



Home Office

Country Policy and Information Note

Jamaica: Fear of organised criminal groups

Version 4.0

July 2022

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#)/Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 26 July 2022

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by non-state actors namely organised criminal groups (OCG).

1.2 Points to note

- 1.2.1 The Crown Prosecution Service defines an OCG as:

‘...a group which has at its purpose, or one of its purposes, the carrying on of criminal activities and consists of three or more people who agree to act together to further that purpose.

‘It is not necessary for the individual participating in the group’s criminal activities to know any of the group members.’¹

- 1.2.2 This definition will be used when referring to an OCG in this CPIN.

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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- 2.1.1 The information in this section has been removed as it is restricted for internal Home Office use only.

¹ Crown Prosecution Service, [‘Organised Crime Group...’](#), updated September 2019

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: End of section

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2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 2.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: End of section

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2.3 Convention reason(s)

- 2.3.1 Victims or potential victims of OCGs in Jamaica are **not** considered to form a particular social group (PSG) within the meaning of the Refugee Convention.
- 2.3.2 This is because they do not share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it **and** they do not have a distinct identity in Jamaica because the group is perceived as being different by the surrounding society.
- 2.3.3 In the absence of a link to one of the 5 Refugee Convention grounds necessary for a person to be recognised as a refugee, the question to address is whether the person will face a real risk of serious harm sufficient to qualify for Humanitarian Protection (HP).

- 2.3.4 For further guidance on Refugee Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#). For guidance on Humanitarian Protection see the Asylum Instruction, [Humanitarian Protection](#).

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2.4 Risk

- 2.4.1 In general, a person who is not involved in or connected to gang-related activity will not be at real risk of serious harm or persecution from an OCG. However, if a person is able to establish that they are of interest to an OCG because of their particular circumstances, decision makers must consider whether the OCG's intent, capability and reach are such that there is a real risk of serious harm or persecution. Each case must be considered on its facts, with the onus on the person to demonstrate that they are likely to be subject to serious harm or persecution.
- 2.4.2 Violent crime and murder rates remain high (Freedom House reported that Jamaica has the highest homicide rate in the Americas, with an increase of 10.6% in reported murders from 2020 to 2021) particularly in and around certain areas of Kingston and Montego Bay. Most violent crime is attributed to OCGs, often relating to the trafficking of weapons, drugs and money. OCGs are also involved in other crimes including extortion, robbery, kidnapping and fraud (see [Crime Levels](#) and [Nature of organised crime](#)).
- 2.4.3 The Jamaican Constabulary Force (JCF) estimates that OCGs account for around 70% of murders, with approximately 90% of victims being men. The government's Jamaica Information Service (JIS) and the Caribbean Policy Research Institute (CAPRI) indicated that most OCG-related violence and murders result from inter-gang and intra-gang conflict and so are committed against those involved in gang-related activities. Other victims include those caught up in the OCGs pursuit of material gains and persons considered a threat, for example witnesses, potential witnesses of crimes, family members, and suspected informers (see [Crime Levels](#) and [Targets](#)).
- 2.4.4 The government estimates that there are around 250 active OCGs across the country of various sizes and capability. The JIS stated that 83% of 323 gangs are classified as 'first generation' – localised with 'loose leadership', limited resources and involved in opportunistic criminal activity – while the remaining 17% were classified as 'second generation', that is gangs who focused on organised crime with a more distinct leadership. CAPRI stated that transnational networks exist between gangs in Jamaica, the United States, Canada and the United Kingdom (see [Organised gangs](#)).
- 2.4.5 Some OCGs maintain political affiliations, and corrupt relationships persist between gangs and state officials. Some larger, established OCGs control garrison communities and are reported to enforce public order within their territory (see [Nature of organised crime](#) and [Government response](#)).
- 2.4.6 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.5 Protection

- 2.5.1 In the Country Guidance case of [AB \(Protection-criminal gangs-internal relocation\) Jamaica CG \[2007\] UKAIT 00018](#), heard on 19 December 2006 and promulgated on 22 February 2007, the Tribunal held that:

‘The authorities in Jamaica are in general willing and able to provide effective protection. However, unless reasonably likely to be admitted into the Witness Protection Programme, a person targeted by a criminal gang will not normally receive effective protection in their home area.’ (Headnote)

- 2.5.2 The Tribunal in [AB](#) also held that

‘... it will be very important in Jamaican cases concerned with protection against a real risk of serious harm from criminal gangs, to first of all analyse whether the individual concerned will be able to receive assistance from this [witness protection] programme. Assuming it is decided a person on return will be admitted into this Programme, then we consider that the evidence overwhelmingly indicates that they will thereby be able to avoid any real risk of detection: we remind ourselves that no one has been “lost” to the programme so far. So far as the likely economic and social conditions faced by those within the Programme, whilst we do not rule out that unusual individual circumstances may make it unreasonable for them to be admitted into the programme, there is nothing to suggest that programme participants are generally exposed to destitution or unduly harsh living conditions.’

‘When we refer to persons being “admitted” into the programme, we do not consider that the test can be what the individual’s preferences are or whether there are hardships that will be involved (e.g., having to live for at least some period of time in difficult circumstances). The test is simply whether, if they sought access to it, they would be admitted to it.’ (paragraphs 162 to 163)

- 2.5.3 Since [AB](#) was promulgated the government has introduced a number of legislative and policy measures to strengthen the rule of law and combat general and OCG-specific crime, including the ‘Anti-Gang Act’ 2014 which defines and criminalises OCGs. CAPRI reported in February 2020 that 448 persons had been charged under the act up until 2018. JIS reported that 595 gang members had been arrested between 2017, however ‘Loop News’ reported many were not related to ‘anti-gang legislation’. There has been at least 11 convictions, including nine members of the Uchence Wilson Gang, with a number of major cases currently before the courts awaiting verdicts (see [Government response](#) and [Judiciary and courts](#)).
- 2.5.4 The government has taken reasonable steps to establish an effective criminal justice system that is able to detect, prosecute and punish criminal actors, albeit its effectiveness is undermined by a number of structural and operational weaknesses. It has instituted a number of reforms which have led to some improvements in the availability of state protection since the promulgation of [AB](#) (see [Government response](#) and [Capability of security forces](#)). On the available country evidence, there are not strong grounds supported by cogent evidence to depart from the findings in [AB](#).
- 2.5.5 The constitution, the penal code and other legislation protect a person’s fundamental rights including from acts of criminal harm (see [Laws, policies and anti-crime measures](#)).

- 2.5.6 The government has also put in place a framework of laws to combat organised crime, including the Criminal Justice (Suppression of Criminal Organizations) Act 2014 (known as the 'Anti-Gang Act') and the Law Reform (Zones of Special Operations) Act 2017 which gives the prime minister the power to deploy state security forces to occupy communities with high rates of (gang-related) violence. States of emergency (SOEs) are periodically put in place as a response to high levels of localised violence. Further laws criminalise activities that OCGs are involved in, including drug smuggling, money laundering and firearms trafficking as well tackling corruption within the government including that linked to OCGs (see [Laws, policies and anti-crime measures](#)).
- 2.5.7 The JCF, which has around 11,000 personnel (one JCF member to around 270 people), has primary responsibility for internal security. In areas where a state of emergency has been declared, the Jamaica Defence Force (JDF) has authority to make arrests and works alongside the JCF, and the judiciary. The joint anti-gang task force consists of the JCF and JDF, whose purpose is to interrupt gang activity and address crime and violence in communities (see [Security apparatus](#)).
- 2.5.8 Local police assistance is available throughout the country, and the police continue to make arrests for criminal acts. The United States Department – Overseas Security Advisory Council (OSAC) reported that the JCF's effectiveness is undermined by insufficient funding, resources and corruption. However, sources such as Reuters, CAPRI and Insight Crime reported that the JCF continues to investigate, arrest and prosecute criminals, including members of OCGs. For example, JIS reported that 595 gang members had been arrested between 2017 and 2019 for various violent crimes (see [Capability of security forces](#) and [Judiciary](#)).
- 2.5.9 A Witness Protection Programme provides support for people whose safety is at risk, but it is reported to have problems. The Gleaner reported that between April 2016 and March 2021 the government spent over £4 million pounds on WPP and as of April 2022 346 people were enrolled on the programme. The government has strengthened witness protection by a 2021 amendment of the 'Anti-gang Act 2014' means that witnesses are no longer identified by name during trials (see [Capability of security forces](#) and [Witness Protection Programme](#)).
- 2.5.10 There is a functioning judiciary which some sources generally consider to be independent. However, its effectiveness is undermined by under-resourcing and a high caseload, Freedom House considered that corruption is a problem particularly in the lower courts. Criminal cases continue to be heard, and the Jamaica press has reported on at least 2 high profile trials involving 10s of OCG members including senior leaders since 2020. There have also been a number of convictions of OCG members, including 9 members of the Uchence Wilson Gang who were convicted in October 2020 (see [Judiciary](#)).
- 2.5.11 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.6 Internal relocation

2.6.1 In the Country Guidance case of [AB](#), the Tribunal held that

‘Whether such a person will be able to achieve protection by relocating will depend on his particular circumstances, but the evidence does not support the view that internal relocation is an unsafe or unreasonable option in Jamaica in general: it is a matter for determination on the facts of each individual case.’ (Headnote)

2.6.2 The Tribunal expanded on this assessment in the section on internal relocation:

‘... [The] first question to be asked is whether it is reasonably likely [a person]... will be traced and targeted in their new place of residence. As already indicated, we do not consider that, except in high profile cases, such persons would face a real risk of being detected by criminal gangs based within the [Kingston Metropolitan Area] KMA or other inner-city urban areas. But each case will turn on its own facts.

‘Even if it is decided there is no real risk of such detection, a person may still face a real risk, by virtue of it being unreasonable or unduly harsh for him to relocate... it must be borne in mind that the criteria identified by the House of Lords in Januzi are stringent. It will not suffice that there may be a lack of social welfare support combined with other difficulties: what matters is whether such a move will result for the individual in question in destitution or other forms of violation of a nonderogable human right.’ (paras 164 to 165)

2.6.3 Conditions have not changed significantly since the Country Guidance case of [AB](#), promulgated on 22 February 2007. There are not, therefore, very strong grounds supported by cogent evidence to justify a departure from the UT’s findings in [AB](#).

2.6.4 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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2.7 Certification

2.7.1 Where a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

Section 3 updated: 26 July 2022

3. Prevalence of crime

3.1 Overview

- 3.1.1 The United States Department, Overseas Security Advisory Council (OSAC) Crime and Security report 2020, aimed at US citizens and published 16 June 2020, noted

‘...Forbes Magazine listed Jamaica as the third-most dangerous place for women travelers in 2017. In 2018 Business Insider ranked Jamaica tenth among 20 of the most dangerous places in the world. The International Monetary Fund (IMF) recently cited crime as the number one impediment to Jamaica’s economic growth. The Jamaican government concluded that corruption and the transnational crime it facilitates presents a grave threat to national security.’²

- 3.1.2 The Statistical Institute of Jamaica (STATIN) and the Ministry of National Security (MNS,) published its ‘The Jamaica National Crime Victimization Survey (JNCVS) 2019’ in 2021. The report provided statistics on crimes that occurred from September 2018 to August 2019, as reported (to the survey) by the victims, to measure the extent of the Jamaican public’s exposure to crime. For full details of the methodology see section 2 of the report. The survey asked respondents if they had personally seen or heard the 15 situations specified in the table below in their community during the period September 2018 to August 2019, to gauge the level of exposure to crime. The report explained ‘Although some of the situations are not criminal acts, they may increase risk and contribute to people’s feeling of insecurity.’ The figures were³:

Situation	% of population reporting ‘observation of situations’ in community
Sale of illegal drugs on the streets	3.1
Consumption of illegal drugs on the streets	4.3
Presence of area Don	4.4
Prostitution	4.6
Sale of counterfeit products	7.2
Sale of alcohol to minors	8.6
Presence of criminal gang	9.2
Vandalism	10.4
Shootings	28.1

² USSD, [OSAC Crime and Safety Report - Jamaica 2020](#), 16 June 2020

³ STATIN and MNS, [‘JNCVS 2019 report’](#), (page 20, figure 3.3), 2021

Situation	% of population reporting 'observation of situations' in community
Sale of marijuana/ganja in the streets	34.4
Presence of corner crews	36.8
Lack of street lights	45.5
Fights or quarrels in the streets	50.9
Alcohol consumption in the streets	56.3
Consumption of marijuana/ganja in the streets	63.9

- 3.1.3 The Freedom House (FH) 2022 report, commenting on events in 2021, noted: 'Gang and vigilante violence remain common... Many initiatives to address the problem have been undertaken by successive governments, but crime and violence remain deeply entrenched.'⁴
- 3.1.4 The Global Organized Crime Index report 2021 noted: 'Jamaica's geographical location in the Caribbean, its difficult-to-patrol coastline, its status as a tourist destination, and its favourable position as a major containerized cargo trans-shipment hub have all contributed to its appeal to drug- and arms-trafficking organizations. The control local gangs have on their communities and widespread corruption among officials make an efficient state presence challenging'⁵
- 3.1.5 The Foreign, Commonwealth and Development Office (FCDO) in travel advice intended for UK citizens, updated 14 April 2022 noted:
 'Crime levels are high, particularly in and around certain areas of Kingston and Montego Bay. Gang violence and shootings are common, and while these incidents are generally confined to inner city neighbourhoods there have been recent incidents outside of these where the risk of becoming a collateral victim does exist. Be especially cautious if you're travelling to West Kingston, Grant's Pen, August Town, Harbour View, Spanish Town and certain parts of Montego Bay, including Flankers, Barrett Town, Norwood, Glendevon, Rose Heights and Mount Salem...'⁶
- 3.1.6 The OSAC Jamaica Country Security Report, last updated October 2021 has listed several off-limits areas to its personnel in Kingston and areas within the parishes of St. Catherine, St. Ann and St. James as well as details of approved routes to and from Kingston's Norman Manley International Airport (KIN). The parish of Clarendon is entirely off-limits⁷.
- 3.1.7 The US Department of State 2021 Country Reports on Human Rights Practices: Jamaica (USSD HR report 2021), covering events in 2021 stated:

⁴ Freedom House, '[Freedom in the World 2022](#)' (section F3), February 2022

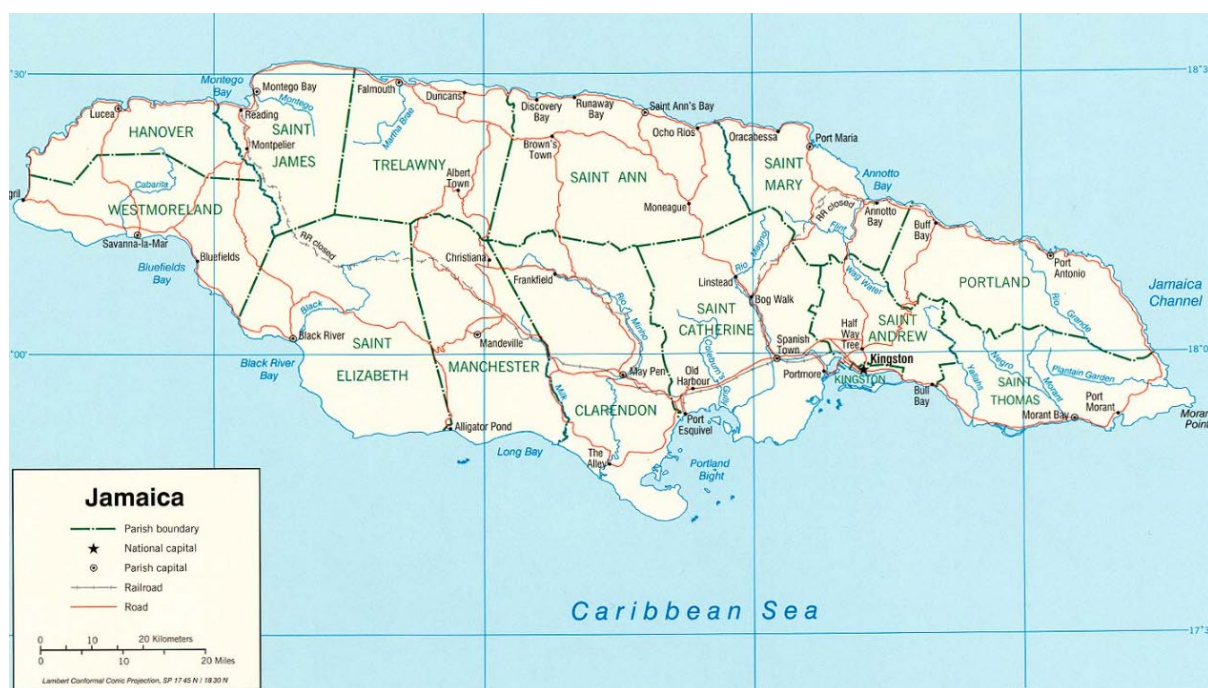
⁵ Global Organized Crime Index, '[Jamaica](#)' (page 4), 2021

⁶ FCDO, '[Jamaica](#)' (Safety and security), 14 April 2022

⁷ OSAC, '[Country Security Report – Jamaica](#)', 25 October 2021

'The country suffered from high levels of homicide, crime, and violence [in 2021]...' ⁸

- 3.1.8 A Map of Jamaica reproduced below is available on the [Perry Castaneda Library Map Collection webpage](#), the map shows Parish boundaries:



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3.2 Rates of murder and other serious violent crime

- 3.2.1 The murder rate has seen increases between 2018 and 2022. The following sources reported:

- The OSAC report 2020 noted 'In 2018, the homicide rate was 47/100,000 residents, and 2019 saw an increase of 3.4%. This is three times higher than the average for Latin America and the Caribbean...' ⁹
- FH 2022 report noted: 'Police reported 1,463 murders in 2021—an increase of 10.6 percent compared to 2020—giving Jamaica the highest homicide rate (approximately 49.4 per 100,000) in the Americas in 2021'. ¹⁰ FH in their 2021 report said the number of murders in 2020 were 1,323 ¹¹.
- Similarly, Reuters in a February 2022 article stated: '...homicides, ... rose 10% last year [2021] to reach 47.7 per 100,000 inhabitants, giving it the world's highest murder rate, according to Reuters calculations.' ¹²
- JCF recorded a 2% increase in murders between 2021 (786) and 2022 (805) ¹³.

⁸ USSD, '2021 Country Reports on Human Rights Practices: Jamaica' (Section 1), 12 April 2022

⁹ USSD, [OSAC Crime and Safety Report - Jamaica 2020](#), 16 June 2020

¹⁰ Freedom House, 'Freedom in the World 2022', (section F3), February 2022

¹¹ Freedom House, 'Freedom in the World 2021' (section F3), 3 March 2021

¹² Reuters, 'Jamaica gang trial tests new anti-crime laws amid wave of violence', 14 February 2022

¹³ JCF, 'Serious Crime Report', no date

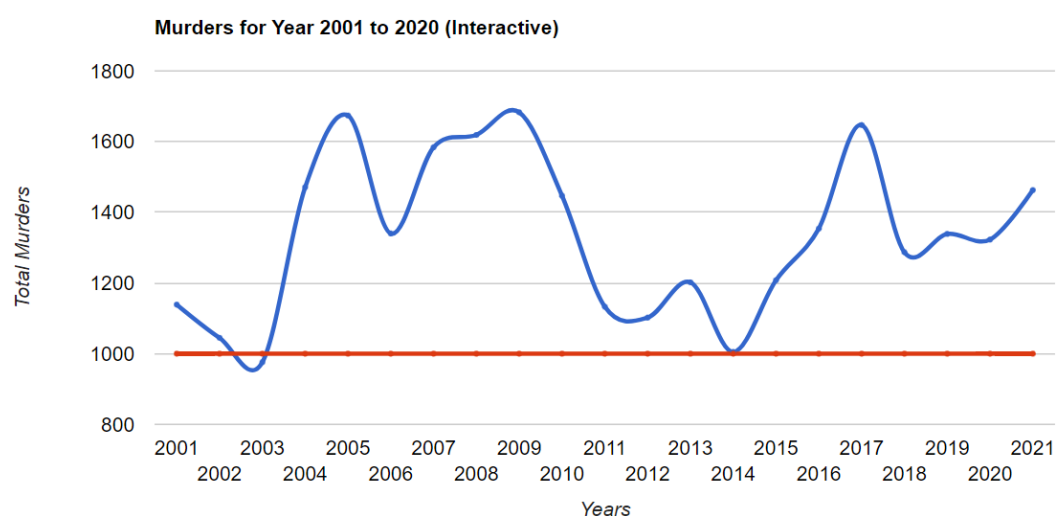
- 3.2.2 The JCF published statistics in its most recent 'Serious Crime Report' covering the period 1 January to 16 July 2022 compared against the same period in 2021¹⁴. The totals recorded were:

Crime	2021	2022	% change
Murder	786	805	+2.0
Shooting	685	632	-8.0
Persons injured*	661	619	[-6.4]
Rape	269	229	-15.0
Robbery	457	497	+9.0
Break-in	529	550	+4.0

*the source did not state the type or gravity of the injury recorded. The source noted figures are subject to change due to ongoing investigations.

- 3.2.3 Annual murder rates were also provided in the same JCP statistical report and are shown in the table and graph below¹⁵, showing that murders have risen by 13.7% between 2018 and 2021.

2018	2019	2020	2021
1,287	1,339	1,323	1,463



- 3.2.4 The OSAC report 2020 provided a breakdown of the types of violent crime recorded by the Jamaican Constabulary Force (JCF) Statistics and Information Management Unit¹⁶:

Crime	2018	2019	% change
Murders	1,287	1,326	+3.4%
Shootings	1,156	1,246	+7.8%
Aggravated Assaults	379	361	-4.7%

¹⁴ JCF, '[Serious Crime Report](#)', no date

¹⁵ JCF, '[Serious Crime Report](#)', no date

¹⁶ USSD, '[OSAC Crime and Safety Report - Jamaica 2020](#)', 16 June 2020

Crime	2018	2019	% change
Rapes	503	484	-3.8%
Robberies	1,088	1,189	+9.3%
Break-ins	1,174	1,210	+3.1%

- 3.2.5 The OSAC country security report 2021 noted
 'Reported homicides declined by 1.2% in 2020 compared to 2019, yet Jamaica's per capita murder rate was the worst in the Western Hemisphere, largely due to decreases in other countries such as Venezuela and Honduras. As of mid-June 2021, the Jamaica Constabulary Force JCF reported 627 murders, which is 1% more than the same period in 2020. Other crimes the JCF classifies as "serious" showed significant declines in 2020. Rape declined 14.3%, robbery declined 18.5% and break-ins declined 18.8%.'¹⁷
- 3.2.6 The Jamaica Observer, a Jamaican newspaper in an online article reported that Police Commissioner Major General Antony Anderson told a press conference at Jamaica House, the Office of the Prime Minister, in November 2021 that criminal gangs account for over 70% of all murders committed¹⁸.
- 3.2.7 The Jamaican Constabulary Force (JCF) Commissioners Report covering January 2021 to April 2022 stated that guns account for over 85% of murders committed and 'In 2021 and so far this year, our data shows that upwards of 72 percent of murders committed in Jamaica are attributed to inter and intra gang feuds.'¹⁹
- 3.2.8 Insight Crime's 2021 Homicide Round-Up reported that by late November 2021 homicides were up by 10% compared to the previous year²⁰. The report further noted some police districts were deadlier than others: 'four in the capital of Kingston and three in the west of the country – had homicide rates as high as 190 per 100,000 residents.'²¹
- 3.2.9 The Jamaica Gleaner reported in an article on 4 May 2022 that the St Mary Police Division, had seen a 700% rise in murders since the start of 2022. Out of a total of 16 murders, the article attributed nine of those to interpersonal conflict, two to domestic violence and five categorised as non-specific²². It should be noted however that this is a single example referring to the particular area of St Mary and is not reflected in the overall data of murder rates in Jamaica. For example, Loop News in an article from 8 May 2022 made the point that in comparison to other police divisions St. Marys murder rate remains low. And that, most of the murders have been restricted to the north eastern area of the parish and were considered conflict rather than gang related. The article stated: "'They (conflicts) start and then become a

¹⁷ OSAC, '[Country Security Report – Jamaica](#)', 25 October 2021

¹⁸ Jamaica Observer, '[Jamaica plagued by a 'persistent epidemic of violence'...](#)', 14 November 2021

¹⁹ JCF, '[Commissioners Report](#)' (pages 4 and 9), 2022

²⁰ InSight Crime, '[InSight Crime's 2021 Homicide Round-Up](#)', 1 February 2022

²¹ InSight Crime, '[InSight Crime's 2021 Homicide Round-Up](#)', 1 February 2022

²² Jamaican Gleaner, '[St Mary sees sevenfold jump in murders](#)', 4 May 2022

tit-for-tat. Some of them are related to one family and then that plays out in a number of murders,"...'23

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3.3 Prevalence of organised crime

3.3.1 The OSAC report 2020 noted 'Gangs are a major security issue across the country, and are the source of most violent crime nationwide.'²⁴ The OSAC country security report from October 2021 added: 'Gangs... account for over 60% of the island's homicides'²⁵

3.3.2 The Global Initiative against Transnational Organized Crime (GI-TOC) who according to their about page 'is a network of prominent law enforcement, governance and development practitioners who are dedicated to seeking new and evidence-based strategies and responses to organized crime. ... Overall, the GI-TOC works to promote greater debate and innovative approaches, which serve as the building blocks to an inclusive global strategy against organized crime.'²⁶ The Global Organized Crime Index report 2021, which evaluated levels of crime and resilience in all UN member states in 2020 placed Jamaica 48th in the criminality scores ranking out of 193 with a score of 5.91. The report stated: 'Jamaica, ... [is a] ... small state... that experience[s] considerable levels of organized criminality...' ²⁷

3.3.3 Armed Conflict Location & Event Data Project (ACLED) provide weekly [regional overviews](#). In a report covering the 9–15 April 2022, ACLED stated:

'In Jamaica, heightened levels of violence against civilians continued last week. In Kingston, armed men carried out a drive-by shooting, injuring 12 people. Meanwhile, gang members raped a woman and killed two men in Saint-Elizabeth parish. Following the attack, the gang members shot and injured two residents who tried to chase them. While violence in Saint Elizabeth has not been common, it has become increasingly volatile, resulting in a shift from a place of "low risk" to being considered an area of "growing risk" by [ACLED's Volatility and Risk Predictability Index](#). In February, the national police announced the creation of a new task force to fight gangs, which the authorities claim are responsible for most of the violence in the country... Gang-related violence drove the 54% increase in violence in the country last month relative to the past year flagged by [ACLED's Conflict Change Map](#), which first warned of increased violence to come in the country in the past month.'²⁸

3.3.4 In a regional overview 23 April–6 May 2022, ACLED stated: In Jamaica, attacks against civilians remained at high levels across the past two weeks. In Kingston, an attack by gang members on 30 April in the neighborhood of August Town left three men dead...' ²⁹

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²³ Loop News, [Cabbie killed in St Mary days after assurance about murder rate there](#), 8 May 2022

²⁴ USSD, [OSAC Crime and Safety Report - Jamaica 2020](#), 16 June 2020

²⁵ OSAC, [Country Security Report – Jamaica](#), 25 October 2021

²⁶ Global Organized Crime Index, [About GI-TOC](#), no date

²⁷ Global Organized Crime Index, [Global Organised Crime...2021](#) (page 119), 28 September 2021

²⁸ ACLED, [Regional overview covering the 9-15th April 2022](#), 21 April 2022

²⁹ ACLED, [Regional overview covering the 23 April – 6 May 2022](#), 12 May 2022

4. Victims of violence

4.1 Profile

4.1.1 Harriot, Anthony D and Jones, Marlyn, in a joint collaboration between the Caribbean Economics Team (CCB/ CCB) and the Citizen Security Cluster of Institutional Capacity of the State (IFD/ICS) published in an Inter-American Development Bank technical note (Harriot et al IADB report) series on crime and violence in the Caribbean. Their 'Crime and Violence in Jamaica' paper from June 2016 stated: 'Administrative data show that the main victims and perpetrators of violent crimes are young males between the ages of 16 and 24. Women and girls are the main victims of sexual crimes...' ³⁰

4.1.2 The same Harriot et al IADB report stated:

'The JCF [Jamaica Constabulary Force] collects very limited data on [homicide] victims... Most victims of homicide are male, young, uneducated, and poor. In 2013, 90 per cent of all victims were male... Given that most killings are gang-related and confrontational, the gender profile of the killers is expected to be symmetrical... Being male and young multiplies a person's risk of being a victim of homicide.

'Some 51 per cent were 35 years old or less. Of those victims, 27 per cent were ages 26-35, 20 per cent were 18- 25, and 4 per cent were younger than 18. Persons ages 36-45 accounted for 21 per cent of the victims, and persons over the age of 45 accounted for 21 per cent. Murder is thus distributed across all age groups but is primarily a problem that affects youth.' ³¹

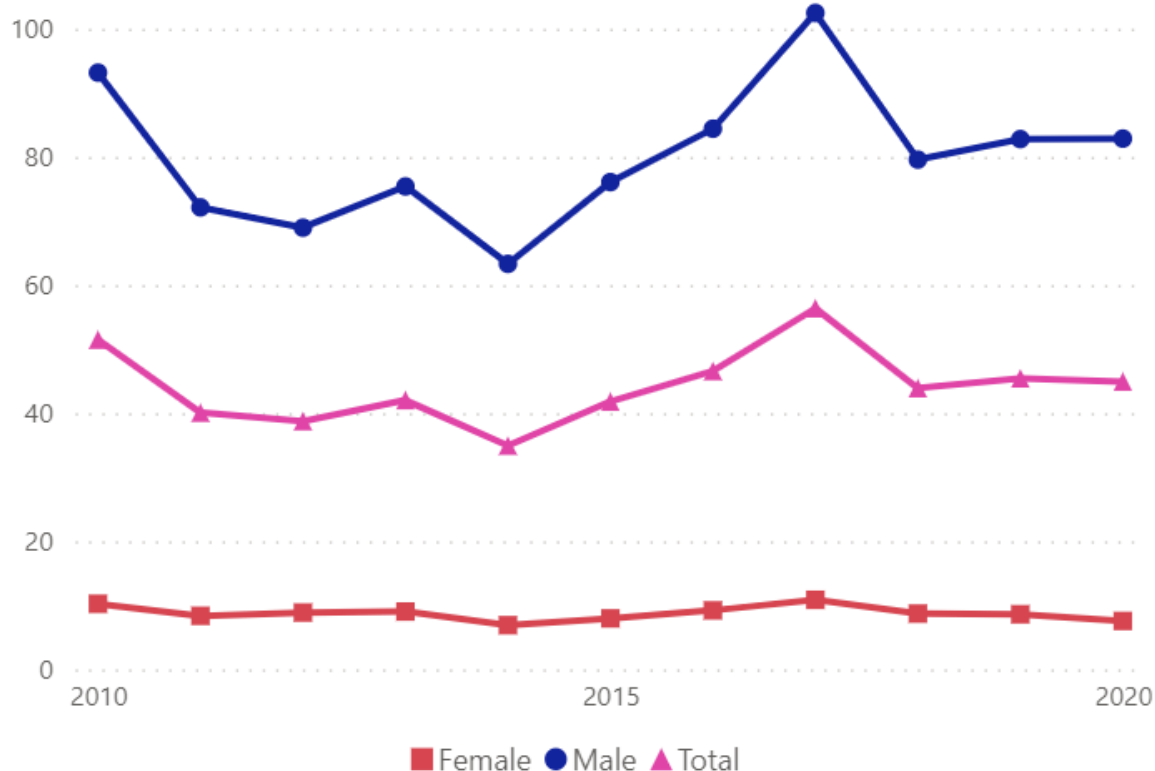
4.1.3 The following United Nations Office on Drugs and Crime (UNODC) graph shows the proportion of intentional homicide victims per 100,000 of the population. In 2020, 2015 and 2010 men accounted for 83, 76 and 93 of victims per 100,000 population, compared to 7.58, 7.98 and 10.26 of women respectively ³².

³⁰ Harriot Anthony D et al, '[Crime and Violence in Jamaica](#)' (Page xi), June 2016

³¹ Harriot Anthony D et al, '[Crime and Violence in Jamaica](#)' (Page 14-16), June 2016

³² UNODC, [Country profiles – Jamaica](#), no date

Victims of Intentional Homicide per 100,000 Population by Year



4.1.4 The following table shows data from the website of the statistical Institute of Jamaica with regard the number of persons murdered by category and sex. Males accounted for 90% of victims each year from 2013 to 2017³³:

	Gender	2013	2014	2015	2016	2017
Police	Male	8	2	6	5	8
	Female	1	0	2	1	0
Children	Male	35	38	45	33	35
	Female	15	6	16	6	20
Other	Male	1,028	865	1,041	1,181	1,443
	Female	113	94	98	128	140
Total	Male	1,071	905	1,092	1,219	1,486
	Female	129	100	116	135	160

³³ Government of Jamaica, '[Statistical Institute of Jamaica – Justice and Crime](#)', no date

- 4.1.5 The Caribbean Policy Research Institute (CAPRI March 2020 report), a not-for-profit public policy think tank, whose mission according to their 'about us' page is '... to provide quality research in an accessible manner to policy-makers, their constituents and the public to inform a constructive debate around critical social, economic, and developmental issues facing the region'³⁴. In a report on the splintering of gangs in Jamaica and supported by a grant from the United Kingdom Department for International Development, published March 2020, stated:

'There are four categories of gang violence: inter-gang, intra-gang, criminal violence in direct or indirect pursuit of material gains, and violence against people who may be unrelated to the gang, but who are considered a threat, for example, witnesses or potential witnesses, and suspected informers... the killing of informers is a typical example of... gang violence... Witnesses and potential witnesses to gang crimes are also prime targets for murder.

'Witnesses may be gang members who have turned, or innocent people who have witnessed a crime, or have information pertaining to a crime, whether they have come forward with evidence or not.'³⁵

- 4.1.6 CAPRI also stated: 'Males, in particular young, unattached males, ... make up the majority of the murder victims ... This gender dynamic is reflected in the statistics: between 2012 and 2018, of Jamaica's 8,801 murder victims, 87 percent were adult male, 9 percent adult female, and 4 percent children...'³⁶

- 4.1.7 Loop News reported in December 2020 that Police Commissioner, Major General Antony Anderson, while speaking at a press conference, stated: 'The police have seen where "gang killings and reprisals" extended beyond the actual gang members to their family members in some cases.'³⁷

- 4.1.8 Loop News reported in June 2022 that 'The violent conflicts in St Catherine have risen to the scale where the parents of alleged gangsters have been killed in reprisals and counter-reprisals, according to Police Commissioner, Major General Antony Anderson.'³⁸

- 4.1.9 Reuters in a news report from February 2022 article stated that victims of lottery scams are mainly vulnerable senior citizens in the US³⁹.

- 4.1.10 The Bertelsmann Stiftung's 2022 Transformation Index (BTI), a measure of the development status and governance of political and economic transformation, covering the period from 1 February 2019 to 31 January 2021 noted:

'There are no reported violent incidents targeting citizens along the lines of social class, ethnic or religious communities. Violent incidents on the basis of gender take place with the abduction, rape and murder of women and girls, ... Human trafficking, which primarily targets young women and girls, is now acknowledged as a national problem... there are numerous violent incidents

³⁴ CAPRI, '[About us](#)' no date

³⁵ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 18), 5 March 2020

³⁶ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 20), 5 March 2020

³⁷ Loop News, '[Murders down, but cops to go after gangs, illegal parties this Xmas](#)', 3 December 2020

³⁸ Loop News, '[Mothers of alleged gangsters killed in reprisals in St Catherine](#)', 17 June 2022

³⁹ Reuters, '[Jamaica gang trial tests new anti-crime laws amid wave of violence](#)', 14 February 2022

mainly between organized gangs, mostly related to the trafficking of weapons, drugs and money.’⁴⁰

- 4.1.11 The Jamaican Governments – Jamaica Information Service (JIS) website, reported in June 2021: ‘Senator Samuda [Minister without Portfolio in the Ministry of National Security, Senator the Hon. Matthew Samuda] “Many of these murders [claiming 802 or 61% of murders in 2020 were gang related] ... would have resulted from inter-gang and intra-gang, conflict. To fund themselves these criminal groups also engage in activities that are incredibly detrimental to the wider public and to Jamaica’s development,” ...’⁴¹

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4.2 Inter-gang rivalry

- 4.2.1 CAPRI in their March 2020 report noted:

‘Inter and intra-gang violence comprise the majority of gang violence and murders. One basis for the state of emergency that was declared in the St. Andrew South police division in July, 2019, was not only that it had the largest number of gangs (of all police divisions,) but that the ... violence there was in large part due to over 25 gangs engaged in deadly inter and intra-gang conflict...

‘Inter-gang violence, as the name suggests, is one gang versus another gang. These acts of violence or aggressions towards another group often stem from territorial disputes, or when one group perceives that they have been “disrespected” by another in some way. Intra-gang violence speaks to acts of aggression that occur within a gang, rather than with external groups. Intra-gang violence can occur for a wide variety of reasons, from interpersonal differences, to power struggles, to jealousy or disagreement over the sharing of ill-gotten gains. This distinction, however, itself gets easily blurred when intra-gang conflict leads to splintering and the formation of new gangs, which then is considered inter-gang conflict.’⁴²

- 4.2.2 Reuters, in an article from February 2022 and reporting on the ongoing trial of 33 alleged Jamaican gang members, stated: ‘The trial has shocked the nation with graphic testimony from ex-associates describing how the accused bragged to each other about murdering rivals, or became angry to learn they were lagging other gangs in killings...

‘Gang clashes often result in gun battles, leaving Spanish Town residents in danger of being caught in the crossfire.’⁴³

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⁴⁰ BTI, ‘[2022 Country Report – Jamaica](#)’ (Page 30), 23 February 2022

⁴¹ JIS, ‘[Senate Begins Debate To Amend Anti-Gang Legislation](#)’, 13 June 2021

⁴² CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 18), 5 March 2020

⁴³ Reuters, ‘[Jamaica gang trial tests new anti-crime laws amid wave of violence](#)’, 14 February 2022

5. Organised criminal gangs

5.1 Characteristics, structure and hierarchy

5.1.1 The March 2020 CAPRI report noted ‘...it is the first and second generation gangs that are the main threat to citizen security and public safety. They are the principal violence producers. The currency of a gang’s intergroup or intragroup enmity is violence, stemming from competition for power, domination, reputation, respect, and status, and which is a fundamental aspect of protecting territory and/or gang business.’⁴⁴

5.1.2 The Jamaican Government’s Jamaican Information Service (JIS), reported in May 2020:

‘Minister Chang [Dr Horace Chang - The Minister for National Security] noted that 323 or 83 per cent of the total criminal gangs in operation were classified as “first generation” gangs by virtue of their loose and unsophisticated leadership.

“These gangs are also identified by the fact that their main focus was on turf protection and control for financial gains,” Dr. Chang said.

‘He noted that the remaining 66 gangs or 17 per cent were classified as “second generation” gangs, which exhibited more centralised leadership and focused primarily on organised crime.

‘Dr. Chang informed that consistent with historical trends, the Corporate Area [Kingston and St Andrew – see [Freedom of movement](#)] continues to account for the largest proportion of gangs.’⁴⁵

5.1.3 The Global Organized Crime Index report 2021 noted

‘Dozens of criminal gangs operate across Jamaica. The larger groups are involved mostly in international drug trafficking, while the smaller, more loosely organized ones engage in more violent crimes, particularly turf wars to exert control over communities. Most of these criminal groups are believed to use extortion, particularly of informal sellers and small businesses in exchange for protection, as a form of control and a way to finance their operations.’⁴⁶

5.1.4 The Global Organized Crime Index report 2021 further noted ‘Criminal networks in Jamaica tend to be loosely knit organizations made up of young people who engage predominantly in robberies and scams.’⁴⁷

5.1.5 CAPRI in their March 2020 report explained operational workings of gangs in Jamaica:

‘Since 2011, ... Jamaica’s gang situation—the context, structure, and dynamics—has changed. The May 2010 West Kingston Special Operation dislodged the country’s most established organized crime entity, the Shower Posse, and was followed by an intensive crackdown targeting gang leaders,

⁴⁴ CAPRI, ‘[Guns Out: The Splintering of Jamaica’s Gangs](#)’ (Page 17), 5 March 2020

⁴⁵ JIS, ‘[JCF Establishing Special Anti-Gang Task Force](#)’ 21 May 2020

⁴⁶ Global Organized Crime Index, ‘[Jamaica](#)’ (Page 3), 2021

⁴⁷ Global Organized Crime Index, ‘[Jamaica](#)’ (page 3), 2021

across the island. Jamaica's murder rate fell from 62 in 2009 to 36 per 100,000 in 2014. The crackdown was not sustained, nor was the decline in murder, and by 2017 Jamaica's homicide rate had risen steeply. Jamaican gangs have since splintered: there are many more of them, and they are more loosely-organized. The number of gangs in Jamaica has since increased from 191 in 2010 to 381 in 2018, with Kingston and St. Andrew experiencing most of the increases. As the number of gangs has increased, so has the murder rate. They are well-armed, and able to virtually grow currency to purchase new, high-powered weapons. Guns are a critical aspect of Jamaica's gang problem because the majority of murders are committed with guns; between 2010 and 2018, 76 percent of murders were committed using firearms. It is thought that 97% of gang murders are committed with guns. The gangs are extremely violent, often carrying out murders where there is no material motive. Other changes include how gangs engage in organized and transnational crime. Many gangs do engage in organized crime as regards localized extortion rackets, contract killings, robbery, and scamming. They are also engaged in cross border criminal activities, such as illegal drug trafficking where the drugs are primarily traded for arms.' ⁴⁸

5.1.6 The same CAPRI report stated:

'Jamaican violent criminal gangs do not share many of the predominant characteristics of gangs in other parts of the world. They have a unique socio-political history, and display patterns of organization and behaviour that cannot be understood outside of the specific Jamaican context. For the most part, for example, they do not overtly demonstrate their gang status by the use of tattoos or specific colours, and many of the gangs are not the well-structured, hierarchical organizations... Further, in Jamaica, there are significant differences between gang-like groups which include street gangs, crews, and organized crime groups, though these may overlap, which require distinctive responses...

'The Jamaica Constabulary Force (JCF) works with a definition of gangs as developed by the Ministry of National Security (MNS) for the [Criminal Justice Act] Suppression of Criminal Organizations Act (usually referred to as the Anti-Gang Act, or the anti-gang legislation): a criminal organization means any gang, group, alliance, network, combination or other arrangement among three or more persons, whether formally or informally organized, that has as one of its purposes to commit crime, violence, or any other unlawful activity (inter alia)... The JCF also considers gangs to include "drug traffickers, gun for drugs syndicates, school gangs, and school children associated with established gangs." ...

'JCF further uses the generation classification system.

- 'A first generation gang is considered to have "loose leadership, limited resources, localized, opportunistic criminal activity," and a desire to prove themselves, which can lead to virulent violent behaviour.
- 'A second generation gang is more "moderately organized," and has "centralized and distinct leadership, expanded area of control, and

⁴⁸ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 1), 5 March 2020

engages in both licit and illicit profit oriented activities." The structure and organization of first and second generation gangs vary widely along these lines.

'In the 2019 trial of Tesha Miller, the purported don of the Clansman Gang, who was charged and convicted with being an accessory to the 2008 murder of Douglas Chambers, the main witness described the gang's structure as containing an array of "area leaders," "ground commanders," and lower-level henchmen called "ground soldiers." Ground soldiers are scouts who keep watch in the community, taking note of police and other individuals, while ground commanders take care of their underlings by providing them with money... Clansman is an established second generation gang that was once considered a third generation, and so was likely more organized than newer gangs; such hierarchical structures are thought to have given way to more network-based organizations...

'Both second and third generation gangs are engaged in and derive their income from murder, shooting, extortion, weapons trade, robbery, lotto scamming, car theft, drug trafficking, drugs for guns, sexual offences, warehouse break-ins, hosting of entertainment events, praedial larceny [theft of agriculture produce⁴⁹], and the scrap metal trade. The more successful gangs are thought to use the proceeds from illicit business activities to engage in and transition into legitimate businesses... though proof of this is scant...

- 'Third generation gangs, under which transnational organized crime is included, tend to be more sophisticated transnational organizations with more of a focus on economic and political agendas, than on violence and localized territorial disputes... With the 2010 demise of the Shower- Presidential Click, one of the most powerful, oldest, and most resilient criminal groups in Jamaica, with links in national power circuits and global criminal networks, and entrepreneurial in a wide range of illegal and legal activities,... the JCF considers that there are no third generation gangs in Jamaica...' ⁵⁰

5.1.7 The Royal United Services Institute (RUSI) an UK independent think tank engaged in defence and security research in the publication 'Gangs and the Unattached Youth in Jamaica' dated 15 March 2021 also explained the hierarchal system of gangs, and stated:

'Gangs fall on a spectrum ranging from the loosely organised to highly organised. Organised gangs or third-generation gangs usually have a strong and identifiable leader, as well as a formal hierarchical system with structurally assigned roles necessitating the deployment of actors to operate in specific territories. These (organised) gangs are typically characterised by high levels of violence and, commonly, access to wealth and power. Their activities involve gun and drug trade, robberies, assassinations, extortion and rape. Their criminal acts extend beyond the country of location (e.g., Shower Posse Gang), and they operate within both formal and informal

⁴⁹ Ministry of Justice, [Praedial Larceny \(Prevention\) Act](#), amendment January 2000

⁵⁰ CAPRI, ['Guns Out: The Splintering of Jamaica's Gangs'](#) (Page 12 and 13), 5 March 2020

economies, demonstrating unwavering access to corrupt avenues for local and transnational illicit trade.

'Moderately organised or second-generation gangs may serve as pawns or foot soldiers for the third-generation gangs. Here, the level of violence extends beyond turf wars as actors are employed to carry out contract killings and enforce extortion orders, and usually possess consistent access to weapons to execute their criminal activities.

'Lastly, loosely organised gangs or first-generation gangs have little to no identifiable or consistent leadership and evidence low levels of cohesive activity. These gangs frequently engage in recreational activities such as the smoking of marijuana, parties, sports, and more ominous "community level" defence involving illegal guns and petty theft. They are usually comprised of delinquent and unattached youth engaged in armed conflict and turf wars with similar groups from rival communities. These gang members may work independent of the group to commit crimes since they lack a defined structure and any delineation of specialised roles.'

- 5.1.8 The Global Initiative against Transnational Organised Crime noted in its June 2021 report 'While criminal gangs are known to have strong ties to certain neighbourhoods, they are increasingly expanding and commuting to seize and defend turf, causing patterns of violence to spread. Gang members cite the splintering of existing groups due to internal feuds and social ties to other communities as reasons for their movement, although they also return to fiercely defend their original communities from rivals.'

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5.2 Number of gangs

- 5.2.1 The CAPRI report published March 2020 stated: 'The JCF, in 2019, counted 381 gangs, all of which are first or second generation; of these 276 or 72 percent were deemed to be active, while the others were dormant... Because of ongoing fracturing and splintering within gangs, sudden and dramatic jumps in numbers of gangs can occur in a short space of time... Of the dormant and active gangs, about 90 percent are considered to be first generation.'
- 5.2.2 The same report provided numbers of gangs since 2010 as shown in the table below, figures provided by the JFC showing that the number of gangs have risen from 191 in 2010 to 381 in 2018:

Year	Number of gangs
2010	191
2011	209
2012	221
2013	241

⁵¹ RUSI, 'Gangs and the Unattached Youth in Jamaica', 15 March 2021

⁵² GI - TOC, 'Actioning Social Interventions in ...National Consensus on Crime', (page 7), 7 June 2021

⁵³ CAPRI, 'Guns Out: The Splintering of Jamaica's Gangs' (Page 14), 5 March 2020

⁵⁴ CAPRI, 'Guns Out: The Splintering of Jamaica's Gangs' (Page 14), 5 March 2020

Year	Number of gangs
2014	258
2015	256
2016	249
2017	363
2018	381

- 5.2.3 JIS reported in May 2020: ‘... [Chang – Minister for National Security] noted that based on the latest assessment carried out by the National Intelligence Bureau (NIB) of the JCF [Jamaica Constabulary Force], at the end of 2019, there were 389 criminal gangs operating in Jamaica.

‘Of the total, 250 or 64 per cent were deemed to be active, while the remaining 139 or 36 per cent were classified as dormant.’⁵⁵

- 5.2.4 JIS a year later in June 2021 reported ‘Senator Samuda [Minister without Portfolio in the Ministry of National Security, Senator the Hon. Matthew Samuda] said the country remains plagued by the activities of organized criminal gangs, noting that statistics from the Jamaica Constabulary Force (JCF) reveal that there are 379 gangs present in Jamaica, with 262 considered active...’⁵⁶

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5.3 Areas of influence

- 5.3.1 The table below shows the growth in the numbers of gangs in Jamaica per parish in 2010 and 2018, the figures are from the JCF and feature in the CAPRI March 2020 report⁵⁷:

Parish	2010 No. of gangs	2018 No. of gangs
Trelawny	4	4
St. Ann	5	5
St. Mary	5	6
Portland	-	8
St. Thomas	10	7
Kingston	34	110
St. Andrew	63	131
St. Catherine	20	32
Manchester	3	6
Clarendon	21	17
St. Elizabeth	10	4

⁵⁵ JIS, ‘[JCF Establishing Special Anti-Gang Task Force](#)’ 21 May 2020

⁵⁶ JIS, ‘[Senate Begins Debate To Amend Anti-Gang Legislation](#)’, 13 June 2021

⁵⁷ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 15), 5 March 2020

Parish	2010 No. of gangs	2018 No. of gangs
Hanover	-	8
Westmoreland	7	15
St. James	9	28

- 5.3.2 The Jamaica Observer in its article dated 28 October 2019 reported: '[Deputy Commissioner of Police Fitz] Bailey noted that in St Andrew South alone, there were 75 gangs, 28 of which were very active.'⁵⁸
- 5.3.3 JIS reported in May 2020:
 'Dr. Chang [Minister of National Security] said that Area Four, which comprises the Kingston Western, Kingston Central, Kingston Eastern, St. Andrew Central and St. Andrew South Police Divisions accounted for 249 or 64 per cent of the total number of known gangs island wide.
 "Of note, at the Divisional level, 78 of the gangs identified across the island, or 20.1 per cent, were resident within the St. Andrew South Police Division.
 'This was followed by the Kingston Central and Kingston Western Police Divisions with 13.1 per cent and 12.3 per cent, respectively, the National Security Minister said.
 'In addition, Area 5, which comprises St. Catherine North, St. Catherine South, St. Andrew North, and St. Thomas, accounts for the second highest number of gangs in the country, with 57 gangs or 14.7 per cent.
 'They were followed by Area One (St. James, Westmoreland, Hanover, and Trelawny) with 51 gangs or 13.1 per cent.'⁵⁹
- 5.3.4 The May 2020 Loop News article noted '...statistics [from National Intelligence Bureau (NIB) of the Jamaica Constabulary Force]... show that the vast majority of gangs are concentrated in the Corporate Area of Kingston and St Andrew... [Minister of National Security, Dr Horace Chang] said this was consistent with historical trends...
 '... St Andrew South is made up of such violence-plagued communities as Waterhouse, Tower Hill, Olympic Gardens, Seaview Gardens, Back To, Payne Land, Majesty Gardens, Whitfield Town, Waltham Park, Riverton and sections of Maxfield Avenue.'⁶⁰
- 5.3.5 Insight Crime reporting on the trial of members of the Klansman gang in November 2021 stated '... the One Don Gang faction of the Klansman and are based in the south-eastern parish of St. Catherine, west of the capital Kingston...'⁶¹

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⁵⁸ Jamaica Observer, '[Police can't force a man into witness protection...](#)', 28 October 2019

⁵⁹ JIS, '[JCF Establishing Special Anti-Gang Task Force](#)' 21 May 2020

⁶⁰ Loop News, '[Nearly 400 criminal gangs operating in Jamaica – Chang](#)', 20 May 2020

⁶¹ Insight Crime, '[Klansman Trial Reveals Jamaica's Sophisticated Gang...](#)', 16 November 2021

5.4 Drug-related crime

5.4.1 The OSAC report 2020 noted: 'Jamaica is a transit point for South American cocaine destined to the United States, Canada, and Europe. It is also the largest Caribbean producer and exporter of cannabis (marijuana), adding to a vibrant drugs-for-guns trade with Haiti.'⁶²

5.4.2 The Global Organized Crime Index report 2021, which evaluated levels of crime and resilience in all 193 UN member states in 2020, on its Jamaica report explained the interplay between Jamaica's arms and drugs markets:

'Arms trafficking is one of Jamaica's largest criminal markets, with most illegal weapons entering the country from the United States, home to many Jamaican crime groups... The easy availability of weapons – including pistols, sub-machine guns, assault rifles and homemade guns – fuels an extremely high homicide rate in Jamaica, with arms being used to protect drug-production and trafficking systems, as payment for drugs, and to facilitate gang recruitment.'⁶³

5.4.3 The same Global Organized Crime Index report 2021 noted:

'The reach of Jamaica's cannabis market is substantial. The country is the largest producer and supplier of cannabis in the Caribbean region. The drug is trafficked abroad to countries in Europe, as well as to Canada and the United States. In Jamaica, marijuana is legal for consumption in low quantities and for religious purposes, although permits are required to cultivate and process the crop. Evidence suggests that growth in the cannabis trade has led to an escalation in violence in Jamaica. There seems to be a connection between organizations that traffic cannabis and those that traffic arms and cocaine, a drug that is also highly prevalent in the country.

'In recent decades, Jamaica has become a trans-shipment and storage point for Mexican and Colombian organizations transporting cocaine to the United States and Europe. Cocaine shipments tend to be dropped offshore by ships or small planes, and then picked up by boats to be taken to their final locations by foreign tourists (not always knowingly). Heroin and synthetic drugs are also prevalent in the country, although to a much lesser extent than cocaine. They are used as commodity drugs, traded with marijuana and then shipped in small quantities to overseas markets through immigrant networks. The local market is believed to be very small.'⁶⁴

5.4.4 The USSD's Bureau of International Narcotics and Law Enforcement Affairs (INL) in its International Narcotics Control Strategy Report dated March 2022 (the INCSR 2022 report) noted:

'Traffickers also export Jamaican-grown marijuana to other Caribbean countries in return for illicit firearms and other contraband. Criminal gangs in Jamaica and Haiti engage in a thriving "guns for ganja (marijuana)" enterprise in which, for example, Jamaican criminals use marijuana for currency with which to obtain guns or other contraband from criminal entities in Haiti

⁶² USSD, [OSAC Crime and Safety Report - Jamaica 2020](#), 16 June 2020

⁶³ Global Organized Crime Index, '[Jamaica](#)' (page 3), 2021

⁶⁴ Global Organized Crime Index, '[Jamaica](#)' (page 3), 2021

‘Due to Jamaica’s geographic position in the western Caribbean, a coastline with over 150 unmanned seaports, its high volume of tourist travel, and status as a major containerized cargo transshipment hub, the country is a prime location for drug trafficking...’⁶⁵

- 5.4.5 FH in its 2022 World Report covering events in 2021 noted: ‘The country is a transit point for cocaine, and much of the island’s violence is the result of warfare between drug-trafficking organizations...’⁶⁶

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5.5 Other criminal activity

- 5.5.1 CAPRI in their March 2020 report stated: ‘Gang violence in pursuit of criminal gain can include murder where the motive is robbery, enforcing an extortion demand, or pursuing a scamming lead list...’⁶⁷

- 5.5.2 The Global Organized Crime Index report 2021 noted:

‘Human trafficking in Jamaica is a highly organized criminal market linked to the drug trade, with mafia-style groups and foreign actors exploiting highly vulnerable populations. Most victims are women who are forced into sex work, selling drugs or begging, while others are trafficked to neighbouring Caribbean countries, the United States and the United Kingdom. Foreign nationals trafficked to Jamaica tend to be victims of forced labour, particularly on foreign-flagged fishing vessels operating in local waters. Jamaica’s human-smuggling market, on the other hand, seems to be limited and linked mostly to passport fraud for migration proposes.’⁶⁸

- 5.5.3 The OSAC report 2020 aimed at US citizens, published 16 June 2020 noted ‘Although rare, kidnappings can happen in any part of Jamaica. A wide range of criminals with varying levels of professionalism and differing motives can execute kidnappings. At one end of the spectrum are high-end kidnapping gangs that target high-profile/high-net-worth individuals. Such groups employ teams of operatives who conduct specialized tasks (e.g. collecting intelligence, conducting surveillance, snatching the target, negotiating with the victim’s family, and establishing/guarding safe houses). On the other end of the spectrum are gangs that roam the streets and randomly kidnap targets of opportunity. These gangs are generally less professional, and often will hold a victim for a short period, just long enough to use the victim’s ATM card to drain their accounts or to receive a small ransom. Sometimes they hold victims for extended periods if they have a large amount in a checking account and a small daily ATM withdrawal limit. While most of the world views this as “express kidnapping,” Jamaican law interprets this as robbery.’⁶⁹

⁶⁵ USSD INL, ‘[INCSR 2022 report](#)’ (page 149), March 2022

⁶⁶ Freedom House, ‘[Freedom in the World 2022](#)’, (section F3), February 2022

⁶⁷ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 19 and 20), 5 March 2020

⁶⁸ Global Organized Crime Index, ‘[Jamaica](#)’ (page 3), 2021

⁶⁹ USSD, ‘[OSAC Crime and Safety Report - Jamaica 2020](#)’, 16 June 2020

- 5.5.4 Loop News noted ‘Wilson [of the Uchence Wilson Gang] led the gang on a string of robberies across sections of the island between 2015 and 2017 and allegedly netting [Jamaican] \$400 million [£2,066,431⁷⁰] in the process.’⁷¹
- 5.5.5 The OSAC country security report aimed at US citizens, published October 2021 stated:
- ‘U.S. citizens for violent crime, U.S. citizens are the prime targets for financial “lottery scams” in which scammers lead victims to believe they have won a drawing or lottery, but the cash or prizes will not be released without upfront payment of fees or taxes. Scammers frequently target the elderly or those with disposable income and operate predominantly from the north coast near the tourist areas. Those organizing scams may obtain personal information of tourists and use it to conduct their operations.’⁷²
- 5.5.6 FH in its 2022 World Report covering events in 2021 noted ‘Residents of neighborhoods where criminal groups are influential are at a heightened risk of becoming victims of human traffickers. Because of the poverty in certain communities and high-profile tourism industry, child sex tourism is present in some of Jamaica’s resort areas, according to local NGOs.’⁷³
- 5.5.7 The USSD HR report 2021, covering events in 2021 noted ‘Violent criminal gangs used children for forced begging; as lookouts, armed gunmen, and couriers of drugs and weapons; and for lottery scams.’⁷⁴

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5.6 Relationship between gangs and political leaders

- 5.6.1 In a September 2019 report published by CAPRI, it was noted that ‘...in the communities where the respondents to our [2017] survey reported there was a don, three-quarters of the dons were also organizers of political intimidation.’⁷⁵
- 5.6.2 CAPRI in their March 2020 report explained:
- ‘... Political violence has diminished significantly since the mid-1990s, and while many gangs maintain political affiliations, since the 2000s there have been few instances of violence and murder that can be or have been directly linked to partisan politics. New gangs have emerged that are not connected to politics or political patronage, though they may be identified with the dominant party in their community. They have their own sources of weapons, usually financed with the proceeds of their criminal activity. Older gangs still maintain their early political affiliations; for example, Clansman and One Order are openly aligned to the PNP [People’s National Party] and JLP [Jamaica Labour Party], respectively. The current scenario, however, is that many gangs have bridged political divides, reconciled their differences, and are promoting networking through relationships of convenience.

⁷⁰ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 19 May 2022

⁷¹ Loop News, ‘[Uchence Wilson.... to be sentenced today](#)’, 30 November 2020

⁷² OSAC, ‘[Country Security Report – Jamaica](#)’, 25 October 2021

⁷³ Freedom House, ‘[Freedom in the World 2022](#)’, (section G4), February 2022

⁷⁴ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Section 7c), 12 April 2022

⁷⁵ CAPRI, ‘[Scamming, gangs and violence in Montego Bay](#)’, (Page 12), September 2019

‘Nevertheless, there continue to be assertions that suggest that party-gang linkages do persist. In June 2019 a sitting member of parliament accused his fellow MPs of "using gangs as election tools," ... and in October 2019, a bipartisan anti-crime summit was held, one outcome of which was a commitment from the prime minister and the leader of the opposition to "publicly repudiate links between politics and gangs." ... These assertions suggest that the original politics-gang linkages do persist at least to some extent, though they may not be as ubiquitous as they once were. At the same time, there are strong suggestions that corrupt relationships endure.’⁷⁶

5.6.3 RUSI in their 15 March 2021 publication noted:

‘Over the years, the lines between criminality and governance have been blurred; the relationship between politics and crime has matured beyond the use of gang members to the intimidation of citizens for votes. Today, this relationship is a partnership steeped in corruption, extortion, arms and drugs trafficking and enterprise crimes..., the direct and indirect contribution to gang violence by the hands of the Jamaican Government is slowly being brought to light. The indirect influence materialises through irresolute public policies and persistent social problems that impel violent crimes due to high levels of inequality, lack of access to education, high levels of youth unemployment and social exclusion of the inner-city communities. While the direct influence is that of the blatant and corrupt partnership between the government and criminal networks through the consolidation of organised crime in Jamaica.’⁷⁷

5.6.4 The Global Organized Crime Index report 2021 noted that Jamaican criminal gangs: ‘... are ...believed to benefit from state collusion – ... and politicians who award them contracts in exchange for support, as well as pay them to carry out crimes (including killings) for their political gain.’⁷⁸

5.6.5 FH in its 2022 noted: ‘Long-standing links between officials and organized crime figures persist... Powerful criminal organizations can influence voters who live in areas under their control. These organizations have used intimidation or other tactics to ensure high voter turnout for particular candidates or parties in exchange for political favors; there were scattered reports of such activity in the 2020 election.’⁷⁹

5.6.6 Reuters reported in February 2022 that ‘The high profile [Klansman/ One Don Gang] trial has also included allegations of political involvement in some gang activity. One gang member turned witness described gun-carrying gangsters attending meetings of the opposition People’s National Party (PNP).’⁸⁰

5.6.7 The INCSR 2022 report noted ‘As a matter of policy, the Jamaican government does not encourage or facilitate illegal activity associated with drug trafficking or the laundering of proceeds from illicit drug transactions... Internal conspiracy schemes at Jamaica’s airports and seaports facilitates

⁷⁶ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 22), 5 March 2020

⁷⁷ RUSI, ‘[Gangs and the Unattached Youth in Jamaica](#)’, 15 March 2021

⁷⁸ Global Organized Crime Index, ‘[Jamaica](#)’ (Page 3), 2021

⁷⁹ Freedom House, ‘[Freedom in the World 2022](#)’, (section C2 & B3), February 2022

⁸⁰ Reuters, ‘[Jamaica gang trial tests new anti-crime laws amid wave of violence](#)’, 14 February 2022

the movement of drug shipments across borders, and organized crime leaders have historically had ties to government officials'⁸¹

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5.7 Relationship between gangs and police

- 5.7.1 A September 2019 report by CAPRI noted 'There is a dark side to the role of the police, where Jamaican police, who face an ongoing challenge of an endemic corruption problem, have been implicated in lottery scamming in various ways... Corrupt officers have been suspected of providing protection and enforcement for criminal elements involved in scamming.'⁸²
- 5.7.2 The Global Initiative against Transnational Organised Crime noted in a February 2020 report that 'Some illegal ammunition and weapons originate internally from the JCF, suggesting corrupt relations between the police and local criminals.'⁸³
- 5.7.3 CAPRI in their March 2020 report noted 'Police corruption is a problem, largely, it is thought, in the form of police taking payment for tipping off gangsters, or directly participating in gang criminal activity. This corruption is also not well evidenced.'⁸⁴
- 5.7.4 The US Department of Justice reported in February 2022 that 'A South Florida grand jury has indicted a veteran police officer from Jamaica with importing cocaine into the United States with the intent to distribute it here.... In total, Allen had approximately 1,350 grams of cocaine on or inside her body when she entered the United States... At the time of her arrest, Allen was a law enforcement officer employed by the Jamaica Constabulary Force for the last 18 years.'⁸⁵

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5.8 'Garrison' communities

- 5.8.1 Jamaica Observer reported in September 2018 that, 'The don [leader of a gang] and his men are the powerful in the [garrison] community, not just because they are armed, but also because they control labour contracts and have direct access to the Member of Parliament. They run the place!'⁸⁶
- 5.8.2 The U4 Anti-Corruption Resource Centre, a 'permanent centre at the [Chr. Michelsen Institute](#) (CMI) in Bergen, Norway (CMI is an independent, non-profit, multi-disciplinary research institute specialised in development studies)' ⁸⁷ stated in a November 2019 report:

'In Jamaica, the links between political corruption and crime have a long history... and the politics of the so-called garrison communities is one of the manifestations of the nexus. Garrison communities are areas controlled by gangs and have been so for decades. Often the "dons" of these communities have been active in politico-criminal patron-client networks. In return for

⁸¹ USSD INL, '[INCSR 2022 report](#)' (page 149), March 2022

⁸² CAPRI, '[Scamming, gangs and violence in Montego Bay](#)', (Page 30), September 2019

⁸³ GI - TOC, '[Criminality and Resilience: Rocky Point, Jamaica](#)', (page 7), February 2020

⁸⁴ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 2), 5 March 2020

⁸⁵ US Department of Justice, '[Jamaican Police Officer Charged with...Her Body](#)', 22 February 2022

⁸⁶ Jamaica Observer, '[Zoso could be the beginning of the end of garrison rule](#)', 30 September 2018

⁸⁷ U4 Anti-Corruption Resource Centre, '[About us](#)', 28 November 2019

securing the political dominance of their patrons, criminal gangs have maintained the right to run what are essentially mini states in the garrison communities... In 2018, in response to rising gang violence, Jamaica had to use the military to patrol the streets in so-called zones of special operations. The operations have been seen by analysts as happening in the context of, and as an attempt to reverse, Jamaica's politics of garrison communities...' ⁸⁸

5.8.3 CAPRI in their March 2020 report stated:

'In the Jamaican context, violent criminal gangs commonly assume a policing role within their domains; the order they enforce is one that suits them rather than is aligned with national laws. Powerful gangs that successfully enforce order within their domains may come to enjoy legitimacy among the members of that community due to their efficient provision of a certain security and stability, and the provision of needed material goods to those community members, particularly where the state has failed or is absent. ... The more established violent criminal gangs are also associated with "community justice" or "jungle justice," terms for the punishment, usually swift, of community members deemed by the respective don to be guilty of offences such as rape or robbery. The culprits would then be subjected to being beaten (sometimes savagely, resulting in injuries such as broken bones), tortured (for example with electrical shocks), or killed... Weak social control and failure of the government to provide adequate social services for these marginalized communities further allowed for criminal actors to step into the vacuum.... These criminal actors provide everything from "education, public health, and employment," to "traditional security,"... all of which furthers the embeddedness, leverage, legitimacy, and power of criminal groups in communities...' ⁸⁹

5.8.4 The FH 2022 report, covering events of 2021 noted 'Kingston's insular "garrison" communities, home to scores of gangs, remain the epicenter of violence and serve as safe havens for criminal groups.' ⁹⁰

5.8.5 See also [Relationship between gangs and political leaders](#)

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5.9 Membership profile

5.9.1 CAPRI in their March 2020 report stated:

'Criminal gang composition in Jamaica, as in most other parts of the world, is heavily gendered: most are young males from socio-economically challenged communities. These "at-risk" young men are generally unemployed (in the formal sector) [see [Victims of violence – Profile](#)], undereducated, and below the age of 35. Males, in particular young, unattached males, ... are ... the primary perpetrators....

'The role of women in criminal gang violence also bears scrutiny. Despite males being the majority of victims, women and children are victims of reprisal and retaliatory violence. A 2018 study on "Why Women Die in Jamaica" revealed that 62 percent of female victims' deaths are gang

⁸⁸ U4 Anti-Corruption Resource Centre, '[Overview of corruption... in Jamaica..](#)', 28 November 2019

⁸⁹ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 23), 5 March 2020

⁹⁰ Freedom House, '[Freedom in the World 2022](#)' (section F3), February 2022

related. ... Females are also involved in criminal gangs as influencers, (women "are the ones who call the shots - they do not fire the shots,") ... and movers of weapons, among other roles, though these are not well documented. There are all female gangs in high schools, which have engaged in violent altercations. ... In 2017 some nine girls, including a 14-year-old and two 15-year-olds, were arrested by the JCF for illegal possession of firearms...'91

5.9.2 The same CAPRI report also noted:

'Children in gangs is increasingly a problem. The main witness against Tesha Miller in the Douglas Chamber murder trial, a self-confessed murderer, told the court that he joined the Clansman gang when he was 13 years old...

'There are two primary ways that children get involved in gangs... The first is by virtue of the fact that they come from communities with established criminal gangs... The second is that some of these gangs position themselves near high schools in order to actively recruit school children. In 2007, 70 percent of National School Gang Survey respondents indicated that gangs were present in their schools; 44 percent of participating principals indicated gang presence in their institutions... In a 2017 presentation to parliament, the JCF stated that there were approximately 50 "school gangs" that have the attention of the police. Some of these school gangs are mimics of the more established criminal gangs... Informed stakeholders have also reported that the current trend is for youngsters to be encouraged by gangs to go to school because of the "human resource" value-added that education brings to their enterprise...'92

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5.10 International links

5.10.1 CAPRI in their March 2020 report stated:

'There are transnational networks between gangs located in Jamaica and criminal organizations of varying sorts and sizes in the United States (U.S.), Canada, and the United Kingdom. While there is not a great deal of recent research or evidence on these linkages, there is some knowledge about the nature of some of them. The older, more established gangs have established affiliates from the time when drug trafficking was the principal gang criminal activity. ... Gangs today, even the less organized ones, might have an overseas base, and/or a contact through whom they procure weapons. Tesha Miller, leader of the Clansman gang, was arrested several times in the US in the 2000s, and was known to be ordering murders in Jamaica from the US; he is thought to have had some sort of base there, from which he operated...'93

5.10.2 The Global Organized Crime Index report 2021 noted

'Foreign criminal organizations, most notably from Colombia and Mexico, feature in Jamaica's underworld, using the country as a trans-shipment and

⁹¹ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 20), 5 March 2020

⁹² CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 21), 5 March 2020

⁹³ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 25), 5 March 2020

storage point for drugs on their way to international markets, including the United States. Jamaican groups operate in other countries through their diasporas...' ⁹⁴

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Section 6 updated: 26 July 2022

6. Distinct groups

- 6.1.1 Jamaica has over 250 active gangs in Jamaica (see [Number of gangs](#)). The following sub-sections include some of the most well established criminal gangs. CPIT could not find recent information (the last 3 years) on the profile or activities of smaller gangs and posses in Jamaica.
- 6.1.2 In March 2021 Loop News reported on Kingston Western police who listed 16 persons of interest, 5 suspected to be from the 'Brawling Gang', 7 from the 'Spanglers Gang' and 4 from the 'Top Jungle Gang'⁹⁵.
- 6.1.3 In January 2022, The Gleaner published a list of 88 men wanted by the police, some of whom came from the following gangs: Genocide Gang, George's Lane Gang, Fleet Street Gang, Vietnam Gang, Crescent Road Gang (Rat Bat), Unruly Gang, 100 Man/Gaza Gang, Grey Ground Gang.⁹⁶ In January 2022, the JCF posted a list of persons of interest to the Kingston Central Police. One gangs mentioned was the POW gang.⁹⁷

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6.2 Klansman/Clansman/One Don Gang

- 6.2.1 CAPRI in their March 2020 report stated:

'The Clansman gang is one of Jamaica's largest and most well-established criminal gangs, with an estimated 100 members. ... Together with another prominent gang, One Order, Clansman gang (including its breakaway factions) is reported to run an elaborate extortion racket centered in Spanish Town, ... from which it is has been reported earned some J\$85 million [£348,848⁹⁸] a year, ... but which other authoritative sources have said is a significant underestimation of the group's revenues. These gangs are also implicated in contract killings in the area and beyond.'⁹⁹
- 6.2.2 The Gleaner, a daily Jamaican newspaper, in the article 'Murder Machines' published 21 September 2021 and reporting on the ongoing trial of members of the One Don gang a division of the Klansman stated:

'The One Don Gang, a faction of the feared St Catherine-based Clansman Gang, was painted on Monday [20 September 2021] as a well-organised and ruthless criminal enterprise that carried out a slew of murders and arson attacks across the parish...The One Don Gang was reportedly established following a split of Clansman amid an internal power struggle between reputed leader of the Clansman, Tesha Miller, and [leader Andre

⁹⁴ Global Organized Crime Index, '[Jamaica](#)' (page 3), 2021

⁹⁵ Loop News, '[Kingston West police name 16 'gangsters' as persons of interest](#)', 18 March 2021

⁹⁶ The Gleaner, '[Full List:Police name 88 wanted men across Jamaica](#)', 28 January 2022

⁹⁷ JCF, '[Kingston Central Police List Persons of Interest](#)', 5 January 2022

⁹⁸ Xe.com, '[Currency Converter, JMD – GBP](#)', 19 May 2022

⁹⁹ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 7), 5 March 2020

“Blackman”] Bryan, who allegedly was the top lieutenant of Miller. Control of the lucrative extortion racket, which reportedly rakes in \$1.5 million daily [£7746¹⁰⁰], was said by the police to have been at the heart of the conflict. Miller is currently serving a near 39-year prison sentence following his conviction last January...’¹⁰¹

6.2.3 The same article noted:

‘It is the position of the Crown that the Clansman-One Don Gang fits the legal definition of a criminal organisation in that it has a clear structural hierarchy and a common purpose...[which] operated from its headquarters in Jones Avenue, Spanish Town, where it had meetings, planned illegal activities, and hosted briefings and debriefings after each illegal mission.

‘All 33 [defendants] had various roles and responsibilities, including killers or shooters, bankers, drivers, lookout men or watchmen, gunsmiths, armourers, and foot soldiers, the prosecutor told the court.

‘According to the prosecutor, the lone female defendant, Cole Christie, had the “esteemed” role of being the gang’s liaison officer for incarcerated members and those on the outside. She was also responsible, it is alleged, for securing lawyers for gang members and served as a link with unscrupulous cops.’¹⁰²

6.2.4 Insight Crime reporting on the trial of members of the Klansman in November 2021 stated

‘The One Don Gang faction of the Klansman was born after an internal power struggle in Spanish Town. Bryan [Andre Bryan, alias “Blackman”], the faction’s leader, was allegedly [once the top hitman](#) for Klansman boss, Tesha Miller. The split dates back to at least 2017, when Bryan appears to have rebelled against Miller and began killing his associates. Bryan’s ability to operate freely was significantly enhanced in 2016 when [both men were on trial](#) for the 2008 murder of a senior transport official. While prosecutors said Miller ordered the hit and Bryan was the gunman, Miller was [sentenced](#) to over 38 years in jail and Bryan was [exonerated](#).

‘Witness testimony has painted Bryan as an incredibly violent individual who [laughed](#) upon learning targets had been killed. State witnesses said they were [forced](#) to join the gang out of [fear for their lives](#).’¹⁰³

6.2.5 The same Insight Crime article stated:

‘... according to prosecutors and witnesses in the Klansman trial, this gang is now firmly a third-generation gang. The testimony of two former gang members stated that the Klansman reportedly had some 400 members within its different factions. The gang also had clearly defined roles, corrupt links with the police, international criminal connections and even allegedly carried out hits ordered by a celebrity musician.

‘The gang’s status and organization also helped rake in the cash. Its primary means of revenue, according to prosecutors, is extortion. One witness said

¹⁰⁰ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 19 May 2022

¹⁰¹ The Gleaner, ‘[Murder machines](#)’, 21 September 2021

¹⁰² The Gleaner, ‘[Murder machines](#)’, 21 September 2021

¹⁰³ Insight Crime, ‘[Klansman Trial Reveals Jamaica’s Sophisticated Gang...](#)’, 16 November 2021

that extortion payments from public transport in Spanish Town ranged between \$80,000 to 100,000 [£412 - £516¹⁰⁴] a week. One popular loan company, Torpedo, also paid up to \$150,000 [£775¹⁰⁵] a month, said the witness, adding that another organization, which he refused to name due to security concerns as it includes “powerful individuals,” paid \$200,000 [£1033¹⁰⁶] a month. The One Don Gang also reportedly made money through targeted killings and weapons trafficking.’¹⁰⁷

- 6.2.6 CPIT could not find further recent information on the ongoing activities of the Klansman or ‘One Don Gang’ in Jamaica in the sources consulted (see [Bibliography](#)).

See also [Inter-gang rivalry/targets](#)

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6.3 One Order Gang

- 6.3.1 ACLED reported in a regional overview 11–17 June 2022:

‘... [I]nternal conflicts within the One Order gang drove the 500% increase in violence in Saint Catherine parish last week... In Spanish Town, two One Order gang members were killed and three others were injured in separate clashes, while civilians were targeted in retaliatory attacks, which included the killing of a gang member’s mother. [ACLED’s Emerging Actor Tracker](#) flagged the One Order Gang as an emerging actor over the past month and the emergence of three new actors this month in Jamaica;’¹⁰⁸

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6.4 Shower Posse/Presidential Click Gang

- 6.4.1 A Guardian article from June 2012 reporting on the imprisonment of Christopher Coke, stated:

‘Jamaica’s most notorious gang leader... Christopher “Dudus” Coke... ran the neighbourhood of Tivoli Gardens on the west side of Kingston as a sort of walled military encampment within which his rule was unchallenged. Through his gang, the Shower Posse – a reference to its members fondness for spraying people with bullets – aka the Presidential Click, he ran a state within a state... He had his own small army of up to 200 soldiers, and a makeshift jail in which he dispensed summary justice. He even organised schooling and sustenance for poor local families, rendering him at one level enormously popular... But he was also brutal... one of Coke’s former henchmen described how the gang leader would go into the jail run by the Shower Posse and dispatch rivals by cutting them up with a chain saw. He is widely believed to have remained immune from the law for so long because of protection from leading Jamaican politicians. When the US asked for his extradition, the Jamaican government initially refused, only relenting in May 2010.’¹⁰⁹

¹⁰⁴ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 19 May 2022

¹⁰⁵ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 19 May 2022

¹⁰⁶ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 19 May 2022

¹⁰⁷ Insight Crime, ‘[Klansman Trial Reveals Jamaica’s Sophisticated Gang...](#)’, 16 November 2021

¹⁰⁸ ACLED, ‘[Regional overview covering the 11-17 June 2022](#)’, 12 June 2022

¹⁰⁹ The Guardian, ‘[Christopher ‘Dudus’ Coke handed 23-year US jail term for drug...](#)’ 8 June 2012

- 6.4.2 The CAPRI March 2020 report referred to the demise of the Shower Posse or Presidential Click Gang in 2010¹¹⁰.
- 6.4.3 Loop News reported on 31 January 2021 that
 ‘Harry McLeod, the reputed ex-lieutenant of former Tivoli Gardens don, Christopher “Dudus” Coke, was killed along Darling Street in the vicinity of Coronation market in Western Kingston on Sunday morning...
 ‘Some five years ago, McLeod was acquitted of several criminal charges — including larceny, receiving a stolen motor vehicle and forgery — in the Corporate Area Resident Magistrate’s Court. The charges against McLeod arose after the vehicle in question was allegedly found in Tivoli Gardens with some 4,000 rounds of ammunition in it during the May 2010 operation to apprehend Coke, who was then wanted in the United States on drugs and gunrunning charges...
 ‘McLeod has also been arrested several other times after the police listed him as a "major person of interest" in relation to crimes that were committed in the Kingston Western Police Division.’¹¹¹
- 6.4.4 Also commenting on the killing of Harry McLeod, McKoys news, a Jamaica online news portal noted: ‘Harry Dog [Harry McLeod], is said to have been a hardcore member of the notorious Presidential Click Gang which operated out of West Kingston and was formed by incarcerated drug Lord, Christopher “Dudus” Coke.’¹¹²

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6.5 Rat bat gang

- 6.5.1 In sources consulted (see [Bibliography](#)) CPIT not could find recent information (the last 3 years) on the profile or activities of the Rat Bat gang in Jamaica.
- 6.5.2 For information on their history and evolution up until around 2008 see the 2012 IRDC report by Horace Levy ‘[Youth Violence and Organized Crime in Jamaica: Causes And Counter-Measures](#)’
- 6.5.3 Loop News reported in October 2016 ‘The Western Kingston, St. Andrew Central and St. Andrew South divisions have seen a number of recent killings and shootings due to feuding between members of both the Rat Bat and Raspberry Gangs. Both gangs are fighting for control of the Sunlight Street, Trench Town, Maxfield Avenue and Gem Road areas, police said.’¹¹³

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¹¹⁰ CAPRI, ‘[Guns Out: The Splintering of Jamaica’s Gangs](#)’ (Page 13), 5 March 2020

¹¹¹ Loop News, “[Harry Dog’, Dudus’ ‘ex-lieutenant’, shot dead in West Kingston](#)”, 31 January 2021

¹¹² McKoy’s News, ‘[Harry Dog gunned down in West Kingston](#)’, no date

¹¹³ Loop News, ‘[Threats of gang violence in Kingston after shooting death of ‘Radigan’](#)’ 18 October 2016

7. Laws, policies and anti-crime measures

7.1 Penal code

- 7.1.1 Jamaica has established a code of criminal law through the [Offences Against the Person Act](#), first established in 1864, amended 2014¹¹⁴.

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7.2 'Anti-gang' law

- 7.2.1 JIS in a report from June 2021 explained: 'The Criminal Justice (Suppression of Criminal Organizations) Act, was first passed in 2014 ['Anti-gang Act']. It is so called, because the Act was tailored to undermine criminal organisations by criminalising the participation in, and promotion of the activities carried out by such organisations.'¹¹⁵

- 7.2.2 The Minister without Portfolio in the Ministry of National Security, Senator the Hon. Matthew Samuda, in the same JIS report with regard amendments to the 2014 Act noted '...changes being made through the Criminal Justice (Suppression of Criminal Organizations) (Amendment) Act, 2021, commonly called the anti-gang legislation, is being done to ensure that the Bill is "fit for purpose and that we move from two convictions to 20, to 30, to 40, to the point where we can start to disrupt gangs and disrupt criminal organisations in our country."¹¹⁶

- 7.2.3 CAPRI in their March 2020 report stated:

'Despite Jamaica's longstanding challenges with gangs it has not had specific legislation to effectively combat these criminal organizations until recently. This delayed response of the state's justice system to put forward effective legislation forestalls law enforcement's effective response. For example, lottery scamming emerged as a problem in the early 2000s, with Jamaican law enforcement becoming aware of the prevalence of the crime in 2006. Yet the Law Reform (Fraudulent Transactions) (Special Provisions) Act, more popularly referred to as the "Lotto Scam Law," was not enacted until almost seven years later, in 2013...

['The Criminal Justice \(Suppression of Criminal Organizations\) Act 2014](#), popularly referred to as the "Anti-Gang Act," is the first of its kind in Jamaica that specifically targets criminal groups. Prior to its passage, law enforcement relied on existing legislation such as the Offences Against the Persons Act, 2011, and the Firearms Act, 1967.'¹¹⁷

- 7.2.4 CAPRI commenting on the effectiveness of the 'anti-gang' act stated:

'A study of the effects of the Anti-Gang Act on the rates of murder and organised crime in western Jamaica (a particularly violence-plagued area of the island), was commissioned by the Ministry of National Security in 2016... It found a number of weaknesses, loopholes, and operational challenges in the legislation. The inherent limitations to the legislation

¹¹⁴ Ministry of Justice, [Laws of Jamaica](#), no date

¹¹⁵ JIS, '[Minister Says Amendments to Anti-gang Legislation Will Result in More...](#)', 19 June 2021

¹¹⁶ JIS, '[Minister Says Amendments to Anti-gang Legislation Will Result in More...](#)', 19 June 2021

¹¹⁷ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 44), 5 March 2020

include: the Act does not allow for search and seizure, a critical omission, nor for the interception of communication. Further, courts/ prosecutors and investigators/police differ considerably in their interpretation of aspects of the legislation, including what constitutes a criminal organization.’¹¹⁸

- 7.2.5 The Global Organized Crime Index report 2021 noted ‘Jamaica’s legal framework on organized crime is fairly strong, especially when it comes to gang activity, although its implementation is not particularly efficient. Jamaica has ratified a number of international conventions and protocols on organized crime, including drug and people trafficking.’¹¹⁹

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7.3 Zones of Special Operations (ZOSO) Act

- 7.3.1 JIS in October 2017 explained the workings of the Law Reform (Zones of Special Operations) Act:

‘The Law Reform (Zones of Special Operations) (Special Security and Community Development Measures) Law is aimed at curbing the nation’s crime through security force occupation of vulnerable communities. It also aims to preserve human rights during the period of occupation.

‘Here are some important points about Zones of Special Operations (ZOSO):

- ‘An area may not be arbitrarily declared a Zone. For an area to be so declared, there must exist “rampant criminality, gang warfare, escalating violence and murder and a threat to the rule of law.”
- ‘An area can be declared a Zone of Special Operations by the Prime Minister after the Chief of Defence Staff and the Commissioner of Police have advised him in writing to do so.
- ‘During an operation, no one can be detained or arrested in a Zone unless proper grounds can be determined by the person in charge (a Major of the Jamaica Defence Force (JDF) or a Superintendent of Police of the Jamaica Constabulary Force (JCF)).
- ‘Anyone who is arrested should, upon arrest be informed of the reason. The individual should be brought before a Justice of the Peace (JP) to determine whether the reason for the arrest is justified. If the JP deems the reason justified, the person should be kept in custody for a maximum of 24 hours. Otherwise, the person should be released immediately.
- ‘No tools of legal trade should be seized.
- ‘Only female security officers may search a female citizen.
- ‘Where vehicles are seized, the owner or person in possession of the vehicle(s) must be provided with a receipt for the item(s), as well as a list noting the item(s) seized.
- ‘An Order revoking a Zone may be made at any time by the Prime Minister.’¹²⁰

¹¹⁸ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 42), 5 March 2020

¹¹⁹ Global Organized Crime Index, ‘[Jamaica](#)’ (page 4), 2021

¹²⁰ JIS, ‘[The Law Reform \(Zones of Special Operations\)... Law](#)’, 26 October 2017

7.3.2 CAPRI in their March 2020 report stated:

'In 2017 the government ... announced ...the ZOSO Act. ... [which] gives the prime minister the power to designate any community a "zone" that requires the focused attention of security personnel and social services because of high rates of violence within the community. In September 2017 the first ZOSO was established in the community of Mount Salem in St. James.

'ZOSO is premised on a "clear, hold, build" long term strategy, ... and is meant to provide intervention from a twofold perspective. Clear and hold means that there is a "focused deterrence" by the state's security force, whereby they enter the community, "clear" out any criminal elements and "hold" the line against these criminal groups, by maintaining a presence. The presence by the security forces then allows for social services, whether by the state or NGOs, to be deployed to rebuild the communities, ... what one might consider "social interventions," broadly speaking. If this—reconnecting and establishing trust between the state and the community, so that these communities are in a position to resist efforts by gangs, who may otherwise prey upon them—is successful, this would bridge the gap that wasn't properly addressed in the 2011-4 crackdown.'¹²¹

7.3.3 The same CAPRI report continued 'Other available legislative means to weaken gangs are financial. Jamaica enacted its Proceeds of Crime Act (POCA) in 2007; at the time the objective was to compensate for shortfalls in the Money Laundering Act, 1996. ... The JCF and Financial Investigations Division (FID) of the Ministry of Finance and Planning have brought several cases against persons with unexplained wealth before the court, with some successes...' ¹²²

7.3.4 The USSD human rights report for 2021 noted that '... the government may identify ZOSOs, which confer to security forces some additional detention authorities... During the year the prime minister declared or extended five ZOSOs, which the government viewed as necessary to reduce crime and violence. High detention rates were a concern, and arbitrary and lengthy detentions took place in ZOSOs. Very few of these detentions resulted in charges.'¹²³

7.3.5 The European Union noted in its March 2022 report on human rights and democracy for the year of 2021 that: 'At the end of 2021, there were five such ZOSOs in operation.'¹²⁴

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7.4 Intelligence gathering

7.4.1 The same CAPRI report stated:

'Other aspects of the [Government of Jamaica] GOJ's suppressive strategy include employing technology to enhance intelligence gathering and analysis, led by the National Intelligence Bureau. The JCF's National

¹²¹ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 42 and 43), 5 March 2020

¹²² CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 46), 5 March 2020

¹²³ USSD, '[2021 Country Reports on Human Rights Practices: Jamaica](#)' (Section 1), 12 April 2022

¹²⁴ European Union, '[Annual report on human rights and democracy](#)', (page 304), 19 April 2022

Strategic Anti-Gang Unit, supported by Proactive Investigative Units... and guided by a National Strategic Anti-Gang Coordination Committee, are designated to "aggressively" investigate top tier gangs, in keeping with the provisions of the Anti-Gang Act. A number of other investigative innovations intended to weaken and bring down all gangs, regardless of their size and level of organization, are planned or underway...'¹²⁵

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7.5 Crime and drug strategies

- 7.5.1 The INCSR 2021 report noted 'The Jamaican government's use of its fixed-wing intelligence, surveillance, and reconnaissance aircraft led to increased drug interdictions in 2020.'¹²⁶
- 7.5.2 The Global Initiative, an independent civil-society organization, in a post on its website dated 7 June 2021 noted the development of the [National Consensus on Crime](#), signed by the government, opposition leaders and Civil Society Organisations (CSOs) in August 2020. Global Initiatives noted that 'The National Consensus on Crime provides a detailed, though not comprehensive, set of actions to implement the priorities and principles it sets out. These are focused predominantly on legislative and criminal-justice reform; meanwhile, however, the broader framework of actions to address the enabling environment and drivers of crime remains undefined.'¹²⁷
- 7.5.3 OSAC in its 2021 country security report stated:
- 'The Government of Jamaica has a National Drug Control Strategy in place that covers supply and demand reduction. It has intensified and focused its law enforcement efforts on disrupting the trans-shipment of large amounts of cocaine. The government also has fully cooperated in several major international narcotics law enforcement initiatives and demonstrated willingness to extradite to the United States those responsible for the manufacture, trans-shipment, and distribution of vast amounts of cocaine throughout the central Caribbean region. Jamaica's drug control efforts face significant challenges from corruption, organized crime, gang activity, and resource constraints.'¹²⁸

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7.6 States of Emergencies (SOEs)

- 7.6.1 The OSAC report 2020 noted
- 'In January 2018, due to rampant violence and murders, the Government of Jamaica declared States of Emergency (SOEs) and Zones of Special Operations (ZOSOs) for several parishes (like U.S. counties) including the Kingston Metropolitan Area and St. James (Montego Bay). The U.S. Embassy warned visitors to avoid some areas of Kingston, Montego Bay, and Spanish Town due to violent crime. Under the SOE, security forces deployed to address organized crime, including gang violence related to drug and gun trafficking and lottery scams. The Emergency Powers Act

¹²⁵ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 42), 5 March 2020

¹²⁶ USSD INL, '[INCSR 2021 report](#)' (page 160), March 2021

¹²⁷ GI - TOC, '[Actioning Social Interventions in ...National Consensus on Crime](#)', 7 June 2021

¹²⁸ OSAC, '[Country Security Report – Jamaica](#)', 25 October 2021

allows the security forces to detain and deport suspicious persons, to enter premises and seize property without a warrant, and declare curfews. Throughout 2019, the government enacted various SOEs and ZOSOs for the same parishes. They remain in effect as of January 2020, with little long-term effect on the murder rate.’¹²⁹

7.6.2 The JNCVS 2019 report explained: ‘A SOE is enacted under the Emergency Powers Act of 1938...A state of public emergency... is declared for a wider geographical region [than a ZOSO]. Under this provision, the entire island can be put under a state of public emergency.’¹³⁰

7.6.3 The JNCVS 2019 survey stated that ‘Nearly eight out of every 10 persons who were aware of the functions of the SOE and the ZOSO; were of the view, that they are effective and reliable security measures.’¹³¹

7.6.4 FH in its 2022 World Report covering events in 2021 stated:

‘States of emergency (SOEs), which provide expanded authority to the security forces, are frequently imposed in response to localized spikes in violence. In February 2021, the government announced that no SOEs would be issued until an appeal against a 2020 Supreme Court ruling—which declared the months-long detention of five men without charge under an SOE to be unconstitutional—had been resolved. However, the government announced new SOEs in seven police divisions in November, though the appeal remained undecided through year’s end.’¹³²

7.6.5 The BTI 2022 report, covering the period 2019 to early 2021, noted:

‘During the period under review, under the Emergency Powers Act (EMA), States of Emergencies (SOEs) were put in place in response to consistently high levels of violence (murder) in specific parishes across the island. In one period, there were SOEs in seven of the country’s 14 parishes. An SOE is approved by a simple majority in both houses of parliament for 14 days. For any extension beyond this period, the government must return to parliament to get approval. Given the high levels of violent crime, the People’s National Party supported the request for an extension but insisted that the rights of all detainees be upheld, and that such persons should not be held beyond the 72 hours allowed without being charged. It was reported and acknowledged that a Judicial Review Tribunal established under the EMA to consider cases of persons who may have been detained wrongfully during a state of emergency was not performing its role as intended.’¹³³

7.6.6 The European Union noted in its annual report on human rights and democracy covering the year of 2021 and published in March 2022 that:

‘...in November, the government imposed States of Public Emergency (SOEs), which allowed for the deployment of the army alongside the police, in seven police divisions with high murder rates. This was done despite the parliamentary opposition’s argument and a Supreme Court ruling that their use as a crime-fighting tool is unconstitutional...(the government has

¹²⁹ USSD, [OSAC Crime and Safety Report - Jamaica 2020](#), 16 June 2020

¹³⁰ STATIN and MNS, ‘[JNCVS 2019 report](#)’, (pages 27-28), 2021

¹³¹ STATIN and MNS, ‘[JNCVS 2019 report](#)’, (pages 27-28), 2021

¹³² Freedom House, ‘[Freedom in the World 2022](#)’, (section F3), February 2022

¹³³ BTI, ‘[2022 Country Report – Jamaica](#)’ (Page 10), 23 February 2022

appealed the Supreme Court ruling). However, the SOEs ended after two weeks as the opposition senators did not support the resolution seeking an extension when it was brought before Parliament. Prime Minister Andrew Holness subsequently announced that there would be a comprehensive review of Jamaica's Constitution, beginning in 2022, to rectify gaps in the law exposed by the COVID-19 pandemic and the crime situation.’¹³⁴

- 7.6.7 The USSD HR report 2021 stated: ‘The declaration of a state of emergency (SOE) grants the police and military the ability to search, seize, and arrest citizens without a warrant ...although no SOEs were declared during the year [2021]. The prime minister may declare an SOE for 14 days or fewer; extensions require parliamentary approval.’¹³⁵

- 7.6.8 See also [Rates of murder and other serious violent crime](#)

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7.7 Measures against crime and corruption

- 7.7.1 The [Major Organized Crime and Anti-Corruption Agency \(MOCA\)](#) was established in 2014 to:

- ... tackle serious organised crime and to stamp out corruption in Jamaica
- focus on bringing high-value criminal targets to justice
- improve governance and security in Jamaica through tackling serious transnational organised crime in all its forms and to provide deterrence.’¹³⁶

- 7.7.2 The FH 2022 report stated: ‘Government bodies continue to pursue corruption investigations, and cases often end in convictions. However, there are criticisms in the media and from nongovernmental organizations (NGOs) that authorities are reluctant to pursue some cases, while others are subject to extensive delays. Government whistleblowers are not well protected.’¹³⁷

- 7.7.3 The BTI 2022 report noted

‘Public servants and politicians who break the law and engage in corrupt practices are not adequately prosecuted, but occasionally attract adverse publicity.’¹³⁸

BTI continued: ‘The government is only partly willing and able to contain corruption, while the few integrity mechanisms implemented are mostly ineffective...’¹³⁹

- 7.7.4 However, the EU Annual Report on Human Rights and Democracy in the World: 2021 Country Updates – Jamaica stated: ‘The Major Organised Crime Agency (MOCA) became an independent body in April 2021. Its primary focus is tackling corruption in the public sector and bringing high-

¹³⁴ European Union, ‘[Annual report on human rights and democracy](#)’, (page 304), 19 April 2022

¹³⁵ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’ (Section 1), 12 April 2022

¹³⁶ The Ministry of National Security, ‘[MOCA](#)’, no date

¹³⁷ Freedom House, ‘[Freedom in the World 2022](#)’, (section C2), February 2022

¹³⁸ BTI, ‘[2022 Country Report – Jamaica](#)’ (Page 11), 23 February 2022

¹³⁹ BTI, ‘[2022 Country Report – Jamaica](#)’ (Page 35), 23 February 2022

value criminal targets to justice. In addition, key stakeholders, including civil society organisations and the media, continue to put corruption issues on the public agenda and promote transparency and accountability.’¹⁴⁰

- 7.7.5 JIS in December 2021 in an article reporting on the House approval of MOCA operational regulations and quoting Dr Horace Chang, Deputy Prime Minister and Minister of National Security stated: ‘...“MOCA is Jamaica’s first fully independent law-enforcement agency, with a cadre of professionals charged with the responsibilities of conducting investigations and operations of the highest standards and professional integrity.”’¹⁴¹
- 7.7.6 The USSD human rights report for 2021 noted ‘The law provides criminal penalties for corruption by officials, but the government generally did not implement the law effectively. There were numerous reports of government corruption during the year, and corruption was a significant problem of public concern. Media and civil society organizations criticized the government for being slow and at times reluctant to prosecute corruption cases.’¹⁴²
- 7.7.7 See also [Corruption](#)

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7.8 Public figures/stance/announcements

- 7.8.1 Caribbean National Weekly, a Caribbean American news source, in a May 2019 article reported:

‘National Security Minister Dr Horace Chang says a military type operation is needed to deal with the criminal activities in sections of Clarendon, a parish located on the south of the island as Opposition leader Dr. Peter Phillips plans to meet with the police hierarchy to discuss the crime situation in Jamaica..

‘Phillips said crime in the area had surpassed the capabilities of a Zone of Special Operations (ZOSO) after the Minister without Portfolio in the Office of the Prime Minister, Mike Henry, called for the ZOSO operations after two police officers were shot and injured during a confrontation with armed bandits on Sunday.

‘But Chang said a military operation other than a ZOSO is required to deal with the criminal gangs.

“ZOSO is a community-based operation. This is a criminal gang, heavily armed, which requires a response that is much different from a ZOSO. You have to chase them, hunt them down, find them and hopefully apprehend them. But if they respond, then the police will be prepared to do what they have to do. This is not a ZOSO operation. This is a military operation.

‘Chang said if “the country needs to appreciate the severity of what the police face, ..., this requires armed response but guided by intelligence and investigation that can make sure we find the right criminals,” he said...’¹⁴³

¹⁴⁰ European Union, ‘[Annual report on human rights and democracy](#)’, (page 304), 19 April 2022

¹⁴¹ JIS, ‘[House Approves MOCA Regulations](#)’, 8 December 2021

¹⁴² USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’ (Section 4), 12 April 2022

¹⁴³ Caribbean National Weekly, ‘[Jamaicans fearful as crime grips the country](#)’, 29 May 2019

- 7.8.2 BBC monitoring in a biography timeline for Andrew Michael Holness, the Prime Minister of Jamaica noted:

‘14 June 2020: At an emergency press conference he [Andrew Holness] uses the term "super gangs" to describe the gangs, which he says are responsible for 80% of murders in Jamaica. He says they are evolving, that they are no longer community-based, but are forming networks to strengthen their organisations and target state projects. Minister of National Security [Dr Horace Chang](#) said two thirds of all gangs in Jamaica are rooted in the Kingston Central, Kingston East and Kingston West divisions, which are responsible for most of the murders in the Corporate Area.’¹⁴⁴

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7.9 International support

- 7.9.1 The Global Organized Crime Index report 2021 noted Jamaica: ‘... benefits from international cooperation in the form of financial support for community programmes, as well from coordination with law-enforcement agencies in other countries, particularly the United States, to stop the transit of illegal drugs by sea.’¹⁴⁵

- 7.9.2 The INCSR 2022 report noted:

‘The U.S. and Jamaican governments coordinate closely on shared priorities related to illicit drug control, including investigative capacity, customs cooperation, maritime security, and support to the judicial system. The Caribbean Basin Security Initiative (CBSI) is a security partnership between the United States and nations of the Caribbean that seeks amongst other objectives to reduce illicit trafficking and improve public safety. CBSI support to Jamaica includes training, equipment, technical assistance, and logistical support for interdicting illicit drugs and trafficked firearms, developing more effective and efficient criminal case procedures, and for combating financial other organized crime. The United States has supported the JCF’s Narcotics Division and the JDF’s Military Intelligence Unit and Coast Guard with equipment and training. The U.S. government continues to raise concerns about illicit drug trafficking with the Jamaican government as well as transportation agencies and commercial shippers.’¹⁴⁶

- 7.9.3 The U.S. Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL) stated in a Jamaica summary:

‘To counter these threats [organized crime by gangs], INL provides assistance under the Caribbean Basin Security Initiative (CBSI) to professionalize the Jamaican Constabulary Force (JCF), improve Jamaica’s counternarcotics capacity, and strengthen Jamaica’s criminal justice sector. To professionalize the JCF, which is under-resourced and vulnerable to corruption, INL supports polygraph screenings, training to improve police investigations, including into gangs, and training on conducting internal investigations into police misconduct. INL works with the JCF, prosecutors, and other stakeholders to improve their ability to

¹⁴⁴ BBC Monitoring, ‘[Andrew Michael Holness – Biography](#)’, 25 March 2022, subscription only

¹⁴⁵ Global Organized Crime Index, ‘[Jamaica](#)’ (page 4), 2021

¹⁴⁶ USSD INL, ‘[INCSR 2022 report](#)’ (page 151), March 2022

investigate and prosecute organized criminal groups involved in transnational crimes, including drug and firearms trafficking and money laundering. INL supports Jamaica's criminal justice reform by improving the ability of criminal justice actors to prosecute complex cases, reduce case backlog through case management processes and efficiencies, and effectively use plea-bargaining to adjudicate criminal cases.'¹⁴⁷

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Section 8 updated: 26 July 2022

8. Security apparatus

8.1 Overview

8.1.1 The USSD HR report 2021 noted:

'The Ministry of National Security is the ministerial home of the Jamaica Defense Force and directs policy of the security forces. The prime minister has authority over the Jamaican Defense Board and as chairman of the board has responsibility for defense-related matters including command, discipline, and administration. He is the de facto minister of defense. The Jamaica Constabulary Force is the country's police force. It has primary responsibility for internal security and has units for community policing, special response, intelligence gathering, and internal affairs... The Passport, Immigration, and Citizenship Agency has responsibility for migration. Civilian authorities maintained effective control over the security forces.'¹⁴⁸

8.1.2 The BTI 2022 report noted

'The monopoly of state agencies, the Jamaica Constabulary (Police) Force (JCF), and the Army Jamaica Defense Force (JDF) is established nationwide in principle. Police stations are in control of individual parishes, with senior regional officers supervising parish stations under their command. Joint police/military operations take place regularly, either in zones of special operations (ZOSOs) or under states of emergency (SOEs) authorized by parliament, through a simple majority voted by the members of the governing party. This would be for a limited amount of time, after which the government would have to return to parliament to get approval from the parliamentary opposition for an extension. These operations take place in both rural and urban parishes, where the state's monopoly is challenged by well-organized gangs and networks of gangs, which often spread their criminal activities across more than one parish. Much other violence emanating from youth groups is not directed at the State's monopoly but at other similar groups of youth.'¹⁴⁹

8.1.3 See also [Jamaica Constabulary Force \(JCF\)](#), [Jamaica Defence Force \(JDF\)](#) and [Corruption](#)

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¹⁴⁷ INL, [Jamaica Summary - United States Department of State](#), no date

¹⁴⁸ USSD, '[2021 Country Reports on Human Rights Practices: Jamaica](#)' (Exec Summary), 12 April 2022

¹⁴⁹ BTI, '[2022 Country Report – Jamaica](#)' (Page 6), 23 February 2022

8.2 Jamaica Constabulary Force (JCF)

8.2.1 The Ministry of National Security Jamaica stated on its website:

'The Jamaica Constabulary Force (JCF) is the police force of Jamaica. The current head of the JCF is Commissioner Major General Antony Anderson. The JCF's mission is "to serve, protect and reassure with courtesy, integrity and respect for the rights of all." The JCF falls under the authority of the Ministry of National Security.

'The national roles of the JCF are:

- 'To maintain law and order
- 'To assist in the prevention and detection of crime
- 'To investigate alleged crimes
- 'To protect life and property
- 'To enforce all criminal laws as defined by the Jamaican penal code
- 'To provide general assistance to the public.'¹⁵⁰

8.2.2 The National Consensus on Crime, signed by the government, opposition leaders and Civil Society Organisations (CSOs) in August 2020 noted the headcount of officers in JCF was 'notionally at 11,800'.¹⁵¹

8.2.3 The Jamaica Observer reported in September 2021 that: '... the police force is currently comprised of approximately 11,000 members....'¹⁵²

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8.3 Jamaica Defence Force (JDF)

8.3.1 The Ministry of National Security explained the composition, remit, and responsibilities of the [Jamaica Defence Force \(JDF\)](#):

'[T]he Jamaica Defence Force (JDF) comprises the Army, Air Wing and Coast Guard, together forming the military of Jamaica. The Jamaica Defence Force is constituted under the provisions of Section 4 of the Defence Act. Under this Act, the JDF has responsibility for the defence and protection from external forces or threat to the sovereignty of Jamaica. The JDF also supports the maintenance of order in Jamaica as well as any other duties that may occasionally be defined by the Defence Board.

'The Defence Board is under the general authority of the Prime Minister who has Ministerial responsibility for defence matters of the land including command, discipline and administration. The Ministry of National Security functions as the ministerial home of the JDF.

'The JDF's mandate is to maintain the integrity of Jamaica's waters and airspace and to provide aid to the Civil Authorities, relating to:

- Restoration/maintenance of law and order
- Counter-narcotics operations

¹⁵⁰ The Ministry of National Security, '[Jamaica Constabulary Force](#)', undated

¹⁵¹ Government of Jamaica, '[The National Consensus on Crime](#)', August 2020

¹⁵² The Jamaica Observer, '[Jamaica seeks to expand private security regionally](#)', 29 September 2021

- Search and Rescue (SAR)
- Casualty Evacuation
- Humanitarian and disaster relief operations
- Defence diplomacy
- Nation building projects
- Contingency planning
- State ceremonial duties'¹⁵³

8.3.2 The INCSR 2022 report noted 'The Jamaica Defence Force (JDF) Coast Guard is responsible for maritime law enforcement...' ¹⁵⁴

8.3.3 The Gleaner in February 2020 noted comments by National Security Minister Dr Horace Chang on the drugs-for guns-trade:

"These transnational crimes fall within the purview of the Coast Guard, who patrol the high seas, and the maritime fleet on the shoreline, and they have been reaping considerable success in interdicting drug boats," said Chang, without providing data on gunrunning interceptions.

"We have spent millions modernising our maritime fleet, giving them vehicles, maritime patrol aircraft, and a better communication network..." According to the national security minister, the Coast Guard has been successful in stemming the flow of guns to the island from Haiti and other Central American countries by interdicting the drug boats.'¹⁵⁵

8.3.4 The USSD report 2021 noted 'The Ministry of National Security is the ministerial home of the Jamaica Defense Force and directs policy of the security forces... 'When the prime minister and Parliament declare a state of emergency, the Jamaica Defense Force has arrest authority and operational partnership alongside the Jamaica Constabulary Force.' ¹⁵⁶

See also [Nature of organised crime](#) and [International links](#)

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8.4 Joint anti-gang task force

8.4.1 The JIS reported in February 2022:

'A joint anti-gang task force consisting of members of the Jamaica Constabulary Force (JCF) and the Jamaica Defence Force (JDF) has been launched....

'The Commissioner explained that the task force will focus on ridding the country of illegal guns as well as dismantling gangs and their criminal networks.

"It is not bound by any particular geographic space, but we will move fluidly across the country to interrupt gang activities, to disrupt and deter those, to

¹⁵³ The Ministry of National Security, '[Jamaica Defence Force](#)', no date

¹⁵⁴ USSD INL, '[INCSR 2022 report](#)' (page 149), March 2022

¹⁵⁵ The Gleaner, '[Fishing for guns](#)', 11 February 2020

¹⁵⁶ USSD, '[2021 Country Reports on HR Practices: Jamaica](#)', (Exec Summary), 12 April 2022

recover firearms or seize firearms and also to focus on those people who are intent on creating death, mayhem and pain in our society,” he said.

‘Major General Anderson disclosed that the task force has been working across agencies of the Force to execute the operations, as well as building response capacity.

“We worked with the lottery scam task force, CTOC [Counter Terrorism & Organized Crime Investigations Branch], territorial police [that is] the police in the various divisions and areas, and it gives them far more capacity when they need it to deal with situations that can become or are highly violent,” he said.

‘He informed that the task force includes a highly trained cadre of individuals, both from the JCF and the JDF... [and] is part of the ongoing transformation and modernisation efforts to address the crime and violence in the country.

‘Meanwhile, Rear Admiral Wemyss-Gorman said the task force will bring focused attention to gangs perpetrating violent crimes across the island.’¹⁵⁷

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8.5 Private security

- 8.5.1 The Ministry of National Security in Jamaica stated on its website ‘The PSRA (Private Security Regulation Authority) is a statutory body under the Ministry of National Security. It was established under the PSRA Act of 1992. Following the rapid growth in the number of organizations and individuals operating in the Private Security Industry, it became highly desirable that a system be introduced to hold these organizations and individuals accountable to some form of regulation and monitoring.’¹⁵⁸

For more information, see [The Ministry of National Security Jamaica](#) official website and [The Private Security Regulation Authority](#) official website.

- 8.5.2 According to the Jamaica Information Service, ‘as at December 2018, there were more than 23,000 registered security practitioners and 290 registered security companies in Jamaica.’¹⁵⁹
- 8.5.3 The Jamaica Observer reported in September 2021 that the PSRA, a statutory body that regulates the operations of ‘...private security firms, private security guards, private investigators, and security trainers, has proposed a Code of Conduct and Ethics for the Private Sector Industry to key industry stakeholders, with a view to addressing a wide range of measures for continued improvements in the management of the industry.
- ‘Senator Samuda [MINISTER without portfolio in the Ministry of National Security] pointed out that the industry, at a glance, has approximately 750 registered private security guards for every 100,000 people, representing a relatively high concentration of private security personnel per capita when compared globally.

¹⁵⁷ JIS, ‘[Joint Anti-Gang Task Force Launched](#)’, 11 February 2022

¹⁵⁸ The Ministry of National Security Jamaica, ‘[Private Security Regulation Authority](#)’, undated

¹⁵⁹ JIS, ‘[Only hire licensed security guards – PSRA](#)’, 15 March 2019

'He noted that it has grown from 12,400 private security guards registered in 1995 to 22,600 guards in 2020...' ¹⁶⁰

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Section 9 updated: 26 July 2022

9. Capability of security forces

9.1 Police effectiveness

9.1.1 The Jamaica Eye website stated that the Jamaica Eye project is 'an initiative of the Ministry of National Security.' ¹⁶¹ The website further added: 'JamaicaEye is part of an island wide network of camera surveillance systems designed to increase the safety of all citizens. These cameras will monitor public spaces across the island and assist the authorities in responding to incidents in the event of an incident, disaster, act of criminality or accident.' ¹⁶²

9.1.2 The Minister of National Security stated in a message on the Jamaica Eye website:

'...Our investment in the development and expansion of Jamaica Eye represents an important part of this secure foundation. This investment will utilize technology as a force multiplier for our police, expanding their reach and providing useful information for criminal investigations and overall surveillance.

The Ministry of National Security recognizes that improvements to the efficiency and capacity of the police force, is crucial in our pursuit of a safer Jamaica. Jamaica Eye has been developed as an acknowledgement of the opportunities presented by technology, to assist the police in their responsiveness to critical incidents and their surveillance capabilities...' ¹⁶³

9.1.3 In a November 2019 report published by CAPRI, it was noted that 'Any discussion of the police in Jamaica must also acknowledge that there is an "enormous and terrifying trust deficit between the police and the citizenry, including the gap between police and civil society,"...and that this deficit undermines the state's efforts to address crime (of whatever sort).' ¹⁶⁴

9.1.4 CAPRI in their March 2020 report and commenting on the effectiveness of the 'anti-gang' act stated:

There are ... contingent limitations, contextual factors that impede the legislation's efficacy. These include;... the culture of silence, particularly in communities with high gang density; the pervasive gang culture in which gangs/dons are seen as doing positive things, which reduces the willingness of residents to support the investigative process; covert evidence-gathering capability within the JCF is low; and inadequate funding and equipment for

¹⁶⁰ The Jamaica Observer, '[Jamaica seeks to expand private security regionally](#)', 29 September 2021

¹⁶¹ Jamaica Eye, '[About Jamaica Eye](#)', undated

¹⁶² Jamaica Eye, '[About Jamaica Eye](#)', undated

¹⁶³ Jamaica Eye, '[About Jamaica Eye](#)', undated

¹⁶⁴ CAPRI, '[Scamming, gangs and violence in Montego Bay](#)', (Page30), September 2019

proactive investigators to engage in meaningful semi-covert and covert work operations, from which evidence may be obtained. ...¹⁶⁵

- 9.1.5 The JNCVS 2019 survey noted ‘The 2019 JNCVS shows that most Jamaicans were of the view that the different criminal justice institutions were effective and reliable in their functions specifically the Jamaica Defence Force (JDF) and the Major Organised Crime and Anti-Corruption Agency (MOCA). However, a high proportion of persons still believe that corruption existed in such institutions as the Jamaica Constabulary Force (JCF) and the Firearm Licensing Authority (FLA)’.¹⁶⁶
- 9.1.6 The May 2020 Loop News article reported comments by the Minister of National Security, Dr Horace Chang to the House of Representatives who said: ‘... efforts are being stepped up to apprehend the so-called big wigs who pull the strings but are able to distance themselves from the criminal networks that they lead. “In the current scenario, there are many of the key leaders who’ve distanced themselves from the street crimes and therefore cannot be identified with the shootings and the killings so easily and, until we get those individuals, it (crime) will just continue,” said the security minister.’¹⁶⁷
- 9.1.7 The Global Organized Crime Index report 2021 noted ‘The Global Organized Crime Index report 2021 noted ... the authorities recently announced a large financial investment as part of its strategy to reduce crime. It purchased two ships for the Jamaican coast guard to try and improve border security, introduced a surveillance aircraft, and increased the use of scanners to inspect cargo at ports of entry.’¹⁶⁸
- 9.1.8 The USSD Bureau of International Narcotics and Law Enforcement Affairs (INL) in their undated ‘Jamaica Summary’ noted the JCF was ‘...under-resourced and vulnerable to corruption...’¹⁶⁹
- 9.1.9 The INL detailed the work undertaken to professionalise the JCF which included: ‘... polygraph screenings [on new recruits to prevent corruption], training to improve police investigations, including into gangs, and training on conducting internal investigations into police misconduct. INL works with the JCF, prosecutors, and other stakeholders to improve their ability to investigate and prosecute organized criminal groups involved in transnational crimes, including drug and firearms trafficking and money laundering.’¹⁷⁰
- 9.1.10 The INCSR 2022 report noted ‘Jamaica’s drug control efforts face significant challenges from weak drug penalties, internal conspiracies and corruption, organized crime, gang activity, resource constraints, and an inefficient criminal justice system.’¹⁷¹

¹⁶⁵ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 42), 5 March 2020

¹⁶⁶ STATIN and MNS, ‘[JNCVS 2019 report](#)’, (page 83), 2021

¹⁶⁷ Loop News, ‘[Nearly 400 criminal gangs operating in Jamaica – Chang](#)’, 20 May 2020

¹⁶⁸ Global Organized Crime Index, ‘[Jamaica](#)’ (page 4), 2021

¹⁶⁹ USSD INL, ‘[Jamaica Summary](#)’, no date

¹⁷⁰ USSD INL, ‘[Jamaica Summary](#)’, no date

¹⁷¹ USSD INL, ‘[INCSR 2022 report](#)’ (page 149), March 2022

- 9.1.11 The Ministry of Justice on their website give details of the Jamaican victim support unit:

‘The Victim Support Unit of Jamaica (VSU), operated by the Ministry of Justice is intended to assist persons against whom certain offences have been committed. The Victim Support Unit is committed to the best interests of victims of crime by actively supporting them, identifying their needs and advocating their rights. The Unit, through its parish offices island-wide, assists victims of crime to manage the emotional trauma associated with and caused by crime. Victims of crimes (both major and minor) fare better whenever the Victim Support Unit intervenes.’¹⁷²

- 9.1.12 The JIS in June 2020 reported that Senator Samuda had pointed out: ‘... that in many communities across the island, gang members enjoy strong community support, which makes it difficult to isolate them.’¹⁷³

- 9.1.13 The OSAC Crime and Safety report 2020 noted ‘Jamaica’s police force is understaffed and has limited resources...’¹⁷⁴

- 9.1.14 In October 2021 the OSAC Country Security report stated:

‘Insufficient funding and resources are often a hindrance to JCF effectiveness and capabilities.

‘Local police assistance is available throughout the country...

‘Some civilians fear that the authorities cannot protect them from organized criminal elements because they suspect authorities are colluding with criminals, leading them to avoid giving evidence or witness testimony. Those in some marginalized communities are often indifferent to police authority, adding to a perceived sense of lawlessness. Reporting a crime is often a lengthy process that some see as frustratingly bureaucratic.’¹⁷⁵

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9.2 Arrests and prosecutions

- 9.2.1 The USSD HR report 2021 stated:

‘Police may arrest without a warrant when a felony, treason, or breach of the peace is committed or attempted in the officer’s presence. Following an arrest, the officer is required to inform the suspect of the offense(s) for which the individual was arrested.

‘An officer may execute a warrant that is lawfully issued by a judge or justice of the peace without being in possession of the warrant. The officer must produce the warrant as soon as practical after the arrest if the suspect requests it. The decision to charge or release must be made within 48 hours, although a judge or justice of the peace may extend the period of custody.

¹⁷² Ministry of Justice, ‘[Victim support](#)’, no date

¹⁷³ JIS, ‘[Senate Accepts Report On Anti-Gang Legislation](#)’, 5 June 2020

¹⁷⁴ USSD, ‘[OSAC Crime and Safety Report - Jamaica 2020](#)’, 16 June 2020

¹⁷⁵ OSAC, ‘[Country Security Report – Jamaica](#)’, 25 October 2021

‘Security forces did not always follow these official procedures. According to government officials and civil society, public perception was that police could make arrests regardless of judicial authorization.’¹⁷⁶

9.2.2 CAPRI in their March 2020 report noted with regard the anti-gang act: ‘Up to November 2018, 448 persons were charged under the legislation [anti-gang act]...’¹⁷⁷

9.2.3 The same report also noted with regard child gang members: ‘In 2017..., 58 teenagers were arrested and charged with murder, including a 14 year-old boy... In that same year 78 teenagers were arrested for shooting, 148 for illegal possession of firearm, and 63 for robbery with aggravation (a weapon)...’¹⁷⁸

9.2.4 The JIS in June 2020 reported that Senator Samuda had stated: ‘Over the period 2017 to 2019, the security forces arrested and charged 595 gang members for various serious and violent crimes.’¹⁷⁹ However Loop News in May 2020 stated that ‘...the vast majority, were for offences not related to the anti-gang legislation [Criminal Justice - Suppression of Criminal Organizations Act].’¹⁸⁰

9.2.5 The JIS reported in February 2022 that the Commissioner of Police, Major General Antony Anderson speaking about the Joint anti-gang task force in its first week of operation: ‘... [The Joint anti-gang task force] ... have arrested four persons for lottery scamming and another 16 of them to make a total of 20 persons who are involved in violence and crime...’¹⁸¹

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9.3 Seizures

9.3.1 The table below is based on figures featured in the CAPRI March 2020 report which illustrates seizures in Jamaican dollars, of ill-gotten money between 2014 and 2016 by Jamaican officials¹⁸²:

Year	Total Seized
2014	J\$26,657,394 (£139,609) ¹⁸³
2015	J\$15,929,950 (£83,428) ¹⁸⁴
2016	J\$9,987,108 (£52,307) ¹⁸⁵

9.3.2 CAPRI noted with regard the seizures that:

‘Most of these cases involve business persons who have engaged in some type of fraud... The legislation is not geared towards criminal prosecution; it

¹⁷⁶ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Section 2), 12 April 2022

¹⁷⁷ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 44), 5 March 2020

¹⁷⁸ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 21), 5 March 2020

¹⁷⁹ JIS, ‘[Senate Accepts Report On Anti-Gang Legislation](#)’, 5 June 2020

¹⁸⁰ Loop News, ‘[Nearly 400 criminal gangs operating in Jamaica – Chang](#)’, 20 May 2020

¹⁸¹ JIS, ‘[Joint Anti-Gang Task Force Launched](#)’, 11 February 2022

¹⁸² CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 46), 5 March 2020

¹⁸³ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 10 May 2022

¹⁸⁴ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 10 May 2022

¹⁸⁵ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 10 May 2022

is only used to sequester illicitly acquired wealth. However, the use of financial investigations techniques as provided for under POCA [Proceeds of Crime Act] serve to uncover the movement of monies that are generated by crime, and that serve to finance criminal enterprises. Persons who deal with these funds knowing that they are proceeds of crime are guilty of money-laundering... pursuing financial crime investigations against violent criminal gangs is hampered by the fact that the vast majority of gang members are unbanked or not deeply embedded in financial institutions.’¹⁸⁶

9.3.3 The INCSR 2021 report noted

‘According to the JCF, authorities seized .067 metric tons (MT) of cocaine over the first nine months of 2020. Jamaican authorities seized 1.63 MT during the same period in 2019, due to a large seizure in July 2019 of 1.2 MT...According to police data, during the first nine months of 2020, Jamaican authorities, supported by the United States, eradicated 253 hectares (ha) of cannabis plants (compared to 215 ha in 2019) and seized approximately 26 MT of cured marijuana, compared to 24 MT in 2019...In the first nine months of 2020, 472 persons were arrested for drug crimes.’¹⁸⁷

9.3.4 The JIS reported in February 2022 that the Commissioner of Police, Major General Antony Anderson speaking about the Joint anti-gang task force in its first week of operation: “Over that week, we seized seven illegal firearms, and 1,200 pounds of compressed ganja. We have disrupted an illegal alcohol operation that was funding a particular gang...”¹⁸⁸

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9.4 Corruption

9.4.1 The JNCVS 2019 noted:

‘Corruption, as defined by the United Nations Office on Drugs and Crime (UNODC), is a crime committed by officials (public or private) abusing of their role to procure gain for themselves or somebody else...

‘The 2019 JNCVS found that almost two-thirds of Jamaicans aged 16 years and older perceived that there was corruption within the [Jamaica Constabulary Force] JCF (1,045,484 or 65.2%) and more than one-half thought that there was corruption in the [Firearm Licensing Authority] FLA (496,923 or 60.5%), the [Department of Correctional Services] DCS (346,033 or 55.6%) and the Local Police (932,799 or 53.6%). This perception about corruption may lead to stigma and in turn cause underreporting of crime and a loss of confidence in the justice system.’¹⁸⁹

9.4.2 The March 2020 CAPRI report noted ‘In large part, however, there is seldom any substantiation of specific allegations and proven cases. Even after official investigations into specific cases, very little gets unearthed to substantiate allegations. What appears to be clear cut cases of public

¹⁸⁶ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Page 47), 5 March 2020

¹⁸⁷ USSD INL, ‘[INCSR 2021 report](#)’ (page 161), March 2021

¹⁸⁸ JIS, ‘[Joint Anti-Gang Task Force Launched](#)’, 11 February 2022

¹⁸⁹ STATIN and MNS, ‘[JNCVS 2019 report](#)’, (page 71), 2021

officials embezzling public resources, with an abundance of incriminating evidence, end without a conviction.’¹⁹⁰

9.4.3 The Global Organized Crime Index report 2021 noted

‘...deep-rooted corruption – including allegations of police officers working directly with criminals and committing extra-judicial executions – overshadows some of the positive initiatives that have been put in place to try and tackle criminal markets involving people trafficking, gang recruitment and scamming. Nevertheless, law enforcement in Jamaica is making significant efforts to root out internal corruption, in particular through the Major Organized Crime and Anti-Corruption Agency.’¹⁹¹

9.4.4 The Global Organized Crime Index report 2021 noted with regard Jamaican criminal gangs: ‘... there are corrupt police officers who facilitate their activities...’¹⁹²

9.4.5 The BTI 2022 report noted: ‘Corruption ... is also related to high levels of violent crime. International development partners note the failure of governments (past and present) to aggressively take on and reduce corruption...’¹⁹³

9.4.6 The USSD HR report 2021 noted

‘The government did not effectively implement the law on corruption. There were numerous credible allegations of government corruption, and there were officials who sometimes engaged in corrupt practices with impunity.

‘The government took some steps to investigate and prosecute officials who committed human rights abuses. Nonetheless, there were credible reports that some officials alleged to have committed human rights abuses were not subject to full and swift accountability.’¹⁹⁴

9.4.7 The INCSR 2022 report noted ‘Jamaican law penalizes corruption, but in practice, corruption remains entrenched and widespread even among law enforcement and senior government officials. Further, the judicial system has a poor record of prosecuting corruption cases against law enforcement and government officials.’¹⁹⁵

9.4.8 See also [Relationship between gangs and political leaders](#).

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9.5 Human rights violations by security forces

9.5.1 In February 2020, the UN Human Rights Council noted

‘Expressing concern at reports of torture and ill-treatment or excessive use of force by the police or security forces... the Committee recommended that the State amend its criminal law to ensure that all acts of torture were prohibited and sanctioned with penalties commensurate with the gravity of the crimes, and guarantee that allegations of torture and cruel, inhuman or

¹⁹⁰ CAPRI, ‘[Guns Out: The Splintering of Jamaica's Gangs](#)’ (Pages 28-29), 5 March 2020

¹⁹¹ Global Organized Crime Index, ‘[Jamaica](#)’ (page 4), 2021

¹⁹² Global Organized Crime Index, ‘[Jamaica](#)’ (Page 3), 2021

¹⁹³ BTI, ‘[2022 Country Report – Jamaica](#)’ (page 35 and 39), 23 February 2022

¹⁹⁴ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Exec Sum), 12 April 2022

¹⁹⁵ USSD INL, ‘[INCSR 2022 report](#)’ (page 149), March 2022

degrading treatment were investigated by an independent authority....'¹⁹⁶
'There was evidence of the disproportionate use of force—including lethal force—by the police, as well as extrajudicial executions as an “alternative to detention and long criminal processes”'.¹⁹⁷

9.5.2 The Amnesty International (AI) report 'Jamaica: Time for Stronger Police Accountability', November 2020 noted

'Killings by the police is a decades old human rights concern in Jamaica. Since Jamaica's last UPR [Universal Periodic Review], between 2015 and 2018, over 500 people were fatally shot by the police in Jamaica, and over 300 shot and injured, according to data from INDECOM (Independent Commission of Investigations), an independent police oversight mechanism... In 2018 alone, law enforcement killed 137 people and shot and injured 84...

'Amnesty International's research in 2016 found that long-standing and well-documented unlawful practices by the police continue... It continues to be alleged by multiple sources that spoke to Amnesty International that extrajudicial executions are used as an alternative to arrest and lengthy criminal proceeding by on- and off-duty law enforcement officers...

'Information gathered [to note: AI do not specify or present this 'information in the report]by Amnesty International points to a strong likelihood of individual police officers or even units tasked with carrying out extrajudicial executions on the orders of some governmental authorities or with its complicity or acquiescence. At the very least, it points to a complete failure of internal accountability within the Jamaican Constabulary Force (JCF) to review the conduct of its officers and prevent the deployment of officers who are unsuitable for duty. Deaths in police custody also remain a concern, with two such deaths in 2018 alone.'¹⁹⁸

9.5.3 INDECOM, the independent police oversight mechanism, in their quarterly report April – June 2021 noted

'In the five years, 2016 - 2020 the Independent Commission of Investigations (INDECOM) received 1522 complaints of assault allegations levelled against members of all three Security Force organisations - the Jamaica Constabulary Force (JCF), Jamaica Defence Force (JDF) and Department of Correctional Services (DCS). The 'assault' complaint is the largest category of allegations, by the public, to INDECOM. The nature of the complaints are both familiar and similar, and too many have a feature of confrontational aggression and an absence of patience, courtesy, respect or understanding. Inevitably, with their primary public space policing function, the majority of received complaints relate to the JCF, with the DCS second, and the JDF the least implicated in such allegations... assault includes Assault at Common Law (put in fear of being informed), Assault Occasioning Bodily Harm, Assault Occasioning Grievous Bodily Harm and Wounding categories.'¹⁹⁹

¹⁹⁶ UN Human Rights Council, [Compilation on Jamaica:...](#), (para.16), 27 February 2020

¹⁹⁷ UN Human Rights Council, [Summary of Stakeholders' ... Jamaica;](#) (para.11), 27 February 2020

¹⁹⁸ AI, '[Jamaica: Time for Stronger Police Accountability](#)' (page 8), November 2020

¹⁹⁹ INDECOM, '[The Indecom Quarterly](#)' (page 5), April – June 2021

9.5.4 The OSAC country security report 2021 noted

‘In 2020, the Independent Commission of Investigations (INDECOM), an entity that investigates police misconduct, received 117 complaints of government security forces committing unlawful killings (“fatal shootings,” “death in custody,” and “fatality – other”), and hundreds of complaints of abuse and wrongful harm. The JCF was cited in 85% of the complaints, both independently and as part of joint military-police activity, although there were several reported incidents involving the JDF.’²⁰⁰

9.5.5 The USSD HR report 2021 noted

‘There were credible reports that members of the security forces committed some abuses.

‘Significant human rights issues included credible reports of: unlawful and arbitrary killings by government security forces; harsh and life-threatening conditions in prisons and detention facilities; arbitrary arrest and detention; significant government corruption; lack of investigation of and accountability for gender-based violence;...

‘The government took some steps to investigate and prosecute officials who committed human rights abuses. Nonetheless, there were credible reports that some officials alleged to have committed human rights abuses were not subject to full and swift accountability.’²⁰¹

9.5.6 The same USSD report noted:

‘There were numerous reports during the year that government security forces committed arbitrary and unlawful killings, and there were hundreds of complaints of abuse and wrongful harm. The Jamaica Constabulary Force was cited in most of the reports, in its roles both as an independent agency and as part of joint military-police activity. There were several reported incidents involving the Jamaica Defense Force. Overall, the total number of fatalities involving security forces, justifiable or otherwise, increased, with 123 reports as of December 9. Police fatally shot a taxi driver in September after he failed to obey an order to stop. A passenger was wounded in the same event, which drew significant community protests. In 2020 the government reported 115 fatal shooting incidents and 92 nonfatal shooting incidents involving security forces, an increase from the number of incidents reported in 2019.

‘Charges against members of the security forces took years to process, primarily due to investigatory backlogs, trial delays, and appellate measures. While the country continued to reduce the court case backlog, the COVID-19 global pandemic stymied progress in some courts. Numerous cases awaited prosecution.’²⁰²

9.5.7 The same USSD report noted:

‘There were allegations of cruel, inhuman, and degrading treatment or punishment of individuals in police custody and in correctional facilities. The

²⁰⁰ OSAC, [‘Country security report – Jamaica’](#), 25 October 2021

²⁰¹ USSD, [‘2021 Country Reports on Human Rights Practices: Jamaica’](#), (Section 1), 12 April 2022

²⁰² USSD, [‘2021 Country Reports on Human Rights Practices: Jamaica’](#), (Section 1), 12 April 2022

Independent Commission of Investigations (INDECOM) investigated reports of alleged abuse committed by police and prison officials. Most reports to INDECOM described intimidation, excessive physical force in restraint, and restricted access to medical treatment. Representatives of nongovernmental organizations (NGOs) expressed concern regarding underreporting by victims, particularly among the vulnerable or persons with mental disabilities. Rapes were occasionally perpetrated by security forces.’²⁰³

- 9.5.8 The FH 2022 report covering events in 2021 stated: ‘Killings by police remain a serious problem in Jamaica. According to the government’s Independent Commission of Investigations, 127 people were shot and killed by security personnel in 2021. Prosecutions for illegal killings by members of the security forces are rare.’²⁰⁴ In comparison, the FH 2021 report, covering events in 2020 stated: According to the Independent Commission of Investigations, 115 people were shot and killed by security personnel in 2020. This represented an increase from the 86 killings in 2019, though police killings have declined overall in recent years.’²⁰⁵
- 9.5.9 ACLED in a regional overview 23 April - 6 May 2022 stated ‘Residents [in Kingston] ... reported two attacks in which military officers beat three residents, including a pregnant woman, in the Denham Town neighborhood. These incidents come amid security operations by police and military officers in Denham Town, which was designated in October 2021 as a Zone of Special Operations, enlarging military forces’ power to fight criminality in the area.’²⁰⁶
- 9.5.10 Similarly, ACLED reported in a regional overview 23 April - 6 May 2022: ‘In Jamaica, military officers shot and killed a man in Kingston while they were patrolling the Denham Town neighborhood on 16 April. The soldiers allege that the killing occurred after the victim tried to disarm a soldier during a security intervention... The killing sparked demonstrations for three consecutive days, with residents barricading neighborhood roads.... This violence contributed to the 42% increase in violence in Jamaica last month relative to the past year.’²⁰⁷

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9.6 Arbitrary arrest and detention conditions

- 9.6.1 The FCDO Jamaica prisoner pack which provides information aimed at British Nationals stated:

‘Prison conditions in Jamaica are well below UK standards... In general, prisons in Jamaica are overcrowded and capacity exceeds the amount the institutions were intended to house. All prisoners have to share a cell with others. With the exception of the women’s prison, prisoners usually sleep on sponges (foam mattresses) provided. In some cases, prisoners take a long

²⁰³ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Section 1c), 12 April 2022

²⁰⁴ Freedom House, ‘[Freedom in the World 2022](#)’, (section F3), February 2022

²⁰⁵ Freedom House, ‘[Freedom in the World 2021](#)’ (section F3), 3 March 2021

²⁰⁶ ACLED, ‘[Regional overview covering the 23 April – 6 May 2022](#)’, 12 May 2022

²⁰⁷ ACLED, ‘[Regional overview covering the 16-22 April 2022](#)’, 28 April 2022

time to receive a sponge or might not get one if they are serving a short sentence.

‘The women’s prison has a dormitory setting and women sleep on bunk beds. Water at the prison is drinkable unless otherwise stated by a doctor.’²⁰⁸

- 9.6.2 See also the [USSD HR report 2021 – section 1](#), for more information on prison conditions.

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Section 10 updated: 26 July 2022

10. Judiciary

10.1 Structure

- 10.1.1 David Buisseret and others in Encyclopaedia Britannica, updated 10 March 2021, noted:

‘The legal system is based on English [common law](#). The highest court in the Jamaican legal system is the Court of Appeals. It hears appeals from the Resident Magistrates’ Courts, which include the Family Courts, the Kingston Traffic Court, Juvenile Courts, and a division of the Gun Court. The Court of Appeals also handles appeals from the Supreme Court, the [country’s](#) highest trial court. The governor-general, on the advice of a Jamaican [Privy Council](#), may grant [clemency](#) in cases involving the death penalty; occasionally such cases are referred to the Privy Council of the United Kingdom. According to [human rights](#) organizations, the [judicial system](#) is overburdened, with long delays before trials and with prison conditions characterized by overcrowding, insufficient food supplies and funding, and occasional brutality.’²⁰⁹

- 10.1.2 The [Supreme Court of Jamaica](#) provides details of the 5 tiered structure of the- court system (from lower to higher courts below)

- Petty Sessions Court
- Parish Court - range of courts including those specialising in criminal cases
- Supreme Court (high court) – all jurisdictions including criminal cases
- Court of Appeal (hears appeals from the lower courts and the Supreme Court)
- Judicial Committee of the Privy Council – can hear appeals from the Court of Appeal but ‘restricted to cases of a certain monetary value or where they are of exceptional public importance.’²¹⁰

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²⁰⁸ FCDO, ‘[Jamaica Prisoner Pack – General prison conditions](#)’, updated 13 July 2021

²⁰⁹ Buisseret, D, and others, Encyclopaedia Britannica, ‘[Jamaica](#)’ (Justice), updated 10 March 2021

²¹⁰ Government of Jamaica, The Supreme Court, ‘[The Court Structure and Hierarchy](#)’, no date

10.2 Independence

- 10.2.1 The Jamaican Constitution of 1962 protects the right to due process, a fair trial and judicial independence and states: ‘Whenever any person is charged with a criminal offence he shall, unless the charge is withdrawn, be afforded a fair hearing within a reasonable time by an independent and impartial court established by law.’²¹¹
- 10.2.2 The FH 2022 report stated: ‘Judicial independence is guaranteed by the constitution, and while the judiciary is widely considered independent, corruption remains a problem in some lower courts.’²¹²
- 10.2.3 The BTI 2022 report noted: ‘The judiciary is independent and free both from unconstitutional intervention by other institutions and from corruption. It is institutionally differentiated at four levels, and there are mechanisms for judicial review of legislative or executive acts; an additional provision for appeal is the Judicial Committee of the Privy Council in London...’²¹³
- 10.2.4 The USSD HR report 2021 stated:
- ‘The constitution provides for an independent judiciary, and the government generally respected judicial independence and impartiality. A backlog of criminal cases in most courts, however, led to the denial of a fair public trial for thousands of citizens...
- ‘The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right. The law provides defendants a presumption of innocence. Defendants have the right to be informed of the charges against them and the right to a trial within a reasonable time. Defendants have the right to be present at their trial and the right to counsel. Legal aid attorneys (public defenders) are available to indigents, except to those charged with money laundering, drug manufacturing, drug trafficking, possession of large quantities of drugs, or any minor offense not punishable with imprisonment. Limited legal aid attorneys (duty counsels) are also available to everyone, regardless of charges, from the time when persons are first taken into custody up to their first appearance in court. Defendants have ample time and facilities to prepare their defense. The government provides a free interpreter as necessary. Defendants have the right to confront witnesses. Defendants may not be compelled to testify or confess guilt. They have the right to appeal. The Supreme Court tries serious criminal offenses, which include all murder cases.’²¹⁴

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10.3 Effectiveness

- 10.3.1 CAPRI in their March 2020 report and commenting on the effectiveness of the ‘anti-gang’ act stated: ‘There are ... contingent limitations, contextual

²¹¹ Government of Jamaica, ‘[Constitution of Jamaica](#)’ (16 (1)), 1962 (subsequent amendments)

²¹² Freedom House, ‘[Freedom in the World 2022](#)’, (section F1), February 2022

²¹³ BTI, ‘[2022 Country Report – Jamaica](#)’ (Page 11), 23 February 2022

²¹⁴ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Section 1), 12 April 2022

factors that impede the legislation's efficacy. These include: the need for an easy and user-friendly framework for a plea bargaining arrangement...'²¹⁵

10.3.2 CAPRI also stated:

'... the Director of Public Prosecutions has established and equipped its own anti-gang unit, that has worked closely with the JCF to build cases that are better suited to be prosecuted under the Act. In late 2018 through to 2019 there were several high profile cases that were significant, in part, because entire gangs were being prosecuted, or groups from one gang, rather than individual gang members. Some of these cases were dismissed because of a lack of sufficient evidentiary support ... primarily related to witnesses not appearing out of fear, or the disappearance or death of a key witness... The murder of witnesses is a serious, longstanding, and debilitating problem that plagues many court cases in Jamaica; the propensity of gangs to use violence to further their objectives exacerbates this risk...

'Two of the cases, Uchence Wilson Gang and Dexter Street Gang, concluded in late 2019 and early 2020, were considered to be "tests" of the new approach by the DPP and the JCF to building cases around the legislation... Given the precedent of witnesses disappearing/being murdered, the prosecution applied for and was granted permission for witnesses to testify via video link under the Evidence (Special Measures) Act, 2012... in an attempt to address that critical problem. If these cases are successful, the state will have a clear idea of what is needed to make prosecutable cases that are substantial enough to get convictions in the court...' ²¹⁶

10.3.3 The Gleaner reported in October 2019 of the collapse of the Dexter Street Gang case, with the main witness believed to be dead, upon which his testimony was heavily relied on. The article stated:

'The alleged gangsters – 15 males and four females – were charged with breaches of the Criminal Justice (Suppression of Criminal Organisations) Act 2014, commonly referred to as the Anti-Gang Legislation. However, The Gleaner understands that a number of them were remanded to answer to other criminal offences.

"He [the witness] was the only witness that you really had in terms of identifying all of the men because he gave a comprehensive statement, a very good statement identifying all of the men and also serving as a party to the breaches of the various offences under the Anti-Gang Legislation," Llewellyn said in an interview with The Gleaner yesterday. '²¹⁷

10.3.4 See also section on [Convictions](#)

10.3.5 The Amnesty International report 'Jamaica: Time for Stronger Police Accountability', November 2020 noted 'Severe delays in the criminal justice system are a major structural barrier to reducing crime in Jamaica and to holding those suspected of criminal responsibility for unlawful police killings

²¹⁵ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 42), 5 March 2020

²¹⁶ CAPRI, '[Guns Out: The Splintering of Jamaica's Gangs](#)' (Page 45), 5 March 2020

²¹⁷ The Gleaner, '[Why Dexter Street Gang case collapsed...](#)', 24 October 2019

to account. The Ministry of Justice has, however, reported some advances in reducing the court backlog, which is an important achievement.²¹⁸

10.3.6 The Supreme Court of Jamaica provides details of convictions for 2021 in [The Chief Justice's Annual Statistics Report on the Supreme Court - 2021](#). The report shows that the overall criminal conviction rate in the Home Circuit Court for year ended December 2021 was:

- 6,243 criminal charges disposed.
- 139 guilty outcomes (by way of a verdict or a plea).
- This represents a conviction rate of 22.31%²¹⁹.

The following table provides conviction rates taken from the Annual Statistics report²²⁰:

Case	Total number cases concluded	Total number of guilty outcomes (by way of verdict or plea)	Conviction rate %
Murder	125	26	20.8
Rape	62	5	8.06

10.3.7 The overall conviction rate in the High Court Division of the Gun Court, a division of the Supreme Court was:

- 1476 charges disposed.
- 543 guilty outcomes (by way of a verdict or a plea).
- Representing a conviction rate of 36.79%²²¹

The following table provides conviction rates by selected substantive matter in the Gun Court for year ending December 2021²²²:

Substantive matter	Number of cases disposed	Number of guilty outcomes (pleas and verdicts)	Conviction rate (%)
Illegal possession of firearm	616	228	37.01
Illegal possession of ammunition	243	140	57.61
Shooting with intent	154	37	24.03

²¹⁸ AI, 'Jamaica: Time for Stronger Police Accountability' (page 8), November 2020

²¹⁹ Supreme Court Jamaica, [Annual Statistics Report on the Supreme Court - 2021](#) (page 88), 2021

²²⁰ Supreme Court Jamaica, [Annual Statistics Report on the Supreme Court](#) (page 89 & 90), 2021

²²¹ Supreme Court Jamaica, [Annual Statistics Report on the Supreme Court](#) (page 107), 2021

²²² Supreme Court Jamaica, [Annual Statistics Report on the Supreme Court](#) (page 108), 2021

- 10.3.8 The Global Organized Crime Index report 2021 noted: ‘Jamaica’s efforts to bring criminal networks to justice, including through the implementation of a justice-sector reform programme, are hampered by an under-resourced and overburdened judiciary, leading to repeated trial delays; significant case backlogs; frustration among police, witnesses, jurors and the public; and impunity for many offenders.’²²³
- 10.3.9 The BTI 2022 report noted:
- ‘Deficiencies exist in inadequate territorial and functional operability. The latter especially includes the inadequate physical and technical infrastructure of the judiciary and a lack of human resources in light of the large number of criminal cases. This means that a large backlog of cases often delays court proceedings by many years. Corruption is also an issue, especially in lower courts. In addition, there are not enough courts, especially in rural communities, which severely limits the judiciary’s ability to function optimally in serving large parts of the country. In addition, there is a perceived class bias among some members of the judiciary, and citizens from lower socioeconomic groups express less confidence in the judicial system.’²²⁴
- 10.3.10 The INCSR 2022 report noted:
- ‘Jamaica’s efforts to bring drug traffickers to justice are hobbled by an under-resourced and overburdened police and judicial system. Drug traffickers often discard the drugs at sea when confronted, leaving authorities with insufficient evidence for criminal charges. This, along with repeated delays and trial postponements, contributes to significant case backlogs leading to impunity for many offenders. In response, the Jamaican government, with U.S. government support, strives to make progress towards reducing the backlog of court cases and provide more timely justice.’²²⁵
- 10.3.11 The USSD HR report 2021 noted ‘Charges against members of the security forces took years to process, primarily due to investigatory backlogs, trial delays, and appellate measures. While the country continued to reduce the court case backlog, the COVID-19 global pandemic stymied progress in some courts. Numerous cases awaited prosecution.’²²⁶
- 10.3.12 The USSD HR report also noted:
- ‘Criminal proceedings sometimes extended for years. Cases were delayed primarily due to incomplete files and parties, witnesses, attorneys, or investigating officers failing to appear...
- ‘The criminal courts decreased the court case backlog, especially at the parish court level. The case clearance rate for the second quarter of the year was that for every 100 cases that entered the courts, 111 were cleared.
- ‘Due to the COVID-19 global pandemic, the courts were unable to hold jury trials, contributing to the low murder conviction rate of 8.3 percent in the first quarter of the year. During the year courts continued their efforts to address the court case backlog by using virtual hearings, a new electronic case

²²³ Global Organized Crime Index, ‘[Jamaica](#)’ (page 4), 2021

²²⁴ BTI, ‘[2022 Country Report – Jamaica](#)’ (Page 11), 23 February 2022

²²⁵ USSD INL, ‘[INCSR 2022 report](#)’ (page 149), March 2022

²²⁶ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Section 1), 12 April 2022

management system, and promoting alternative dispute resolution methods'²²⁷

10.3.13 The FH 2022 report, covering events of 2021 noted

'A large backlog of cases and a shortage of court staff at all levels continue to undermine the justice system. The vast majority of arrests are made without a warrant, detainees frequently lack access to legal counsel, and trials are often delayed for many years or dismissed due to systemic failures. In order to reduce the backlog, the government passed the 2017 Criminal Justice (Plea Negotiations and Agreements) Act, which increased avenues for the resolution of cases outside of trial. Since its passage, prosecutors, judges, and government officials have noted an unwillingness from some defendants to consider plea deals.'²²⁸

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10.4 OCG convictions

10.4.1 The May 2020 Loop News article noted

'Only two convictions have taken place under the anti-gang legislation in more than five years and this was a big reason for the amendments [recommendations to strengthen the anti-gang act legislation with a view to securing more convictions in the courts] in which Chang [Minister of National Security] is basing his hope that more gang members will be brought to justice.

"“We currently have some 14 major cases before the courts and just about 200 members of gangs who are being tried under the anti-gang legislation and we look forward to the impact of those (possible convictions)”.'²²⁹

10.4.2 The JIS in June 2020 reported that the report of the Joint Select Committee to review the anti-gang legislation was adopted by the Senate. The article noted that Senator Samuda had pointed out: ‘...that over the last three years, there has been a significant increase in the number of gang members identified, apprehended and prosecuted.’²³⁰

10.4.3 Jamaican news organisations the Jamaica Observer and Loop News, reported on the 9-month trial, which started in March 2019, of 24 members of the Uchence Wilson Gang. Nine people were convicted in October 2020 of offences of robbery with aggravation, burglary and larceny, breaking and entering, illegal possession of firearm and being part of a criminal gang²³¹²³². Lloyd Knight, the police officer accused of being part of the gang was not convicted²³³. On the 2 December 2020, the gang leader, Wilson was sentenced to 26 years in prison and the other 8 gang members received custodial sentences ranging from 4 to 8 years²³⁴.

²²⁷ USSD, '[2021 Country Reports on Human Rights Practices: Jamaica](#)', (Section 1), 12 April 2022

²²⁸ Freedom House, '[Freedom in the World 2022](#)', (section F2), February 2022

²²⁹ Loop News, '[Nearly 400 criminal gangs operating in Jamaica – Chang](#)', 20 May 2020

²³⁰ JIS, '[Senate Accepts Report On Anti-Gang Legislation](#)', 5 June 2020

²³¹ Loop News, '[Uchence Wilson.... to be sentenced today](#)', 30 November 2020

²³² Jamaica Observer, '[Gang Trial Worry](#)', 2 November 2020

²³³ Jamaica Observer, '[Cop freed in Uchence Wilson gang trial](#)', 13 October 2020

²³⁴ Loop News, '[Gang leader Uchence Wilson sentenced to 26 years in prison](#)', 2 December 2020

10.4.4 Insight Crime reporting in November 2021 stated:

‘...In 2020, members of the Uchence Wilson gang were on trial for nine months at a high cost for the government. Wilson, the gang leader, was found guilty on a range of charges and jailed for 26 years. But 15 alleged gang members, including a police officer, were acquitted by a judge who said the witness testimony was insufficient. And over a dozen alleged members of the Klansman gang, initially arrested and charged under the anti-gang legislation, have already walked free due to a lack of evidence.’²³⁵

10.4.5 The Jamaica Observer on 2 December 2020 noted the pending trial of 50 suspected members of the Klansman Gang. The report noted

‘The 50-accused gang case, a first in the Caribbean... According to the Llewellyn [Director of Public Prosecutions (DPP)], the pending case “will have security issues, will need the deployment of at least six prosecutors, and will be very complex”.

‘The DPP and her team are forging a novel path to successfully net gangs under the 2014 Criminal Justice (Suppression of Criminal Organisations) Act, commonly referred to as the Anti-Gang Legislation. So far, the prosecution's fortunes have been mixed...

‘In July [2020], a not guilty verdict was handed down for six persons accused of being members of the notorious King Valley gang by Chief Justice Bryan Sykes. Originally, nine men had been charged in an indictment containing 11 counts on suspicion of being part of a criminal organisation, providing benefits to a criminal organisation, and conspiring to commit murder, rape and robbery with aggravation from as early as 2013.

‘Three were released over the course of the trial, which began in January after the evidence against them collapsed. In reacting to the ruling, a member of the prosecuting team said the loss would mean a reassessment of how they would approach pending gang-related cases.’²³⁶

10.4.6 The Gleaner, in the article ‘Murder Machines’ published 21 September 2021, and reporting on the trial of members of the One Don Gang, a faction of the Klansman gang noted

‘Day One of the trial of 33 defendants in largest and most high-profile gang case in Jamaica, targeting the reputed leader Andre “Blackman” Bryan started in the Home Circuit Court.

‘A prosecutor for the Crown, in its opening statement, charged that the 33 collectively engaged in serious criminal activities that were planned and executed under Bryan’s “absolute” command... The Crown, the prosecutor pointed out, is alleging that the defendants are part of the One Don Gang, which is also based in St Catherine and which carried out a range of murders, conspiracies to murder, extortion, and arson throughout the parish between January 1, 2015, and June 30, 2019.’²³⁷

²³⁵ Insight Crime, ‘[Klansman Trial Reveals Jamaica's Sophisticated Gang...](#)’, 16 November 2021

²³⁶ Jamaica Observer, ‘[Gang Trial Worry](#)’, 2 November 2020

²³⁷ The Gleaner, ‘[Murder machines](#)’, 21 September 2021

10.4.7 Insight Crime reporting on the same ongoing trial of the Klansman in November 2021 stated:

‘The ongoing trial, which began in late September, has seen 33 members of the Klansman gang face charges of criminal organization, murder, arson, extortion and illegal possession of firearms...

‘This is a landmark trial for several reasons. It involves the [most defendants ever](#) to be tried simultaneously under a single indictment in Jamaica’s history. It reveals grim details about the evolution of gangs in Jamaica and of their leaders, such as Andre Bryan, alias “Blackman,” of the One Don Gang.

‘The trial’s outcome is also likely to be seen as a bellwether for government efforts to curb escalating violence through Plan Secure Jamaica – a strategic security policy – and new anti-gang legislation that came into effect earlier this year...’²³⁸

10.4.8 Reuters in a February 2022 article reporting on the ‘Klansman’ trial stated:

‘Protections provided by last year’s reform of the Criminal Justice Act [Suppression of Criminal Organizations Act 2014 – ‘Anti-gang’ legislation] mean that, unlike previous trials, witnesses are not identified by name. The reform also allows judges to convict based on a wider range of offenses, which could increase the length of prison sentences.’²³⁹

10.4.9 The Jamaica Observer reported on 10 May 2022 that there was one witness remaining, before the prosecution closes its case, to give evidence against 33 alleged members of the Klansman Gang²⁴⁰.

10.4.10 Loop News reported on 26 May 2022 that ‘four of the 33 alleged members of the One Don faction of the Clansman gang who have been on trial in the Supreme Court were ... acquitted of being part of a criminal organisation. They were also freed of charges of conspiracy to commit murder and arson, among other offences.’²⁴¹

10.4.11 The Gleaner reported on 20 June 2022:

‘Chief Justice Bryan Sykes has ruled that reputed gang leader Andre ‘Blackman’ Bryan is to answer a charge of leading a criminal organisation. The judge also ruled that the 27 remaining defendants in the Clansman-One Don Gang trial all have a case to answer on a charge of being a member of a criminal organisation.’

‘Sykes handed down his decision this morning in the Home Circuit Court.

‘Thirty-three defendants were initially indicted but five were previously freed.

‘Initially, there were 25 counts on the indictment but the Crown abandoned six of the matters.’²⁴²

10.4.12 See [The Gleaner](#) and [Jamaica Observer](#), who have been following the case, for further updates.

²³⁸ Insight Crime, ‘[Klansman Trial Reveals Jamaica’s Sophisticated Gang...](#)’, 16 November 2021

²³⁹ Reuters, ‘[Jamaica gang trial tests new anti-crime laws amid wave of violence](#)’, 14 February 2022

²⁴⁰ Jamaica Observer, ‘[Final prosecution witness in Klans trial to take stand today](#)’, 10 May 2022

²⁴¹ Loop News, ‘[4 of 33 accused freed of being One Don ‘Clans’ gang members](#)’, 26 May 2022

²⁴² The Gleaner, ‘[Clansman Gang Trial | Judge rules defendants have case to answer](#)’, 20 June 2022

11. Witness Protection Programme

11.1.1 The Office of the Director of Public Prosecutions (DPP) in Jamaica sets out in an undated entry on its webpage ‘several ways to protect witnesses’, which include:

- ‘Criminal proceedings can be taken against the intimidators who could then face jail; and
- ‘In extreme circumstances witnesses can be relocated.’²⁴³

11.1.2 With regard to witness protection specifically, the same source further explained:

‘In some very serious cases the risk to a witness is so great that they may need to relocate and even change their identity. Witness Protection is the means of providing protection measures for people involved in the criminal justice process who find themselves at risk of serious personal harm as a result of that involvement.’²⁴⁴

11.1.3 The DPP website also stated:

‘The principle of open justice can sometimes act as a bar to successful prosecutions, particularly in homicides, organised crime and gun crime. Witnesses may fear that if their identity is revealed to the defendant, his associates or the public generally then they or their friends and family will be at risk of serious harm.

‘In most cases the police will establish whether a witness is in fear and should inform the prosecutor. Ideally, a discussion about the type of ‘protection’ that should be applied for will take place between the police and the prosecutor at the pre charge stage. Occasionally information about a witness being in fear may come from another source.

‘When informed that a witness is fearful of giving evidence, prosecutors must liaise closely with the Justice Support Unit and the Justice Protection Unit to consider the range of options available to them both at common law and by virtue of statute. Prosecutors should seek to ensure that, wherever possible, the witness’s fear is allayed and that they are given the requisite protection. Prosecutors must also ensure that the witness’s rights under the ECHR are acknowledged and protected.’²⁴⁵

11.1.4 Furthermore, the DPP mentioned:

‘There are certain situations where proceedings can be heard in camera, i.e. in private, when the public are excluded and the doors of the court-room are closed. Thus in cases of sexual offences or cases where a gun is used, those matters are dealt with in camera...

‘The question for the court to decide is whether a sitting in private is necessary for the administration of justice, for example if there is a possibility

²⁴³ DPP, ‘[Witness intimidation](#)’, no date

²⁴⁴ Government of Jamaica, DPP, ‘[Witness intimidation](#)’, no date

²⁴⁵ Government of Jamaica, DPP, ‘[Witness intimidation](#)’, no date

of disorder. A decision to sit in camera is not justified merely on the ground that a witness would find it embarrassing to testify.’²⁴⁶

- 11.1.5 The Jamaica Observer, in its October 2019 article reported which included information from Deputy Commissioner of Police Fitz Bailey:

‘... [Bailey] spoke in general terms of cases which could involve the arrest of up to “50-odd members of one gang”. In such situations, “you have to deal with witnesses; major witnesses have to be placed under the witness protection Programme. In many instances, one man has a wife, two girlfriends and children”.

“Now if you are going to put that witness on the programme you have to take in the entire family... so I am just showing you the challenges and difficulties... To emphasise the degree of difficulty, Bailey noted that witness protection programmes are maintained by the State. “You have to provide accommodation, you have to provide food, income and then you have to work with international partners depending on the nature of the case... It’s really (tough)...’²⁴⁷

- 11.1.6 Nationwide Radio Jamaica reported in November 2019 that ‘...another high-profile alleged gangster has had criminal charges against him withdrawn by the Office of the Director of Public Prosecutions because of troubles with the Crown’s main witness.... The Deputy Police Commissioner says the police offered the witness protection, but he refused. Reports are the witness was killed two years ago. Arrests have been made in relation to that killing.’²⁴⁸

- 11.1.7 CAPRI in their March 2020 report and commenting on the effectiveness of the ‘anti-gang’ act stated: ‘There are ... contingent limitations, contextual factors that impede the legislation’s efficacy. These include;... difficulty in securing interim protection/accommodation for witnesses before they are included in the witness protection programme; witnesses’ fear for their immediate and extended families, who can be targeted in retaliation (the witness protection programme does not readily provide for extended families);...’²⁴⁹

- 11.1.8 The Jamaica Observer in an August 2020 report which included an interview with Minister of National Security Dr Horace Chang, noted:

‘Witness protection is one of several measures used by the State to shield individuals involved in the criminal justice process, who find themselves at risk of serious personal harm as a result. In some extreme cases, the risk to a witness is so great that they may need to be relocated and their identity changed.

“It’s well run, it is an extensive programme. We may have to increase our budget, because of some people who want to go overseas. But the system itself, without any apology, we run a very good programme,” Dr Chang told the Jamaica Observer in a recent interview... [he] insisted that the “real

²⁴⁶ DPP, ‘[Witness intimidation](#)’, undated

²⁴⁷ Jamaica Observer, ‘[Police can’t force a man into witness protection...](#)’, 28 October 2019

²⁴⁸ Nationwide Radio Jamaica, ‘[Another High Profile Gang Case Collapses...](#)’, 8 November 2019

²⁴⁹ CAPRI, ‘[Guns Out: The Splintering of Jamaica’s Gangs](#)’ (Page 42), 5 March 2020

challenge is not the programme itself, but the people going into the programme”.

“Jamaicans don't like going into the Witness Protection Programme, especially those associated with gangs. The gangs all have connections nationally, but a number of them [witnesses] feel they are strong enough to operate in the community, which sometimes means they are going back to their ways in a different way — that is the bigger challenge,” Dr Chang stated.

“Once they come into the programme, we have been very successful in managing [the situation]. We don't need to change the system, what we might [need] to do is increase [the] budget, especially with the anti-gang legislation where we are getting people coming [in] now,” he said...

‘Quizzed as to whether these developments have seen more people taking refuge under the programme, Dr Chang said: “I can't speak to numbers”, but “the witness against gangs usually have to be offered some level of security and the process of getting them there is working well”.’²⁵⁰

- 11.1.9 The Star, a Jamaican tabloid newspaper, in an article dated 30 April 2021 reported a woman in the witness protection programme had complained about access to money (J\$30,000 or £167 a month)²⁵¹ and the provision of gas. The report explained:

‘The witness protection programme is used to shelter persons who are witnesses in cases that are under investigation or before the court. The programme provides security and financial upkeep for persons who then relocate from their communities to areas where they are unlikely to be identified. The woman with whom THE WEEKEND STAR spoke said that she has no intentions of walking off the programme, which she has been on since 2018, but she lamented its shortcomings...

‘Attempts to get a response from the national security ministry, which runs the programme, were futile up to press time on Thursday. However, the administrators have, in the past, warned persons who choose to be a part of the witness protection programme to be prepared for the long haul as, in most cases, their relocation can be prolonged.’²⁵²

- 11.1.10 The Global Organized Crime Index report 2021 published in September 2021 noted ‘The protection of witnesses remains a significant challenge in Jamaica. While victims are meant to receive support from prosecutors, as well as through the justice ministry's victim-support unit (including being allowed to provide video testimony from abroad), this has not happened in any trafficking cases...’²⁵³

- 11.1.11 The Gleaner in an article from 3 April 2022 stated

‘There are 346 persons enrolled in the programme locally and abroad – 35 being taken in 2020 – the Ministry of National Security disclosed to The Sunday Gleaner in response to an access to information request.

²⁵⁰ Jamaica Observer, [‘Witness Protection Programme may need additional funds’](#), 13 August 2020

²⁵¹ Xe.com, [‘Currency Converter, JMD – GBP’](#), 12 July 2022

²⁵² The Star, [‘Woman in witness protection programme feels neglected’](#), 30 April 2021

²⁵³ Global Organized Crime Index, [‘Jamaica’](#) (page 4), 28 September 2021

'The ministry, however, declined to state the number of witnesses who have opted out of the voluntary initiative, taking their protection into their own hands, since 2017. Such information was "security sensitive", it said.

'The nature of the witnesses' affiliated cases include breaches of the Criminal Justice (Suppression of Criminal Organisations) (Amendment) Act, commonly called the anti-gang legislation; murder; attempted murder; robbery with aggravation; attempting to pervert the course of justice; wounding with intent; rape; and gun and ammunition-related offences.

'In the ongoing Clansman-One Don gang trial, the witness protection programme has factored "heavily", said Director of Public Prosecutions (DPP) Paula Llewellyn...

'Under the law, the State is responsible for granting protection and/or assistance to witnesses, jurors, judicial and law enforcement personnel.

'The DPP, who the law requires to prepare and submit applications for persons considered necessary to enter the programme, described it as extremely important in murder cases, noting that some participants end up in the programme long after their cases have ended – up to 16 years, to her knowledge.

"Invariably, if it is that the witness protection programme has had to take steps and resources to keep that witness abroad, usually, after the case is completed, that witness remains there," she said.

'Llewellyn explained that the national security ministry makes an assessment of the persons' circumstance and state of mind before they are taken into the programme.

"There is not a fixed timeline," she added. "It is specific to the assessment of the risk of the persons."

'Llewellyn said that the number of persons who leave the system is usually in the minority.'²⁵⁴

11.1.12 The Gleaner in an article from 10 April 2022

'Director of Public Prosecutions (DPP) Paula Llewellyn said that in some instances witnesses have had to be relocated within 24 hours after learning that their safety may have been compromised.

'Glorification of gun/gang violence and the pervasiveness of cellular phones in prisons are among the challenges to witness protection in Jamaica, the DPP explained, noting that victim intimidation from persons behind bars is a constant factor. Intimidation and dissuasion from witnesses' own relatives is also a variable.

"There are instances where you have said 'please (witnesses) go on the programme' and they have declined. And the next thing you hear is that either the person has disappeared, they still have to leave the area anyway, or that they have been harmed," Llewellyn said.

"It all depends on the community dynamics and where they are with their family and friends. Some people believe that they are safe within their

²⁵⁴ The Gleaner, '[Gang trials account for bulk of witness protection spend](#)', 3 April 2022

community,” she said, noting a case involving a well-known Kingston don, where a witness opted to remain in the area.

“I didn’t understand it at first, but after talking to him, talking to the police and becoming aware of that particular community dynamics, and where he fell and how he was perceived in the community, I realised why he felt safe remaining there,” the DPP stated.²⁵⁵

11.1.13 In respect of budgeting and the cost of the witness protection programme, The Gleaner in an article from 3 April 2022 stated:

‘With witness intimidation still a major concern dogging the justice system, the country shelled out more than \$758 million [£4 million²⁵⁶] on its witness protection programme between April 2016 and March 2021, with the bulk of the spend recently being on gang cases...

‘The Government spent \$25 million [£136,357²⁵⁷] on the [witness protection] programme in financial year 2019-2020 and \$29.5 million [£160,901²⁵⁸] in 2020-2021, more than was budgeted...

‘National Security Minister Dr Horace Chang declined to address the reasons for an increase in expenditure for 2019-20 and 2020-21, but noted that most – if not all – of the gang trials depend on the programme.

“You are not always able to predict what is going to happen, and all the gang cases will always have people in witness protection by the very nature of gang investigation. That’s where the biggest expense goes,” he told The Sunday Gleaner.²⁵⁹

11.1.14 An article in the Gleaner from 10 April 2022 referring to the budget overspend on witness protection added that this information was ‘according to responses from the Ministry of National Security to an Access to Information request by **The Sunday Gleaner**. The budgets for 2019-2020 and 2020-2021 were \$141.3 [£770,475²⁶⁰] and \$151.3 million [£825,003²⁶¹], respectively’.²⁶²

11.1.15 The Gleaner in an article from 10 April 2022 stated with regard separation costs: ‘In the years 2019 to 2021, the Government spent \$3 million [£16,424²⁶³], \$5.5 million [£30,110²⁶⁴] and \$5.2 million [£28,468²⁶⁵], respectively, for separation costs, which include monies used by witnesses in the actual parting of ways with loved ones before entering the programme.’²⁶⁶

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²⁵⁵ The Gleaner, ‘[The perils of the witness protection programme](#)’, 10 April 2022

²⁵⁶ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁵⁷ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁵⁸ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁵⁹ The Gleaner, ‘[Gang trials account for bulk of witness protection spend](#)’, 3 April 2022

²⁶⁰ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁶¹ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁶² The Gleaner, ‘[The perils of the witness protection programme](#)’, 10 April 2022

²⁶³ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁶⁴ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁶⁵ Xe.com, ‘[Currency Converter, JMD – GBP](#)’, 29 June 2022

²⁶⁶ The Gleaner, ‘[The perils of the witness protection programme](#)’, 10 April 2022

12. Oversight/complaint mechanisms

12.1.1 The Independent Commission of Investigations (INDECOM) was established through the [INDECOM Act](#) 2010²⁶⁷. The INDECOM website explained:

‘INDECOM, is a civilian staffed state agency tasked to undertake investigations concerning actions by members of the Security Forces and other Agents of the State that result in death or injury to persons or the abuse of the rights of persons; and for connected matters. The members of the Security Forces and other Agents of the State for which INDECOM provides oversight include:

- Jamaica Constabulary Force (JCF)
- District Constables
- Jamaica Defence Force (JDF)
- Correctional officers at the Department of Correctional Services (DCS)²⁶⁸

12.1.2 At the time of writing, the website had telephone numbers and a function to complete a form to report a complaint or incident²⁶⁹.

12.1.3 The Amnesty International report ‘Jamaica: Time for Stronger Police Accountability’, November 2020 noted ‘INDECOM, the independent police oversight mechanism, has seen significant successes in reducing police killings. Since its inception in 2010, the number of killings by police has dropped...9 In 2019, there were 86 fatal police shootings, the lowest number in almost 20 years, according to the oversight mechanism.’²⁷⁰

12.1.4 The same Amnesty report noted:

‘While for decades Amnesty International was aware of only a handful of convictions for police killings, as of July 2016, INDECOM had charged almost 100 officers with various offences. 31 As of October 2019, 49 officers were awaiting trial for murder or manslaughter, and as of April 2019, 21 convictions had been secured against law enforcement officials – three of those for murder, and three for manslaughter. All indicators suggest that through improved investigations and prosecutions, INDECOM has created an important deterring effect for killings by the police, making way for arrests and charges on an unprecedented number of cases.

‘Nevertheless, since INDECOM’s establishment, the Police Federation and other institutions have repeatedly challenged its statutory powers, on matters that could be clarified by Parliament, suggesting inconsistent support at the highest levels of the state for efforts to challenge impunity for extrajudicial executions. A 2020 judgement of the Judicial Committee of the Privy Council - Jamaica’s highest court of appeal - in *Commissioner of the Independent Commission of Investigations v Police Federation and others* has held that Parliament in drafting the INDECOM Act explicitly gives the Commission an investigative role but did not also explicitly confer on it the powers to

²⁶⁷ INDECOM, ‘[About us](#)’, no date

²⁶⁸ INDECOM, ‘[About us - Commission](#)’, no date

²⁶⁹ INDECOM, ‘[Home page](#)’, no date

²⁷⁰ AI, ‘[Jamaica: Time for Stronger Police Accountability](#)’ (page 8), November 2020

prosecute, which until now it has been exercising in cases of alleged police misconduct... Such challenges raise concerns over the sustainability of the practical achievements that Jamaica has made through INDECOM, in holding police to greater account for human rights violations.’²⁷¹

12.1.5 The OSAC report 2021 noted:

‘De facto impunity for security forces is a problem, since cases against officers are infrequently recommended for criminal trial or see substantial procedural delays. ... These problems were exacerbated by a Privy Council ruling in May [2021] that INDECOM does not have the power to arrest, charge, or prosecute. Additionally, INDECOM reports it is unable to investigate each case thoroughly due to manpower limitations and significant delays caused by police.’²⁷²

12.1.6 The USSD HR report 2021 noted:

‘Justices of the peace and representatives from the Police Civilian Oversight Authority (PCOA) visited correctional centers and detention facilities (lockups) regularly. Justices of the peace reported their findings to the Ministry of Justice, while the PCOA submitted reports to the Ministry of National Security. Both entities made recommendations to improve overall conditions. Citizen groups and NGOs stated the ministries rarely acted on the recommendations.

‘INDECOM investigated actions by staff members of the correctional facilities and other state agents that resulted in death, injury, or the abuse of civil rights. INDECOM’s legal mandate requires it to investigate all prisoner deaths that occur at a correctional facility, including deaths reported as a result of natural causes.’²⁷³

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Section 13 updated: 26 July 2022

13. Freedom of movement

13.1.1 See section three [Prevalence of Crime: Overview](#) for a map of Jamaica.

13.1.2 The total area of the country is 10,991 sq. km, with a land mass of 10,831 sq. km and water mass of 160 sq. km²⁷⁴, far smaller than the UK (total area of 243,610 sq. km)²⁷⁵.

13.1.3 The US Bureau of the Census estimated a population of 2,818,596²⁷⁶ (2022). The UN world population prospects for 2020 was 2,961,000²⁷⁷.

13.1.4 CIA World Factbook stated: ‘Population density is high throughout [Jamaica], but increases in and around Kingston, Montego Bay, and Port Esquivel. The

²⁷¹ AI, ‘[Jamaica: Time for Stronger Police Accountability](#)’ (page 8), November 2020

²⁷² OSAC, ‘[Country security report – Jamaica](#)’, 25 October 2021

²⁷³ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’ (Section 2), 12 April 2022

²⁷⁴ CIA World Factbook, ‘[Jamaica](#)’ (section Geography), updated 21 June 2022

²⁷⁵ CIA Factbook, ‘[United Kingdom – Geography](#)’, updated 21 June 2022

²⁷⁶ CIA World Factbook, ‘[Jamaica](#)’ (section People and society), updated 21 June 2022

²⁷⁷ UN, Economic and Social Affairs, ‘[Total population, both sexes - Jamaica](#)’, August 2019

main population centre is the capital Kingston, with an estimated population of 595,000 (2022)²⁷⁸.

- 13.1.5 The CIA World Factbook listed 14 parishes; Clarendon, Hanover, Kingston, Manchester, Portland, Saint Andrew, Saint Ann, Saint Catherine, Saint Elizabeth, Saint James, Saint Mary, Saint Thomas, Trelawny, Westmoreland, [and that] ‘... for local government purposes, Kingston and Saint Andrew were amalgamated in 1923 into the present single corporate body known as the Kingston and Saint Andrew Corporation.’²⁷⁹
- 13.1.6 The USSD human rights report 2021 noted: ‘The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.’²⁸⁰
- 13.1.7 FH in its 2022 report covering events in 2021 stated:
- ‘Although there are constitutional guarantees of freedom of movement, political and communal violence frequently precludes the full enjoyment of this right. States of emergency are regularly enacted, with residents of affected areas facing roadblocks, random searches, and identity checks. There are no formal restrictions on people’s ability to change their place of employment or education.
- ‘Various restrictions on movement, including curfews and “no-movement days,” were intermittently imposed during 2020 and 2021 in response to the spread of COVID-19.’²⁸¹
- 13.1.8 The FCDO in travel advice intended for UK citizens, updated 14 April 2022 noted ‘Public order incidents and demonstrations can occur across Jamaica, and may cause significant disruption to traffic and public transportation... The Jamaican police may impose curfews at short notice for specific towns or areas.’²⁸²

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²⁷⁸ CIA World Factbook, ‘[Jamaica](#)’ (section People and society), updated 21 June 2022

²⁷⁹ CIA World Factbook, ‘[Jamaica](#)’ (section Geography), updated 21 June 2022

²⁸⁰ USSD, ‘[2021 Country Reports on Human Rights Practices: Jamaica](#)’, (Section 2), 12 April 2022

²⁸¹ Freedom House, ‘[Freedom in the World 2022](#)’, (section G1), February 2022

²⁸² FCDO, ‘[Jamaica](#)’ (Safety and security), 14 April 2022

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Nature of organised crime
 - Drug-related crime
 - Other criminal activity
 - Corruption
 - Relationship between gangs and political leaders
 - 'Garrisons'
 - Targets
- Organised gangs
 - Number of gangs
 - 'Dons'/structure/hierarchy
 - Distinct groups
 - reach/scope/areas of influence and capability of groups
 - Inter-gang rivalry
 - International links
- Crime levels
 - Rates of murder and other serious violent crime
 - Prevalence of organised crime
- Government response
 - Acts/Laws
 - Public figures/stance/announcements
 - Policies/Crime-fighting initiatives
 - Anti-corruption measures
- Protection
 - Security apparatus
 - Police
 - Armed/Maritime forces
 - Private security

(include size, composition, capability and effectiveness ref OCGs)

- Judiciary
 - independence
 - efficacy
- Access to protection and justice
- Enforcement
 - arrest and detentions
 - prosecutions and convictions serious crime/murder/gang related violence
- Assistance to particular groups
- Surveillance and tracking systems
- Allegations of human rights violations
- Witness Protection Programme
- Freedom of Movement

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Official – sensitive: End of section

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Updated country of information

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