



## JAMAICA'S NATIONAL CONSENSUS ON CRIME

In October 2019, the Government, Opposition, Civil Society and the Private Sector Industry Associations agreed to support a process of developing a National Consensus on Crime to transform Jamaica into a safe, secure and investment-friendly society.

The summit concluded with an understanding that successful transformation would require agreement on specific priorities and actions, widespread buy-in with regard to the way forward, and a bipartisan commitment to implementation.

Since that meeting, a roadmap was developed with a strategic program of initiatives and actions that will transform Jamaica into a safe and secure society. This roadmap was achieved through an interactive, inclusive and facilitative approach to ensure the buy-in and commitment of all stakeholders, and has resulted in this document that outlines the steps that should be taken to achieve a sustainable reduction in crime, inclusive of milestones, key performance indicators and a monitoring and reporting mechanism. The future of the nation requires that these initiatives and actions are implemented as quickly and decisively as possible.

It was noted that for these agreements to achieve the desired success, there must be:

- **Bipartisan** agreement – with the political parties being united in their resolve to deal with the scourge of crime, and supporting the swift and deliberate implementation of the agreed actions
- A **whole-of-government** approach – wherein every Ministry and Agency will make sustainable reduction in crime, and compliance with law and order, a top priority.
- A **national** approach – where all citizens and residents of Jamaica, regardless of gender, age, or socio-economic status support the goal of ensuring a sustainable reduction of crime and violence in Jamaica.

It is agreed that prevention is the way to ensure a sustained and permanent reduction in the level of crime and identified that decisive action is urgently required towards:

- Dismantling and eliminating the violent criminal gangs
- Normalizing and re-integrating troubled communities, replacing a culture of lawlessness with a culture of civic pride and respect for law and order
- Waging a relentless war on corruption, collusion and money-laundering
- Reforming and modernizing our police and justice systems

It was recognized that key strategic decisions must be made in:

- Prioritizing effective community and social and economic programmes.
- The transformation of the Jamaica Constabulary Force (JCF)
- Preventing corruption and money-laundering, and the more effective use of the Proceeds of Crime Act to sequester criminal assets
- Involving the community in maintaining law and order

## **The Agreements**

We agree that **priority must be given to effective social and community programmes**. These programmes include:

- ✓ A focus on community regeneration
- ✓ Reordering gender norms for peaceful coexistence
- ✓ Special attention to at-risk and unattached youth
- ✓ Ensuring that children attend school and are engaged after school
- ✓ Programs that provide jobs and opportunities for youth
- ✓ Policing with the community is embedded as the focal approach of the JCF

And recognize that family, churches, and the educational system have a vital role to play in maintaining a decent society.

We further agree that **reform of the JCF is fundamental to the maintenance of peace, law and order**. Key points include:

- ✓ Restructuring the Inspectorate, enabling it with strong audit and anti-corruption capability and strengthening external oversight
- ✓ Additional resources, as necessary, to effect the improvements needed (including refurbishing stations, increased technological capability, a functioning vehicle fleet and more 'boots on the ground')
- ✓ Ensuring that Policing with the Community is embedded as the focal approach of the JCF

In order to create space for initiating and progressing community programmes and JCF reform, **the use of the military will be supported as a bridging mechanism to reduce the level of homicides and violent crime particularly within the areas that have traditionally demonstrated a high propensity for violent crimes**.

## **Fundamental Decisions and Priorities**

We agree that the National Commission on Violence Prevention (VPC) will evaluate and advise direction on social intervention programmes. It will be mandated to act independently, and to use empirical research to ensure that its recommendations are aligned to the reduction of violence in Jamaica.

We accept that this body will identify programmes for which priority consideration could be given for funding, given their resultant community and societal impact.

We will support all efforts to have the VPC functionally operational by end of **Q2-2021**

Until the VPC is fully operational, the Community Renewal Program of the PIOJ will be repurposed to guide interim decisions on social and community programmes.

The transformation of the JCF is one of the most important components of our agreement. In facilitating effective transformation and modernization, we agree to prioritizing the following:

- Strengthened Inspectorate with adequate audit and anti-corruption capability **by end of Q3-2020**
- Passing the 'Integrity of the Security Forces' legislation **by end of Q2-2021**
- Merger of the PSC and PCOA to certify accountability on achievement of planned targets - **by end of Q3-2021**
- Increasing to a headcount strength of 14,000 (notionally at 11,800 today) **by Q2-2022**
- Properly established training and development system (focus on Policing with the Community certification) – **by end of Q4-2020**
- Ubiquitous island-wide radio and data communication network **by Q4-2020**
- Upgraded mobile fleet that is tracked and properly maintained by **Q4-2021**
- Physical infrastructure of stations and facilities refurbished or rebuilt by **Q4-2021**

We will support the use of the military, as permitted by law, in geographic areas where the homicide rate is above 32 per 100,000 (i.e. 2 times regional average), where the level of violence supersedes the capacity of the Jamaica Constabulary Force, and the Commissioner of Police along with the Chief of Staff of the Jamaica Defense Force agree that it is necessary. We acknowledge that there should also be sustained public engagement on the use of such an intervention.

In these instances, whenever tribunals are required, they will be established within 24 hours of the military being deployed and its composition published. Resources will be in place to provide the public defender the flexibility to increase capacity as needed. Detainees will be provided improved access to the tribunals, and inspection of lock-ups and detention centres will be carried out daily by Lay Magistrates or Parish Judges. Additionally, an accountable officer will

ensure all detentions are justified and will ensure that detentions can be challenged in a timely manner. The Office of the Public Defender will ensure that there is independent oversight in reviewing and evaluating detentions.

The process of withdrawing the military should be informed by a joint report/assessment from the Commissioner of Police and Chief of Defence Staff. In addition, there will need to be:

- i. Two successive quarters of sustained reduction in homicides (average trending below national mean), along with two successive quarters of sustained reduction in serious crimes (average trending below national mean of last 2 years).
- ii. Substantial achievement of the identified JCF transformation in policing the affected area
- iii. Substantial positive progress in social programmes in the communities in the area

We will support prioritization of the following components of proposed Legislation

- Approving the Integrity of the Security Forces Act - **by end of Q2 2021**
- Expediting the Appointed Day of Notice (date of ascendancy) for MOCA - **by end of Q3-2020**
- Approval of the outstanding MOCA Regulations – by end of Q4-2020
- Adding and prioritizing approval of sections of the Proceed of Crimes Act (POCA) to include and strengthen the role of Unexplained Wealth orders and reverse burden of proof, enabling the seizure of assets from persons who obtained their wealth by crime or corruptly and those found guilty of facilitating money-laundering and other serious crimes, and ensuring that lawyers cannot be paid with proceeds of crime - **by Q4-2021**

We will prioritize the approval and gazetting of the Regulations to the Public Bodies Management Accountability Act governing the nomination, selection and appointment of Boards of Public Bodies – **by end of Q3 2020**

We will assemble a special task force **by end of Q3-2020**, review of the Procurement Act and to focus on ensuring state resources are not diverted to organized crime or corruption, review the Bribery Act, and make further recommendations. Parliament will review and agree the implementation of these recommendations by end of **Q2-2021**.

We agree to facilitate and support the appointment of a multi-sectoral and non-partisan committee to provide oversight of this programme and hold the Government accountable. This body will have responsibility for monitoring the implementation of the respective plans, measure progress, and report (*providing regular public updates*) on this programme. We will ensure this body is in place by the **end of August 2020**.

## **Other key decisions**

We also agree to actively participate in:

1. The delivery of several key legislative reforms

<b>Legislation</b>	<b>Timeline</b>
New Enhanced Security Measures Act (ESMA or its alternative)	Q1-2021
New JCF Act	Q4-2022
Strengthen Proceeds of Crime Act (POCA)	Q4-2022
Modernize the Interception of Communications legislation and facilitate rapid approval in urgent cases	Q4-2020
Amendments to the Firearm Act	Q1-2021
New anti-gang (criminal suppression) legislation	Q1-2021
Develop a new Intelligence Act	TBA

2. Identify a multi-disciplinary team to perform a comprehensive review of all security related legislations and the process involved for approvals, and make recommendations - **by end of Q2-2021**
3. Expediting all aspects of JCF modernization
4. Ensuring the capacities and capabilities of the Justice system are aligned with the expected outcomes of this consensus. In so doing, support will be provided for

<b>Action</b>	<b>Timeline</b>
Additional human, financial and material resources are provided for the Courts	
Establishing a process to ensure performance management and accountability in the Justice system in accordance with the Judiciary 2019-23 strategic plan	Q1-2021
Specific plans and deliverables be identified for the increased funding and use of restorative justice, conciliation and mediation services,	
Consultations with Custodes and JP's towards tabling recommendations for expanding the roles of Justices of the Peace	Q2-2021
Strengthen witness protection and anonymity legislation to allow evidence from vulnerable witnesses	Q3-2021
Providing the prosecution the right of appeal	Q1-2021

5. Enhancing our Correctional Services department with more emphasis on rehabilitation, health, education and personal development of offenders.

<b>Action</b>	<b>Timeline</b>
Expand probationary and support systems to help the reintegration of released offenders	Q2-2021

Expand range of community service options	Q2-2021
Moving traumatized juveniles, those with learning disabilities and the mentally ill out of the prison system and into more appropriate facilities	Q3-2021
Establish a review team to present standards for Jamaica's Correctional Services facilities and human capacity requirements for 2020 and beyond	Q4-2020
Develop a costed and phased plan for review on physical improvement and/or replacement of all prisons and lockups, with particular attention to Tower Street, against standards to be developed	Q1-2021

6. A more cohesive approach to community renewal and urban planning, with a view to preventing the development of new informal settlements, the relocation of those in unsafe areas and the integration of others. To achieve this a national Land Use policy to be developed **by end of Q4-2021**.

We further agree that all predetermined timelines may be adjusted through agreement with the Consensus Monitoring and Oversight Committee.

**The Most Honourable Andrew Holness, ON, MP**  
*Prime Minister*

**Dr. Peter Philips, MP**  
*Leader of the Opposition*

**Lloyd Distant**  
*Jamaica Chamber of Commerce*

**Keith Duncan**  
*Private Sector Organization of Jamaica*

**Reverend Newton Dixon**  
*Jamaica Council of Churches*

**Helene Davis-Whyte**  
*Jamaica Confederation of Trade Unions*

**Reverend Dr. Peter Garth**  
*Jamaican Umbrella Group of Churches*

**Nadeen Spence**  
*Women's Groups*

**Dr. Trevor Munroe**  
*National Integrity Action*

**Richard Pandohie**  
*Jamaica Manufacturers & Exporters Association*

**Donovan Wignall**  
*MSME Alliance*

**Hugh Johnson**  
*Small Business Association of Jamaica*

**Janet Silvera**  
*All-Island Chambers of Commerce*

**Sujae Boswell**  
*Youth Groups*

**Elizabeth Ward**  
*Violence Prevention Alliance*