



Country Case Studies

JAMAICA

CASE STUDY REPORT JAMAICA

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INTRODUCTION

This report was developed within the framework of the “Program on Security Sector Reforms in Latin America and the Caribbean” by the Security and Citizenship Program of the Latin American School of Social Sciences (FLACSO), Chile Office. This project seeks to comparatively analyze reforms in the Security Sector of twenty countries in the region.

In addition to the assessment that will be realized in the first year of the program, we are interested in offering a description of the principal characteristics of the Security Sector in each of the countries involved.

This report is dedicated to the case of **Jamaica**. It considers the following four key elements: (i) the political and socioeconomic context of the country, with the aim of offering a portrait of the current situation; (ii) characteristics and recent changes in the **Defence sector**, focusing on a description of the institutionalization, civilian oversight, external control, general attributes of the Jamaica Defence Force, the Defence budget and reform process; (iii) the **Public Security sector**, with regard to the institutional setting, the Jamaica Constabulary Force, as well as the reform and modernization process; (iv) and the **intelligence** organizations of the sector.

It was produced by means of publicly accessible secondary sources, such as legal documents, statistics, official websites, among other publications. In this context, we would like to thank **Anthony Harriott**, Senior Lecturer at the University of the West Indies, Jamaica, and member of the “Caribbean Task Force on Crime and Security,” who addressed many of the issues discussed and provided essential information on the state of the Security sector in Jamaica. **Carsten-Andreas Schulz**, intern at FLACSO-Chile, was responsible for writing this report.

We are confident that our effort will contribute to progress in analysis, academic debate and public policy-making in Jamaica. We also hope that this report will help to shed light on a fundamental issue in the ongoing democratization process in Latin America and the Caribbean. Finally, we would like to express our thanks to the Open Society Institute for its financial support, as well as the Organization of American States for its sponsorship.

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I. POLITICAL AND SOCIOECONOMIC CONTEXT

Jamaica is the third largest island in the Caribbean Basin and is situated next to the larger islands of Cuba to the north and Hispaniola to the east. These three islands form, together with the United States territory of Puerto Rico, the Greater Antilles, which is the northwestern part of the West Indies. When Christopher Columbus discovered the island in 1494, it was populated by the indigenous Taino people. It was subsequently held as a Spanish colony until 1655, when it was seized by the English. Today it is the most populous Anglophone country in the Caribbean, only superseded in the Western Hemisphere by the United States and Canada.

It is an independent nation with a parliamentary democracy. As part of the Commonwealth Realm, it recognizes the British monarch Queen Elizabeth II as its Head of State. She appoints a Jamaican as her vice-regal representative, the Governor General, on the advice of the Prime Minister. Since February 15, 2006, the Governor General of Jamaica has been Kenneth O. Hall.

Both the Spanish and the British engaged in the production of sugarcane on the island. This crop depended on the institution of slavery, which allowed the white ruling population of Jamaica to accumulate wealth that exceeded that of the other American colonies of the period. Slavery was finally abolished in 1834, which is attributable to the frequent insurgencies by the displaced population throughout the island's colonial history. Internal self-governance was granted in 1958, and, after a short interlude in the Federation of the West Indies, independence was gained on August 6, 1962.

As a result of its colonial past, the country inherited the traditions of Common law and a Westminster-style government, with the Prime Minister as the Head of Government and Cabinet as "the principal instrument of policy [...] with the general direction and control of the Government". The Cabinet, which consists of at least 11 Members from the two Houses, is usually involved in the formulation of major policies. Jamaica has a bicameral Parliament made up of the House of Representatives and the Senate. Elections to the House of Representatives must be held at least once every 5 years, although Parliament can postpone them during periods of war (Constitution of Jamaica, III, 65 (3)). The Senate consists of 21 members, who are appointed by the Governor General on the advice of the Prime Minister and the Leader of the Opposition. The Prime Minister selects the majority (13) of the Members of the Senate, whilst the Leader of the Opposition names the remainder (8). While the political system is stable, both major political parties have in the past been involved in polarized and violent conflicts during election campaigns. The last general elections were held on October 16, 2002, and resulted in a government led by P.J. Patterson of the People's National Party [PNP]. He stepped down on March 30, 2006, and was replaced P.S. Miller, Jamaica's first female Prime Minister. At the time of writing, the Leader of the Opposition is Bruce Golding of the Jamaica Labour Party [JLP].

The Jamaican economy experienced a severe downturn during the 1970s, which led to high unemployment and hyperinflation. The crisis impoverished large segments of the population, forced some into criminality and induced a downward spiral of violence.

The island has experienced an economic recovery since the 1990s, but the per capita GDP, which totaled US\$ 3,541.5 in 2005, is still comparatively low in the Caribbean context. Jamaica ranked 98th in the 2005 Human Development Report (see Appendix for further socioeconomic indicators). The increase in prices experienced by consumers in Jamaica is high but constant. The economy of the country, which is a full member of the Caribbean Community and Common Market [CARICOM], is based primarily on mining of aluminum-bauxite and tourism. In addition, regional typical agriculture and food processing takes place. The economic performance of Jamaica is affected by the effects of hurricanes, which have caused damage to the country's infrastructure and reduced tourism revenues. It is assumed that the hurricane of 2005 has caused a slowdown of economic activity, from a growth rate of 2.5 percent in 2004 to 0.7 percent in 2005 (Economic Commission for Latin America and the Caribbean, 2005, pp. 317-321). High unemployment has remained a core problem in Jamaica. After years of continuous reduction, it increased slightly from 11.4 percent in 2004 to 11.7 percent in 2005 (preliminary figure).

The Security Sector of Jamaica is led by one ministry in charge of Security in general. However, under constitutional law, the Ministry of National Security shares responsibilities with the Prime Minister in Defence matters. Overall coordination is conducted by the National Security Council, which reports to the Cabinet. There is one policing institution, the Jamaica Constabulary Force, and one military institution, the Jamaica Defence Force. The sector is currently under review, and a general road map was launched in 2006. It makes provisions for a conceptual broadening through the formal incorporation of other government agencies and an institutional strengthening of national intelligence. As well, it outlines measures to be taken to increase public awareness.

Security sector problems in Jamaica are basically correlated to drugs, arms and violence. Organized crime in Jamaica has become increasingly involved with the transnational trafficking of cocaine and the production of marijuana. These groups have recently begun to participate in the trafficking of arms, primarily those originating from Haiti. Although aggregate crime rates for Jamaica are not outstanding by regional or sub-regional standards (Harriott, 2000), policing takes place in an extremely violent environment. The result is that the security forces face one of the world's highest homicide rates, while themselves being responsible for abundant extrajudicial executions. The police must also deal with corruption and a poor public perception.

There are no foreign military bases in Jamaica, but the country is involved in large-scale international cooperation through training and annual exercises with the United Kingdom, Canada and the United States.

II. THE DEFENCE SECTOR

The Jamaica Defence Force [JDF] was formed on July 31, 1962, days prior to the independence of the island. Establishing such a force was a precondition for independence specified by the UK. Still, there have been armed forces on the island throughout the history of Jamaica, the first as early as 1662. During the first half of the twentieth century, the force underwent numerous reorganizations. It was eventually incorporated, together with the other militaries of the Caribbean, into the West India Regiment, the armed forces of the short-lived West Indies Federation. The Federation was dissolved after Jamaica and Trinidad withdrew from the union in 1962. Subsequently, the then-named Jamaican Regiment, which at that time possessed only about 400 soldiers, formed the base for the creation of the JDF. The Jamaican armed forces started with two regular units and a reserve. In 1963, it grew when a small air wing was established.

The Ministry of National Security [MNS] is responsible for administrative oversight of the Defence sector in Jamaica. Although under constitutional law the Cabinet is responsible for policy-making, in practice the Ministry defines the overall guidelines for Defence policy. This is basically conducted through the Research and Policy Unit of the MNS, established in an effort to draw up more concrete plans, programs and objectives for the armed forces. The unit elaborates particular proposals from the JDF or other associated institutions, then directs its documentation to the Board of Directors. This panel is composed of various department heads and public officers, to which all of the major units within the Ministry report, such as the Human Resources Director, the Director of Planning, and the Chief Financial Officer. The meeting revises the document and hands it over to the Minister, who takes it to Cabinet for approval.

There is no rigorous process of evaluation for these programs and strategies. But while there was no evaluation at all in the past, today some occurs at the hands of the units themselves or outside contractors. Such evaluations are usually initiated at the request of the Minister, and otherwise at the discretion of the head of the Research and Policy Unit. However, the Ministry itself has proposed a reform to change this procedure.

There is no foreign military presence in Jamaica in the form of military bases or Special Forces. Nevertheless, international military assistance from the UK, Canada and the US contribute significantly to the training and procurement of the JDF. This assistance accounts for approximately 10% of the overall defence budget (Jamaica Defence Force, 2006, p. 21). Jamaica cooperates with the United States in terms of training, technical assistance and the delivery of equipment (Table 2); with the UK in terms of training and technical assistance; and with Canada solely in terms of training. Military assistance is received by and channeled through the MNS, without whose permission the JDF cannot receive international aid. Therefore, the Ministry finally decides whether or not to accept assistance. It does not routinely release information about the levels and types of assistance received.

Jamaica participates from time to time in joint maneuvers with the Regional Security System [RSS], even though it is not a member state.¹ It also provides training to the forces of other Caribbean countries and has been employed frequently in the sub-region in the wake of natural disasters.

2.1 Institutionalization of the Defence Sector

The Defence sector of Jamaica is composed of the Prime Minister acting as the formal Minister of Defence, the National Security Council, the Defence Board, the MNS and the JDF. Legally, the institutions of the Defence sector are under the general direction of the Defence Board. There is also a coordination committee at the ministerial level, which is known as the National Security Council. It consists of the ministers whose portfolios are relevant to the sector, such as the Minister of National Security and the Minister of Justice, as well as top decision-makers from the security sector and the justice system. The Council was established, and is now chaired, by the Prime Minister. The National Security Council is expected to increase in importance under the National Security Strategy for Jamaica [NSS].

In 1974, administrative restructuring of the sector occurred with the reorganization of the Ministry of Defence into the Ministry of National Security and Justice. Its title was later changed to the Ministry of National Security. The MSN has since been responsible for both the police and the armed forces.² At the time writing (2006), the Minister of National Security is Peter Phillips (Table 3). The personnel of the Ministry are full time public officers, but there is also a small number of temporary political appointees that serve as consultants without holding formal titles. Although public officers in the Ministry are typically civilian, the person who currently heads Research and Policy is a military appointee of the rank of Lieutenant Colonel. This situation is highly unusual.

Operational command of the Jamaican armed forces is exercised by the Chief of Staff, who is responsible to the Prime Minister through the Minister of National Security.

2.2 Civilian Oversight

Similar to the civilian oversight of the police, control over the JDF is supposed to be warranted and tends to restrict operational effectiveness. The merely symbolic office of the Governor General is of some importance in this context, as the Defence Act assigns to him the power to appoint the Chief of Staff. In his function as a symbol of national unity, he has to consult the Prime Minister and the Leader of the Opposition during the selection procedure to avoid a politicization of the headquarters (Constitution of Jamaica, IV, 32 (5); Jamaica Defence Act, VIII, 170). It is the Governor General, too, who must make decisions

¹ The RSS is a system of mutual security and assistance of the Eastern Caribbean states and Barbados.

² Further institutions that are administered by the MNS include the Department of Correctional Services, the Private Security Regulations and the Firearm Authority.

regarding deployment outside Jamaica (Jamaica Defence Act, I, 7). However, because the Commander reports to Cabinet (via the MSN), in which the Prime Minister holds a central position, the Prime Minister can give directions regarding operational matters (II, 9 (2)).

The tenure of the Chief of Staff does not coincide with that of the executive authority. The Prime Minister and Minister of National Security also do not have the power to discharge officers. The situation has never arisen in which the Chief of Staff has had to be replaced. In such a situation, however, the Governor General would ask him to resign in the public interest, if requested by the Defence Board.

The Commanders of the different branches are appointed by the Chief of Staff. Potential appointees must be of a particular rank to be considered for these positions, which are ultimately assigned by the Defence Board. It is likely that the Chief of Staff would seek the approval of political directors when appointing the Intelligence Chief. The officer remains in the position of command until retirement or until the Chief of Staff decides to replace him.

The Constitution imposes no restrictions on members of the armed forces who wish to register as electors. However, members of the defense force are prohibited from running for the House of Representatives and from being appointed as senators (V, I, 40 (2) (b)). As such, members of the military cannot be assigned to the Cabinet, since appointees must be “from among the members of the two Houses” (VI, 70 (1)).

2.3 External Control

In the past, there were no major coup attempts or threats on the part of the armed forces in Jamaica. In 1980, however, a military conspiracy was detected. The most senior officer involved was a Lieutenant, and the mutiny was suppressed internally. The parties involved were arrested, court-martialed and asked to resign.

With regard to external control over the JDF, it is notable that there are currently no non-governmental organizations [NGOs] devoted to monitoring its actions. However, Parliament has had a Select Committee on National Security for a short period (Jamaica Defence Force, 2006).

2.4 Armed Forces

The Defence Act establishes “a body of Her Majesty’s military forces to be called the JAMAICAN DEFENCE FORCE consisting of- (a) a regular Force; and (b) a reserve Force to be known as the Jamaica National Reserve” (I, 4). This act makes the force responsible for defence, maintenance of order and other duties to be defined by the Defence Board (I, 5). In practice, this has been translated into the following mission:

“to safeguard national sovereignty and to provide for the maintenance of order as required; to prepare for and respond to crisis with appropriate action; to assist with the process of nation building and protect Jamaica’s interest at home and overseas” (Jamaica Defence Force, n.d.).

The force’s current functions include: assistance to the police forces without having independent policing functions; disaster relief in Jamaica and other Caribbean countries; law enforcement in the Jamaican maritime zone; search and rescue; vital infrastructure construction, such as water pipelines; etc. The National Security Strategy for Jamaica [NSS] and the Defence Board have reinstated old tasks, and assigned new ones, to the JDF. The JDF has adapted to this strategic resetting by launching the Strategic Defence Review [SDR], where the following tasks are outlined:

- a) Defend against external aggressors*
- b) Internal Security*
- c) Disaster Relief*
- d) Support to other governmental agencies and departments*
- e) Monitoring and control of airspace and maritime areas of jurisdiction*
- f) Counter Terrorism*
- g) Search and Rescue*
- h) Peace Support*
- i) Regional Cooperation*
- j) State Ceremonial Duties (Jamaica Defence Force, 2006, p. 8)*

The BDF is administered by the MNS. The Defence Board holds a central position by providing advice and responsibilities for command. It also provides discipline and administration of the armed forces, excluding operational command (II, 9 (2)). It is comprised of four members: the Prime Minister as Chairman; the Minister of National Security; the Chief of Staff; and the Secretary of the Board, who is also a Permanent Secretary of the Ministry (II, 10 (1)). The result is that the Prime Minister, though not officially holding the title, is typically the Minister of Defence by virtue of his or her position as Chairman of the Defence Board. In this sense, the Minister of National Security who runs the Ministry practically is just one member of the Board.

The JDF is a brigade-sized organization comprised of a regular and a reserve force. It has ground forces, an air wing and a coast guard. The regular forces are made up of approximately 2,500 soldiers and officers, and the National Reserve consists of an additional 1,000 servicemen. In response to a reform proposed by the SDR, the manpower of the regular force will be increased by 800 and the reserve by 219 (Jamaica Defence Force, 2006, p. 30).

Although the forces are ultimately under civilian administration, day-to-day operational control and leadership, as well as some strategic planning, are transferred to

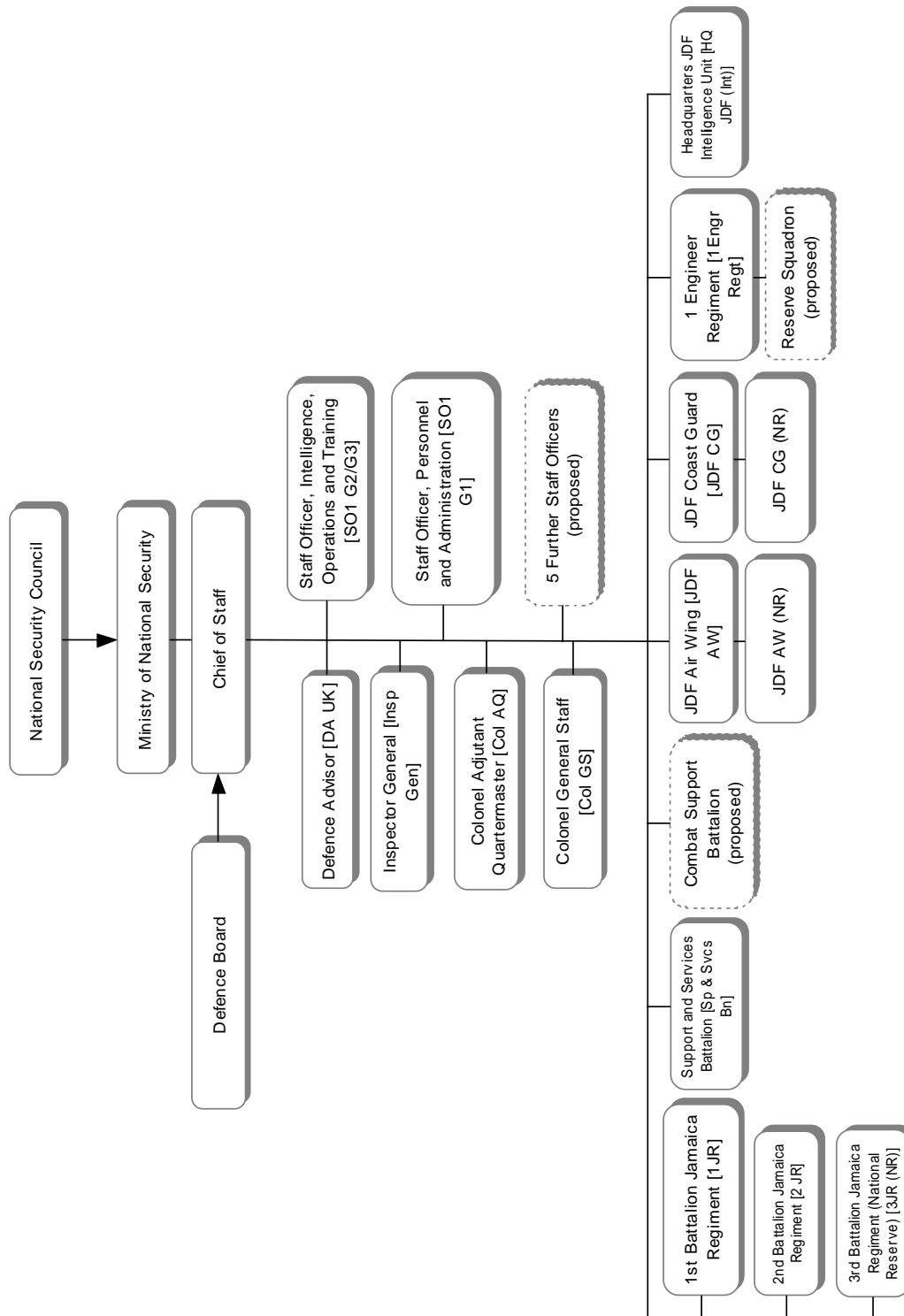
the Headquarters of the JDF at Up Camp Part, Kingston. The Chief of Staff is at the pinnacle of the hierarchy and is followed by 4 key appointments: a) Defence Advisor to the UK; b) Inspector General; c) Colonel Adjutant Quartermaster; and d) Staff Officer General. The Chief of Staff is currently assisted by two Staff Officers in operational command. This hierarchy will be reinforced with the creation of 7 branches, each headed by Staff Officers. The different units are controlled by a Commanding Officer. The armed forces are made up of 8 major units (9 after the establishment of the Combat Support Battalion under the SDR): a) First Battalion [1JR]; b) Second Battalion [2JR]; c) National Reserve [3JR (NR)]; d) Support and Services Battalion [Sp & Svcs Bn]; e) Air Wing [JDF AW]; f) Coast Guard [JDF CG]; g) First Engineer Regiment [1Engr Regt]; and h) Intelligence Unit [HQ JDF Int.] (Illustration 1). At the time of writing, the Chief of Staff is Rear Admiral Hardley Lewin (Table 4).

Soldiers in Jamaica are subject to the same laws as their compatriots because the civil procedure supersedes military justice. Accusations of offences under the Defence Act are investigated by either summary or court martial. Ordinary civil offences are investigated in the same way, but awards must not exceed the punishment under the civil laws of Jamaica. Nevertheless, severe civil offences such as murder, manslaughter, treason, treason-felony and rape must be tried by civil courts (Jamaica Defence Act, V, 76). Military commanders may also choose to initiate military procedure, which occurs occasionally.

According to the JDF, its members “are not, in the strictest interpretation of the law and Constitution of Jamaica, public officers and are not liable to the Staff Orders of the Public Service and the Public Services Regulations. Governance regulations for the JDF are made by the Defence Board and the Governor-General” (Jamaica Defence Force, n.d.). Although the Defence Act states that members of the armed forces who perform police duties “enjoy all such immunities, privileges and protection as are enjoyed by a member of the Jamaica Constabulary Force” (II, 9 (3) (2)), under the State of Emergency Act, policing soldiers have to act under the command of the police. This means that they cannot independently arrest suspects.

There is no conscription in Jamaica, which means that recruitment to the JDF takes place on a purely voluntary base. Under the Defence (Regular Force Enlistment and Service) Regulation of 1962, servicemen must be Jamaican nationals of the age of 18 or above. However, they can enlist at the age of 17 if they will turn 18 during their training period, provided that they have the consent of their legal guardian. Male soldiers must enlist for 6 years and women soldiers for 3 years. Both can serve for up to 22 years. Initial basic training lasts 18 weeks and is conducted at the JDF Training Depot, Newcastle, St. Andrew (Jamaica Defence Force, n.d.). Decisions on promotions and demotions for enlisted ranks are made by the Chief of Staff.

Illustration 1: Organization Diagram of the Defence Sector



(Jamaica Defence Force, n.d.)

Those eligible for officer selection are Jamaican nationals who are generally between 18 and 23 years of age. Officers of the rank of Lieutenant Colonel and above are selected by the Defence Board, while promotions to lower ranks are decided on by a commission board. This board consists of the chairman, who must be a member of the armed forces of the rank of Lieutenant Colonel or above, and two other members drawn from the Public Service Commission (Jamaica Defence Act, III, 13)³. There are two different commission schemes that can be granted to both graduates and non-graduates. Regular Commission holders must serve for at least 12 years, while Short Service Commission is granted for 5 years to males and 3 years to females, with the option of changing to Regular Commission after two years. Officers are assigned to either the regular forces or the reserves. Training is first conducted together with other recruits at the JDF Training Depot, and later in British or Canadian training institutions (Jamaica Defence Force, n.d.).

The National Reserve consists of officers and soldiers who were either transferred or have applied to the Reserve and the Reservists in the stricter sense. The same recruitment requirements apply to Reservists as to regular soldiers, and they are to be attached to the regular forces when called out for service (Jamaica Defence Act, IX, 204). The Defence Board is responsible for summoning members of the Reserve for temporary service (not exceeding 28 days). The Governor General may summon them for permanent service when a state of war, insurrection or public emergency has been declared (Jamaica Defence Act, IX, 200 (1)).

Gender issues have been on the agenda since the 1970s and women have been able to join the forces since August 11, 1976. Currently, the highest ranking woman in the military is a Major. Despite progress, the incorporation of women is still under scrutiny due to the fact that a limit on recruitment of approximately 10% has been imposed by the MNS. The inclusion of ethnic minorities is not considered a problem, given that both the rank-and-file and the officer corps are supposed to be representative of the population.

2.5 Budget

The Defence budget is subject to debate in Parliament during the course of the established general budgetary cycle. It accounted for approximately 0.9% of the Jamaican government budget in the financial year of 2004/2005 (Jamaica Defence Force, 2006, p. 21) and 19-20% of the resources allocated to the Ministry of National Security (Harriott, 2002)⁴.

³ The Constitution establishes the Public Service Commission (IX, I, 123-128). It consists of between three and five members who are appointed by the Governor General. They serve five year terms and must not hold any office other than the Public Service Commission, Judicial Service Commission or Police Service Commission.

⁴ The Economic and Social Survey of Jamaica, as cited in Harriot (2002), presents the military's share of the National Security and Justice budget as the following: 1990: 29.0; 1992: 30.0; 1994: 27.0; 1996: 27.3; 1998: 18.8.

The military's share of the budget has been characterized by a downward turn. This reflects the assignment of priorities by the MNS as well as the weak political influence of the military relative to that of the police. In general, resources are allocated according to the budget of the previous year because the recovery account budget is basically salaries. Variations are typically caused by major purchases. The budget can be obtained from the transcript of the Prime Minister's presentation in Parliament, which serves as a record of parliamentary procedure. It shows the aggregate sum, recount and capital, but it does not specify the line items. It also does not state reserved accounts or other costs deriving from commitments such as pension funds.

2.6 Reforms and Modernization

A review was recently conducted of the Security sector in general and the JDF in particular. This green paper on the sector, entitled the National Security Strategy for Jamaica, gives overall guidance for the reform process. The plan aims to define the scope of responsibilities of the JDF vis-à-vis other security agencies. Traditionally, it has been thought that the JDF should basically be restricted to its core function, which is to respond to external military threats. However, the paper argues that exceptions should be made due to the high levels of violence that exist in Jamaica. It states that while the military should generally not involve itself in internal security, it may do so: a) in the case of threats to National Security, temporarily under the lead of the police and as directed by the Prime Minister; and b) in response to terrorist threats, under the command of the military (National Security Strategy Development Working Group, 2006, pp. 72-80).

In the face of current criticism about the necessity of a military in Jamaica and in response to the latest strategic redirection stated above, the JDF has set out concrete reform proposals in its Strategic Defence Review. This will include an increase in manpower and the reconfiguration of the command structure. It will also involve the creation of new units, such as the Combat Support Battalion and the Counter Terrorist Unit. It also calls for the strengthening of existing bodies, such as the Air Wing and the Coast Guard. The last reform is supposed to be implemented by 2010.

III. THE PUBLIC SECURITY SECTOR

While the last chapter provided an introduction to the Jamaican military, the following section will examine the attributes of the Public Security sector. In order to understand the problems facing Security Sector Reforms on the island state, it is important to appreciate two particular facts. First, the JCF operates in an extremely violent environment stemming from organized crime. Second, forces were charged with the maintenance of public order and the suppression of uprisings throughout Jamaica's colonial past. This latter fact is important because the policing institutions are probably more imprinted by their history than any other government agency (Harriott, 2000, p. 30). The police continue to hold a paternalistic view of the population, which translates into a troubled relationship between the police and the public. The result is that their work mixes a low response to crime with severe violations of citizen's rights, including extra-judicial killings. The institution is also plagued by high-levels of corruption.

Today the Public Security sector consists of the MSN and the two police institutions: the JCF and the Island Constabulary Special Force [ICSP]. The JDF also provides assistance to the police in performing their duties.

The Jamaica Constabulary Force Act constitutes the legal basis for the creation of the JCF. It establishes a semi-military police force by means of a rank structure that includes officers, sub-officers and constables (The Constabulary Force Act, I, 2), and through a provision allowing the Governor General to call for military service during times of threats (II, 49). Internally, the principles of policing in Jamaica are set out by the Standing Orders of the JCF, which are based on ethical norms outlined by the United Nations. However, these are merely guidelines and not legally binding, and the police frequently fail to comply with them (Harriott, 2003).

In addition, Jamaica has a large private security sector. Cooperation between the private sector and public policing institutions hardly occurs, despite being demanded by the state. Given the fact that most executives of the companies are former police or military officers, it is assumed that informal connections exist. The existing linkages are currently under review. The sector is regulated by law under the Private Security Regulation Authority Act, which makes provisions for the establishment of the Private Security Regulation Authority (II, 3 (1)) under the general direction of the MNS (II 9). The primary function of the Authority is to license and monitor the organizations of the private sector (II, 4 (b)) and their employees, including trainers (II, 14). This supervisory body consists of nine members appointed by the Minister of National Security, some of whom are drawn from the private sector. Private security guards in Jamaica are allowed to carry firearms under the Firearms Act.

Due to the institutional setting of the Security Sector in Jamaica, with both the police and the military under the direction of the Minister of National Security (Table 2),

policy-making and strategy formulation follow the same pattern. The Research and Policy Unit of the Ministry elaborates policies, and the Board of Directors is responsible for revising the proposal and submitting it to the Minister for Cabinet approval. The National Security Council also provides coordination at the top level. As well, the Police Service Commission is charged with issues regarding personnel.

Cooperation between the JCF and the JDF takes place on a regular basis in anti-narcotic operations and social unrest prevention, with the military becoming increasingly involved in these spheres. This collaboration is currently under review, with the aim of codifying the *modus operandi* under the NSS. There is no “joint forces command,” as the joint operations are under the command of the police, provided that the Minister of National Security has decided on the employment.

The JCF has established contacts with other forces from the region and beyond. Jamaica is a member of the International Police Community (INTERPOL) and the Association of Caribbean Commissioners of Police (ACCP). Furthermore, the Caribbean Regional Drug Law Enforcement Training Centre of the eighteen English-speaking Caribbean countries⁵ is located in Jamaica. At this international training facility, police, customs officials, servicemen and personnel from other drug control agencies receive instructions. Its instructors are from the Caribbean, the United Nations International Drug Control Program (UNSCP), the United Kingdom, and other sources. The Curriculum Development Officer is in charge of the teaching syllabus. He reports to the Director of the Centre (Jamaica Constabulary Force, n.d.).

3.1 Civilian Oversight

Civilian oversight is problematic due to the fact that the police tend to be politicized. This is especially true in sensitive executive positions, such as the head of the intelligence unit. Micro-managing is also sometimes practiced on behalf of the MSN. For instance, only recently did the JCF (unlike the JDF) control its own budget. Consequently, the ministry had far-reaching administrative duties that affected operational tasks, such as ordering equipment, purchasing gas, and even paying the telephone bill. However, today the police are able to administer their financial affairs more independently.

The institution involved in appointing the Commissioner of Police and other high-ranking officers is the Police Service Commission, which is established under the Constitution of Jamaica (IX, II, 130 (1)). This body consists of between two and four members, who are appointed by the Governor General, “acting on the recommendation of the Prime Minister after consultation with the Leader of the Opposition” (IX, II, 130).

⁵ Antigua and Barbados, The Bahamas, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, The British Dependent Territories of Anguilla, Bermuda, British Virgin Islands, The Cayman Islands, Montserrat, and Turks and Caicos.

Members serve a five year term (IX, II, 130 (5)), and public officers are not entitled to be appointed as members of the Commission (IX, II, 130 (3)).

The position of Commissioner of Police is permanent, but the individual holding the office must retire by the age of 60. As applies to the Chief of Staff of the military, only the Governor General has the power to remove the head of the police and other high-ranking officials. Any such decision would also involve input from the Police Services Commission. As well, those suspensions could finally appear in the Privy Council. In practice, therefore, high-ranking officials are safe from disciplinary actions.

3.2 The Police Forces of Jamaica

a) Introduction

After the Morant Bay Rebellion of 1865, an insurgency of former slaves that led to the establishment of Jamaica as a Crown Colony, Britain felt impelled to replace the earlier police with a new force. This institution was formed under the Jamaica Constabulary Force Act of 1866. The Jamaica Constabulary Force [JCF] was launched one year later with about 1,000 members. Henceforth and until recently, the Jamaican police took a crime fighting approach rather than following a crime prevention strategy (Harriott, 2006). The rhetorical change that has taken place over the years can be seen by comparing the functions laid out by the Constabulary Act and the current Mission Statement of the police forces. According to the Act, the function of the Force is:

“to keep the watch by day and night; to preserve the peace; to detect crime; apprehend or summon before a Justice, persons found committing any offence, or whom they reasonably suspect of having committed any offence; to serve and execute all summonses, warrants, subpoenas, notices and criminal process issued by any Justice in a criminal matter, and to do and perform all duties appertaining in the office of Constable” (I, 13).

In contrast, the JCF’s Mission Statement states:

“The Mission of the Jamaica Constabulary Force and its Auxiliaries is to Serve, Protect and Reassure the people in Jamaica through the delivery of impartial and professional Services at: Maintenance of Law & Order; Protection of Life & Property; Prevention & Detection of Crime; Preservation of Peace” (Jamaica Constabulary Force, n.d.).

The JCF can draw from two auxiliary forces in order to perform its duties. The Island Special Constabulary Force was formed in the beginning of the twentieth century by the Constables Special Act as a reserve to the regular police forces. Although it is an auxiliary to the JCF, the force has since gained increasing responsibility, and now does policing in rural areas and municipalities. It also performs guard duties. Once they are called out for service,

they fulfill the same functions as the regular police. Today it is organized into two divisions: Operations, and Administration and Support. In 2004, the Island Special Constabulary Force had approximately 1,200 members, which are generally subject to the same oversight mechanisms as police from the JCF. Another auxiliary to the JCF is the Rural Police, which was established by the District Constables Act. It is also a reserve, but not in the same state of readiness, and its members are attached to different local police units. The Rural Police, or District Constables, are not uniformed and their policing powers are restricted to particular geographic locations.

Women have been able to join the police forces since 1949 and are now found in nearly all ranks. The highest ranking female officer in the force is a Deputy Commissioner, which is the second highest position in the hierarchy. The limit on recruitment set by the Ministry is less restrictive than in the armed forces. Although women are underrepresented in the force, they accounted for 17.8% of the manpower in 2001 (Jamaica Constabulary Force, n.d.).

The representation of ethnic minorities in the police has not been an issue in Jamaica in the sense of discrimination. They refused to join the force even though the JCF command promoted their participation.

b) Organizational Structure

The JCF is a centralized police institution. Operational command of the JCF is vested in the Commissioner (The Constabulary Force Act, I, 3 (2) (a)), and the Commissioner receives directions from the Minister (I,3 (2) (a)). Currently (2006), the Commissioner of Police is Lucius A. Thomas. He was appointed in 2005. The Minister is in charge of disciplinary affairs, equipping the forces, and inspection of the accoutrement that the forces have obtained on their own (The Constabulary Force Act, I, 26). The police forces are only answerable to the executive branch and have no obligation to report to the legislative branch (Harriott, 2003). The Commissioner is followed in the hierarchy by the Deputy Commissioners, who administer and supervise the portfolio assigned to them. The resources allocated to the JCF are increasing, and now account for more than 50% of the budget of the Ministry of National Security⁶.

The Constabulary Force Act makes the JCF a partially military organization, which is reflected by the rank structure. There are 8 officer ranks and three 3 non-gazetted ranks. The officer ranks are: a) Commissioner of Police; b) Deputy Commissioner; c) Assistant Commissioner; d) Senior Superintendent; e) Superintendent; f) Deputy Superintendent; g) Assistant Superintendent; and h) Inspector. The other ranks are: a) Sergeant; b) Corporal;

⁶ The Economic and Social Survey of Jamaica, as cited in Harriott (2002), presents the share of the police forces in the National Security and Justice budget as the following: 1990: 54.0; 1992: 58.0; 1994: 53.0; 1996: 51.4; 1998: 56.6.

and c) Constable. The manpower of the JCF was 8,500 in 2005, with an actual strength of 8,011 (Jamaica Constabulary Force, n.d.).

c) Recruitment Requirements and Formation

Applicants to the JCF should be of Jamaican nationality (applicants of foreign nationality can enlist if there are insufficient nationals among the interested persons), and between the ages of 18 years and 40 years. They also must pass medical, physical and educational tests prior to enlistment. As well, they have to participate in a panel interview and submit a certificate of character from a magistrate or other “adjudged respectable person,” along with a letter of recommendation from a past employer (Jamaica Constabulary Force, n.d.). All recruits complete a 26-week basic training conducted at the Jamaica Police Academy in Twickenham Park, St. Catherine. After this period, they undergo two years of probationary training, during which they have to revisit the Academy for five more weeks. The syllabus includes subjects in: Law and Police Duties, English Language, Sociology, Psychology, Government, Community Policing, Human Dignity, Fundamental Rights of the Citizen, Physical Education, First Aid, Use and care of Firearms, and Defence Tactics and Drill (Jamaica Constabulary Force, n.d.). Selected police also receive training from the JDF in its training depot and at the Caribbean Regional Drug Law Enforcement Centre. The training program is designed by the JCF, although the human rights program was introduced by the MSN. Furthermore, and in accordance with the bipartite rank structure, education and training for the higher ranks take place at Staff College. This facility also provides training to members of other police forces from the region. In addition, the JCF maintains a cadet corps to make interested adolescents familiar with the forces and introduce them to recruitment.

It is primarily the Commissioner of Police who promotes officers and non-gazetted ranks. However, the Police Service Commission must give final approval to the recommendations of the commissioner when decisions involve officers (Constitution of Jamaica, IX, 2, 132).

d) Internal Control

The continuous accusations and complaints against members of the police, especially regarding the excessive use of force, have led to the establishment of various control and monitoring measures. In the past, such measures have failed to improve the situation significantly. Today, all review mechanisms are located at the Professional Standards Branch [PSB] within the JCF. The PSB has replaced the Office for Professional Responsibility and now consists of the following 6 units:

- a) Internal Affairs Anti-Corruption Division
- b) Performance Auditing and Monitoring Bureau
- c) Internal Affairs Complaints

- d) Internal Affairs Bureau of Special Investigations
- e) Corporate Planning, Research and Development Division
- f) Legal Affairs Department

3.3 External Control

External control of the JCF is mostly ineffective. Parliament does not possess a permanent staff responsible for legislation involving public security policy, and civil society groups are not involved in monitoring or evaluating the performance of the security sector.

The Constitution makes no explicit reference to the police forces. However, police officers are prohibited from running for a seat in the House of Representatives or being appointed as a senator (V, I, 40 (2) (b)).

There are three external bodies that should control the JCF: a) the Office of the Public Defender, which, in practice, is of lesser importance; b) the Police Public Complaints Authority [PPCA]; and c) the Police (Civilian Oversight) Authority.

The Public Defender's Act, which came into effect in 2000, establishes the Office of the Public Defender. This institution has replaced the office of the Ombudsman, which existed in various forms since 1978. The office is supposed to investigate complaints brought forward against any government administration or agency, including the security forces. Unlike its predecessors, the Public Defender is also entitled to investigate cases in which Constitutional rights have been violated. The Public Defender is appointed by the Governor General, holds office until the age of seventy, and must not be a Member of one of the Houses. After his term, the Public Defender cannot work in public service.

The Police Public Complaints Authority [PPCA] was formed in 1993 under the Police Public Complaints Act. It is responsible for monitoring the investigation practice of complaints by the police and shall ensure impartiality of the inquiries (4 (1)). It also must act in cases of lethal violence and other severe cases according to its best judgment (6 (1)). Its independence, with the exception of the prerogatives of the Police Service Commission and the Director of Public Prosecutions, is to be guaranteed (5). For these reasons, the Authority is a non-police civilian body. However, some observers have criticized the fact that the Authority is chronically underfunded and that it is located in a government building where there are also police units. As well, the Commissioner is not obliged to report to the Authority on measures that have been taken (Goffe, 2003). The Authority submits its conclusions to the Commissioner of Police and, if the evidence indicates criminal involvement, to the Director of Public Prosecutions. The Authority creates a final report for the Minister of National Security at least once a year that is subsequently tabled in Parliament. Its members are appointed by the Governor General (First Schedule, 1), and

must not be members of either of the Houses or active members of the police (First Schedule, 2). They serve 5 year terms (First Schedule, 3).

The Police (Civilian Oversight) Bill of 2005 created a body to control the implementation of policies and the use of resources, as well as to conduct inspections of the forces (4 (1)). It repeals the Government Police Inspectorate. The Police (Civilian Oversight) Authority is authorized to refer a case to the Police Service Commission, the Minister, the Commissioner of Prevention and Corruption, and the Commissioner of Police (6 (1)). It has to account for its actions and findings in an annual report to the Minister and Parliament (7). The Act states that the Authority will consist of between 5 and 7 members, of whom two must be drawn from the Police Service Commission and one experienced in security services. Active members of the police forces, its auxiliaries, or the armed forces are not entitled to membership. Members serve five year terms and are appointed by the "Governor-General after consultation with the Prime Minister and the Leader of the Opposition" (Schedule, 2 (1)). However, as of June 2006, the Police Civilian Oversight Authority had not started to operate (Phillips, 2006a).

3.4 Reforms and Modernization

The majority of the reform projects have been initiated in response to public opinion, which holds the police forces in low regard. The UK has also been a driving force behind modernization. These demands of the public usually stem from the generally poor performance or the JCF, or in response to particular cases in which police officers have abused the rights of citizens. The police have proved to be very wary of the proposed reforms and have exercised trade union-like opposition. Both officers and rank-and-file police are organized in Jamaica. Police officers of the rank of Superintendent and above belong to the Police Officers Association, and the remainder of the police are part of the Jamaica Police Federation. Both associations have provided legal help to any police officer accused of corruption and have fought every case before the court and in the media. Against this background, the only significant reconfiguration of the police was the removal of one rank from the rank structure.

There have been a series of commissions and studies, such as the National Consultative Committee on Crime and Violence, but their recommendations have yet to be implemented. The recently published NSS suggests that an independent body be created to oversee the reform process. It also highlights the need to address corruption as well as the leadership and management capacities of the JCF (National Security Strategy Development Working Group, 2006, p. 53). Most reforms so far have come in the form of modernization, such as in the purchasing of new equipment. However, institutional reconfiguration has also taken place. For instance, the Justice portfolio was separated from the MSN, with the aim of strengthening the system of checks and balances. The MSN was also subject to administrative modernization in 2005. In most cases, the implementation of

these reforms did not receive rigorous evaluation. These assessments were usually sponsored by the UK government.

The MSN has stated that it plans to alter the recruitment program. It hopes to attract “higher level of recruits, upgrade the curriculum and extend the period of training for all levels of the Force to achieve the desired levels of professionalism”. It also plans to add 3,500 officers to the police force (Phillips, 2006a). Another planned modification to the program is the introduction of psychological tests to the selection procedure (Phillips, 2006b).

IV. INTELLIGENCE

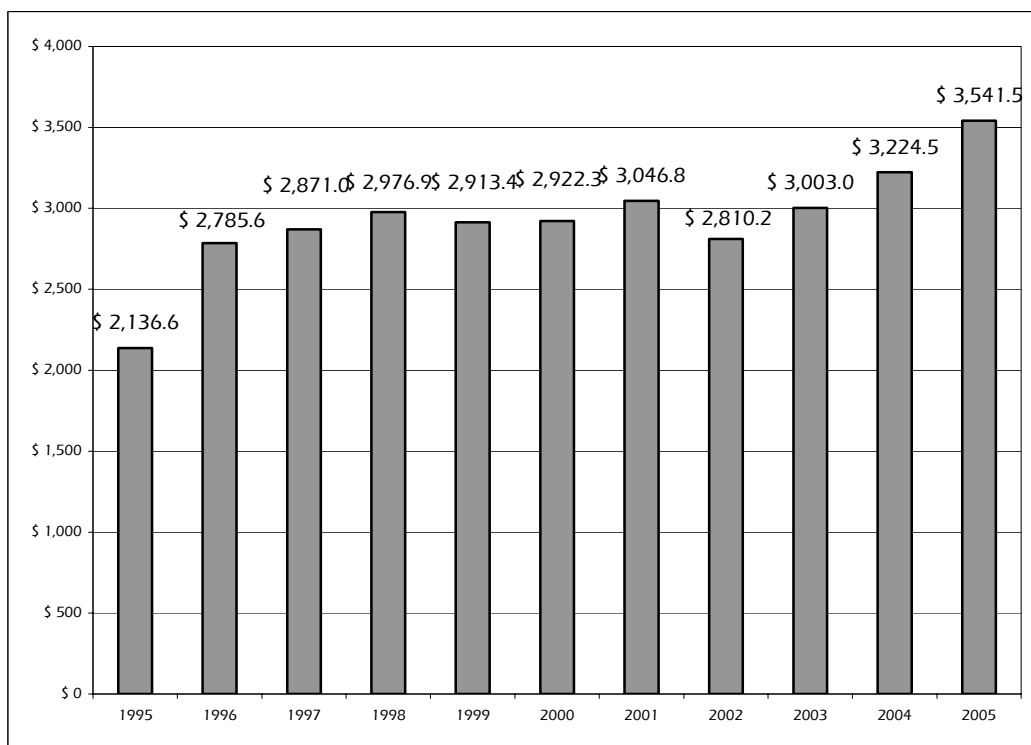
There have been various intelligence-gathering units within the JCF structure. Primarily, intelligence is acquired through the Consolidated Intelligence Department, which is the result of a merger of Criminal Intelligence and the Special Branch (Harriott, 2006). The latter was in charge of intelligence, which has an effect on Jamaica's national security, as directed by the Prime Minister through the Minister of National Security. There was also a strike force assigned to gather intelligence that was positioned with the operational Crime Management Unit. In addition, there was the National Firearm and Drug Intelligence Centre, a unit that focuses on the cooperation with other intelligence bodies, including international agencies and the defence forces. The JDF acquires its own intelligence through the JDF Intelligence Unit.

Jamaica has not experienced abuses by the intelligence, although Criminal Intelligence has been accused of murdering petty criminals. Legal regulation of the agencies has not been directly addressed so far, since the intelligence agencies are subject to the same regulations applied to the JCF and JDF. However, because of their affiliation to one of these institutions, the intelligence bodies are usually able to escape scrutiny. For instance, the legislator has no authority to monitor intelligence activities in particular.

The NSS places particular emphasis on the strengthening of the intelligence system and has outlined measures for achieving this end. First, a National Intelligence Agency [NIA] will be established to enhance cooperation between the different agencies and improve international collaboration. This body will neither control nor replace existing units. It will be placed in the Cabinet Office and be accountable to the NSC. The NSS is supposed to be staffed and headed by civilians. Second, the capacities of existing agencies and bodies like the National Security Advisor will be enhanced. Finally, the green paper envisages the inclusion of other ministries, departments and public bodies in the system. They should all provide information and data of interest to national security.

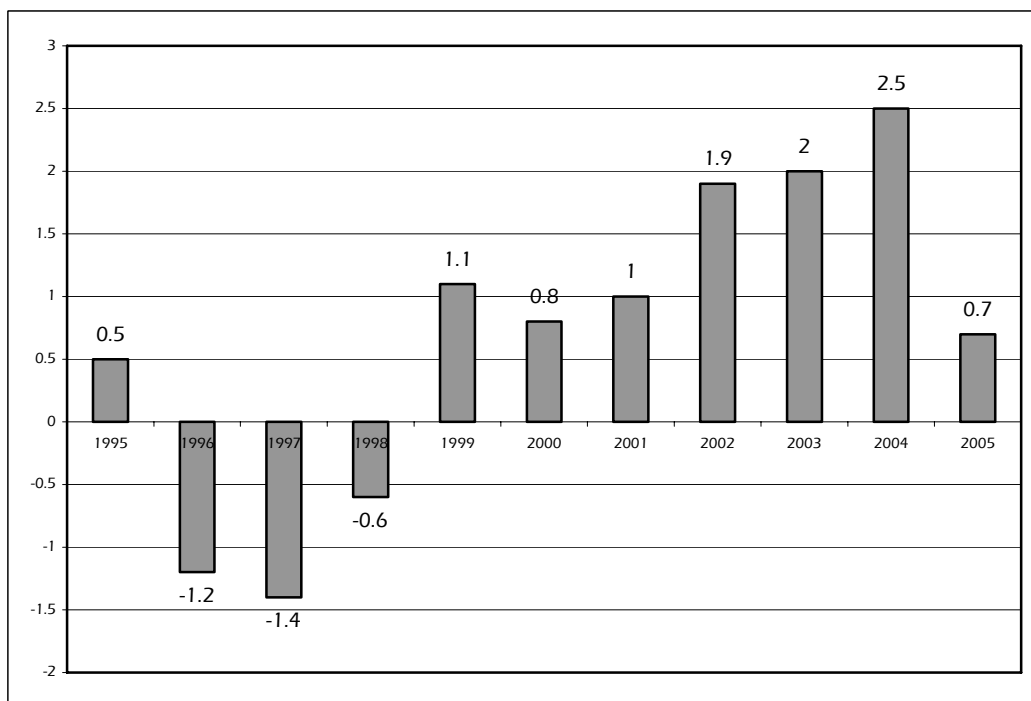
V. APPENDIX

Illustration 2: GDP per capita, current prices (US\$)



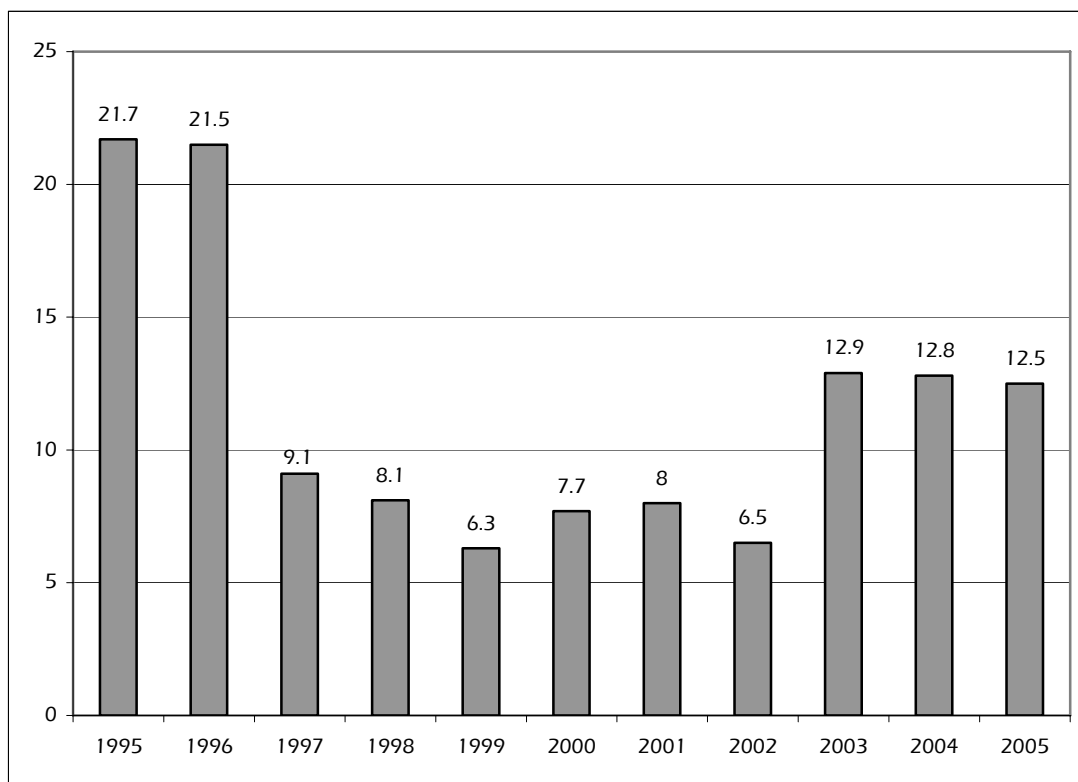
(International Monetary Fund, 2005)

Illustration 3: GDP, constant prices, annual percent change



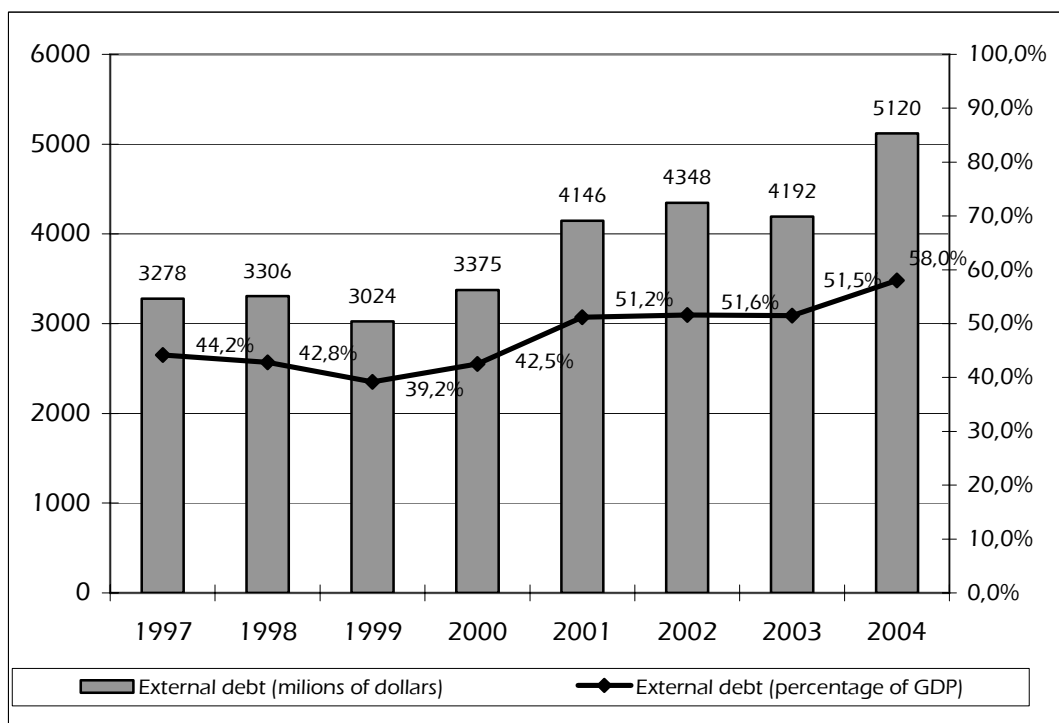
(International Monetary Fund, 2005)

Illustration 4: Inflation, annual percent change



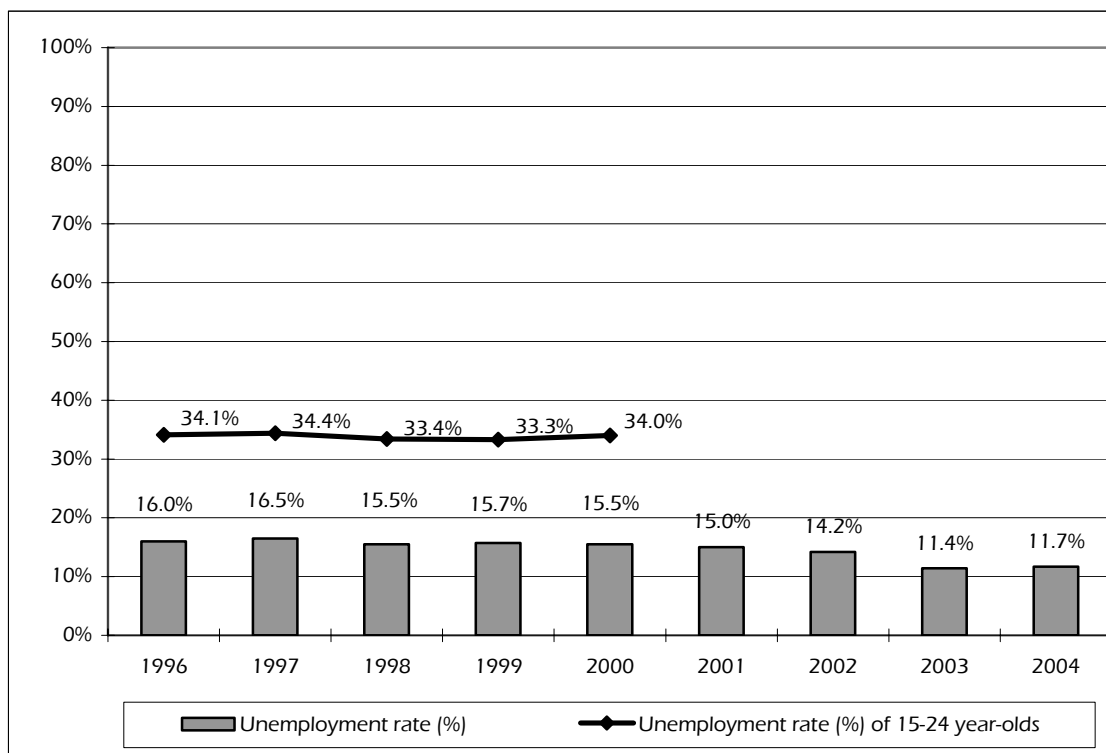
(International Monetary Fund, 2005)

Illustration 5: External debt



(Economic Commission for Latin America and the Caribbean, 2005, p. 318)

Illustration 6: Unemployment rate



(Economic Commission for Latin America and the Caribbean, 2005, n.d.)

Table 1: Social indicators

- a.) Population in 2006 (est.) 2,758,124 (Central Intelligence Agency, 2006)
- b.) Black 90.9%, East Indian 1.3%, White 0.2%, Chinese 0.2%, Mixed 7.3%, Other 0.1% (Central Intelligence Agency, 2006)
- c.) Migration (Economic Commission for Latin America and the Caribbean, n.d.)

Periods	1990-1995	1995-2000	2000-2005	2005-2010
Net migration rate	-8.24	-7.89	-7.64	-7.47

- d.) HDI: 98 in 2003 (UN Development Program, 2005)

- e.) Poverty (UN Development Program, 2005, p. 228)

Definition	Population below income poverty line
\$1 a day (1990-2003)	<2
\$2 a day (1990-2003)	13,3
National poverty line (1990-2002)	18,7

f.) Gini Index: NA

g.) Education and Literacy

Length of compulsory education: 6 years (UIS, 2005)

Adult literacy rate (% ages 15 and above), 82.2 (1990); 87.6 (2003) (UN Development Program, 2005)

Youth literacy rate (% ages 15-24), 91.2 (1990); 94.5 (2003)

Net primary enrolment rate (%), 96 (1990/91); 95 (2002/03)

Net secondary enrolment rate (%), 64 (1990/91), 75 (2002/03)

Table 2: US Aid to Jamaica

Year	Military and Police Aid (in millions US\$)	Economic and Social Aid (in millions US\$)
1996	1.4	13.4
1997	1.5	13.2
1998	2.6	13.3
1999	2.6	12.4
2000	2.1	14.9
2001	1.7	15.6
2002	2.9	16.7
2003	2.8	19.8
2004	3.2	21.4
2005 (est.)	3.2	20.4
2006 (req.)	2.7	17.1

(Center for International Policy, n.d.)

Table 3: The past five Minister responsible Security

Name	Period	Civilian / Military / Retired Military
Phillips	2004-present	Civilian
Knight	1989-2004	Civilian
Spaulding	-1989	Civilian
Anderson		Civilian
Thompson	-1980	Civilian

Table 4: The past Chiefs of Staff

Name	Period
H. Lewin	2002-present
J. Simmonds	1998-2002
P. Brady	1990-1998
R. Neish	1979-1990
R. Green	1973-1979
D. Robinson	1973
D. Smith	1965-1973
P. Crooks	1962-1965

(Jamaica Defence Force, n.d.)

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