understand it.

The data was also in line with some studies on citizen involvement in enhancing administrative decision-making (Calland & Nakooda, 2019; Yang &, 2011).

Concerning the general lack of consultation, the typical responses to this category included Participant 2, who stated, "Something is *fundamentally wrong* with the consultation process that has to be looked at very seriously."

Another category of this theme was the representation that only some people were aware of the proposed legislation. In contrast, others offered that there are specific people who should be and those who should not be consulted in the process. For example, Participant 10 shared that "not engaging the *proper* stakeholders may be a reason laws do not come in, which creates resistance [to the law]. Participant 7 said that "there is a need for advice and technical expertise [in the law-enactment process] also "[there are] too many competing interests." Other participants such as Participant 5 also opined that "interest groups may be a reason for non-implementation of some laws."

Insufficient time was also mentioned and developed as a category of this theme. Participant 10, concerning the time allocated for public consultations of bills, cited "not sufficient time for public discourse, public not given a chance to appreciate its impact or nature." While conversely, participant 4 suggested that "comments come in too late" from these efforts at consultation.

Several participants thought that consultation was required *throughout* the law development stage and not only at the beginning or the end of the process. Participant 6 stated that "there needs to be public engagement and *buy-in* to have understanding and ownership. This must be done at all stages, from the legislation to the end, breaking it down, so it's not intimidating." Regarding buy-in and acceptance of terms that may lead to agreement or law development, Participant 3 also added that "the agreements with the most push back are the ones that have not been through the consultation process; or where there was consultation, but the wrong decision was taken."

Participant 9 reflected that “in a small community (like St. Lucia), people were afraid of victimization.”

Lack of Policy

Data collected from the interviews also showed that nine out of the 10 participants cited policy-related issues as the main barrier to law implementation or development in Saint Lucia. Given the issues being discussed, the responses were varied and interrelated. In this study, the responses indicated varying opinions on the impact of a policy, or lack of policy, in law development, forming categories within this theme. The most frequent response concerning policy was that it was often absent. Participant 2 observed that, “policy comes as a consequence of the law, and is not what informs the law, we should have policy first, then see what is good and bad in the policy before we implement the law.” Participant 1 stated, “policy should be done *before* the law is drafted.” Participant 9, speaking to the relevant ministry experience, surmised that “policy never premises the legislation.”

The participants cited real experiences where the absence of policy impacted both the process of developing or drafting the laws and the implementation issues. Participant 6 said that “it is a major challenge for the drafting Unit that there is no policy. The cabinet conclusion is not enough. There need to be more details, more technical input, and interface” Participant 2 shared that:

The policymakers carve out the law instead of supplying the policy to the Unit, and the Unit provides resistance to this ...(as) whatever policy the Government

may wish to implement must fall within the scope of the Constitution (and existing law).

Participant 3 stated that "policymakers did not understand (or) appreciate what is required to do enactments." Participant 5 recalled, "for many years, policy was made through the annual budget address or legislative agenda."

According to Regina (2017), the policy is the agreed direction that will premise the legislation, and consequently, governments seek to strengthen their policy capacity. It is, therefore, a critical part of the law-enactment process as there are multiple layers to contend with. The Organization of Economic Co-operation and Development (2013) highlighted that there are no "one-size-fits-all" solutions (p. 25). Therefore, a policy considers various theories depending on the policy area and the context to develop the ideal way forward (Organization of Economic Co-operation and Development, 2013). Participant 10 thought "a change in policy, or [when] priorities changed, maybe a reason laws do not come in." Participant 7 was the only participant that conceded that "policy development occurs frequently." This was noted as an outlier, given the overwhelming representations from the other participants with evidence to the contrary.

Political and Government Influence in law Enactment

The data allowed for the theme of politics and government to be developed, given the number of times it was mentioned as a potential barrier to law implementation. At the same time, there was much discussion about the involvement or lack of political (or partisan) and government influence in law-enactment issues. The participants did have different viewpoints on the impact of politics and government on law enactment.

Significant recognition from the responses was the reasons for the government's action or inaction and how this affected the law enactment discussion.

A primary category centered around re-election concerns. According to the Saint Lucia Electoral Department over the past few election cycles, Saint Lucia has changed the incumbent Government with every new general election. Participant 1, as an example, spoke to “politicians not wanting to upset the public (with unpopular legislation).” Participant 2 also related that “when a law will affect votes – it may not be proclaimed, i.e., given a commencement date.” Participant 10 stated, “once they [politicians] enter politics, they tend to think of the votes rather than doing what is right.”

In highlighting the concerns of the Government as it relates to their re-election, Participant 3 shared:

Then you deal with, you know, political disagreements as well, because oppositions tend to look at what they may regard as the negative aspects of some of these changes and use that to say that you know this is what the Government is doing to you. The Government is unwilling to have something else that would be used against them in a campaign.

Regarding politics, the category of political will, or lack of political will, was in some cases and was pivotal in deciding when or whether legislation could move forward. Participant 3 recalled, “[legislation] was brought in and even at the last minute, after almost a year of consultation and many stakeholder discussions - *just a month before elections were called in 2016.*” This recollection was offered in the context that the legislation was brought in, even after lengthy discussions, but when it was expedient for

the Government of the day. Participant 1 stated that "the government has the final say." Similarly, Participant 10 cited that "lack of political will ... a reason for laws not coming into [force]. When there is political will, they push items on the agenda for what they think at the time is important, e.g., gun violence laws."

Another related category that developed from the data within this theme was the change in Government or administration. A change in Government was also seen as a factor by some participants as a barrier to law implementation. Though they are intricately linked, this is a different viewpoint from the concerns for votes by politicians and political will as has been addressed so far. Participant 10 cites, "a change in government may be a reason laws do not come in." Similarly, Participant 9 declared that "the delays [or] non-implementation may be affected by new administrations [with a] different focus."

Given the complexity of the topic and areas of concern, they necessitated broader discussions to clarify the reasons for the responses by participants. It was also essential to examine the potential connections among the themes (Adu, 2019). The rich data from the interviews yielded many areas where the issues and themes were indivisibly linked. For example, Participant 9 volunteered that "the new Government had decided it is that important. It has to be done, and it was put in." The participant was responding concerning a law being considered by a new administration and an example of the Government showing its political will. Participant 3 also highlighted that:

So it shows that where there is an understanding and experience, and you're dealing with things on a regular basis, and you have the political support to get

things done, they can be done quickly – the question of the urgency will be more up to the Government than it will be to the to the parties that are looking at it.

On the other hand, other viewpoints on this area highlight where the Government is slow to act, and the inaction is cited as a potential cause or barrier to law implementation in Saint Lucia. Participant 3 shared that “slow initiatives and resistance by Government even when a direction is agreed at negotiation stage [is a potential cause].” Participant 3 also offered that, “the biggest constraints have tended to be political – The problem is always getting the cabinet of the day to agree at the end of the day.”

Lack of Operational Planning

Eight of the 10 participants in 31 individual instances mentioned general operational issues as a central theme. The operational issues concerned the planning, efficiency, communication, and coordination of the different perspectives and processes, as well as the availability of necessary materials and resources required for efficiency in the law-enactment environment within Saint Lucia.

Concerning planning and efficiency, which was identified as a category within the operational theme, the data suggested that a lack of planning impacted overall efficiency. Participant 1 offered that “tasks [are habitually] added to legislative agenda that was not originally planned. [It is important] to effectively identify the problem; identify the problem and plan.” Participant 7 stated, “the mandate for my ministry was merged with other Ministries which caused complications for my ministry's mandate.” Participant 7 also declared that “businesses know this, that you can actually, if you cannot increase

your market for your product, you can at least become more efficient and more productive in the cost of what you produce.”

Participant 3 surmised:

I think we (are) still struggling with an antiquated political system as well.

Westminster is the model. It is an old model, and you know we have not made the kinds of changes that other countries have made over the years to make it function that more efficiently, England has. We're just old-fashioned.

Some participants also forwarded suggestions to alleviate the lack of planning experienced in enhancing efficiency. Participant 7 suggested, "Line ministries need to do an assessment of the other laws, for example prioritizing." Participant 3 stated that "we have to improve the educational system.”

Participant 5 declared that “there should be a change ...eliminate the commencement date provision” citing the postponement of the commencement clause within a bill, as the cause of its non-implementation.”

Concerning communication and coordination as a category identified within the data, while Saint Lucia is a small jurisdiction, there are continuing requests for legislation. The Government is separated into several ministries, which may change periodically (The Saint Lucia Constitution Order, 1978). Each ministry generates annual legislative needs that are transferred to the Attorney General’s Chambers for processing. However, the data suggested that there is little coordination of the efforts, another factor contributing to the delayed and non implementation of the laws.

Participant 2 offered that there are “serious communication issues between the different sectors, not understanding the needs, etc. Different perspectives (i.e., the private sector vs. government officials) can be impediments to new measures.” Participant 6 declared that “there is no readiness of the process – costs, no involvement of stakeholders, no public awareness, no training, and therefore the issues are raised after the enactment has passed”

Added to these observations, Participant 10 cited the need to guide the legislative process to assist in coordination functions:

The legislative drafting unit of the AG’s chambers could be of assistance, and they then would find, based on what is being proposed, whether they require more public involvement, or they, or to engage the stakeholders. Sometimes you may find the several pieces of legislation on the statute books dealing with the exact same issues, whereas it can be a consolidation.

Participant 3 conceded, "I think that you know we at least have a process that can be sharpened up you can put time limits on things that make sure it doesn't drag.”

Participant 9 opined that “there should be greater collaboration, including with media.”

The data also generated the category of availability of material and resources under this theme. As the scarcity of resources was already identified as a critical theme in this study, this category was developed concerning its impact on the law-enactment operations. For example, the response from Participant 1 pointed out:

There is no ongoing audit being done of outstanding laws, so people may realize the extent of this problem; there is also unavailability of the draft laws before

Parliament also not included in the Gazette. (There is also a) failure to enact the subsidiary legislation (Regulations), which provides the details to make the Act effective.

Participant 7 stated that “advance publication of the first completed draft (of the laws) would be helpful.”

Participant 10 shared:

I think there is a consolidated index, but its laws are not readily available.... We need to make a concerted effort to search for it. It is not through public education. When the efforts in giving priority to a bill is made and the bill is not promulgated – disappointing and demoralizing to the staff and department.

Lack of Knowledge and Understanding of Law Enactment

This theme was intertwined with several other themes extracted from the data, specifically as it related to parliamentarians. However, given the number of stakeholders who were referred to by the participants, it was prudent to create this theme to address specific issues related to lack of knowledge and understanding of law enactment raised by the data collected.

The data revealed the sentiment that there was a general lack of knowledge of the process. Participant 1 stated that “the law enactment process is perhaps not understood by the persons involved, [there is] insufficient knowledge on what leads to new legislation.” Participant 2 also opined that there is “not a thorough enough understanding of the intent of the measure and ...[also] of the legal process either (re ratification of agreements).”

Specifically, Participant 1 shared a "lack of knowledge of parliamentarians (including opposing parliamentarians) on what is within their power. Participant 10 also cited the "Lack of educational background of parliamentarians; not properly equipped to deal with legislation – they should only identify policy and allow the relevant stakeholders to deal with." These sentiments are also those shared by Stos (2019) in citing parliamentarians with little or no legal training.

Unlike the parliamentarians in Saint Lucia with their resource constraints, Stos's (2019) study looked at Canadian parliamentarians in their essential role of a parliamentarian. It noted that they persisted, notwithstanding that some parliamentarians may have little or no legal background or training. However, Stos pointed to the assistance of Parliamentary Counsel (also known as legislative drafters) and the 150 researchers assigned to parliamentarians with specialized legislative drafting services. However, Participant 8 said, "efforts are underway to provide training to Parliamentarians recognizing the preparation and knowledge required to complete their task." Participant 9 observed that "Attorney parliamentarians are at an advantage regarding their preparedness in Parliament."

Other instances of lack of awareness by other key stakeholders include Participant 9 statement, "Cabinet is giving incentives for which there is no legislative basis; we don't have the kind of political leaders with the foresight that we used to have in the past"

Parliament

The data showed that 6 out of the 10 participants expressed concerns on matters related to Parliament as a whole, generating a different theme for the study. The

categories within this theme centered around the issues within Parliament as the legislature and ultimate law-enactment body.

An essential category that developed was the frequency with which the bills were rushed through the reading stages, most times with a request for suspension of the standing orders in Parliament. This action results in the bill not being explained or allowed to be debated and is seen as negating the reason for its introduction in Parliament (The Saint Lucia Constitution Order, 1978). Participant 1 stated, "(laws are) rushed through all stages of parliament where all standing orders suspended with no opportunity to debate fully." Participant 8 also noted, "a pattern of rushing the bill through all the stages and suspending the Standing Orders – which prevents one from getting a proper feel of the bill" This observation is also made by Participant 8 "(Legislation) just rushed through stages don't give sufficient time for public discussion, for persons to really appreciate the effect of the legislation. So it is rush for all the stages, tabled and rushed to the public."

However, Participant 6 concedes that "there is healthy debate in parliament if the legislation is contentious." It seems likely that when a proposed law is seen as contentious, there is more public interest in those provisions.

The nature of the Westminster system also developed as a category, given the concerns raised. In the Westminster system, the executive branch comprises persons who are also members of the legislature. In Parliament (the legislature), there is an automatic majority of the ruling party, which ensures the success of each bill in the ruling

administration (Norton, 2004). Participant 4 declared, "There is little involvement of the Parliamentarian in the development of laws given the Westminster system"

Participant 3 stated:

Because of our Westminster model, once a government has a majority in the House, passing the legislation is very easy, and the Senate really has no power. I think our biggest problem is that we need constitutional reform to deal with the political changes and that constitutional reform will ensure that there's a little more control over the activity and actions of political parties and that the individual has more rights under a bill of rights and other changes that would make political parties more efficient and more comfortable and more transparent in what they do and maybe even a whole change in the system from ...and in the Senate that has no power.

Participant 8 also explained, "A major challenge is that Parliament (the legislature) is part of the Executive - also Parliament it's not given the same respect as the Executive; Parliament needs its own legal counsel [and] efforts are underway to provide training to Parliamentarians.

Regional and International

The data from the interviews provided ample information to allow this theme to be developed. While the regional and international issues were pointed to by 5 out of the 10 participants in the interview stage, they were also mentioned 30 times during the interviews. It was highlighted that Saint Lucia is an independent, sovereign state. It is also a part of several regional and international organizations, including the Organization

of Eastern Caribbean States, Eastern Caribbean Central Union, Eastern Caribbean Central Bank, Caribbean Community and Common Market , African, Caribbean, and Pacific States , United Nations , etc. These associations sometimes require harmonization of the laws within each country within the association to facilitate trade, currency, and other commonalities in operation.

However, Saint Lucia is also still a developing country with a Gross Domestic Product of 1.703 billion U.S. dollars in 2020 (World Bank, n.d.). In 2020 the national debt of Saint Lucia amounted to approximately 95.46% of the Gross Domestic Product (Statistica, n.d.) Given its status, it is sometimes also necessary to secure funding from regional and international organizations for several reasons, which may also require changes to laws in some instances.

From the data, it became evident that this theme also pointed to different issues. Some issues developed with regional matters, others developed with international agreements, and issues that affected both. These issues inevitably impact how the provisions of these agreements are proposed in Saint Lucia's domestic laws.

In examining regional issues, Participant 2 outlined several issues on that front “ [there is a] requirement to tweak and make changes to model legislation before introduction into domestic law...there are “big” island versus “small” island issues are also to be considered; the ambition level of the member states are very varied; there are also issues of ratification into domestic law.”

Participant 3 reflected on what may be seen as "a country giving up certain sovereign rights" in agreeing to specific provisions, however, also adds

As a result of new measures or changes in policy which the Government of the day has decided to implement in some instances it's a result of a regional initiative, such as our banking acts - it did not require reinventing the wheel, and could easily, have been implemented rapidly if *all* parties involved.

Participant 2 pointed out that "Many policymakers in the individual member states see the regional institutions as *external* – trying to impose measures on them.... Sometimes the agreements are predetermined, i.e., the draft text was written before the talks [occurred]."

As it related to the issues with international agreements that were intended to be introduced into domestic law, Participant 2 pointed to "many contending issues, international agreements especially revenue sensitive issues, for instance, issues with transparency and privacy of the member states."

Participant 3 offered that "if [a member state] wanted to be eligible for some of the loans that the World Bank, for example, was giving to assist governments, in order to do so, you have reform and to modernize the legislative framework." Therefore, there were conditions for funding.

Participant 9 declared that "the international impact of the laws may be another reason for the non implementation of laws."

Other issues were raised that were common to regional and international matters that affected domestic laws. The issues are further broken down into categories. While it was pointed out that sometimes the issues could only be considered on a case-by-case basis, a category that developed was the technical difficulty of the issues to be

considered. Participant 2 offered that “the issues vary depending on the particular law or area” but conceded the issues of “technical difficulty of regional and international agreements and treaties and the [consequent] repeal and amendment of laws.” Given the nature of these agreements, it is critical to understand the nature of the proposed provisions and their impact, as they are intended to be ratified and enter into domestic law.

The data also pointed to the complexities of the differing needs, perspectives, and the level of commitment of individual member states, which also impacts the negotiations of these agreements and how consensus may be achieved. Participant 2 shared that:

The more complex the issues, the harder to get consensus. [There is the] inherent challenge of having several jurisdictions to agree [and in some cases] because of the number of parties involved and [if there are] more influential operators or economies negotiating, a member state may not get the thing(s) they seek. While there should be different levels of engagement in negotiations and the process is meant to be inclusive, it is not always, and at a technical level, not always adequate. [There may also be] lack of political will, not necessarily politicians but the implementing agencies.

There were also revenue and costs issues to consider, as Participant 2 explained as "resistance for revenue sensitive issues; when there are a lot more benefits than costs – there is more success."

Participant 2 also offered that:

[these] agreements and treaties may be more effective if they were first discussed by focus groups in the individual member states to get the required buy-in at the constituency level. [Also] there should be longer transition periods for implementation of agreements, laws, or proposed measures. [Also] enforcement becomes an issue where there is resistance or resentment to the laws.

Findings

Evaluation and Recommendations

Based on the findings from the evaluation of the data collected for this study, there was sufficient information to allow for recommendations for this study. The participants included professionals from various backgrounds but operated within the law-enactment environment, which was the requirement for this study, given the technical expertise required (Babbie, 2017). Their areas of operation extended to the areas of public administration, legal, economics, trade, policy, finance, and judiciary and included knowledge of regional and international matters that impacted Saint Lucia's domestic laws.

The data were evaluated to distill relevant information that would address the research question: What are the potential barriers to successfully implementing some laws in Saint Lucia? Several recommendations could be made from the evaluation of the data.

Firstly, it must be acknowledged that a deep-seated and multifaceted problem exists based on the responses from the participants. It was evident from the themes and categories that were developed from the data that this problem is not solely a Legislative

Drafting Unit or Attorney General Chambers issue. The Unit is only one part of the law-enactment system in Saint Lucia.

The themes of the study pointed to the areas affected. These areas include Parliament, the individual ministries, the public sector, the Unit and Attorney General's Chambers, the courts, civil society, and the public, which forms the law-enactment machinery or system within Saint Lucia. The areas are undoubtedly wide-ranging. The themes from this study have provided guidance in identifying the potential barriers to law enactment in Saint Lucia and suggesting solutions to the problem(s) identified.

Given the scarcity of resources highlighted by the data, it was essential to find the balance and right approach in addressing the purpose of this study. There will be a need to provide the necessary resources to address the issues. Notwithstanding the number of issues highlighted, there is a need to spearhead, educate, and create awareness and urgency in all the parts of Government and the private sector to address the issues successfully. While other issues may be uncovered, it will be essential to identify the key law-enactment bodies that could be developed to initiate and manage legislation matters in Saint Lucia.

Education and training will be critical in addressing the way forward. It will be essential to create awareness within the key law-enactment bodies and identify the areas that need to be bolstered, such as relevant training and adequate staffing. Participant 8 pointed to the absence of a legal officer in Parliament to guide the parliamentarians as key lawmakers and the need for basic legal training. It was also recognized by Participant 9 that "attorney parliamentarians are at an advantage." This observation was made in the

context of lawyers naturally becoming politicians and parliamentarians historically and, therefore, having a broader understanding of legal matters. However, this has not been the case in recent times, as there are far fewer parliamentarians with legal training. This study will provide a general way forward that could be customized and detailed for training and development purposes for each department.

Given the responses received, a coordinated effort will be critical in seeking to answer the study's main research question. The data suggested that the Unit, legal officers, parliamentarians, and the private sector, are all pivotal in dealing with the required consultations. However, the other vital aspects should also be addressed to achieve success, including the availability of laws, transparency, consolidation exercises, and bureaucracy. Participant 10 suggested that the Unit guides the legislative process "from the beginning stages."

While the Unit is only one part of the law-enactment system, its expertise must be engaged at all stages of the process. Notwithstanding their current deficiencies, the Unit comprises legislative drafters with the skills to assess constitutional issues, policy development, and parliamentary requirements, given their required training and expertise. The Unit could therefore be pivotal in creating awareness of the requirements and how the legal officers, permanent officers, and other relevant officers in each ministry could assist in the efficacy of the process.

In particular, the instructing ministry's staff and legal officer(s) should be better utilized in the initial instruction stages in conducting the primary research for the proposed laws. This initial stage will significantly assist the Unit in its time management

efforts. As was highlighted, there is currently a need for additional staff in the Unit, and any additional tasks assigned will require more staffing. The staffing shortcomings in this effort should be rectified as a matter of urgency.

A step-by-step proposed approach is attached as Appendix B, which provides a guide to addressing the main issues uncovered by this study and the main deliverable of this research study.

Implications for the Client Organization and Broader Community

The implications are expected to be beneficial to everyone in the jurisdiction. Saint Lucia is a small developing island with approximately 180,000 people (World Bank, n.d.). In the open-ended structure of the interview questions, most participants expressed gratitude for conducting this study recognizing the benefits that could be derived if the issues could be adequately addressed.

The benefit includes a more transparent and efficient process if the recommended changes are adopted. Specifically for the individual and the small communities inherent on the island, the awareness factor would be significantly improved, which has been absent based on the participants' responses. Participation would also be significantly enhanced with avenues that allow for robust discussions.

The client organization would also benefit from a more efficient law-enactment system with coordination between the law-enactment agencies. Improved efficiency would result in enhanced productivity, not continually plagued by severe backlogs that do not allow for business development and other initiatives, as pointed to by several of the participants.

These benefits are contingent on the availability and efficient management of the limited resources, the prioritization of work to be undertaken, and proper coordination in the law-enforcement systems as prescribed in this study.

The recommendations are geared toward an overall law-enactment system reconfiguration to address the current issues and problems being experienced. There is expected to be a period of transition that may be challenging but is necessary to accommodate the change in the status quo. These recommendations will improve time management, coordination, training, and productivity and enhance the law-enactment system. Admittedly, this will take some effort and funding from an already cash-strapped jurisdiction, but the benefits of this investment will be immeasurable.

Deliverables and Recommendations

While the issues to be addressed are complex, the themes developed by the study acted as a roadmap for identifying potential solutions. The recommendations directly result from the data analysis, which addresses the problem(s) identified by the client organization. Given the developing status of the jurisdiction it will be important to assimilate the requirements and what can practically be achieved at this time. A practical plan is necessary to address the issues highlighted in the study. It is also critical to implement an ongoing training program(s) for all officers in law enactment. Creating adaptable instruments will reform the law-enactment environment and continuously bolster and maintain the progress made.

Addressing these issues will require a reform of the law-enactment process in Saint Lucia. The main requirement remains finding the funding to facilitate the

recommendations for the reform measures. The reform may be achieved by developing a coordinated system with the requisite standards, resources, and efficacy to counter the issues identified.

The lack of resources was highlighted as encompassing a range of resources, including human resources. Human resources included the lack of skilled legislative drafters within the Unit and key officers within the relevant ministries, Parliament, and other government departments. Legislative drafting was highlighted as a specialized skill that was not readily available but was in demand given the level and backlog of accumulated work required for completion.

Therefore, given the need for legislative drafters' other legal consultants, who are not suitably qualified both in the jurisdiction or region's drafting conventions or in not having the requisite skills and qualifications, have been utilized to alleviate the backlog of work. This need has resulted in added costs and time delays in the duplication of work generated, as pointed to by Participant 1. A recommendation made, which several participants echo, is to prioritize the development of local legislative drafters. Another option exists in utilizing the services of skilled drafters within the region who operate as consultants but have the requisite skills to complete the work to the required standards.

The other resources pointed to include a general lack of money, affecting the jurisdiction's ability to fund critical projects, acquire relevant technical skills, invest in necessary infrastructure, and upgrade operations, including software and other necessary tools required in this fast-paced environment. Significantly, the lack of funds was cited as a reason for the non-implementation of laws, as the funds may not be available to allow

for the structures proposed in the bill, as pointed out by several participants. The lack of funds being experienced undoubtedly affects the island's ability to improve its business environment. The effects are apparent in their low rating in the World Bank's ease of doing business index, as highlighted by Participant 3.

Therefore, any further setbacks, such as time delays, are amplified in this environment—the lack of resources emanating from the very status of Saint Lucia as a developing country. Therefore, lack of resources is an inherent issue that is constantly being dealt with. The data highlighted the constant scarcity of resources that often requires funding from various sources that give rise to other issues, as discussed in this study. These issues include requirements that may not be seen as in the best interests of Saint Lucia but are accepted due to the need to secure funding. Therefore, these issues, directly and indirectly, impact law enactment in the compromises made in managing the available funds in prioritizing essential needs of the jurisdiction – admittedly a challenging task to undertake.

Lack of resources also impacts the operations, as was seen from the data. The operational issues included the unavailability of necessary materials, an absence of effective planning and coordination, duplication of efforts, and other communication issues. These are all considered in the recommendations to create a more cohesive approach, as outlined in Appendix B.

While lack of resources is the common issue that affects every other part of the public service, other themes were highlighted, pointing to potential barriers to law enactment and some practical suggestions for amelioration. Public participation and

stakeholder consultation was a key theme developed in the data. This theme was also encountered in the conceptual framework for this study, notwithstanding the limited research on this subject. Yang and Pandey (2011) developed and tested an organizational theory model that explored how citizen involvement as a general strategy could improve administrative decision-making. Similarly, Calland and Nakhouda (2012) illustrated that when civil society organizations develop the requisite capacity, they become more organized and equipped to compete with corporate lobbyists and accomplish more, given the inherent deficiencies of government departments.

This study's data showed that the lack of public participation and stakeholder consultation was developed and highlighted several issues. Firstly, there was consensus among all the participants that there was a general lack of consultation in the law-enactment process in Saint Lucia. It was felt that the lack of consultation was required to secure the "buy-in," as referred to by Participant 6, and contributed to the demise of legislation in Saint Lucia. While stakeholders, technical people, the public, and interest groups were referred to interchangeably as people who should be involved in the consultations, there were differing opinions on who should be consulted in each case. Participant 10 referred to "*proper* stakeholders." Each piece of legislation may have different requirements; however, it will be prudent to decide on basic requirements in initiating legislation. Some steps are developed as a guide in Appendix B.

In each case, the aim is to create awareness and transparency in the process to counter the resistance and suspicion pointed to by Participant 7. Awareness and transparency can be achieved by making the draft bills available to the public, hosting

sufficient town hall meetings in person and virtually, and providing good advertising of the time(s), venues, and topics for discussion. Various opportunities for comments could also be provided by providing avenues to email and other anonymous means, thereby alleviating the fear of victimization, as pointed to by Participant 9. A general sentiment from the participants indicated that people felt left out of the conversations surrounding law enactment and were unaware of the various laws being developed, which may cause discontent.

The general lack of a policy was seen as a critical oversight in the law development. Participant 1 clarified that it should be developed *before* the legislation is drafted as it should inform the law. Prior research that informed the conceptual approach for this study pointed to a policy as the agreed direction upon which any proposed law will eventually be premised based on what the Government of the day decides it to be (Regonini, 2017).

Where a policy is unavailable, the Unit is additionally tasked with obtaining responses from the relevant instructing ministry to verify relevant details. This back-and-forth significantly adds to the time it takes the Unit to clarify the details required in the drafting process, given the frequent exchanges required, the delay in receiving responses, and the lack of technical information required. Additionally, when a government or priorities change, so does the policy direction, as pointed to by Participant 10. The disjointed development of the legislation ultimately affects the consensus required for its completion or acceptance, which contributes to the legislation's delay or demise.

The recommendation offered in dealing with policy issues as presented is ensuring that a policy is developed before the instructions are sent out to the Unit for drafting. It is conceded that there are multiple layers of issues to contend with in policy development and no "one-size-fits-all" solution (Organization of Economic Co-operation and Development, 2013, p. 25). However, suppose the Unit is charged as the central coordinating body within the system. In that case, they can be engaged in the process of assisting, where necessary, in the critical steps required for the legislation. The general guide developed in Appendix A charts a potential list of duties for key bodies in creating a more efficient and coordinated effort.

Upon evaluating the effect of various political or Government actions, it was evident that there were several issues to consider. However, the issues though complex, were connected. The issues spanned the governments' caution in losing potential votes and a "lack of political will," as it was coined by Participant 10, to instances where they made decisive actions on other measures. It could be argued that there is currently no barometer in Saint Lucia in assessing whether a new measure would work against a government unless a poll were taken. This poll could be taken at consultations. The recommendations made so far as it relates to consultations and creating awareness are also relevant in addressing this concern, as consultations would both act as a gauge and in providing transparency.

There were many instances of lack of basic knowledge within key law-enactment sectors, including Parliament. It is, therefore, critical to prioritize training as a starting point in creating awareness at all levels. Training is paramount and should be ongoing.

The lack of time was a critical category woven throughout each theme. The lack of time is also true of several themes given the subject area. Therefore, most of the recommendations would be relevant in improving education, coordination, transparency, and other critical misgivings identified by the data, resulting in a more efficacious environment for law enactment.

Appendix B further encapsulates the recommendations of this study. The recommendations include identifying the key agencies within the law-enactment system in Saint Lucia to develop a centralized approach. The development of essential resources both infrastructural and human are paramount. Developing the training programs and standards of operations will also clarify the way forward to begin the initial reform measures and to maintain acceptable standards. Additionally, the key components of each stage of law development are highlighted to provide clear guidance of the requirements for each stage of the law enactment process.

While it is conceded that there were some limitations to this study, more research is necessary, particularly given the depth and number of the issues described in the study. Additional studies addressing similar topics in the region would be beneficial in furthering this study's discoveries and broadening and refining the findings.

Deliverable for the Client Organization

The purpose of the study was to understand the potential barriers to the successful implementation of laws in Saint Lucia. It examined effective emerging practices in similar jurisdictions that may be useful in this research study. The data collected for this study also provided helpful information specific to Saint Lucia, which allowed for

recommendations to the client organization for developing new and innovative methods in addressing the various issues pointed to in the data collected.

The issues to be addressed need a multiprong approach for the identified multi-level problem(s). It is also understood that there will be limitations, given the scope of this study and the available resources required for the suggested changes. The deliverable for this study is the formulation of a guide that first lays out the overarching plan with broad directions for each law-enactment agency or branch. There will also be a requirement to create standards of operation for each law-enactment agency or branch. Detailed instruction manuals will also be required for the relevant staff and ministries. They should be tailored to suit any unforeseen requirements at this time and for the requirements of each law-enactment agency or branch. For the purposes of this study, a comprehensive framework is attached as Appendix B. The standard of operations and manuals should be developed when the details of the plan are finalized and therefore do not form part of the deliverable for this research study.

Implications for Positive Social Change

This research and analysis have provided potential answers or solutions to address the issues presented. This study has also allowed for the creation of a proposal for recommendations. The proposal includes a sustainable plan of action with broad guidelines to inform the transition from the current practices within the jurisdiction. The level of adoption of the new recommendations will inform the creation of various standards of operation and training manuals for each law-enactment agency or branch.

When adopted, these measures will ultimately contribute to positive social change, given the benefits derived from a more efficient, cost-effective, and enhanced environment for law enactment in Saint Lucia. The law enactment environment comprises several parts within the public service, including the Unit, the relevant government ministries, Parliament, and other public organizations.

The benefits of the law-enactment process include assimilating valuable data on the potential reasons for the current barriers to implementing some enacted laws in Saint Lucia, thus allowing for the appropriate remedies when preparing to enact legislation. Additionally, it is hoped that there may be lessons learned that may apply to other jurisdictions combating similar challenges.

The plan of action is also intended to help avoid the same pitfalls in the future and add value to the jurisdiction.

Evidence and Trustworthiness

All efforts were made to ensure data integrity and trustworthiness for this study. These efforts focused on credibility, transferability, dependability, and confirmability (Burkholder et al., 2016).

Credibility

Recognizing the high ethical research requirements, it was critical to employ ethical considerations to repel any potential bias (Teddle & Yu, 2007). Therefore, considering the researcher's prior relationship and position with the Unit, the examination of the literature surrounding this research study was required to limit any personal bias in establishing outcomes and keep the focus on the study's details (Surmiak, 2018).

The participants' consent was obtained to participate in the study. Other safeguards against data collection and analysis were also employed. These included understanding the use of the case study interview guide. Techniques for a guided researcher reflection to stay within the confines of the study were also used. These guides allowed for a more focused approach and promoted the credibility of the data collected to enable trustworthy data coding (Chapman, 2014).

Triangulation was also utilized to validate data findings and align with optimal qualitative study analysis (Yin, 2003). Triangulation was achieved by obtaining operational and archival data, including the unpublished status of work reports, consolidated indexes, published laws, contemporaneous notes when meeting with the Unit's staff, and the rich data from the participants' interviews. The triangulation of these data sources provided the necessary detail to develop a comprehensive understanding of the issues and gave credibility to the results that were collected (Patton, 2002)

Member checking was also used by returning the data or results to participants to check for accuracy. The results were shared with the client organization to ensure transparency of the process at several points throughout the study.

Transferability

This research is qualitative and not as easily accessible and transferable as quantitative data sets (Peräkylä, 1997). Therefore, it is conceded that the data collected in this study would not usually be subject to any other interpretation beyond what was represented (Peräkylä, 1997). However, given the nature of the study, the cultural context was relevant to the thick description (Bachmann-Medick, 2016). Also, given the

overwhelming similarities of the responses received by the participants and the similarities in the history, location, Government, and status of Saint Lucia, some of the results from the data may apply to a similar jurisdiction.

Dependability

All the data collected, including the analysis and synthesis, are reviewable. This reviewability is to ensure that the data and results are reliable. Together with the triangulation measures taken, every step of the process was thoroughly explained and vetted by the participants to promote transparency (Yin, 2003)

Dependability is a critical criterion for qualitative research and therefore is of the utmost importance (Babbie, 2017). To this end, all the proposed analysis strategies were followed as described and planned.

Confirmability

This criterion ensured confidence in these findings based on the participants' narratives and words (data) rather than my potential biases. Therefore, while there may be a potential for subjectivity, there is confidence that the methods used in this study promote verifiable procedures, analyses, and conclusions (Burkholder et al., 2016).

Confirmability was particularly relevant to this study's trustworthiness, given my involvement as a former Unit director. To combat any subjective or opinionated ideas that were reflected on during this exercise, safeguards were employed, such as bracketing to prevent any bias and to ensure that the study solely captured the participants' experiences and not the researcher's assumptions, preconditions, notions, and prejudices surrounding the phenomenon (Sorsa et al., 2015; Wilson, 2015). Bracketing ensured that

the researcher maintained her vigilance as an unbiased moderator, as Adu (2014) recommended.

Strengths and Limitations of the Study

Strengths, Weaknesses, and Limitations of the Study

Several strengths can be found in the study. These include the data for analysis from the purposive sample of participants was rich with direct information and directly related to the study. Additionally, a triangulation approach was used in examining the operational documents and reports, archival documents, and current consolidation indexes and laws, which were used to corroborate elements of the interview data—this wealth of data allowed for a fuller understanding of the issues being experienced in the jurisdiction. As there were not too many studies on the topic directly related to the region and indeed for Saint Lucia, it further highlighted the need for the study.

The number of developed themes also worked directly to inform the recommendations for an enhanced law-enactment environment in Saint Lucia. Notwithstanding the qualitative nature of the study, several similar jurisdictions or those with some similarities and similar problems in their law enactment challenges may benefit from data collected and subsequent recommendations, where applicable.

A limitation of this study was that it did not include a larger pool of citizens. However, given the data that has been collected pointing to a general lack of awareness inherent in the law-enactment environment in Saint Lucia, the main issues in the discussion were addressed with the purposive sample. There were also ample avenues for

the participants to put forward their opinions on various matters, given the semi structured nature of the questions.

The study was also limited in its scope; However, several beneficial themes were able to be developed. Other significant areas were also present in the data that could generate further study. These areas included constitutional issues and matters for reform, the Westminster model or system that governs the parliamentary system in operation, as well as the operation of the Napoleonic code and its influence in the legal system. Other related issues of post-colonialism were also present and could be pursued further.

Additionally, collecting data within the confines of the pandemic was challenging in locating and securing participants. The time requirements were substantial in both facilitating the interviews and analyzing the data.

Finally, the deliverable of this study will require additional tools to allow for optimal utilization going forward. The deliverable in Appendix B acts only as an initial guide to be further developed. This guide is contingent on the jurisdiction accepting the recommendations from the collected data. This guide will be more effective when coupled with the creation of standards of operation and detailed instruction manuals to be developed for the Unit's staff and government ministries. While all of these tools will auger well for the law enactment system in Saint Lucia in both reframing the operation and providing direction, they will only be helpful if implemented.

Unanticipated Limitations or Outcomes

Several themes and categories were developed from the data. Eight themes were derived from many categories and codes. While it was recognized that there were critical

issues within the law enactment environment, the volume of categories and themes that developed were unanticipated and indicated a bigger problem than initially expected. Each theme was corroborated by most of the participants, though they operated from different departments or ministries and performed different functions in law enactment or policy development in most cases.

The severe lack of resources emerging as one of the two major themes mentioned by all participants was also unanticipated but provided a realistic viewpoint of the jurisdiction. It also shed light on many other issues discovered in the data collected.

There was evidence of a lack of knowledge in critical areas, particularly in the fundamental law enactment stages, highlighting the need for ongoing training for key stakeholders and all relevant government departments. This lack of knowledge signified potential causes for the inefficiencies pointed to by the participants.

Summary

This section provided the study's results, and recommendations were made to address the issues presented. This qualitative administrative study aimed to explore and seek potential answers to the issues that work as barriers to the successful implementation of laws in Saint Lucia. The researcher collected qualitative data from interviews, available published research, and other operational data within the Unit and law-enactment environment in Saint Lucia. The data analysis included finding patterns in the data, which made it possible to create codes, categories, and themes. These patterns allowed for a structured approach to representing the relevant information found to attain credible findings for this study, using presumption-focused coding and sorting

strategies (Adu, 2019). The analysis in this study produced eight general themes. Based on the analysis evaluation, there was sufficient information to allow for recommendations for this study.

The deliverable for this study was formulating a guide that first lays out the overall plan and the broad directions for each law-enactment agency or branch. There will also be a requirement to create standards of operation for each law-enactment agency or branch and detailed instruction manuals for the relevant staff and ministries based on the extent of the recommendations adopted in the main deliverable. These standards and instructions should be tailored to suit any other and unforeseen requirements at this time and for the requirements of each law-enactment agency or branch.

When adopted, these measures will ultimately contribute to positive social change, given the benefits derived from a more efficient, cost-effective, and enhanced environment for law enactment in Saint Lucia. All efforts were made to ensure data integrity and trustworthiness. There were inherent strengths as well as weaknesses and limitations of the study. However, all efforts were made to minimize the weaknesses and limitations to allow for the strengths and benefits to be fully developed.

The deliverable presented to the client organization is expected to benefit all the law-enactment partners in Saint Lucia and may even be helpful to similar jurisdictions like Saint Lucia.

Section 5: Dissemination Plan and Conclusion

Dissemination of the Findings

The client organization had agreed, prior to this study, to take the results of this study and the deliverable into consideration. The deliverable is in a proposal form that encapsulates the research study's results with recommendations to reform and enhance the current law-enactment process.

The deliverable will be beneficial to all the law-enactment partners within Saint Lucia. Given the similarities of Saint Lucia with a Westminster parliamentary system and its status as a developing country, postcolonial history, geographical location, size, and the other features described in the study, I also presented the deliverable to the client organization. The results of the study may even be helpful to jurisdictions like Saint Lucia. I encourage all law-enactment agencies or branches in Saint Lucia to be included in any plans to reform the law-enactment environment. This reform will require the full participation of all the law-enactment agencies or branches to ensure a successful transition. It will be particularly challenging in the transition stages, and commitment to the transition plan and proposal recommendations is therefore paramount.

The results revealed a severe lack of resources as a significant barrier to the successful implementation of laws. The lack of resources will no doubt also be a factor in deciding the extent and speed at which the recommendations could be undertaken and developed. However, it is expected that the benefits for the jurisdiction will be realized in the adoption of the recommendations of this study. These benefits include a generally enhanced law-enactment system that would naturally allow for improved social, health,

and business environments within the jurisdiction. Additionally, in the deliverable I suggested several stages or steps that could be undertaken over time to both achieve the results and manage the efforts to stagger the costs to the jurisdiction.

Concluding Statement

With this study, I aimed to understand the potential barriers to the successful implementation of laws in Saint Lucia and examine any effective emerging practices that may be useful to overcoming the barriers. Implementation barriers included instances where the policy of the government, initially intended to be law, does not translate into law; where the duly enacted law does not come into force or is delayed from coming into force (i.e., would need a commencement order that was inordinately delayed, has not occurred, or has little likelihood of occurring); and where the provisions of the enacted laws are not being utilized, followed or enforced.

The practices that formed the conceptual framework for this study were observed in prior studies examined and were also found in the data collected for this study. The study findings provided helpful information in addition to the recommended additional practices and methods that could be adopted for this jurisdiction. The results answered the main research question about the potential barriers to the successful implementation of laws in Saint Lucia.

The findings revealed that several issues adversely affected the successful implementation of laws in Saint Lucia. These issues were developed as general themes of the study from the plethora of codes and categories generated from the data. Of the eight themes, the significant issues identified were the lack of resources, public participation,

and stakeholder consultations. However, each developed theme was relevant to the study's goal, and I used them to develop recommendations to alleviate the barriers' impact on the successful implementation of laws in Saint Lucia. While I identified some limitations to this study, more research is necessary on this topic, particularly given the depth and number of the issues described in the study. Additional studies could continue to improve the environment for an enhanced law-enactment system in Saint Lucia, given the fluidity of the issues and the inevitable changes that occur over time. This study contributes to the limited body of knowledge on this subject. The findings and recommendations provided can also be used to foster positive social change in Saint Lucia as a developing country and for the lives of its citizens as well as for similar jurisdictions.

References

- Adu, P. (2019). *A step-by-step guide to qualitative data coding* (1st ed.). Routledge.
- Attorney Generals Chambers. (n.d.) Legislative drafting.
<https://attorneygeneralchambers.com/p/legislative-drafting>
- Babbie, E. (2017). *Basics of social research* (7th ed.). Cengage Learning.
- Bachmann-Medick, D. (2016). *Cultural turns: New orientations in the study of culture*.
 Walter de Gruyter.
- Bari, M. E., & Dey, P. (2019). The enactment of digital security laws in Bangladesh: No place for dissent. *George Washington International Law Review*, 51(4), 595–631.
- Barnes, M., Newman, J., & Sullivan, H. (2007). *Power, participation and political renewal: Case studies in public participation*. Policy Press.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77-101.
<https://doi.org/10.1191/1478088706qp063oa>
- Brinks, D. M., & Botero, S. (2010). Inequality and the rule of law: Ineffective rights in Latin American democracies. Conference Papers. *American Political Science Association*, 1–40.
- Britannica. (2021, October). House of Commons, Napoleonic Code,
<https://www.britannica.com/topic/House-of-Commons-British-government>
- Burkholder, G. J., Cox, K. A., & Crawford, L. M. (2016). *The scholar-practitioner's guide to research design* (1st ed.). MBS Direct.
<https://mbsdirect.vitalsource.com/#/books/9781624580314/>

- Calland, R., & Nakhooda, S. (2012). Participatory democracy meets the hard rock of energy policy: South Africa's national integrated resource plan. *Democratization*, 19(5), 912-931.
<https://doi.org/10.1080/13510347.2012.709688>
- Cambridge Dictionary. (2021, October). Member state, Ratify, Ultra vires.
<https://dictionary.cambridge.org/dictionary/english/ultra-vires>
- Chapman, J. M. H. (2014). *Researcher as participant: Safeguarding against bias in a qualitative case study*. SAGE Publications, Inc.
<https://dx.doi.org/10.4135/978144627305014539101>
- Clinical Trials Act, Cap. 11.23 (2017). The Revised Laws of Saint Lucia 2017.
- Conceição, S. C. O., Samuel, A., & Yelich Biniecki, S. M. (2017). Using concept mapping as a tool for conducting research: An analysis of three approaches. *Cogent Social Sciences*, 3(1), 1404753.
<https://doi.org/10.1080/23311886.2017.1404753>
- Consumer Protection Act, Cap. 13.24 (2017). The Revised Laws of Saint Lucia 2017.
- Crabbe, V.R.A.C. (1993). *Legislative drafting*. Cavendish Publishing Limited.
- Creswell, J. W., & Creswell, J. D. (2018). *Research design: Qualitative, quantitative, and mixed methods approaches* (5th ed.). Sage.
- Crompton, A. (2015). Runaway train: public participation and the case of HS2. *Policy & Politics*, 43(1), 27–44.
<https://doi.org/10.1332/030557312X655963>
- Eastern Caribbean Supreme Courts. (2022, October). Eastern Caribbean Supreme Court, Jurisdiction. <https://www.eccourts.org>

- Evers, J. C. (2018). Current issues in qualitative data analysis software (QDAS): A user and developer perspective. *The Qualitative Report*, 23(13), 61-73.
<https://nsuworks.nova.edu/tqr/vol23/iss13/5>
- Government of Saint Lucia. (2022, October) Throne speech securing our future together.
www.govt.lc/news/throne-speech-securing-our-future-together-
- Iglesias, M. J. M. (2020) Better law-making and the interinstitutional (dis)agreements: Some comments. *European Law Journal*, 26, 108-113.
- Interpretation Act, Cap. 1.06 (2017). The Revised Edition of the Laws of Saint Lucia, 2017.
- Jain, D. (2020). Law-making by and for the people: A case for pre-legislative processes in India. *Statute Law Review*, 41(2), 189–206. <https://doi.org/10.1093/slr/hmz0>
- Kelly, N. J. & Grant, J. T. (2008). Legislative productivity of the U.S. Congress, 1789-2004. *Political Analysis* 16(3), 303–323.
- Landry, N. (2010). From the streets to the courtroom: The legacies of Quebec's anti-SLAPP movement. *Review of European Community & International Environmental Law*, 19(1), 58–69. <https://doi.org/10.1111/j.1467-9388.2010.00664.x>
- Lundin, M., & Öberg, P. (2014). Expert knowledge use and deliberation in local policymaking. *Policy Sciences*, 47(1), 25–49. <https://doi.org/10.1007/s11077-013-9182-1>
- Maguire, M., & Delahunt, B. (2017). Doing a thematic analysis: A practical, step-by-step guide for learning and teaching scholars. *All Ireland Society for Higher*

Education, 9(3), 3351-33514.

<http://ojs.aishe.org/index.php/aishej/article/view/335>

Majamba, H. I. (2019). The paradox of the legislative drafting process in Tanzania.

Statute Law Review, 39(2), 171–183. <https://doi.org/10.1093/slr/hmx003>

Merriam-Webster. (2021, October). Parliamentary counsel.

<https://www.merriam-webster.com/dictionary/parliamentary%20counsel>

Motor Vehicles and Road Traffic Act, Cap. 8.01 (2017). The Revised Laws of Saint Lucia 2017.

Murphy, J. (2020). Towards parliamentary full cycle engagement in the legislative

process: Innovations and challenges. *Journal of Legislative Studies*, 26(3), 469–493. <https://doi.org/10.1080/13572334.2020.1765488>

Norton, P. (2004). The changing constitution. In B. Jones, P. Norton, & I. Hertner (Eds.), *Politics UK*. Pearson Education Limited.

Nowell, L. S., Norris, J. M., White, D. E., & Moules, N. J. (2017). Thematic analysis:

Striving to meet the trustworthiness criteria. *International Journal of Qualitative Methods*, 16(1), 1-13. <https://doi.org/10.1177/1609406917733847>

Organization of Economic Co-operation and Development. (2013). *The nature of policy change and implementation: A review of different theoretical approaches*.

<https://www.oecd.org/education/cei/The%20Nature%20of%20Policy%20Change%20and%20Implementation.pdf>

Oswald, A. G. (2019). Improving outcomes with qualitative data analysis software: A reflective journey. *Qualitative Social Work, 18*(3), 436–442.

<https://doi.org/10.1177/1473325017744860>

Oxford Reference. (2021, October). Commonwealth.

<https://www.oxfordreference.com/view/10.1093/oi/authority.20110803121911252>

(QDAS): A user and developer perspective. *The Qualitative Report, 23*(13), 61-73.

<https://nsuworks.nova.edu/tqr/vol23/iss13/5>

Patton, M. Q. (2002). *Qualitative research and evaluation methods* (3rd ed.). Sage.

Peräkylä, A. (1997). Reliability and validity in research based on tapes and transcripts. In

D. Silverman (Ed.), *Qualitative research: Theory, method, practice* (pp. 201–220).

Sage.

Regonini, G. (2017) Governmentalities without policy capacity. *Policy Sciences, 50*,

163–178. <https://doi.org/10.1007/s11077-017-9283-3>

Rudestam, K. E., & Newton, R. R. (2015). *Surviving your dissertation: A comprehensive guide to content and process* (4th ed.) SAGE.

Saint Lucia Electoral Department. (2022, October). Past results.

<https://www.sluelectoral.com>

Stlucia.org. (n.d.). History & Culture of Saint Lucia | Let her inspire you.

<https://www.stlucia.org/en/discover-saint-lucia/history-culture/>

Saldaña, J. (2016). Goodall’s verbal exchange coding: An overview and example.

Qualitative Inquiry, 22(1), 36–39. <https://doi.org/10.1177/1077800415603395>

- Sorsa, M., Kiiikkala, I., & Åstedt-Kurki, P. (2015, March). Bracketing as a skill in conducting unstructured qualitative interviews. *Nurse Researcher*, 22(4), 8-12.
<http://doi.org/10.7748/nr.22.4.8.e1317>
- Statistica. (2022, October). National debt of Saint Lucia.
<https://www.statista.com/statistics/730740/national-debt-of-saint-lucia>
- Stos, W. (2019). CSPG seminar: The legislative role of parliamentarians. *Revue Parlementaire Canadienne*, 42(4), 40-44.
- Surmiak, A. (2018). Confidentiality in qualitative research involving vulnerable participants: researchers' perspectives. *Forum qualitative sozialforschung / forum: Qualitative Social Research*, 19(3- 12). <http://doi.org/10.17169/fqs-19.3.3099>
- Teddlie, C., & Yu, F. (2007). Mixed methods sampling: A typology with examples. *Journal of Mixed Methods Research*, 1(1), 77–100.
<https://doi.org/10.1177/2345678906292430>
- The Constitution of the People's Republic of Bangladesh of 1972, Act. No. 76 of 1972.
- The Free Dictionary. (2021, October). Parliament. In *thefreedictionary.com dictionary*.
<https://www.thefreedictionary.com/parliament>
- The Saint Lucia Constitution Order of 1978, Cap 1.01 of the Revised Laws of Saint Lucia 2017.
- The Saint Lucia Gazette. (n.d.). Official documents.
<http://www.slugovprintery.com/index.php/gazettearchive>
- Wilson, A. (2015). A guide to phenomenological research. *Nursing Standard*, 29(34), 38-43. <https://doi.org/10.7748/ns.29.34.38.e8821>

World Bank. (n.d.). Population growth (annual %) - St. Lucia.

<https://data.worldbank.org/indicator/SP.POP.GROW?locations=LC>

Yang, K., & Pandey, S. K. (2011). Further dissecting the black box of citizen participation: When does citizen involvement lead to good outcomes? *Public Administration Review*, 71(6), 880–892. <https://doi.org/10.1111/j.1540-6210.2011.02417.x>

Yin, R. K. (2003). *Applications of case study research* (2nd ed.). SAGE Publications, Inc.

Yin, R. K. (2014). *Case study research and design and methods* (5th ed.). Sage Publications Inc.

Appendix A: Questionnaire Guide

Note that the product provided to the interview participants will also contain a set of instructions and definitions, not included here. Also, given the nature of the topic, there may be a need for follow-up questions for clarification purposes.

Background

1. Describe your involvement as a professional (or ordinary citizen) in the law enactment process in Saint Lucia.
2. When considering the enactment of laws in Saint Lucia, describe any challenges or constraints that you may have noted or encountered in the process.

Potential Causes for Barriers to law Implementation

3. To your knowledge, are you aware of instances where the administration's or government's policy or plans are not translated to laws? And if so, why?
4. To your knowledge, are you aware of instances where the administration's or government's duly enacted laws do not come into force? And if so, why?
5. When considering the number of laws that may not have been implemented or accepted in Saint Lucia, what do you think maybe the cause or causes of the non-implementation or non-acceptance of the enacted laws?
6. At what point do you think the issues you described came into being? Was it before, during, or after the enactment of the laws?

7. What do you think are the repercussions of this phenomenon for stakeholders (such as the instructing ministries, the audience, the ministers/leaders) such as yourself in the law-enactment process?
8. In your awareness, what patterns have you noted in the laws that were not implemented or commenced?
9. In your awareness, what particular periods or events have you noted that might have triggered certain laws not to be implemented or commenced?

Potential Solutions to the Problem

10. In your opinion, what can you say about the involvement of parliamentarians in the law enactment process in Saint Lucia? (How do you prepare?)
11. In your opinion, what can you say about the involvement of citizens or the public in the law enactment process in Saint Lucia?
12. In your opinion, what can you say about the development of policy in the law enactment process in Saint Lucia? (Does it occur in Saint Lucia regularly?)
13. What other practices do you think could assist in making significant or even just a marked improvement in the laws being implemented after enactment?
Would you say that financial constraints may also be a factor?
14. In your opinion, how does the non-implementation/commencement/acceptance of these laws impact the law-enactment process in Saint Lucia?

15. In your opinion, how does the non-
implementation/commencement/acceptance of these laws impact the public in
general?
16. As someone involved in the law-making/enactment process in Saint Lucia, do
you have any other ideas on how this current situation can be better handled?

Appendix B: Deliverable for Client Organization

To: XXXXXX
From: Confia Samantha Jn. Paul-Samuel, Walden University Doctoral Candidate
Date: October 30, 2022
Subject: Summary and Recommendations from a professional administrative study
entitled: *Barriers to the Successful Implementation of Laws in Saint Lucia*

Executive Summary

This proposal provides a summary of the study *Barriers to the Successful Implementation of Laws in Saint Lucia*. A professional administrative study for Saint Lucia. This study was conducted to understand the potential barriers to the successful implementation of laws in Saint Lucia by examining any effective emerging practices that may be useful in this study and developing new and innovative approaches and methods in addressing the various issues involved. The administrative study is a qualitative case study. This study's sources of evidence included published research in related areas of this study, archival and operational data including published articles, unpublished reports, memoranda from the Unit and data collected from interviews from senior executives within the relevant ministries, the Unit's in-house staff, and other relevant stakeholders involved in the law enactment process in Saint Lucia.

The results showed a variety of potential causes that may negatively impact the successful implementation of laws in Saint Lucia. These causes were distilled from the sources of evidence carefully analyzed to develop the various themes for this study.

Background of issue

There is a reoccurring problem of barriers to implementing some laws in Saint Lucia. Implementation encompasses:

1. Where the government's policy, initially intended to be law, does *not* translate into law.
2. Where the duly enacted law does not *come into force or is delayed from coming into force*, i.e., would need a commencement order that was inordinately delayed, has not occurred, or has little likelihood of occurring.
3. Where the provisions of the enacted laws are not being utilized, followed, or enforced.

The number of laws currently not in force (or being utilized) in Saint Lucia provides vital evidence. It indicates a problem exists, which is apparent in the percentage of laws not being used, notwithstanding that they are enacted. Given the difficulties already involved in a typical law enactment process, particularly in a small developing country like Saint Lucia, when these efforts are hampered, for instance, when the legislation is not realized or does not come into force, this inevitably impacts every aspect of the law enactment process. This reoccurring problem of non-implementation of some laws impacts the Unit's productivity levels, the original intent of the law, and the responsibility to the various stakeholders, who depend on these laws' provisions as part of their vital annual objectives.

The impact is also felt by all who may benefit from the provisions, including the entire population. Therefore, this study addresses the potential reasons for the persistent barriers to implementing some laws in Saint Lucia. Additionally, addressing this problem may provide valuable understanding for other jurisdictions experiencing similar challenges.

Summary of Data Collection and Analysis

The study's sources of evidence were published research, archival and operational data, consolidated indexes, unpublished reports, and memoranda from the Unit related to this study. Data was collected from interviews using a non-probability purposive sampling approach. The interview questions involved a series of 16 open-ended questions, which was suitable for this qualitative inquiry. The data collected allowed for the development of several themes and categories that were useful in addressing the research question.

Summary of Findings and Implications

The findings represent months of data collection, including archival and operational data, conducting the interviews, and analyzing the data. The patterns in the data made it possible to create codes, categories, and themes that represented the relevant information found in the data to attain credible findings for this study. The findings revealed that several issues adversely affected the successful implementation of laws in Saint Lucia. These issues were developed as general themes of the study from the various codes and categories generated from the data. Of the eight themes, two were developed as significant issues of lack of resources, public participation, and stakeholder consultations. However, each of the developed themes was relevant to the study's goal and recommendations were made to alleviate their impact on the successful implementation of laws in Saint Lucia.

Themes of the Research

The data analysis resulted in eight general themes developed for this study. These included:

1. ***Lack of resources*** – this theme included the lack of financial, human, technical, material, infrastructural, and other foundational resources, as observed by the participants. Specifically, the severe shortage of legislative drafters was emphasized concerning law implementation. It was also highlighted that these deficiencies inevitably impacted law implementation. Though the issues were inherently complex and intertwined, any delay in implementing laws further exacerbated the resource problems, making the jurisdiction even more vulnerable to unforeseen issues, including natural disasters and seeking funding.
2. ***Lack of Public Participation and Stakeholder Consultation*** - this theme highlighted a general lack of consultation for proposed legislation in Saint Lucia. While it was conceded that there might be some consultations, it was only open to a few, including special interests and not enough technical people or the public at large. However, other issues such as insufficient time for consultations and the delay in getting responses when proposed laws were put to consultations and the public were also pointed to.
3. ***Lack of Policy*** – a general lack of policy was cited as a significant barrier to law implementation as it was not appreciated that it should be a precursor to the legislation as it was either constantly absent or developed after the law was passed, which is counterproductive to the process. It was also noted that a policy

is a critical element of law development and in supplying more details than currently exists.

4. ***Political/Government*** - politics, including partisan issues and the involvement of government was seen as impacting law implementation. This theme categorized the areas of re-election concerns that may dictate when the government may and may not act in progressing legislation. Other categories that developed therefore included political will and the impact of a change in governments on legislation.
5. ***Lack of Operational Planning*** – this theme highlighted the haphazard development of law, lack of resources for law development, and other issues within the operation concerning a lack of planning, coordination, communication, and efficiency in the several processes and agencies involved in law-enactment in Saint Lucia.
6. ***Lack of knowledge and understanding of law enactment*** - this theme highlighted a general lack of knowledge of law enactment, even from stakeholders involved in the law enactment environment in Saint Lucia, including parliamentarians. This lack of understanding was due to the inherent complexity of law and legal matters and the lack of coordination within the several law-enactment agencies involved in the law-enactment process.
7. ***Parliament*** – this theme spoke to the procedures that have developed regarding the treatment of bills in parliament; constant suspension of the standing orders to rush through the several stages of the bill; time issues and the inherent nature of

the Westminster system that ensures the progress of all bills given the majority that exist in both houses for the ruling party.

8. ***Regional and International*** – the categories of this theme centered on how the regional and international agreements impacted the domestic laws of Saint Lucia.

It was noted that there were several issues to consider, including negotiation matters and gaining consensus among the member states, the complexity of the issues in discussion, transparency and privacy issues; representation concerns; conditions to be met in exchange for funding, and other domestic requirements necessary for ratification which influenced the successful implementation of the model provisions.

While some themes were mentioned more than others, the overarching result indicated that all the themes were intricately connected and required a collective and coordinated effort and approach by the law-enactment bodies to address the issues adequately. Based solely on the analysis of the data collected for this study, the following recommendations are made.

Recommendations

Given the themes that were developed and the complexity of the topic, it was apparent that the issues to be addressed required a multi-prong approach for the multi-level problem(s). Together with the listed recommendations, it will be important to consider the following:

1. The need to assimilate the requirements and what can be achieved at this time.
2. The practical plan is necessary to address the issues highlighted in the study.

3. Implement an ongoing training program for all officers in law enactment.
4. Creating adaptable instruments will reform the law-enactment environment and continuously maintain and bolster progress.

Addressing these issues will require reforming the law-enactment process in Saint Lucia.

A primary requirement is in seeking funding to facilitate the recommendations for the reform measures. The reform can be achieved by developing a coordinated system with the requisite standards, resources, and efficacy to counter the issues identified. The main recommendations include the following:

1. Identify the several key agencies that make up the law-enactment system for Saint Lucia. This identification is essential to address the lack of coordination concerns and to create general awareness among the several related agencies.
2. Identify a central coordinator for the law-enactment system (this may be a body comprised of several agencies or the Unit/Attorney General Chambers). The recommendation is for the Unit as the central coordinator, given their level of expertise, to assist each instructing ministry with general constitutional matters, policy development issues, and legal instruction. The Unit's human resources capacity will need to be increased to satisfy these additional duties and commensurate with current work requirements.
3. Identify and develop the requisite resources required to improve the law enactment system, including infrastructure and human resources. Develop capacity and requisite staffing for each law-enactment agency, specifically legislative drafters, legal officers, and any other relevant staff required to be

assigned to each ministry and parliament. Legislative drafters are a critical requirement, and legal officers are indispensable, given their training as attorneys. Currently, a legal officer is primarily involved in the initial stages of the law enactment process - at the instruction stage. Legal officers would be helpful both as a liaison between the ministry and the legislative drafting unit and in helping shape the policy within the ministry (together with the ministry officials as assigned) according to the ministry's needs in working out legal issues undergoing legal research. They would also be beneficial in spearheading discussions within the ministry with key stakeholders, etc. The legal officers would be charged with the more generic legal research leaving the drafting issues to the legislative drafting officers.

4. Update the law consolidation for Saint Lucia and keep it current as a priority.
5. Develop the relevant training programs aimed at educating and continuously developing standards as required for the jurisdiction.
6. The Standards of Operation should develop a list of requirements to accompany each instruction for legislation development at each stage in the law enactment to include, at a minimum –

At conceptualization stage (Ministry in consultation with the Unit), identify -

- Research (legal, repeal, general requirements)
- Policy requirements
- technical experts required for the project
- consultation needs
- Funding needs

At Policy Development stage (Ministry in consultation with the Unit), identify –

- The purpose and intent of the legislation
- Relevant details necessary to inform the legislation

At the instruction stage (from the ministry to the Unit) –

- Provide proof of legal research – relevant laws and constitutional issues
- Approved policy (by relevant permanent secretary and Cabinet)
- Approved funding for the measure (by Cabinet)
- Address consultation issues

At work plan stage with the Unit, agree –

- Consultation with PS and/or Ministry legal officer
 - Assessment of any outstanding matters
 - Timetime to be agreed
 - Stages and depth of consultations required (technical, ministry, public)
- Approval by AG/DLD

*Ministry (in conjunction with Unit) to prepare for stakeholder consultations as agreed

At Drafting Stage

- Initial draft prepared according to the policy requirements
- Conduct consultations as required (technical, ministry)
- Finalization of draft Bill after all requirements are met

Finalization of the draft law

- Final stakeholder consultation with the ministry responsible for the dissemination of draft bill
- approval by AG, then to the Instructing Ministry for sign off
- preparation for publishing (to determine notice requirement)
- arrangements for inclusion on the Order Paper (according to the agreed timeline)

Parliament Matters (Unit to facilitate)

- Liaising with the legal officer assigned to parliament on any relevant matters
- Minister/parliament briefing as required

A detailed instruction and training manual for the staff and ministries should also be developed and tailored to suit unforeseen requirements for the jurisdiction. Training (as a starting point) at all levels is paramount and should be ongoing.

Implementation of Recommendations

I am pleased to extend the invitation to the recipients of this proposal to discuss further ways to implement the recommendations. For more information, please contact me by phone (XXXXXXXX) or by email (XXXXXXXX).

Conclusion

This study recognizes that the issues raised are complex but not insurmountable. There are practical routes that can be implemented to promote positive social change and enhance the law enactment environment for Saint Lucia. The recommendations sought to remedy the gaps identified in the study, recognizing the limitations of the study and the current deficiencies of the jurisdiction. However, the recommendations also consider the fluidity of needs and provide flexibility in allowing for the jurisdiction's needs as they naturally grow and change. While the themes encapsulate the issues from the data, they also provide a roadmap to practical remedies for the jurisdiction. The recommendations made address many, if not all, the issues, including a more holistic approach to law enactment in the coordination, training, transparency, and general efficiency of the law-enactment environment in Saint Lucia