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Jamaica: Government efforts to strengthen the Jamaica Constabulary Force (JCF); resources; recruitment and programming; accountability and oversight mechanisms (2007 - 2010)
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Jamaica is reportedly struggling with high levels of violent crime related to drug trafficking, illegal firearms and gang activity (Jamaica 20 Aug. 2010, para. 70; Freedom House 2010; UN 11 Oct. 2010, para. 34). 2009 saw a record high 1,680 homicides (US 11 Mar. 2010, Sec. 1a; Press Association 4 May 2010; IHS Jane's 5 Aug. 2010). According to state authorities, Jamaica's murder rate was 60.2 homicides per 100,000 people in 2008 and 62.4 in 2009 (Jamaica 20 Aug. 2010, para. 70). The Press Association notes that Jamaica has one of the highest murder rates in the world (4 May 2010).

Efforts to Strengthen the Jamaica Constabulary Force

Between July 2007 and April 2008, Jamaica's Ministry of National Security (MNS) commissioned a strategic review of the Jamaica Constabulary Force (JCF) to "enhance and strengthen the capacity of the JCF to better fulfill its mandate" (Jamaica 2008, 12). A review panel was established with local and international experts on law enforcement, governance and police reform, including representatives from Canada, the United States (US), the United Kingdom and South Africa (*ibid.*). In its report to the MNS, the panel identified several issues affecting the functioning of the JCF, which they classified in five main areas: culture; corruption and human rights; internal and external accountability; leadership and management; and professional development (*ibid.*, 5).

Specifically, the review panel faulted the JCF for a culture of "command and control," for failing to act sufficiently against police corruption and abuse of human rights, for weak and ineffective oversight mechanisms, for inefficient management structures, and for poor working conditions of staff (*ibid.*, 5-9). The panel also noted that it was the seventh review of the JCF since 1991, and so recommended "incisive action to change the structure, leadership and management of the JCF" (*ibid.*, 78-79). The time frame for its action plan was the three-year period from 2008 to 2011 (*ibid.*, 78-79).

The Jamaican government, in its 2010 report to the United Nations (UN) Human Rights Council, detailed its progress in implementing the panel's recommendations, which includes establishing a strategic review implementation team and oversight mechanism in the MNS; strengthening community-based

policing (CBP); delivering training on ethics, human rights, and use of force; executing culture-change workshops (Jamaica 20 Aug. 2010, para. 64-65). However, several human rights observers report on the continued problem of police impunity and corruption within the JCF (AI 19 Apr. 2010, 5; JFJ et al. 2010, para. 15; US 11 Mar. 2010, Sec. 1d). Looking back on 2009, the US Department of State's *International Narcotics Control Strategy Report* states that Jamaican authorities had not yet implemented the recommended reforms, and notes that successive police commissioners have been hindered by "internal, judicial and political roadblocks" in their efforts to implement police reforms (US Mar. 2010, 381).

Resources

According to the MNS website, the current strength of the JCF is 8,441 officers, which is less than the 9,985 positions available (Jamaica n.d.a). Similarly, Jane's *Intelligence Review* states that the JCF had a strength of 8,223 officers at the start of 2009 (IHS Jane's 5 Aug. 2010); the strategic review panel indicated that the force was operating under strength with approximately 8,347 officers in 2008 (Jamaica 2008, 60). In 2009, the MNS reportedly explained that Jamaica's 1 to 274 ratio of police officers to citizens is the lowest in the Caribbean and one of the lowest in the world (CMC 11 May 2009).

The MNS website indicates that the JCF's overall budget was 13,953,887,000 Jamaican dollars (JMD) (CAN\$165,741,602 [XE.com 16 Dec. 2010a]) in 2006 - 2007; and 16 billion JMD (CAN\$190,044,941 [XE.com 16 Dec. 2010b]) in 2007 - 2008 (Jamaica n.d.a).

Evidence of whether these amounts are adequate include the observations of the Inter-American Commission on Human Rights (IACHR), an independent body of the Organization of American States that promotes and defends human rights (IACHR n.d.). During a visit in 2008 to observe the human rights situation in Jamaica, the IACHR reported that Jamaica does not "dedicate sufficient resources" to address the problem of violence (IACHR 5 Dec. 2008). The IACHR also found that the forensic lab was "understaffed and underfunded" leading to "incomplete and delayed" autopsy reports (ibid.). However, the National Security Minister reportedly stated in December 2009 that efforts are underway to modernize forensic equipment and train forensic crime scene investigators (*Jamaica Observer* 14 Dec. 2009). Jane's *Intelligence Review* identifies "low pay, demoralisation, widespread corruption and a lack of training and equipment" as among the problems affecting the JCF (5 Aug. 2010).

Recruitment and Programming

The strategic review panel stated that the JCF is "facing a crisis" with recruiting and retaining a competent and effective police force because of a range of shortcomings, including poor human resources management and training, low compensation, poor working conditions, little respect for "work/life balance," and outdated equipment and facilities (Jamaica 2008, 60). The panel also noted that 75 percent of accepted recruits were not meeting basic requirements and it made recommendations for addressing the issue (ibid., 63).

However, as part of its modernization efforts (Press Association 4 May 2010), the JCF is increasing recruitment of police officers (ibid.; Jamaican Police.com 8 Jan. 2010). The Communications Director of the JCF reportedly stated that the force plans to recruit an additional 800 officers in 2010, bringing

the total strength to 9,200 officers, and that the long-term goal is to bring the force to a total of 12,000 officers (ibid.).

Other actions taken to implement the review panel's recommendations include efforts to strengthen Community Based Policing (CBP) (Jamaica 20 Aug. 2010, 15). In its report to the UN Human Rights Council, the Jamaican government states that it has created a CBP training manual and deployed 183 people to work on CBP in 19 patrol divisions (ibid.). The report indicates that 57 communities have CBP officers or patrol teams (ibid.). The JCF also reportedly delivered training on ethics, human rights, and use of force to its officers in collaboration with human rights organizations; by the end of 2010, over 5,000 officers were slated to have received the training (ibid., 19).

Oversight Mechanisms

The strategic review panel characterizes internal accountability within the JCF as "weak" and notes that none of the three external oversight organizations--the Police Services Commission (PSC), the Police Public Complaints Authority (PPCA) and the Police Civilian Oversight Authority (PCOA)--are "fully effective" in holding the JCF accountable (Jamaica 2008, 7).

Internal mechanisms

Amnesty International (AI) reports that the Bureau of Special Investigations (BSI), the branch within the JCF responsible for investigating police shootings, reportedly had a backlog of 1,040 cases as of 15 May 2009 (2009, 25 and 13). According to the IACHR, the BSI lacked sufficient resources and was neither proactive nor independent (5 Dec. 2008). However, several sources indicate that the JCF's Anti-Corruption Branch has successfully removed some corrupt police officers from the force (US Mar. 2010, 382; ibid. 11 Mar. 2010, Sec. 1d; Jamaica 10 Dec. 2010). According to Jamaica Information Service (JIS), 184 police officers were removed from the force in 2010 because of unprofessional conduct (ibid.).

External mechanisms

Members of the PSC are appointed by the Governor General and are authorized to make recommendations to the Governor General in several areas, including disciplinary actions against JCF officers ranked at and above the level of Inspector (Jamaica 2008, 41). However, the strategic review panel found that the commission's impact is limited in large part by "a lack of adherence to operational procedures and cooperation on the part of the JCF" (ibid.).

The PPCA was reportedly established in 1992 as an independent agency to investigate public complaints of police misconduct (Jamaica 2008, 43). The strategic review panel found that the PPCA lacked sufficient resources and authority to be effective (ibid.). The panel recommended that the PPCA be merged with a proposed Independent Commission for Investigations, which would investigate corruption and complaints of misconduct among the security forces (ibid., 49). Sources report that the legislation establishing the Independent Commission for Investigations was approved in March 2010 (AI 19 Apr. 2010, 5; Jamaica 10 Mar. 2010), and that the new commission began operation in August 2010 (*Jamaica Observer* 13 Aug. 2010).

The PCOA was established in 2006 with the purpose of monitoring the JCF to ensure accountability for policy implementation, financial management and adherence to proper standards (Jamaica n.d.b; *ibid.* 2008, 42). The strategic review panel characterized the PCOA as being "in an embryonic stage of development, particularly in relation to its inspection and audit function" (*ibid.*). The panel noted that the PCOA was understaffed and underfunded, and that no "practical action" had been taken by the JCF in response to its inspections (*ibid.*, 42-43).

Observations of Police Performance

Human rights observers report that JCF officers use excessive force, are guilty of extra-judicial killings and lack accountability (JFJ et al. 2010, para. 15-16; AI 19 Apr. 2010, 5; IACHR 5 Dec. 2008; UN 11 Oct. 2010, para. 35). According to statistics provided by AI, police officers were responsible for 272 civilian fatalities in 2007, 224 in 2008 and 253 in 2009 (AI 19 Apr. 2010, 4). Based in part on eyewitness accounts and the lack of injuries among police officers, AI concluded that many of these killings were "unlawful" and included "extra-judicial executions" (*ibid.*). Human rights organizations also indicate that many of the victims are young men or boys from low-income areas who do not pose a threat to the officers (JFJ et al. 2010, para. 18; IACHR 5 Dec. 2008).

However, sources report that convictions of police officers are rare (AI 19 Apr. 2010, 5; IACHR 5 Dec. 2008; UN 11 Oct. 2010, para. 35). AI points out that between the years 2000 and 2010, only four officers have been convicted for crimes related to killings even though there have been more than 1,900 cases of fatal shootings (19 Apr. 2010, 5). The US Department of State's *Country Reports on Human Rights Practices for 2009* similarly notes that there have been no convictions of police officers accused of human rights violations since 2006 (11 Mar. 2010, Sec. 1a). In its 2010 report to the UN Human Rights Council, a coalition of eight non-governmental organizations (NGOs) led by the citizens' rights group Jamaicans for Justice (JFJ) argues that

[t]he failure to ensure effective, independent and timely investigations whenever police discharge a firearm or when police action results in serious injury or death, constitutes an abuse of power and an important cause of impunity in itself. Almost all investigations and prosecutions of fatal police shootings are perfunctory, inadequate, unsatisfactory and do not meet international standards. (JFJ et al. 2010, para. 20)

Human rights organizations note that this lack of accountability contributes to public insecurity and lack of confidence in the JCF, making it more difficult to control crime (*ibid.*, 21; IACHR 5 Dec. 2008).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Oral sources: Attempts to reach representatives of Jamaicans for Justice were unsuccessful within the time constraints of this Response.

Internet sites, including: Europa World Plus, European Country of Origin Information Network (ecoi.net), Global Integrity, Human Rights Watch, Interpol, Office of the United Nations (UN) High Commissioner for Refugees (UNHCR) Refworld, UN Office on Drugs and Crime.

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