

**ROAD MAP
TO A
SAFE AND SECURE
JAMAICA**

May 1, 2006

Road Map to a Safe and Secure Jamaica

**Report of
The Special Task Force on Crime
Convened by: Leader of the Opposition
Mr. Bruce Golding**

May 1, 2006

DEDICATION

**THIS REPORT
IS
DEDICATED
TO
THE CHILDREN OF JAMAICA**

**Peace is not a passive but
an active condition, not
a negation but an
affirmation. It is a
gesture as strong as war.**

(Mary Robert Kinehart)

ACKNOWLEDGEMENTS

Like with any other Task Force, the work of this one is limited by the knowledge resident in its members. To achieve a whole greater than the sum of the individual parts, a synergistic team approach was adopted. This approach extended beyond the immediate members to incorporate the views of a range of stakeholders through a consultative process.

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The STFC also wishes to express its gratitude to the under-mentioned for graciously agreeing to meet with us, thereby enhancing our work. They are:

Hon. Hugh Small	-	High Court Judge, Bahamas
Rear Admiral Hardley Lewin	-	Chief of Staff, JDF
Col. Stewart Saunders	-	Colonel General Staff, JDF
Mr. David Batts	-	Attorney-at-Law
Mrs. Audrey Sewell	-	CEO, Justice Training Institute
Mr. Clayton Morgan	-	Vice President, Jamaica Bar Association
Mr. Gilbert Scott	-	Permanent Secretary, MNS; and his senior officers
His Excellency Mr. Claudio Valle	-	Canadian High Commissioner; and his Deputy Head of Mission Mr. Bryan Burton

- Dr. Wesley Hughes - Director General, PIOJ; and his senior officers Dr. Peter John Gordon and Ms. Dionne O'Connor
- Professor Neville Duncan - representative of the Sir Arthur Lewis Institute of Social and Economic Studies (SALISES), UWI
- Mr. Steadman Noble - Technical Consultant, Jamaica Social Policy Evaluation (JASPEV).

A range of representatives from the social services sector responded to the STFC's request for interface. These included:

- Mrs. Sheila Nicholson - representative, People Action Committee for Transformation
- Mrs. Sheila Grant - representative, Local Initiative for Urban Development
- Dr. Noel Watson - representative, UNDP Civic Dialogue
- Mr. Godfrey Lothian - representative, Kingston and St. Andrew Action Forum
- Mrs. Janilee Abrikian - representative, Peace & Love in Schools
- Mrs. Winsome Wilkins - representative, Council for Voluntary Social Services/United Way of Jamaica
- Dr. Barry Wade - representative, Jamaicans for Justice
- Rev. Bobby Wilmott - representative, National Church Alliance
- Dr. Joslin Salmon - representative, Poverty Alleviation Unit, Office of the Prime Minister
- Mrs. Becky Stockhausen - representative, PERF/AMCHAM
- Ms. Donna Parchment - representative, Dispute Resolution Foundation.

Attorney-At-Law, Mr. Richard Small, although not officially a member of the STFC, gave unstintingly of his time. His contribution to the section on improvement of the Justice System is invaluable.

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The Special Task Force on Crime (STFC) is an independent voluntary consultative group constituted by the Leader of the Opposition to make available its best advice on how the matter of escalating crime may be effectively handled.

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Mr. Richard Small, Attorney at Law, participated in most of the meetings. Although not officially a member of the STFC, he made an invaluable contribution to the report.

The team represents competencies and experience in security, policing, criminology, law, management, business, community development and leadership.

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1.0. INTRODUCTION

1.1. Background

1.1.1. Jamaica is faced with a deep crisis of public safety and an equally deep crisis of public confidence in the willingness and capability of the criminal justice administration to effectively respond to the challenges. This crisis of public safety is manifested in the extraordinarily high murder rate and the high rate of violent crimes. More importantly, driving the figures are troubling social processes that have culminated in what has been officially described as a culture of violence¹. In 2005, the country returned a murder rate of 63 incidents per 100,000 citizens. This places us at the top of the ranking as the most murderous country in the world.² In the five-year period 2001-2005, there were 6304 reported murders, some 6919 shootings, approximately 4324 rapes and 1078 cases of carnal abuse. This high level of violent crime has persisted for some 30 years. Violence has now become a familiar part of everyday life in urban Jamaica. In these regions of the country, there are few persons that remain completely untouched by this violent criminality – regardless of class, colour or creed.

1.1.2. The crisis of public confidence in the criminal justice administration is also expressed in the high levels of fear of crime and the view that *crime is out of control*. Every day the “average” urban citizen witnesses a number of incidents of law violations and public disorder that go unchallenged by the authorities and their fellow citizens. These may occur in very public places such as the transport centres and markets where extortionists ply their trade, “taxing” taxi operators, hagglers and store owners; in schools where children may violently attack their fellow students with near impunity; and in some communities where young men are able to openly parade with their illegal guns and to boast of “making duppies”. Moreover, from time to time the violence of the competing organized crime networks are able to shut down sections of the capital and other towns as has repeatedly been the case in Downtown Kingston and Spanish Town. Not surprisingly, national polls now show criminal violence to be the first concern among the Jamaican citizenry.³

1.1.3. The response capability of the State has been weakened or hollowed out by corruption. There is general consensus that Jamaica suffers from endemic corruption and that this has been spreading throughout the system – and has become institutionalized in the Police Force, is evident in the Department of Corrections and even in the judiciary.

¹ *National Security Strategy for Jamaica 2005*

² *The reader should note that some countries with very high homicide rates do not report these rates to INTERPOL and the WHO which also publish homicide rates; we do not have estimates for these countries.*

³ *See Daily Gleaner March 14, 2006, page 3.*

Studies such as the one done on Political Tribalism⁴ confirm that corruption extends to the political administration where it saps the political will to treat effectively with the crime problem. There are now large groupings of key institutional actors who are the beneficiaries of this and its related problems. They have a vested interest in blocking the changes that are needed to ensure effective institutional responses to the crime problem. Any effort at improving the effectiveness of the institutions of crime control will therefore sooner or later collide with *institutionalized* corruption.

1.1.4. The situation requires a sense of *urgency, focus and seriousness of purpose*. Crime, especially violent crime, presents a challenge to leadership at the level of the political administration, the criminal justice administration, and other key institutions such as the schools, as well as the community and civil society in general. A broad consensus based on unity of purpose, agreement on the values that should inform the responses of the state, the priorities, the funding of these priorities and the willingness to make the associated sacrifices is needed (and may even be a precondition for an effective and sustainable programme of action).

1.1.5. In seeking a path away from the abyss, the Special Task Force on Crime (STFC) recognizes the work that has been done by previous Task Forces and Committees. We have sought to avoid some of their short-comings and to build on their many good ideas. But the problem is not simply one of ideas. As noted above, there are powerful interests that are bent on preserving things as they are.

1.1.6. It is with full appreciation for the enormity of the task, a spirit of confidence in the Jamaican people and optimism about our future as a nation that the STFC undertook this task of developing a Roadmap to a safer and more secure Jamaica.

1.2. Terms of Reference

1.2.1. The STFC was tasked with the responsibility to develop a roadmap for treating with the crime problem, that is, to propose “actionable strategic activities to deal with crime at the root cause and symptomatic levels.” It recognizes that there are helpful long-term efforts at institutional change and modernization that are in train that must be strengthened and accelerated. Here is emphasized the short-term actions of both a symbolic and substantive nature that can signal priorities and have an immediate impact on the problem.

⁴ *Report of the Committee on Political Tribalism, July 1997*

1.2.2. Additionally, the remit of the Task Force required it to identify those institutionalized responses which, although requiring a longer period for implementation and a greater commitment of resources, would make the gains sustainable (see Appendix 1 for the TOR).

1.2.3. The output from the Task Force's work includes:

- Actionable activities to deal with crime at the “root cause” and symptomatic levels;
- Key performance measures and
- Rough estimates of the financial requirements and implications of the Roadmap.

1.2.4. Successful implementation of the Task Force's recommendations is expected to yield:

- Significantly lower rates of violent crime, an end to institutionalized corruption in the police service, and a significant weakening of organized crime as a player in local and national politics.
- A more integrated and effective criminal justice system that more speedily, efficiently and fairly dispatches the cases that are before it.
- An efficient and motivated constabulary equal to the task of protecting the citizens of the country, especially those living in the high-violence areas, ensuring the rule of law and maintaining public order.
- Empowered and involved communities that begin to take responsibility for their safety, in partnership with the security forces.

1.3. The Concept of a Roadmap

1.3.1. This report is conceptualized and organised as a “Roadmap.” According to Patrick McAndrew, Andrew Brashner and Pascale Hardy of the Open University, a roadmap provides “a vision of the future landscape available to decision makers, ... the inventory of possibilities for a particular field.” The road-mapping process, therefore, provides a way to identify, evaluate and select strategic alternatives that can be used to achieve a desired objective. Roadmaps attract resources from business and government, stimulate further investigations and may be used as a tool for monitoring progress.

1.3.2. This “roadmap” incorporates a series of goals to be accomplished and supporting steps to be carried out in getting from one set of circumstances to another i.e. to move from the present situation towards the achievement of one or more objectives or goals. The use of the word in the given context may not strictly meet the technical requirements of the definition but is meant to connote a series of well-considered steps toward attaining

an important objective. It may therefore be more appropriately called a route map. With this understanding, we hereafter use these terms interchangeably.

1.3.3. Importantly, the route map is predicated on the assumption that there is the will and intention to carry out the prescribed actions.

1.4. Limitations to the Work

1.4.1. A report of this nature obviously had to contend with some limitations. The more germane ones include the following:

- Being a volunteer group, limits were placed on the time and resources available.
- It was thus unable to do any primary research where this was needed. Some conclusions are thus grounded in experience rather than in factual evidence. This is especially true of the justice system (which is generally under-researched).
- The STFC thus sought to tap into the experiences of key practitioners and administrators and to interact with as many stakeholders as possible. However, given the limitation of time, this was not as extensive as we wished it to be.

1.4.2. The members of the STFC are of the view that none of these limitations materially affected the substantive recommendations emanating from the work.

1.5. Leadership and Accountability

1.5.1. Although the STFC did not conduct an exhaustive evaluation of the degree to which the recommendations of previous reports have been implemented, the consultations and discussions have led to the view that at best past recommendations provided a temporary respite from the overwhelming threat of crime and violence and, at worst, they were in the main ignored beyond the announcement of their publication.

1.5.2. The Report of the Task Force on Political Tribalism (July 1997) is a case in point. It could be argued that almost nine years after the publication of that document, the features which define garrison communities and constituencies still exist. In fact, there is a denial of their existence among very powerful elements of the political leadership.

1.5.3. The Report of the National Committee on Crime and Violence (October 2001) has had similar treatment meted out to it. Astonishingly, the contents of the document signed in Parliament by the ruling and opposition parties had been altered from the original

submitted by the Committee. It is expected that these and similar reports, including this one, will be subjected to critical scrutiny and political negotiations that may alter them in some ways. In order to become policy, they must enter the political process and become subject to it. This is on the face of it a healthy aspect of democratic decision-making. Nevertheless, this kind of action raises the issue of the extent to which a sound, rationally grounded report coming out of a properly constituted committee, can be “doctored” and still retain its integrity.

1.5.4. In the actual implementation of the recommendations contained in the Report of the National Committee on Crime and Violence, the implementers have displayed a tendency to “cherry pick” from among the recommendations. This approach is very evident in the treatment of recommendations pertaining to the Jamaica Constabulary Force where there has been a demonstrated preference for conditions of work and hardware solutions, while ignoring structural and policy changes that are critical to achieving the intended outcomes.

1.5.5. The STFC would be remiss if it did not point out a failing that has conspired against the implementation of the recommendations emanating from the work of similarly constituted and well-intentioned bodies. Resources have typically not been made available for the implementation phase. This is especially telling in the area of social interventions where the relevant agencies of Government have tight budgets tied to work programmes built around narrow mandates. There is also no history of cooperation between or among these agencies.

1.5.6. While recognizing that there are institutionalized challenges in how Government works – e.g. budgetary limitations and cultural challenges, if the members of this Task Force had to identify a single cause for inaction it would be lack of political will and leadership.

1.5.7. If these recommendations are to be successfully implemented, then the people of Jamaica will have to see demonstrated a greater level of leadership and accountability.

1.6. Structure of the Rest of the Report

1.6.1. The rest of the report is in three sections. In the first section an attempt is made to characterize the current situation in the country with respect to crime and security challenges. The roots of the problem are then identified. In the next section, the Roadmap is presented as a series of related steps toward the more effective and sustainable control of crime (especially violent high-end) in Jamaica. In the final section issues of implementation are discussed.

2.0. CHALLENGES AND OPPORTUNITIES

2.1. CHALLENGES

2.1.1. Characteristics of the Problem

2.1.1.1. The Jamaican crime situation is very dynamic. Any attempt to develop a policy response that has a chance of gaining consensual support must be grounded in a proper characterization of the situation. Earlier in this report, the current situation was characterized as a *crisis of public safety*. This is quite different from a *crisis of state security*, or a crisis of *generalized state failure* or institutional collapse. It specifically refers to the inability of the responsible state institutions to adequately protect the citizenry from criminal victimization.

2.1.1.2. How one responds to a “culture of violence” is different from how one would respond to a situation in which the levels of social and ordinary criminal violence may be high but these behaviour patterns are situationally induced rather than culturally grounded. To admit to a culture of violence is by definition to admit the existence of a profound crisis.

2.1.1.3. A crisis situation demands a different type/level of intensity of response and resource mobilization than a “normal” situation or lower-level problem. This is a simple requirement of integrity. Failure to act in a manner that is consistent with such an evaluation of the situation may indicate a deeper crisis of state (in)capacity, or of endemic corruption and a complicit or at least a weak and diffident leadership.

2.1.1.4. According to the NSS, the main crime-related threats facing the country are organized crime (especially transnational organized crime) and public disorder or as it is put in the document “the rule of law (is) at risk”.⁵ We agree with the threats identified in the NSS and the assessment of the difficulties that they present.

2.1.1.5. Organized crime is a prime source of violent criminality, especially large-scale violence that is able to confront the security forces and to create major disruptions in the economic and social life of some of the major cities. Beyond this, is the problem of social violence among ordinary citizens who are unable to peacefully settle quite ordinary everyday disputes without resorting to violence - and who do not have the assistance of the institutions of the State (for example, a more proactive and interventionist police

⁵ See the *National Security Strategy for Jamaica 2005* page 6

service). The idea that a (sub)culture of violence has developed in urban Jamaica has its evidential basis in this reality.

2.1.1.6. Subcultures of violence develop where the State is ineffective in treating with everyday social conflicts and social violence. The people therefore tend to avoid the use of the state institutions and instead resort to self-help violence as a way of resolving conflicts and seeking “justice.” The problem becomes progressively worse and out of the control of the responsible institutions of the State which are increasingly ignored by the affected population. Arresting the present situation is thus a matter of great urgency.

2.1.2. ‘Roots’ of the Problem

2.1.2.1. An effective strategic response to the problem must rest on an understanding of the “roots” of the problem. Violence has many roots. And there are different types of roots that exist at different (soil) levels. As noted by the report of the National Task Force on Crime 1993 (popularly called the Wolfe Report), individuals commit crime. An understanding of *criminality*, that is, *the act* of committing a crime, is thus incomplete without identifying the factors driving individuals to commit the different types of crimes. These are usually called risk factors. Primary research conducted by UWI academics have isolated these factors for children-at-risk; however, similar work has not yet been done on adult populations.⁶ Identification of these factors may aid interventions that serve to reduce risk and reinforce resiliency *at the level of the individual-at-risk*. This is especially effective when articulated with similar analyses of the local contexts in which the individual operates and makes choices. For example, the identification of risk and resiliency factors for communities may aid interventions *in communities-at-risk*. However, as critical as individual and local (community and school level) interventions may be, their success or failure often hinges on developments at the national level.

2.1.2.2. The current high *rate* of violent crime is the outcome of a long process that has its “roots” in:

- High rates of youth unemployment
- Historically high levels of social inequality, and
- An ineffective criminal justice system.

2.1.2.3. These are empirically established relationships, not speculative conclusions or inferences from general theories of society and the processes of socialization and social

⁶ We refer to the excellent work of Dr. Maureen Samms-Vaughn and Julie Meeks-Gardner. See for example, *A Case-Control study of Family and School Determinants of Aggression in Jamaican Children* by Dr. Meeks-Gardner. It was published by the PIOJ in 2000.

control – although these may provide useful insights into the nature of the problem and give coherence to the solutions⁷.

2.1.2.4. High rates of *youth* unemployment (age 14-24 years) are generally associated with high levels of violence. This finding has been reported in study after study in country after country and is true for Jamaica. It is well-known that a high proportion of violent crimes are committed by young males who are unemployed and underemployed. This problem is compounded in conditions of high levels of inequality. Policies that reduce unjust inequalities are likely to reduce some categories of violent crime, but recent research findings cast some doubt that in our case they would have an impact on the murder rate. What is however very clear from the existing research on Jamaica is that police effectiveness as measured in terms of the clear-up rate and conviction rates would have a powerful, deterrent effect on violent crime, including murder - although it should be noted that existing research suggests that a simple increase in the number of police officers is not likely to yield a significant crime control return. The point is to improve the effectiveness of the Police (which does not automatically follow from increased numbers, but does not preclude this) and to end the impunity with which people are able to commit murder and other serious crimes.

2.1.3. The Role of Corruption

2.1.3.1. If the problem has its “root” in the above factors (among others), it is further *facilitated* by high levels of corruption. Transparency International measures the degree to which corruption is perceived to exist among public officials and politicians and produces an annual corruption perception index. For 2005 Jamaica attained a score of 3.6 out of 10 and ranked it 64th out of 159 countries surveyed. In most countries of the world where there has been the development of powerful organized crime networks, this has been facilitated by corrupt relationships between ordinary criminal gangs and the major political institutions. The gangs become key players in the processes of political mobilization on the streets, securing electoral victories, and in consolidating power – often because of their hold on communities of the urban poor. This relationship leads to a flourishing of corruption and the plunder of the resources of the State. This is usually done via construction contracts, solid waste disposal contracts, and contracts for other services, including security services.⁸

2.1.3.2. Most of all, corruption facilitates serious crimes, and endemic corruption ensures the freedom of action to build powerful and successful criminal enterprises. This is most

⁷See Francis, A. et al. 2003. *Crime and Development: The Jamaican Experience*. Mimeo; and Frost, B. and Bennett, R. 1998 “Unemployment and Crime: Implications for the Caribbean” which was published in the *Caribbean Journal of Criminology and Social Psychology* Vol. 3 # 1-2 - for discussion on the empirically established relationships.

⁸ See Harriott, A. 2005 *The Rise of Organized Crime in Jamaica*. Paper presented at Think Tank 2005.

problematic and yet most evident in the police service where corruption is endemic and institutionalized. In interviews that were conducted, selected JCF personnel from different ranks expressed the view that the majority of their senior officers were corrupt and/or were tolerant of corruption within the Force. Some of the corrupt practices that have become endemic include:

- Payoffs for road traffic offences
- Sale of gun licenses
- Sale of ammunition
- Dropping charges, including serious offences
- Advising criminals of planned police interdiction
- Not turning up to give evidence in court
- Not recording reported crimes to avoid having to investigate
- Planting evidence
- Stealing evidence or arranging its “disappearance”
- Stealing the seizures of raids (narcotics, money, weapons, etc.)
- Providing bodyguard service for dons and other questionable characters
- Providing escort for illegal drugs
- Evidence-tampering – switching narcotics in storage
- Removing evidence from crime scenes
- Tampering with biological exhibits, e.g. urine samples
- Subtle intimidation – conducting road traffic “checks” to intercept motorists and try to sell them tickets to police “fundraising” events
- Theft of motor vehicle parts from vehicles in custody of police pound
- Sale of favourable inspection reports for clubs, bars and other entities operating under Spirit Licence
- Perjury to either secure or set aside convictions
- Not recording crimes reported in order to falsify statistics
- Extortion – sale of “protection”- providing security at construction sites and events (dances, etc.)
- Contract killing or “murder for hire”.

2.1.3.3. With regard to the “root causes” identified above, we are referring to them as determinants of the homicide *rate* and rate of violent crime, not individual *acts* of homicide or violence. As rates are features of the society, they are explained in terms of other features of the society (that may be manipulated by public policy instruments). For us a “root cause” is something that has a measurable independent effect on the rate of violent crime. To avoid confusion, determinant is perhaps a better word.

2.1.3.4. The real point here is, however, that an effective crime control policy must treat with these determinants or root causes and the main facilitator of high end and organized crime, that is, corruption. Public resources are scarce and thus it is very important for policy, programme and even project success that the coordination and sequencing of any

response is unified by a common strategy. For example, programmes aimed at reducing youth unemployment and transforming the inner-city communities may be counterproductive and serve to empower the networks of organized crime that operate in some of these communities – if these networks are not smashed prior to or simultaneously with the implementation of these programmes and projects.

2.1.3.5. We therefore suggest that a major strategic objective is to smash organized crime. The reasons for this are:

- Organized crime serves to advertise the success of crime, including violent crime. Its leaders are high profile models of material success whom others try to emulate.
- They command considerable means of violence.
- They are able to use their criminally-acquired wealth to corrupt some of the key institutions of the country including the Police Force, elements in the state bureaucracy and the political parties.
- They have made a successful business of violence. Successful extortion rackets are ample evidence of this.

2.1.3.6. The successful rooting out of organized crime would clear the ground for inner-city renewal and successful youth employment projects that may involve attracting private sector firms to inner-city areas.

2.1.3.7. To crush organized crime, however, requires:

- Appropriate legal instruments that would allow the State to seize their criminally-acquired assets and to arrest entire groups of criminal conspirators, that is, to close down the criminal firm. This would take the profits out of crime. An assets forfeiture act “with teeth” is now likely to be passed, giving the criminal justice system the power to do this. This is likely to be more effective than killing the dons who are easily replaced.
- Cutting its links to the political parties and via the parties to the State. These links are a source of its wealth and ability to launder criminally-acquired money. These links are also a source of its power in the communities of the urban poor.
- These linkages are strongest and most problematic in the garrisons. It is here that the crime networks are able to entrench themselves and to secure safe havens. De-garrisoning is thus an important element in any strategy to crush organized crime.
- Controlling police corruption and improving the investigative capacity and competences of the Force. It is partly this corrupt link that guarantees it impunity or freedom from successful prosecution. We will return to these issues in the next section of the report.

2.1.3.8. We have highlighted the problems presented by organized crime because it is a driver of the process that makes crime successful and attractive and it is a prime source of

violence. But as noted earlier, there is also a *more generalized problem of violence in the society*.

2.1.3.9. While it would be totally inappropriate to apply peace-making and mediation strategies to dealing with organized crime, these responses are quite appropriate for treating with many forms of social violence between ordinary citizens. The institutional capacity for delivering these types of services should therefore be strengthened.

2.1.3.10. Pacification of the society and especially the high violence zones, however, requires more than the smashing of organized crime and the access to conflict management services. It requires, at least in the short term, intensive policing and a robust programme of public order maintenance/management. Both of these require an effective police service and justice system. This is especially true in the short term when it is not possible to make a dramatic impact on the socio-economic aspects of the problem, particularly youth unemployment.

2.2. OPPORTUNITIES

2.2.1. The National Security Vision

2.2.1.1. Crime control and national security policy and strategy must be informed by clearly articulated values that are consistent with our long-term developmental goals. These values are typically expressed in a vision statement. The values that should inform Jamaica's progress toward a peaceful and prosperous country are stated in the national Motto, Anthem and Pledge. These values include freedom, justice, "respect for all", and "brotherhood and peace"⁹. These values find expression in our Constitution as rights and law. The Jamaica Social Policy Evaluation Project (JASPEV) has authored a vision of the Jamaica that is consistent with these values and with the United Nation's Millennium Development Goals (MDGs) for 2015.

2.2.1.2. Jamaica and the other countries of the Caribbean are among 191 UN-member States that have pledged to work towards meeting the Millennium Development Goals (MDGs). The goals in the main speak to eliminating the effects of poverty and hunger, unemployment, sub-standard education, health, and environmental degradation. Some of the MDGs that are of relevance to this report are enumerated below:

- Eradicate extreme poverty and hunger
- Achieve universal primary education

⁹ We take this to also include Sisterhood.

- Promote gender equality and empower women
- Ensure environmental sustainability and in the process achieve significant improvement in lives of slum dwellers
- Develop a global partnership for development. This would entail:
 - Demonstrated commitment to good governance, development and poverty reduction
 - Developing decent and productive work for youth
 - Making available the benefits of new technologies especially in information and Communications
 - Dealing comprehensively with the country's debt.

2.2.1.3. Consistent with this national vision elaborated by JASPEV, the NSS - that is, the Government's overarching policy document on national security - highlights the broad security goals and the values that should direct and limit the means that are selected for achieving those goals. It is stated as follows:

Jamaica aims to establish a safe and secure environment in which it can focus on achieving a prosperous, democratic, peaceful and dynamic society which upholds the fulfillment of human rights, dignity for all persons, and builds continual social progress based on shared values and principles of partnership. It aims to provide an environment in which Jamaicans can experience freedom and other benefits guaranteed by the Constitution.

2.2.1.4. This statement appropriately positions Jamaica in its national security programming. Thus, while confronted with a profound crisis of public safety, this must be treated within the framework of the rule of law and respect for the democratic values highlighted above.

3.0. THE ROADMAP

3.1. Preamble

3.1.1. As the problem of criminal violence has become endemic, lasting solutions will only come from institutionalized, long-term interventions. We suggest some of these. However, the problems are of too serious a nature, with too many lives at stake to simply wait for results in the long term. Decisive actions are required in the short term to signal to the society that there is intent and a resolve to solve the problem and to get some immediate results.

3.1.2. Consistent with the earlier analysis of the challenges, opportunities, and with the values that ought to inform any national security response, in this section of the report, a course of action or roadmap is presented. The proposed course of action is organized around five (5) discrete but related goals, and six (6) strategies for achieving them. These goals are destroying organized crime, significantly reducing the homicide rate, reducing the rate of sub-lethal violence, restoring public order and eliminating institutionalized corruption in the criminal justice system, other critical institutions of State and the political parties. The strategies are articulated as routes with key signposts. They are controlling corruption - including breaking the nexus between crime and the political parties, dismantling the garrison communities, making the security forces (police and military) more effective and transforming the delivery of justice. Each strategy or related set of action points are accompanied by measures of success – which would instruct systematic evaluation and aid accountability. The coherence of the roadmap, that is, its relationship between goals and strategies, is presented in Table 1 below.

Table 1

GOALS	Eliminate corruption	Break party crime links	Degarrison	Transform delivery of justice	Transform security forces	Community Renewal
Crush organized crime	X	X	X	X	X	X
Reduce homicide rate	X	X	X	X	X	X
Reduce non-lethal violence	-	X	-	X	X	X
Restore public order	X	X	X	X	X	X
Eliminate corruption	X	X	X	X	X	-

*Note: The 'X' means that the strategy is expected to have an impact on the goal.
The '-' means that the strategy is not expected to have any impact.*

3.2. Roadmap to Controlling Corruption

3.2.1. Corruption in the Government, political parties and private sector facilitates the empowerment of organized crime and freedom of criminal action more generally. Government contracts are among the most commonly used means for the corrupt, mutually-beneficial transfer of resources to organized crime and corrupt officials. A robust anti-corruption strategy is a condition for more effective law enforcement and the achievement of most of the goals stated above. (See Table 1).

3.2.2. Some of the key signposts are:

- *Action:* Pass an effective Assets Forfeiture Act. This act should include provisions for access to information on assets, seizure of criminally and corruptly acquired assets that are put in the name of others (and make the holders of these assets criminally liable). It should also establish the authority to freeze criminally-acquired assets upon arrest. The British Act provides a good model.

Justification: More effective legal instruments are needed to deal with the challenges of organized crime and high-level corruption. These instruments are consistent with international experience.

- *Action:* Provide the Corruption Prevention Commission with the resources that are needed to ensure its independent capability to effectively investigate and prosecute breaches of the Act.

Justification: While there are good laws and rules for treating with corruption among public officials, there is no accompanying capability to effectively enforce these laws. The first is pointless without the second.

- *Action:* Change the libel laws so that the Press may better expose corruption and crime.

Justification: Formal systems of control work best when supported by effective informal control that also serves to hold them to account and keep them honest and effective. The Press is a critical element in any informal system of control. It flags the issues for the people and may trigger official investigations.

- *Action:* Promote transparency by making it a statutory requirement that all political parties be required to publish annual reports, disclosing the sources of their revenue by corporate and individual names.

Justification: This would reduce corrupt and criminal influences on the political parties and the political administration and help to ensure that the policy process is more rationally grounded and better serves national interests.

- *Action:* Promote transparency in contracts. All contracts and subcontracts, regardless of the sum involved, must be awarded only to contractors that are on lists approved by the Contractor General.
 - Contractors must be required to name themselves and to list all subcontractors on a notice board at the site during the period of construction and up to one year afterwards.
 - Each Ministry must be required to publish a list of all contractors and subcontractors who have provided services to it. This must be done annually.

Justification: This would plug the present loophole that allows registered contractors to sub-contract to firms that are fronts for criminal enterprises, and end the practice of circumventing the Office of the Contractor General by splitting contracts into many small ones that are below the sum that would trigger an audit by that department. The Contractor General may thus be held accountable if contracts are awarded to firms that are linked to organized crime.

- *Action:* Include parliamentarians under the Corruption Prevention Act.

Justification: There should not be special rules for any class of officials and citizens. All laws should be based on the principle of universalism, otherwise they bring the law and the state into disrepute.

- *Action:* The appointment of all officials to critical posts and positions of leadership in the public service (the Commissioner of Police, the Chief Justice, the Commissioner of Corrections, the Head of the Corruption Prevention Commission, the Contractor General) should have the approval of 2/3 of Parliament.

Justification: This would ensure that they enjoy the trust of the majority of the representatives of the people.

3.2.3. Measures of success to be applied include:

- Our ranking on the Transparency International Annual Transparency Index.
- Corruption losing its institutionalized character (in key institutions) and instead becoming the acts of individuals.
- Improved public confidence in the institutions (which may be measured by surveys of public opinion).

3.3. Roadmap to Breaking Party-Crime Links

3.3.1. As noted earlier, perhaps the most critical facilitator of high-end crime is the corrupt link with party functionaries. A special set of anti-corruption measures are therefore directed at weakening and breaking these links.

3.3.2. Some of the key signposts to breaking these links are:

- *Action:* That all “approved contractors” be required to have security clearance that indicates that their firms are not linked to organized crime.

Justification: The party-organized crime links are largely based on the opportunities for material enrichment. Removing this would thus weaken the links.

- *Action:* Any contractor who subcontracts to a criminal firm or a firm controlled by criminal elements should be “black listed” from future contracts.

Justification: This introduces increased risks to approved contractors who violate the rules.

- *Action:* The code of conduct for politicians should include a prohibition of all conduct that reinforces crime and all forms of violence. This includes symbolic reinforcement such as attending the funerals of person of criminal repute, approvingly associating with them in the constituencies and other settings, and performing songs that are supportive of violence on political platforms. These types of behaviour should be monitored by the Political Ombudsman.

Justification: Too many Jamaicans are ambivalent about crime. This undermines law enforcement and sends mixed signals to criminals. The political leadership should be required to rid itself of this ambivalence.

- *Action:* Remove all persons with criminal connections from representational politics. The STFC favours the approach set out in the report of the National Committee on Crime and Violence (2001), which states inter alia: “ Starting with the next general elections, political parties must certify that all reasonable steps have been taken to ascertain the antecedent history of each candidate and that, to the best of their knowledge the individuals are without criminal blemish. A false certification will attract sanctions. The certification will go to the Public Defender carrying out his functions as Political Ombudsman under the Public Defender Act. Parties must take all practicable steps (under pain of criminal liability) to ensure that they do not receive funding from persons or organizations that are criminally tainted for example drug dealers.”

- *Justification:* Ensuring that party candidates do not personify the crime-politics links may restore trust in the parties as vital elements of our democracy that truly serve the national interests.

3.3.3. Measures of success to be applied include:

- A significant reduction in the number and value of State-funded contracts (via subcontracts) that are given to persons and firms that are involved in criminal activity, including money laundering.
- Transparency and full accounting with respect to party financing.

3.4. Roadmap to Degarrisoning

3.4.1. The party-crime links are strongest in the garrisons. Garrisons are a societal phenomenon that arose out of “tribal”, political “wars” starting in the 1960s to control territory. The report of the National Committee on Political Tribalism states, “At one level a garrison community can be described as one in which anyone who seeks to oppose, raise opposition to or organize against the dominant party would definitely be in danger of suffering serious damage to their possessions or person thus making continued residence in the area extremely difficult if not impossible.” This party monopoly is imposed with the assistance of party strongmen who are invariably leaders of violent criminal networks. Electoral results (75% of those voting for the candidate of a particular party) are taken as the usual method of identifying garrison communities. Forty years on, garrison communities are zones of exclusion, characterized by high levels of crime.

3.4.2. In the context of this report, “dismantling” is taken to mean a medium- to long-term process of political, social and economic renewal of the affected communities. In the short term, the process involves steps toward ensuring law and order, and a balance of power with authority shifting to the legitimate leadership.

3.4.3. Some key signposts are:

- *Action:* Two-party agreement on degarrisoning.

Justification: Though many agreements have been signed in the past between the political leaders, none has dealt specifically with dismantling the garrisons. Such an action can only come about through cooperation at the highest level of the political structure, hence the need for an agreement that holds the leaders accountable. In order to ensure degarrisoning, the Prime Minister and Leader of the Opposition must lead by example and take the following immediate steps.

- *Action:* End contracts to garrison dons and their associations.

Justification: Community dons have become an integral link in the distribution channel for political spoils and benefits, and sometimes are used to execute important and substantial projects financed with public funds. Using dons in this way not only legitimizes their position in the community, but also provides financing which could find its way into the criminal enterprise.

- *Action:* End the practice of active crime dons making financial contributions to political parties and/or selected party candidates. All garrison constituencies to be required under pain of criminal liability to make public all contributions.

Justification: The party crime links tend to be especially strong in the garrison constituencies. This therefore requires special scrutiny (in its financial aspects).

- *Action:* Disarm the garrisons with possible help from foreign security expertise. Moreover, to complement these efforts, the STFC is in favour of the approach set out in the report of the National Committee on Crime and Violence, which states that: “Working through the proposed Peace and Justice Centres, government must launch what we are terming a DEATH SWAP programme. Simply put an appeal would go out for persons to swap their guns for knowledge (education) in their heads or for cash in their pockets. ...Anonymity (not amnesty) must be provided the owner and/or user of the gun.”

Justification: Garrisons are routinely described as armed camps and “veritable fortresses.” Although there is no accurate estimate of the number of illegal guns in these communities, confrontations between these communities and the security forces have revealed a significant capacity to engage in armed violence. This capacity is a threat to the security of the country. With large numbers of weapons in the hands of the young men in these communities, it is virtually impossible to reduce the homicide rate on a sustainable basis.

- *Action:* Accelerate the privatization of housing stocks.

Justification: Home ownership gives people a sense of pride and a stake in the community. Free market transfers of the housing stocks would in the long term make these communities less politically homogenous. It also breaks a major psychological and historical link in the garrisonisation process, in that garrisons were largely created with the cooperation of Ministers of Housing who used public funds to construct houses to accommodate party supporters with no obligation on their part to pay. The current Inner-city Housing project is a start in the right direction, but consideration should be given to putting a percentage of these houses on the open market.

- *Action:* Enforce payment of utilities.

Justification: The phenomenon of social water and social electricity are institutionalized in the garrison communities. These are benefits to residents of the garrisons that are derived from them being simply members of these communities. This makes them a special, privileged class of citizens with the losses passed on through the billing process to compliant customers. Moreover, these are benefits derived from the reputation of these communities for violence. Neither of these two things should be permitted.

- *Action:* Ensure roadway access within these communities (major roadways to be constructed and those that were blocked as part of the garrisonisation process to be cleared.)

Justification: Attempts were made in the garrisonisation process to construct physical barriers between communities; our own Berlin Wall so to speak. West Road in Trench Town where a two-storey apartment block was built across the road by the then Member of Parliament and Housing Minister is a case in point. Removing these obstructions would symbolize a commitment to peace and openness to all. Their continued presence serves as an unhealthy reminder of the worst forms of tribalized politics, which count among its victims thousands of Jamaicans who were forced to flee their communities, who bled and who died. More practically these roadways would allow the security forces to have free and speedy access to these areas and to be able to better protect the people.

- *Action:* Strip garrison dons of all criminally acquired wealth. These measures must extend to the association of dons with legitimate entities (for example football clubs) in their respective communities and elsewhere which may be co-opted to serve as fronts for criminal enterprises.

Justification: The don, nattily attired and expensively transported (in life and in death), serves as a model of material success - for many inner-city youths. Stripping them of their wealth would make them less attractive models.

- *Action:* Establish police-military posts within garrison communities, as required.

Justification: It has been observed that when police and military personnel are stationed in the communities with the worst record, the killings all but cease. This is not the ultimate solution but it saves lives and creates the calm required for the social interventions to work.

- *Action:* Initiate a Truth and Reconciliation Commission.

Justification: Truth and Reconciliation Commissions have had a long history pre-dating the South Africa experience. Their popularity is predicated on the belief that for institutionalized and prolonged atrocities less than a generation or two old, where many of the perpetrators and victims would still be alive, lasting peace and harmonious co-existence is not possible outside of the ambit of restorative

justice. Restorative justice elicits from the perpetrator a confession and from the victim, hopefully, forgiveness. Putting in place the legislative and other requirements for a Commission in Jamaica would start a process that would allow us to understand and overcome the present effects of the political violence of the post-Independence period.

3.4.4. Measures of success of degarrisoning to be applied include:

- The extent to which the authority of the State in matters of crime control are accepted by the community. Indicators of this include the freedom to patrol these communities unimpeded and to make arrests, and the extent to which citizens make reports of crimes to the police.
- Use of the Courts by residents of these areas.
- Reduced role of criminal networks in the governance of these communities. Indicators of this include the abolition of the “jungle courts”, reduced dependence of community organizations and activities on financial contributions from criminal networks.
- Tolerance of political activity by opposing parties.
- Voter turn-out and voting patterns that are more representative of the country.
- An end to all benefits that are derived from making these communities inaccessible, such as free utilities. The payment of utility bills may therefore be taken as a measure of this.
- Reduced inter-community violence.

3.5. Roadmap to Transforming the Security Forces

3.5.1. The security forces consist of the police and military, that is, JCF and its auxiliaries, and the JDF and its reserve (the Jamaica National Reserve). Each provides a level of capability in keeping with the types of security threats that the country might face. Thus the JCF of general police is expected to provide ‘normal’ policing and law enforcement. Within the JCF is the Mobile Reserve that is expected to be able to deal with special policing situations where the level of violence is or may reasonably be expected to be significantly higher than is encountered in everyday encounters with ordinary criminality. For extraordinary situations where the threat of violence is much greater, the JDF is expected to have the capabilities to deal with these situations. Capabilities, competences, styles and systems of accountability ought to be matched with missions.

3.6. Roadmap to Making the Police More Effective

3.6.1. The Police appears to have not benefited sufficiently from the numerous reports, reviews and plans that have been published over the past twenty years. The levels of distrust by the public, corruption (political and otherwise) and ineffectiveness are unacceptable.

3.6.2. Some of the key signposts on this roadmap are:

- *Action:* Depolitizing the Police – The appointment of the Police Service Commission. All appointments to the Police Service Commission must be agreed on by the Prime Minister and the Leader of the Opposition. In the event that they fail to agree, then the Governor General should make an appropriate decision in the interest of Jamaica. Chapter 5, Recommendation 7 of the Wolfe Report of 1993 is instructive in this matter.

Justification: Currently by the Constitution, the Police Service Commission is appointed by His Excellency the Governor General on the advice of the Prime Minister. However, in recent years there has been a bi-partisan approach in which the Leader of the Opposition is simply consulted and submits a number of names to the Prime Minister for approval. This is most unsatisfactory. The point is to ensure that undue political considerations do not influence the appointment of Commissioners.

- *Action:* Depoliticising the Police – The appointment of the Commissioner of Police. The appointment of the Commissioner of Police must be made on merit by the GG on the advice of the Police Service Commission with no input from the Hon. Prime Minister or the Leader of the Opposition. This should be done after public hearings in Parliament. Chapter 5, Recommendation 7.3 of the Wolfe Report of 1993 is instructive in this matter.

Justification: It ought to ensure more rigorous application of the merit principle and therefore the appointment of competent Commissioners.

- *Action:* The Police Service Commission to have greater management authority. The functions of the Police Oversight Authority and the Police Service Commission must be amalgamated, and the Commissioner of Police be made to do an annual report on the performance of the Police Force. This report is to be for the Police Service Commission (PSC), and a copy laid in Parliament.

Justification: This would ensure more effective oversight of the police services.

- *Action:* Depoliticising promotion – establish Promotion Boards. The promotion system in the JCF is to be restructured and a Police Promotion Board (PPB) be established for both gazetted and other ranks, the recommendations of which the Commissioner of Police cannot overrule but may appeal to the PSC for redress.

The PPB should consist of seven persons – the Chairman and three others being non-Police but with qualification in HR Management. The Commissioner of Police would promote - authority being delegated by the Police Service Commission - all persons up to the rank of Inspector. The PSC would promote all gazetted officers.

Justification: This would ensure a more rigorous application of the merit principle. The leadership of the Force would be drawn from the best performers in the Force. This would improve morale and performance.

- *Action:* Improve the investigation of criminal and unprofessional conduct by the Police. The Police Public Complaints Authority was formed to overcome these problems. Regrettably, it has never been given the resources – human and financial. Recently a Professional Standards Branch was established; it also is tasked with dealing with the investigation of Police corruption. The Police Public Complaints Authority (PPCA) should be upgraded and be responsible for investigation of all complaints against the Police, to include investigations of criminal activity. The element of the Professional Standards Branch that deals with corruption (*and only this element*) should be transferred to the PPCA.

Justification: This is critical to ensuring the effectiveness of the Police as an institution for enforcing the laws of the country.

- *Action:* Upgrade criminal investigation and intelligence services. To that end, a new approach is necessary. An autonomous investigative police service should be formed. This would be distinct from the JCF, with special responsibilities for investigating serious and high-end crimes.

Justification: The country does not have the resources to significantly upgrade the entire police services. It should therefore focus its resources on upgrading the critical police functions. As organized crime and homicides are the main problems, this should begin with the investigative function and its support services such as criminal intelligence and forensic analysis. Forming an autonomous service allows for a more attractive salary than that of the JCF and would call for higher educational and character requirements for joining this service.

- *Action:* A strategic review of the Jamaica Constabulary Force (JCF) for the 21st Century.

Justification: The last occasion an in-depth review of the role, functions, organization and administration of the JCF that had a significant impact on policing was undertaken in 1953/4 by way of a Royal Commission headed by Mr. W. A. Calver¹⁰. In order to ensure that the report was implemented, Calver was

¹⁰ There was a strategic review in 1997 which triggered the current modernization process actual change has however been painfully slow.

later appointed Commissioner of Police. This review led to significant improvements in the Force. Dramatically changing circumstances now demand that all aspects of the JCF be reviewed in depth to set the stage for the next two decades. For example, the Constabulary Force Act of 1867 - although subject to amendments over the years - is still the Act in force today, 139 years after promulgation. The current Jamaican reality demands up-to-date legislation.

- *Action:* The Mobile Reserve should be upgraded. This should involve increasing its staff complement to some 1,500. It should be subject to the disciplinary standards and procedures that now obtain in the JDF. It would have the responsibility for responding to situations and threats that may require a higher level of force than the general police officer would normally encounter such as armed clashes with large groups of armed persons, riots, and terrorism.

Justification: Such threats are real, and the capability to treat with them must be secured. This police unit would be required to work closely with the military in special operations. It serves as a bridge between the police and the military. In order to develop greater trust between these two institutions and improved effectiveness in joint operations, it is useful that they train together and operate under a unified command. Moreover, being subject to military discipline allows for more effective control of corruption and unprofessional conduct within the unit.

3.6.3. Measures of success to be applied include:

- Lower rates of violent crimes, especially of murder
- Lower rates of violent crimes in traditional hot spots
- Clear up and conviction rates
- Reduced number of police injured/killed in the line of duty
- Increased trust and confidence in the police force as measured by surveys
- Citizen satisfaction survey score.

3.7. Roadmap to Transforming the JDF

3.7.1. The JDF was recently subject to a special Strategic Defence Review. The Review has been completed and has been tabled before Parliament. The Task Force was not privy to the details of this review. However, we believe that the recommendations of the National Task Force on Crime on the JDF that were made in 1993 are even more relevant today than they were then. Attached as an Annex to this report is a copy of the relevant section of the Wolfe Report.

3.7.2. It recommends that:

- A down-sized JDF of regular personnel, sufficiently large to be an immediate action force, should be maintained to deal with any emergency situation until the Reserve elements can be mobilized. These personnel should be highly trained, well paid, with all the skills that could be required in an emergency i.e. infantry, engineers, etc.
- The existing National Reserve should be greatly enlarged islandwide and its easy mobilization in times of National need should be facilitated. The Jamaica National Reserve Council must be resuscitated and made to function effectively.
- Resources must be made available for the use of the Reserve Force if it is to be effective when mobilized.
- Adequate barrack accommodation should be provided in St. James, Manchester and St. Ann for the National Reserve when called out on duty.
- A well-established National Reserve of skilled, young, disciplined men and women living in the society and not in barracks could have a positive influence on the society. This body of persons would prove very useful in times of general elections to rid society of some of the election campaign and Election Day atrocities.

3.8. Roadmap to Improving the Justice System

3.8.1. Although we necessarily have to focus on the criminal justice system, the fact is that it is the entire justice system that is in urgent need of fundamental reform.

3.8.2. Any review of the ordinary citizen's needs will demonstrate that although the most abrasive relationship between the State and the citizen is often the relationship with the police force, there are a whole range of other relationships with the State which are unsatisfactory and oppressive. In addition, the average citizen has little confidence in the capacity of the State to help resolve disputes that may arise between citizen and citizen - to say nothing of complaints about the conduct of the State towards the citizen.

3.8.3. The justice system is a key component for the delivery of governance and the reassurance of the citizenry about the value of equity and fair play. Decay in the system throws governance out of kilter and fosters corruption.

3.8.4. Some of the key signposts are:

- *Action:* Redesign the office of the Chief Justice to be both the judicial head and the executive/administrative head of the judicial arm. Provide adequate resources to the office and ensure that the office holder is accountable to Parliament.

Justification: A symbolic start of a fundamental nature needs to be made. In addition these efforts should be used as case studies as the basis of a thorough, in-depth study that needs to be done prior to the overhaul of the entire system.

- *Action:* Review the existing system in terms of rationalizing it to improve the infrastructure and the facilities in a select number of Courts; improve staffing and changes to recruitment policy and principles to effectively and efficiently deliver justice to Jamaica.

Justification: The justice system has never been reviewed. Also, the traditional approach to staffing will be unable to meet the kind of dynamic changes that are required in the justice system. Both the recruitment policy and the internal re-training policy need overhaul.

- *Action:* Review the DPP's office to ensure that it is properly staffed with the number and quality of persons needed. The review should look at effectiveness, staffing, resources, and systems of accountability.

Justification: Recent events have shown how urgent the need is.

- *Action:* Enhance judicial independence by removing the Judiciary from the Ministry of Justice.

Justification: The Judiciary should not just in theory be a separate and independent arm of the State. If in real terms it is dependent on the legislative and executive arms, it is greatly handicapped in carrying out its constitutional function.

- *Action:* Ensure that the courts are manned by their own cadre of officers who are answerable to the Chief Justice.

Justification: See the Rationale above. The judiciary needs to be served by an administrative staff that is not under the control of the Executive or Legislature and is answerable to the Head of the Judiciary.

- *Action:* Review and codify the Procedural Rules of all the Courts.

Justification: Such an attempt was made with the Procedure Rules of the Supreme Court. It has developed major difficulties which are currently being worked on.

However, the problems also exist throughout the system and require fundamental overhaul. This needs to be undertaken as a matter of urgency in order to bring the operational rules of the Court into line with the overall reforms that are being proposed.

- *Action:* Improve the technology for the preparation of transcripts.

Justification: For too long, some Judges have been unwilling to record verbatim what transpires in Court. Too much of the actual time and attention of the Judges at all levels is taken up in clerical functions of recording evidence or submissions when modern technology has made this reliance quite unnecessary. The Judges' and Magistrates' attention should be focused on observing the witness and thinking about/considering what is being said by either the witness or the lawyers. Modern technology also would substantially improve the speed with which the record of the trial is available for the Appeal stages. We also feel that the cost of this reform would result in considerable savings of other economic costs which may be far greater than the costs of the reform. At some stage such a study should be implemented as a guide for further action.

- *Action:* Make the DPP and Chief Justice account to Parliament on performance standards and in the context of a code of ethics and ethics committee.

Justification: Like all other public servants, judges should be accountable.

3.8.5. Measures of success to be applied include:

- Average turn-around time for civil matters
- Average turn-around time for criminal matters
- Client satisfaction rating relative to access, speed, service quality etc.
- Disposal rate for Court cases.

4.0. COMMUNITY RENEWAL STRATEGY: THE QUEST FOR HUMAN SECURITY AND SOCIAL RENEWAL

4.1 Making the Case

“All three areas (Tivoli Gardens, Arnett Gardens and selected enclaves of Spanish Town) were oriented to crime and depreciation of the value of life by the process which established them as garrisons. They have never recovered morally from the deliberate and methodical conscription of the urban poor into partisan political militia.” (Arnold Bertram, Gleaner, November 6, 2005)

4.1.1. The report of the National Committee on Political Tribalism (July 23, 1997) dispelled any misconceptions one might have had concerning the formation of garrisons; the motive, intent or operation.

4.1.2. The advent of garrisons marked the descent of Jamaica into anarchistic behaviour. Today, they are without exception zones of exclusion characterized by endemic poverty and criminally-acquired wealth, poor social services, crumbling infrastructure; ineffective policing; appalling sanitation and negative stereo-typing by the rest of the society; making them breeding grounds for the criminality that threatens to overwhelm the country. These communities are very organized and there have been many cases of individuals leading a successful life (livelihood development, educational achievement, and so on), despite many of the problems that these communities face. Such positive cases suggest that there may be indeed the possibility of renewal.

4.1.3. Constituencies with strong urban garrison features amount to 20% of all political constituencies in Jamaica. Yet in 2005 these constituencies (along with the urban areas of St. James) accounted for 1,333 of the 1,674 (79%) of the murders in Jamaica. Applying Pareto Principle (also called the 80/20 rule), one can reasonably locate the preponderance of root causes and political antecedents of crime and violence in these communities.

4.1.4. A major recommendation of the STFC, therefore, is for a COALITION OF INTERESTS - the Government of Jamaica in partnership with civil society and other important stakeholders - to launch an innovative process of social and economic renewal for those communities that were established as garrisons.

4.2 The Strategy

4.2.1. The STFC proposes a National Council for Community Transformation (NCCT). Properly conceived and implemented, such a body could effectively coordinate efforts toward addressing some of the vexing economic and social problems that give rise to crime and violence, reconstruct the fractured relationship between Government and civil society and strengthen national capacity towards meeting the country's obligations under the United Nations Millennium Development Goals (MDGs).

4.2.2. As noted earlier, the MDGs commit Jamaica to achieving a set of minimum targets by 2015. Of particular interest to this Committee are targets relating to the following goals:

- Demonstrate commitment to good governance, development and poverty reduction.
- Achieve significant improvement in lives of slum dwellers.
- Develop decent and productive work for youth.

4.2.3. Jamaica's commitment to the MDGs is on a country basis. The STFC is however making a case for special focus to be given to the eight political constituencies identified in the political tribalism report as having garrison features. They are: Kingston, West; St. Andrew, South; St. Andrew, South West; Kingston, East and Port Royal; St. Andrew, West; St. Andrew, East Central; St. Catherine, Central; St. Catherine, East Central.

4.2.4. Connecting the fight against crime and violence to the MDGs and the wider efforts to reduce poverty, youth unemployment and inequality ensures high priority among policy makers; allocation of the necessary resources; support of the international development and philanthropic communities.

4.3 NCCT-Proposed Functions

4.3.1. Working through existing national and grassroots organizations (NGOs and CBOs), the NCCT could serve to empower the affected communities, providing them with the technical and research capabilities for social policy intervention and for measuring and tracking outcomes; integrating the actions of the social partners; identifying resource constraints; attracting institutional donor resources and the philanthropic dollars that are available locally and internationally. Most importantly, such an institutional arrangement could provide the capacity and expertise to solve some of this country's most pressing social and economic problems which are themselves the most grievous and resistant root causes of crime of violence.

4.3.2. Specifically, the NCCT will perform the following functions:

- Develop and execute joined-up approach to social policy intervention
- Integrate actions of all social partners
- Mobilize State and international resources; philanthropy and volunteerism
- Establish Key Performance Indicators to measure and track social progress nationally and at the community level
- Mainstream lessons learned at prototype and pilot stage of community interventions
- Upstream lessons learned through community interventions to influence policy
- Lobby for legislative changes e.g. simplified system for registering and tax incentives for charitable and philanthropic organizations.

4.4. Government's Social and Community Interventions

4.4.1. The Government of Jamaica has a long list of social and community interventions. The individual interventions appear in the Appendix. Leveraging these resources represents a good starting point for the work of the NCCT.

4.5. Sustainability

4.5.1. Sustainability of the National Council for Community Transformation must be secured at two levels.

4.5.2. Financial Sustainability

- The NCCT should be deployed at a level where it is seen as GOJ's boldest move yet to marshal resources (human, financial, technical) and to place them at the disposal of the targeted communities.
- Such an action will effectively communicate an intention by Government to make major continuing investments in the social services sector.
- The NCCT must at least possess a minimum capacity to carry out its functions and thus ensure Government meets its commitment.
- An initial investment by GOJ is anticipated. The final design of the NCCT will incorporate financial sustainability features, mainly through mobilization of institutional and philanthropic resources.

4.5.3. Legislative Sustainability

- The NCCT can be formed and called into action without delay or bureaucracy.

- Over the longer term, there is the issue of authority (required, for example, to work cross-sectorally), accountability and legality.
- Toward this end, the Tasmania Togetherness Progress Board could serve as a model. Established by an Act of Parliament in 2001, the Board is a Coalition of Interests, working collaboratively with individuals, community groups, business and government to achieve agreed goals and benchmarks set out in the Tasmania Together Document.

4.5.4. Measures of success to be applied include:

- Reduction in the murder rate of each targeted community
- Reduction in the aggregate crime rate for each targeted community]
- Reduction in the youth unemployment rate
- Proportion of people with access to secure housing tenure.

5.0. IMPLEMENTATION

5.1. Ownership of the Roadmap

5.1.1. This is a roadmap that will, it is hoped, eventually belong to the country. As has been stressed, for this to occur, there must be two-party consensus and eventually a national consensus on a programme of action. The working model is one of a coalition that brings together organizations, groups, and individuals with a common interest (so-called social partners) with an aim to plan and take action to achieve the agreed goals.

5.1.2. At the same time, it is understood that to begin the process Government must lead and bear the heavy end of the load. It is the elected officials who sit in Parliament who are accountable to the citizens of Jamaica to provide a safe and secure environment.

5.2. Organizational Framework

5.2.1. The STFC proposes that an authority comprising a small grouping of competent individuals be established in the OPM to ensure the implementation of the Roadmap and all of its component elements. This executing agency, established for the purpose of implementing the Roadmap, should be endowed with cross-cutting authority that allows it to bring the various actors inside and outside of Government together for collaborative action, and to mobilize resources locally and internationally. Coordination of the various agencies is a necessary condition for successful results. The OPM is the best authority to ensure this.

5.2.2. This agency would monitor, promote and report on progress relative to the agreed national benchmarks. Specifically, it would be required to:

- Monitor, evaluate and report on progress towards the goals and benchmarks
- Develop, refine and revise the strategies and benchmarks
- Promote the Roadmap and its associated programmes and projects among the general population
- Develop coalitions of interest within and between various sectors with respect to the Roadmap.

6.0. CONCLUSION

The Task Force has elaborated a set of goals, strategies for accomplishing them, and indicators of success or performance measures that may be periodically evaluated. There are, however, some important gaps in the report of which the most critical is the treatment of youth unemployment. Further urgent work on this matter is required by others who are more competent than us.

The members of the Task Force, having examined various Government systems impacting on our Terms of Reference, have unanimously concluded that although some minor updating is desirable, there has been a significant lack of leadership in implementing the recommendations of previous reports.

It is of note that of the 33 recommendations in this report, 27 will require minimal or no extra funding. Therefore, we sincerely hope that on this occasion the Government and the Opposition – acting in concert – will find the political will to implement our recommendations that this ‘Roadmap’ indicates will lead to a safer Jamaica.

.....
Col. Trevor MacMillan

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Prof. Anthony Harriott

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Dr. Henley Morgan

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Ms. Marguerite Orane

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Mr. Errol Strong

.....
Mr. Bill Thomas

.....
Maj. Peter John Thwaites

7.0. APPENDICES

7.1. Cost Implications			
<i>All estimates of expenditure were arrived at by liaison with the respective agency.</i>			
Srl.	Recommendation	Action	Estimated Cost
1	Pass an effective Assets Forfeiture Act.	Appropriate draft legislation to be produced by appropriate Government agency.	none
2	Fully resource Corruption Prevention Commission.	Budget support; current budget is \$28.5m.	Total budget required is \$60m.
3	Amend Libel Law	Appropriate draft legislation to be produced by appropriate Government agency.	none
	Promote transparency - disclosure of funding sources by parties.	Appropriate draft legislation to be produced by appropriate Government agency.	none
4	Promote transparency in contracts and sub-contracts.	Appropriate draft legislation to be produced by appropriate Government agency.	none
5	Include Parliamentarians in the Corruption Prevention Act.	Appropriate draft legislation to be produced by appropriate Government agency.	none
6	Parliamentary approval for senior public officials.	Appropriate draft legislation to be produced by appropriate Government agency.	none
7	Security clearance for approved contractors.	Appropriate draft legislation to be produced by appropriate Government agency.	none

Srl.	Recommendation	Action	Estimated Cost
8	Prevent subcontracting to a firm controlled by criminal elements.	Appropriate draft legislation to be produced by appropriate Government agency.	none
9	Code of Conduct for politicians.	Appropriate draft legislation to be produced by appropriate Government agency.	none
10	Two-party agreement on de-garrisonizing.	Party action.	none
11	End contracts to garrison dons.	Appropriate draft legislation to be produced by appropriate Government agency.	none
12	End dons making contributions to political parties.	Appropriate draft legislation to be produced by appropriate Government agency.	none
13	Disarm garrisons.	Seek overseas technical and forensic assistance.	none; request overseas aid.
14	Accelerate the privatization of housing stock.	Appropriate action by Government agencies.	minimal
15	Strip garrison dons of all criminally-acquired wealth.	Appropriate draft legislation to be produced by appropriate Government agency.	none
16	Establish police-military posts within garrison communities, as required.	Operational mandate to Security Forces.	Funded from budgets.
17	Truth and Reconciliation Commission.		unknown, but could be assisted by grant and from overseas aid.
18	De-politizing the Police.	Agreement by HPM and Leader of the Opposition to be followed by constitutional amendment.	none
		Appropriate Government agency to action.	none

Srl.	Recommendation	Action	Estimated Cost
19	Police Service Commission to have increased authority.	Appropriate Government agency to draft legislation.	none
20	Establish Promotions Boards in the JCF.	Appropriate Government agency to draft legislation.	none
21	Fully resource the Police Public Complaints Authority.	Current budget is \$53.5m but additional budget support required.	Total budget approx. \$100m
22	Upgrade criminal investigation and intelligence services by approx. 600 persons.	Appropriate legislation to be drafted.	none
		Budget support	\$1.2b for pay, etc. \$10m for training.
23	Strategic Review of the JCF.	Similar to review of the JDF.	Grant Aid assistance.
24	Upgrade Mobile Reserve.	Strength to be increased from approximately 500 currently to 1500.	Approx. \$2.0b in addition to present budget.
25	Enhance the National Reserve.	National Reserve to be enlarged islandwide.	Current budget adequate.
		Presently employed full-time Reserves to be regularized, thereby allowing the National Reserve to have its full complement.	Additional \$1.3b required.
26	Office of Chief Justice and the enhancing of judicial independence.	Legislation to be drafted.	none
		Resources to be transferred from Ministry of Justice.	none
27	Review existing system of Courts, etc.	CIDA has already completed a report on the system which is available.	Possibly Grant Aid.

Srl.	Recommendation	Action	Estimated Cost
28	Review DPP's Office with respect to staffing resources and accountability.	To be reviewed by appropriate external body of specially-selected persons.	none
29	Ensure Courts are manned by officer answerable to the Chief Justice.	Appropriate legislation to be drafted.	none
		Resources to be transferred from Ministry of Justice.	none
30	Review and codify Procedural rules.	Appropriate action by Government agency.	To be identified.
31	Improve technology.	A review of current resources would have to be undertaken to identify needs.	To be determined.
32	Community Renewal		To be determined
33	Youth unemployment		To be determined

7.2. ONGOING PROJECTS – SOCIAL SERVICES SECTOR

THEME: SECURITY AND JUSTICE										
Name of Project	Objectives	Description	Location	Fundng Agency	Elements of other initiatives Supporting the Objective of the Theme	Total	Loan	Grant	GOJ	Implementing Agency
Community Security Initiative (2006- 2008)	To strengthen human security in the most marginalized and violent communities			DFID		1.62		1.62		Ministry of National Security and Justice
Citizen Security and Justice Programme (2001/09/05 - 2008/09/20)	To enhance citizen security and justice in Jamaica. The principal objectives of the programme are to: prevent and reduce violence; Strengthen crime; management capabilities improve the delivery of judicial services.	Criminal Justice System initiatives Institutional Strengthening of the Ministry of National Security and Justice Preparation of an Integrated Crime Strategy and Action Plan Crime Prevention Activities in select communities of the KMA.	Island Wide Community Action Component Drewsland, Water House , Tower Hill Denham Town, Trench Town, Fletchers Land, Hannah Town , Grants Pen and August Town	IDB	USAID Strategic Planning Advisor Court Reporting System Case Management in Family Court MIS in Magistrate Courts Community Actions especially in Grants Pen CIDA Social Conflict and Legal Reform Work in the Department of Correctional Services- rehab work Police Community Relations NGO strengthening DIFD Constabulary Reform and Modernization Project Model police stations Non custodial sentencing	18.5	13.9	0.6	4.0	Ministry of National Security and Justice
Constabulary Reform and Modernization Project (2001-2006)	To create a community-focused JCF, improve public confidence, reduce crime and public insecurity, improve social order, justice and equality.	Transform the JCF organizational culture through improved transparency, integrity, service orientation, quality, public confidence mutual respect and communication Develop the JCF organizational structure to enhance the delivery of services to the public Build and sustain trust and confidence between the public and police Improve efficiency and effectiveness in preventing and solving crime Reduce the careless and dangerous use of public thoroughfares by motorists and pedestrians Equip the JCF with professional personnel and systems to enhance efficiency and effectiveness Improve the acquisition, allocation, use and maintenance of all JCF material and assets	Island Wide	DFID	IDB Citizen Security and Justice Programme Police Code Conduct in communities	4.2		4.2		Jamaica Constabulary Force/ KPMG
Democracy and Governance Fund (2002-2007)	To support efforts by local and international observers to ensure the smooth conduct of Jamaica's upcoming democratic elections as well as promote collaboration between civil society and government.	The project will support through multi year funding, partnerships between civil society and public authorities to address particular challenges e.g. increased transparency in govt affairs, community policing. The project will also fund special activities that will contribute to the enhancement of democratic governance.	Island Wide	CIDA	IDB Citizen Security and Justice Programme Police Stations refurbishing Police Public Complaints Authority Youth Diversion	3.3		3.3		
Enhancing Civil Society (1998 – 2005)	To enhance the ability of community organizations to mobilize the support, plan initiatives, access required information and funds, and implement projects that will empower a sustainable civil society at the community level. This will be achieved through training and the funding of small projects.	The project will seek to strengthen and develop the capacity and networking of the Community Based Organizations (CBOs) by working through existing Jamaican Support Organizations (SOs). Support Organizations include national/regional umbrella organizations whose membership consists of various and diverse community-based or volunteer groups.	Island Wide	CIDA	IDB Citizen Security and Justice Programme Working with NGOs to deliver services in targeted communities- Trench Town. Civil Society Advisory Committee initiative	3.0		3.0		Foundation for Int'l Training

Improved Citizen Security and participation in Democratic Processes (2002 – 2005)	To strengthen civil society, the rule of law and improve community policing thereby empowering citizens and promoting good governance.	The strengthening civil society component will seek to broaden and deepen civil society's ability and capacity to promote good governance in a sustainable manner. The administration of justice component will strengthen the rule of law by improving the operational environment of the criminal justice system. The community policing component will strengthen police community relations in at least two inner-city communities beginning with the pilot community of Grants Pen.	Island Wide Pilot in Grants Pen	USAID	IDB Citizen Security and Justice Programme Police Stations refurbishing Police Public Complaints Authority Youth Diversion	13.0		13.0		Ministry of Justice/ Police Executive Research Forum (PERF)
Jamaica Constabulary Force Reform Programme (JCFRP) 2006 – 2008	To ensure a safe and secure environment, in which Jamaica can achieve a prosperous, democratic peaceful and dynamic society.			DIFD		3.9		3.9		Ministry of National Security and Justice
Justice Undertakings for Social Transformation (JUST) (2006 - 2011)		The project will develop the capacity of the public and the legal system to manage conflict in Jamaica by strengthening the capacity of the judiciary and improved efficiency of the legal system; increasing public education on human rights as well as public knowledge of the various avenues, both community-based and institutional, available for conflict management and restorative justice; and using peaceful communities as models for others. Project is at the concept stage.		CIDA		5.65		5.65		
Support to Economic Reform Programme III (The overall development objective to which the project is intended to contribute to is – improvements in Governance, enhanced economic development, an efficient judicial system, citizens cognisant of their rights with increased awareness by citizens of their human rights and the promotion of peace in volatile communities.	The project will support the following activities: - Improve of facilities and skill levels at the Drug Court - Improve facilities and rehabilitation programme for child offenders - Increase the awareness of Human Rights conventions, laws and issues among staff of the Ministry of Justice, as well as the general population - Improve the Records Management System of the Ministry of Justice - Improve information system and computer skills levels at the Office of the Director of Public Prosecutions, Ministry of Justice - Construct a family court house in Lucea Hanover - Promote peace in volatile communities - Reduce the incidence of violence in school	Islandwide	EU		3.5		3.5		Planning Institute of Jamaica
Strengthening Airport Security (MIF) (2002 – 2006)	The Operation is aimed at strengthening and modernizing the security of the airports in order to meet international standards and to capture the economic benefits from access to world markets.	Training APS staff in security procedures, systems and equipment to meet international standards Development of contingency plan to deal with any eventual aviation breaches and emergencies Strengthening the regulatory capabilities of the JCAA Creating an effective and efficient security team within relevant agencies to meet new international security norms and standards	Norman Manley and Sangster's International Airport	IDB		0.625	0.405		0.22	Airports Authority of Jamaica.
Subtotal						55.67	14.3	37.15	4.2	

7.3. Terms of Reference, Special Task Force on Crime

The Special Task Force on Crime (STFC) is an independent consultative group that is constituted by the Leader of the Opposition to make available its best advice on how the pressing matter of crime may be best handled.

The STFC is tasked with responsibility for the development of an Action Plan (Road Map) for the critical short-term actions that will start the turnaround of the crime problem.

Recognizing that much work has previously been done on the problem, the STFC will take all past reports and the most relevant academic literature into consideration.

At a minimum, the Action Plan will speak to the following:

- Actionable strategic activities to deal with crime at the root cause and symptomatic levels.
- The streamlining of the criminal justice system to ensure a more speedy and effective delivery of justice and the reduction of the incidence of the violation of citizens' rights.
- The structural changes to the security establishment that are necessary for effective implementation.
- Key performance measures and targets.
- The financial requirements and implications of the Action Plan.

The STFC will adopt measures with respect to the development of the Action Plan to ensure that national consensus and bi-partisanship are achieved.