

# Police (Civilian Oversight) Authority

(<http://www.pcoajamaica.org>)



## ANNUAL REPORT

Covering the Periods  
September 1, 2006 to March 31, 2007  
And  
April 1, 2007 to March 31, 2008

**1A North Avenue  
Kingston Gardens,  
Kingston C.S.O., Jamaica**

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## **VISION STATEMENT**

To be a model Police (Civilian Oversight) Authority focused on enhancing the culture of policing in the community through professionalism and police-community partnerships built on openness, equity, trust and accountability.

## **MISSION STATEMENT**

To aid the transformation of the Jamaica Constabulary Force and its Auxiliaries into a highly motivated professional, disciplined, and service oriented Police Service that works in close partnership with the community through modern democratic policing practices, performing with courage, diligence, honesty, impartiality and accountability. To achieve this end we will:

- Monitor the implementation of policy relating to the Force and its Auxiliaries
- Monitor the standard of performance of the Force and the Auxiliaries so as to ensure that internationally accepted standards of policing are maintained, and to report thereon
- Conduct inspections of the Force and its Auxiliaries
- Monitor the management and use of financial and other resources of the Force and the Auxiliaries
- Perform other such functions as may be necessary for promoting the efficiency of the Force and the Auxiliaries

## **VALUE STATEMENT**

We will, at all times, demonstrate integrity, honesty and fairness through our interaction with our constituents and each other by maintaining ethical standards above reproach through open, truthful communication and by encouraging the development of productive partnerships. By holding ourselves to the highest standards of performance and ethical behaviour and accountability, we will nurture public trust.

### **Core Elements:**

- Integrity
- Respect
- Courage
- Quality Service
- Continual Improvement
- Teamwork
- Accountability

## CHAIRMAN'S MESSAGE

I take great pleasure in presenting to the Honourable Minister of National Security, the first Report of the Police (Civilian Oversight) Authority which covers the period September 1, 2006 to March 31, 2008.

The Act to establish the Authority was approved by the Houses of Parliament in December of 2005 and the Authority became functional at the end of August 2006 following my appointment as Chairman and the appointment of Members by His Excellency the Most Hon. Professor Kenneth Hall, ON, OJ, Governor General of Jamaica.

The Members of the Authority have held regular meetings over the period. These meetings served to educate us as to the required functions of the Authority as mandated by the Police (Civilian Oversight) Authority Act 2005, as well as to allow us to set out a basis for ongoing operations. We began our inspections function with a formal visit to the Hunts Bay Divisional Headquarters of the Jamaica Constabulary Force. This visit was quite informative and enabled the Members to establish a format for the subsequent inspection visits conducted. Those visits led the Authority to make recommendations to the Commissioner of Police and the Minister of National Security for corrective action and improvement. Summaries of our Inspection Visits and details of other achievements for the period are contained in this Report.

The engagement of the Chief Executive Officer and Senior Director enabled an increase in the operational capabilities of the Authority. These appointments also enabled the creation of the Inspections and Monitoring Department of the Authority. Through the efforts of the Chief Executive Officer suitable offices were located for the Authority and after refurbishing, were occupied on March 13<sup>th</sup> 2008.

I wish to thank the Members and Executive Management of the Authority for their commitment which has been demonstrated by the significant contributions of time and resources by all as we have sought to properly establish the Authority. I also wish to specially thank Mrs. Deanna Williams for her significant assistance to the Authority and Ms. Sandra Peart, seconded from the Ministry of National Security, who acted as Secretary to the Authority during the first few months.

I regretfully mention the passing of one of our Members, Dr. George Phillip, who died on March 31<sup>st</sup> 2007. Dr. Phillip's valuable contribution to the Authority will not be forgotten. May his soul rest in peace.

The Members of the Authority will be available to discuss this report should this be required.

Respectfully submitted,



The Most Reverend Charles H. Dufour, C.D.  
Roman Catholic Bishop of Montego Bay  
Chairman  
March 31, 2008

## POLICE ACCOUNTABILITY & CIVILIAN OVERSIGHT

Police forces are relatively modern institutions. The establishment of such forces was not without controversy as the potential for abuse was recognized from their inception. Unlike other public services, policing services are granted extraordinary powers which include detention and the use of lethal force. In a democratic society the granting of such powers leads directly and inevitably to a discussion of accountability. Oversight of the Police has, in some societies, a history almost as long as policing itself; however, it is only in the last 50 years that independent Civilian Oversight has begun to evolve into a significant factor in controlling Police forces, protecting the rights of citizens and improving the quality of the Police services which the public receives. Approximately 125 such organizations from jurisdictions around the world are currently represented in the International Association of Civilian Oversight of Law Enforcement and varying approaches to Oversight have been taken.

External Civilian Oversight of the Police is important because of the following:

- The Paradox of Police Governance. There is a need to balance the unwarranted exercise of coercive power by the Police with enabling effective Police operations.
- Policing involves the exercise of State power. Governments should responsibly balance the competing options for policing priorities and styles.
- Financial Stewardship. The Police need to be held accountable for their use of public resources. The total annual JCF expenditure is approximately J\$16 billion.
- Police Legitimacy. Police in democratic countries strive for legitimacy to achieve the active cooperation and trust of the public. Accountability contributes to the legitimacy of the Police.

Civilian Oversight generally addresses two broad themes:

- Police accountability, both at an individual and organisational level.
- Police efficiency, effectiveness and professionalism.

It should be noted that any discussion of Civilian Oversight of the Police tends toward the area of Police accountability and, more specifically, issues surrounding human rights abuses and corruption. A search of the literature supports this bias. It is, however, becoming increasingly accepted that Police Oversight cannot adopt this narrow approach and ignore the related issues of Police Performance encapsulated in the concepts of efficiency, effectiveness and professionalism.

In this regard, the Police (Civilian Oversight) Authority in Jamaica is among a very small number of agencies mandated to regularly and systematically examine Police performance.

The mechanisms for ensuring Police accountability include:

- Political Accountability
- Legal Accountability
- Social Accountability
- Professional Accountability.

The models of Police Oversight are generally classified as follows:

- **Independent Investigations.** The agency is empowered to independently investigate any aspect of Police activity to determine if misconduct exists.
- **Review of Internal Investigations.** The agency reviews internal investigations conducted by the Police or they may monitor Police investigations as they proceed. The agency does not have the authority to conduct investigations to determine the accuracy of those reports.
- **Appellate Authority.** The agency receives appeals of Police findings from aggrieved complainants. The agency will review the complaint and make recommendations to the appropriate authority.
- **Process Audit.** The agency does not investigate individual complaints but reviews the process by which a Police agency accepts and investigates complaints from the public. It makes findings on the fairness and thoroughness of the process and may present recommendations as to how it can be improved if necessary.
- **Inspectorate.** The agency primarily examines issues related to performance and professionalism. It examines how efficiently and effectively service is delivered. It may also have process audit elements within its mandate.

Civilian Oversight is one form of Police accountability and should be considered part of a continuum which includes the broader areas of political, legal, social and professional accountability. International experience has shown that Civilian Oversight itself works best when it includes the investigation of complaints and corruption as well as the evaluation of policies, processes and performance. Accountability is best achieved when these processes work together and reinforce one another in a system of checks and balances. It also works best in a multi-agency framework.

The Police (Civilian Oversight) Authority intends to work very closely with the Jamaica Constabulary Force and its Auxiliaries to enhance the delivery of policing services to the public and to assist in raising the level of policing to internationally accepted standards. Through benchmarking exercises with international oversight bodies, the PCOA will be able to establish an oversight model that is appropriate for the Jamaican environment.

## APPOINTED MEMBERS OF THE AUTHORITY

### Chairman



The Most Reverend Charles H. Dufour, C.D.  
Roman Catholic Bishop of Montego Bay  
Appointed 21<sup>st</sup> August 2006



Dr. Patrick L. Allen, C.D.  
Appointed 31<sup>st</sup> October 2006



The Honourable Oliver F. Clarke, O.J.  
Appointed 21<sup>st</sup> August 2006



Rudolph G. Hamilton, O.D.  
Appointed 21<sup>st</sup> August 2006



Arlene A. Harrison-Henry  
Appointed 31<sup>st</sup> October 2006



Gladstone L. Lewars  
Appointed 21<sup>st</sup> August 2006



Dr. Marshall McG. Hall, C.D.  
Appointed 30<sup>th</sup> August 2007

**NOTE: The Chairman and Members will serve until 20<sup>th</sup> August 2011 at which time their term in office will expire.**



Dr George Phillip, C.D. (Deceased)  
Appointed 21<sup>st</sup> August 2006

**Members Contact Information can be found at Appendix 'A'**

## EXECUTIVE SUMMARY

### POLICE (CIVILIAN OVERSIGHT) AUTHORITY (PCOA) OVERVIEW – SEPTEMBER 2006 TO MARCH 2008

Over the course of the year and a half, the PCOA has been engaged in activities that have established a foundation for the organization and helped to set the tone for the years to come. During the first six months, the Members held discussions and meetings with numerous stakeholders. These helped to establish a framework for the operations of the Authority. The focus between April 2007 and March 2008 in particular was to familiarize ourselves with the issues facing both the Jamaica Constabulary Force (JCF) and the public at large regarding Public Safety. Subsequently, an increase in inspection visits to various JCF facilities commenced and continues.

Study and research commenced into the JCF Force Standing Orders, Book of Rules and other pertinent documents, Acts and Statutes pertaining to the JCF as well as research into other Police Services internationally commenced, in order to gain a full understanding of both the local picture and International Best Practices and thereby develop appropriate recommendations for amendments and/or changes to current Policies, Procedures and Practices. For this process to be effective, it must be conducted with a sufficiency of time in order to ensure that the most appropriate solutions are presented.

The Chief Executive Officer was engaged in April 2007. His engagement enabled the commencement of Operations of the Authority. Subsequently the Senior Director and Manager for the Inspections and Monitoring Department were engaged.

#### AUTHORITY FUNCTIONING

- The Authority has conducted:
  - a. Several meetings with Officers, rank and file of the JCF, members of Police Public Complaints Authority, Police Services Commission, Jamaicans For Justice, Private Sector Organisation of Jamaica, Embassies, High Commissions and other International Agencies and Missions, Community and Business Interest Groups
- Commenced the PCOA Inspection and Monitoring Unit
- Conducted three Inspection Visits to Divisional Police Stations in Cornwall, Middlesex and Surrey. (Montego Bay Freeport, Mandeville and Hunts Bay). This involved interviews with Officers, Rank and File of the Areas, Divisions and Stations.

The following areas are examined during the inspections:

- Prisoners and Lock-up
- Fixed Assets, Equipment and Mobility
- Custody of Civilian Property
- Professional Standards and Anti-corruption
- Firearms, Usage, Ammunition and Incidents
- Treatment of Victims of Sexual Offences
- Logs and Inspection Report

Conducted Audits of

- Five Police Stations in the Corporate Area
  - The JCF Armoury
  - The JCF Firearms Policy, Firearms Procurement and Tactical Training
  - The Narcotics Division
  - Kingston and St Andrew Major Investigations Taskforce
- 
- In the process of developing a Performance Management and Assessment Framework for the JCF
  - Established Inspection/Audit Schedules
  - Conducted a Public Forum in St. James



Despite the lack of physical and human resources during the period as well as other challenges, the Authority has faced it has achieved some positive results as it develops its capacity.

Some of the key achievements of the Authority for the period have been:

1. Conducted Divisional Inspections with reports sent to Commissioner of Police and Minister of National Security.
2. Based on the findings of the Authority's Inspections we have influenced the Jamaica Constabulary Force (JCF) High Command to examine the managerial concerns that we were able to shed light on.
3. Engaged Executive and Operational key staff.
4. Established the PCOA Inspections and Monitoring Department
5. Identified and secured suitable offices for the Authority.
6. Influenced the 'Crunching' of guns slated for destruction
7. Assisted in locating suitable foundry facilities for the melting of 'crunched' guns.
8. Influenced the removal of large quantities of ammunition held in Stations island-wide as 'Training Ammunition'.
9. Initiated meetings between JCF and Insurance Association of Jamaica towards finding a solution to the large build up of crashed vehicles contained at Police Stations island-wide.
10. Influenced JCF to re-examine training concerns – more appropriate and effective training modules to be developed.
11. Influenced re-examination of the selection processes for JCF recruits.
12. Established on going networking and consulting with key local and international stakeholders.
13. Secured from the United States Government, a Grant to assist PCOA in capacity building, internal training, development of Oversight Benchmarks and Standards and to develop Community Outreach Projects.
14. Participation in and membership on the JCF Anti-corruption Steering Committee
15. Visited the United Kingdom to conduct Bench-marking and Training in civilian oversight of police
16. Conducted first Public Forum in Montego Bay, St. James in February 2008

## **POLICE (CIVILIAN OVERSIGHT) AUTHORITY**

### **- Terms of reference**

The Police (Civilian Oversight) Authority Act, 2005 was passed in the House of Representatives on the 25<sup>th</sup> October 2005, passed in the Senate on the 25<sup>th</sup> November 2005 and signed by then Governor-General, His Excellency, The Most Honourable Sir Howard Cooke, ON, CD, GCMG.

In August 2006 the Governor-General, His Excellency the Most Hon. Professor Kenneth Hall, ON, OJ appointed the Chairman with effect from August 21, 2006 and subsequently appointed the other Members of the Police (Civilian Oversight) Authority. The Police (Civilian Oversight) Authority Act, 2005 allows for a maximum of seven (7) Members to be appointed, each to serve for five (5) years.

### **SOURCE OF STATUTORY AUTHORITY**

Under The Police (Civilian Oversight) Authority Act, 2005, Section 4-(1), the primary functions of the Authority are to:

1. Monitor the implementation of policy relating to the Force and its Auxiliaries
2. Monitor the standard of performance of the Force and the Auxiliaries so as to ensure that internationally accepted standards of policing are maintained and to report thereon
3. Conduct inspections of the Force and its Auxiliaries
4. Monitor the management and use of financial and other resources of the Force and the Auxiliaries
5. Perform other such functions as may be necessary for promoting the efficiency of the Force and the Auxiliaries

Under Section 4-(2) of the Act, the Authority in exercising its mandate has the power to:

1. Require the attendance of the Commissioner of Police or any other Officer of the Force or Auxiliaries
2. Call for and examine documents and records
3. Receive representations from members of the public in relation to the operation of the Force and Auxiliaries
4. Do all such things as it considers necessary or expedient for the purpose of carrying out its functions under this Act

Under Section 6-(1) of the Act,

The Authority may, where it considers necessary, refer a matter to:

- a. The Police Service Commission
- b. The Minister
- c. The Commission for the Prevention of Corruption; or
- d. The Commissioner of Police

A PDF Copy of the Police (Civilian Oversight) Authority Act, 2005 can be viewed at:  
<http://www.pcoajamaica.org/Downloads/PCOA Act 2005.pdf>

**Note: Information on The Police Service Commission, The Commission for the Prevention of Corruption and the Police Public Complaints Authority can be found at Appendix 'B'.**

## MEETINGS AND ATTENDANCE

The Police (Civilian Oversight) Authority Act, 2005 Section 3 – Schedule 14.–(1) requires that, “The Authority shall meet at least once per month for ten calendar months of every year and at such other times as may be expedient for the carrying out of its functions and such meetings shall be held on such days and at such places as the Chairman may determine.”

During the period 1<sup>st</sup> September 2006 to March 31, 2007 the Members held a total of eight (8) Meetings with the inaugural meeting being held in two parts, the first on September 25, 2006 and the second on September 26, 2006. Other meetings for the calendar year 2006 were held on October 31, November 28 and December 18. Meetings for the calendar year 2007 were held on February 15, February 27 and March 13 respectively.

	Meetings Attended
Bishop Charles H. Dufour, CD - Chairman	8
Dr. Patrick L. Allen, CD	4
The Hon. Oliver F. Clarke, OJ	8
Rudolph G. Hamilton, OD	8
Arlene A. Harrison-Henry	4
Gladstone L. Lewars	7
Dr. George Phillip, CD	2

During the period April 1, 2007 and March 31, 2008 the Authority has held 9 Meetings – for calendar year 2007 meetings were held on May 15, June 26, September 25, October 25, November 20, and December 11 respectively. For calendar year 2008, meetings were held on January 22, February 28 and March 18 respectively. (See Table below)

	Meetings Attended
Bishop Charles H. Dufour, CD - Chairman	8
Dr. Patrick L. Allen, CD	7
The Hon. Oliver F. Clarke, OJ	8
Rudolph G. Hamilton, OD	8
Arlene A. Harrison-Henry	3
Gladstone L. Lewars	7
Dr. Marshall Hall, CD	5

Dr. Marshall Hall, CD was appointed as a Member of the Authority by the Governor General effective August 2007 and attended his first meeting on October 25, 2007. Dr. Hall replaces Dr. George Phillip, CD who died in March 2007.

## MEMBERS' FEES AND AUTHORITY EXPENDITURE

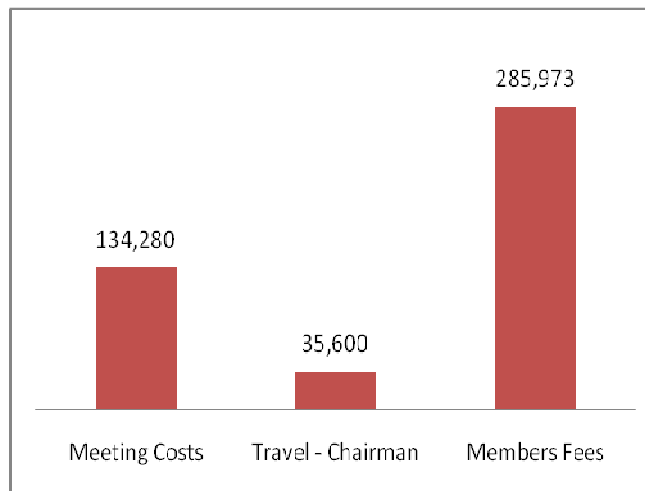
### Members Fees

The Chairman and Members are paid monthly fees for conducting the affairs of the Authority, as follows:

	2006	2007
<b>Chairman</b>	\$8,000/month	\$12,500/month
<b>Members (each)</b>	\$4,500/month	\$7,500/month

### Expenditure - September 25, 2006 to March 31, 2007

The total expenditure for the period September 2006 to March 31, 2007 was \$455,852.51. As the Authority had no offices, the Members absorbed costs incurred for telephone calls, postage and courier services, stationery and photocopying services. Those costs were not quantified and are not included in the schedule below.



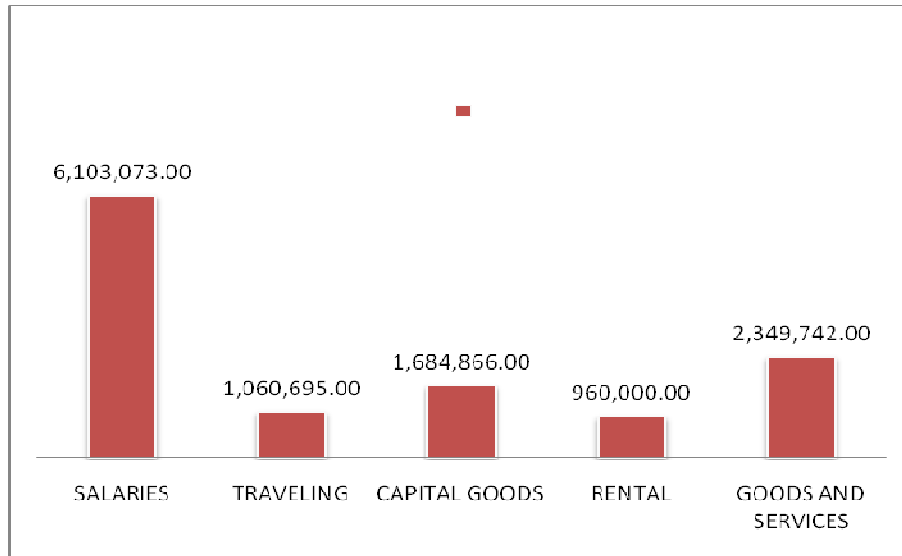
**Note: For August 2006 the Fees for the Members were pro rated based on the date of appointment as follows:**

**Chairman - \$2,838.71**

**Members (each) - \$1,596.78**

## Expenditure – April 1, 2007 to March 31, 2008

With the engagement of Staff, the provision of temporary offices and acquisition of equipment, the Authority's expenses increased. A general breakdown is shown in the chart below.



**Total Expenditure 1<sup>st</sup> April 2007 to 31<sup>st</sup> March 2008 - \$12,158,376.00**

## SOURCE OF FUNDING

Section 3 – Schedule, sub-sections 9 and 10 of the Police (Civilian Oversight) Authority Act 2005 states:-

- 9. The funds of the Authority shall consist of funds as may from time to time be placed at its disposition for the purposes of this Act by Parliament, and such other moneys as may be lawfully paid to the Authority.**
- 10. The Authority shall keep proper accounts of its receipts, payments, assets and liabilities and such accounts shall be audited annually by an auditor appointed in each year by the Authority with the approval of the Minister.**

At the present time, in order to facilitate the functioning of the Authority, the Ministry of National Security provides funds from its budget to cover all the Authority's expenses. This status will be maintained until the Authority's Budget has been approved.

## FUNCTIONING OF THE AUTHORITY

The areas of focus and activities of the Authority during the period September 2006 and March 2007 were:

1. To develop within the Members an understanding of the role of the PCOA and their responsibilities in discharging the mandate of the organisation. To this end the Authority met with various stakeholders and individuals in National Security and Justice both within the Government and representing various Not-For-Profit entities to ascertain their views on how the PCOA could become relevant and effective. Among the stakeholders with whom the Authority met were:

Dr. The Honourable Peter Phillips	- Former Minister of National Security
Mr. Gilbert Scott	- Permanent Secretary, Ministry of National Security
Mr. Lucius Thomas	- Former Commissioner of Police, Jamaica Constabulary Force
Mr. Oswald Bromfield	- Commandant, Island Special Constabulary Force (JCF)
Mr. Justice Lloyd Ellis	- Executive Chairman, Police Public Complaints Authority
Rev. Herro Blair	- Political Ombudsman
Mr. Earl Witter	- Public Defender
Rear Admiral Hardley Lewin	- Former Chief of Staff, Jamaica Defence Force (JDF)
Mr. Peter John Thwaites	- Head of PSOJ National Security Committee
Professor Anthony Harriott	- Professor of Criminology, UWI
Mr. Kent Pantry	- Director of Public Prosecutions
Dr. Carolyn Gomes	- Executive Director, Jamaicans for Justice
Mr. Justice Chester Orr	- Commissioner for the Prevention of Corruption
Mr. Aubyn Hill	- Strategic Implementation Board of the JCF
Mrs. Andrea Lewis	- Director of Narcotic Affairs, US Embassy
Miss Demelza North	- 2 <sup>nd</sup> Secretary Political, British High Commission
Mr. Juan Carlos Espinola	- Resident Coordinator, UNDP
Executive Members of the Police Officers Association	
Executive Members of the Police Federation	

2. Preparation of a Draft 2006/2007 Budget.
3. Development of an Organisational Structure and Staffing Requirements for the Authority
4. Locating suitable offices for the Authority.
5. Development of a detailed work plan for the Authority. (**Appendix 'C'**)
6. Review and analysis of the Monthly Reports, submitted by the Commissioner of Police, at each monthly meeting of the Authority. These Reports provide information and updates on the following:
  - Monthly Crime Statistics
  - Summary Report for the month from the Bureau of Special Investigations (BSI) regarding Shooting Incidents by members of the Jamaica Constabulary Force with comparative statistics for the same period of the previous year.
  - BSI Report showing:
    - Cases under Investigation
    - Cases Resolved
    - Files Submitted
    - Director of Public Prosecutions Rulings
    - Administrative Reviews attended by the BSI for the Period
  - Summary Report from Professional Standards Branch (PSB) – Internal Affairs/Anti-Corruption Division regarding Investigations into reports against members of the Jamaica Constabulary Force
  - Detailed Report from the Administrative and Support Services Portfolio showing Operations for the period and projections for the next period.

## 7. Learning

To enhance the Members' understanding of the operations of the Jamaica Constabulary Force presentations are given at each Authority Meeting by the Commissioner of Police and other invited Senior Officers on their respective areas of command.

Additionally, other Special Subject Reports have been presented at Authority Meetings. These were:-

- '*Special Crime GIS Presentation*' by Dr. Elizabeth Ward/ Dr. Parris Leyew-Ayee

- a. Crime Mapping
- b. Murders by Month
- c. Murders by Day
- d. Hot Spots Modelling
- e. Tracking Crime Migration Patterns
- f. Crime Scene Re-creation

- '*Firearms and Use of Force Policy*' by Former Commissioner Lucius Thomas

- '*Anti Corruption in the Police Force*' by Deputy Commissioner Jevene Bent

## 8. Commencement of Inspection Visits to Police Divisions by the Members. It was decided that once each Quarter the regular Members' Meeting would be held at a Police Division where inspections of key areas would be conducted. Each Member would be assigned a specific area as outlined below and in conjunction with Officers from the Professional Standards Branch and the Performance Audit and Monitoring Bureau, would examine their assigned area.

- a. Prisoners and Lock-up
- b. Fixed Assets, Equipment and Mobility
- c. Custody of Civilian Property
- d. Professional Standards and Anti-corruption
- e. Firearms, Usage, Ammunition and Incidents
- f. Treatment of Victims of Sexual Offences
- g. Logs and Inspection Reports

Reports on the observations, findings and any recommendations arising out of the Inspections are sent to the Commissioner of Police and the Minister of National Security for information and action. A general summary of the findings of the Inspections conducted by the Members is contained in **Appendix 'E'**.

## 9. During this period it was decided to engage a Chief Executive Officer and a Senior Director – Inspections and Monitoring. The Chief Executive Officer would be responsible for providing leadership and strategic direction to ensure that the PCOA achieves its mandate, locating suitable offices for the PCOA, finalising and obtaining approval for the budget and engaging the PCOA Staff. At the March 2007 meeting a suitable candidate, Richard Black, was identified for the position of Chief Executive Officer and the Members decided to offer him the position. The period of engagement would commence in April 2007 and he would initially be contracted for twelve (12) months.

**GENERAL ADMINISTRATION**  
**Overview for the period April 2007 to March 2008**

**10. Executive Management**

- a. In April 2007 the Authority engaged the Chief Executive Officer, Mr. Richard Owen Black. His engagement commenced on April 10, 2007 and his primary duties include:
- a. Defining and providing a clear, strategic direction for the PCOA.
  - b. Providing Management Leadership for the Authority.
  - c. Locating suitable offices for the Authority.
  - d. Developing an appropriate staff structure for the Authority, preparing Job Descriptions and hiring the appropriate personnel.
  - e. Developing and getting approval for the initial budget of the Authority.
  - f. Ensuring that all arrangements, including minutes, are made for all planned activities of the PCOA.
  - g. Liaison between the Authority and the Jamaica Constabulary Force, the Island Special Constabulary Force and other parties.
  - h. Establishing and maintaining proper financial records for the Authority.
  - i. Liaison with the appropriate Government Departments and Agencies both local and international, and all other parties

**Chief Executive Officer**



**Richard O. Black, CFE, CPO**

**b. Biography – Chief Executive Officer**

Appointed as Chief Executive Officer of the newly formed Police (Civilian Oversight) Authority, Mr. Richard Black is a Certified Fraud Examiner (CFE), a Certified Protection Officer (CPO) and he is also a Computer Forensic Examiner. He holds memberships in a number of local and international Professional Organisations.

Over a Thirty Five Year career he has had considerable experience and training (both locally and overseas) in Business Management (to MBA level), Loss Prevention, Security and Risk Management, Disaster Preparedness and Emergency Management through diverse industries including Security, Manufacturing, Engineering, Hotels, Banking, Insurance, Air and Sea Ports. He has also had specialist training in Anti-Kidnapping Counter-measures and Anti Money Laundering among others.

Mr Black has previously served as Senior Director - Occupational Health, Safety and Security at the University of Technology (Jamaica). Prior to that he served as the Group Security Manager for Grace Kennedy & Company Ltd. He also served as a Director of Security Administrators Limited – then a subsidiary company of the Grace, Kennedy Group. He has also held positions as General Manager of Turtle Beach Towers (a resort condominium), General Manager of A. F. Pattinson Limited, North Coast Area Manager of Marksman Limited and General Manager of Security Jamaica Limited.



## 11. Staffing

- A. The Organisational Structure (**Appendix D**) and Job Descriptions along with the Compensation Budget were prepared and submitted to the Cabinet Office for approval. These were approved for commencement October 1, 2007.
- B. In July 2007 Captain (Ret'd) Craig Barham was selected for the post of Senior Director, Inspections and Monitoring to assist the CEO. He commenced duties on July 9, 2007 and his responsibilities included: -
- a. Developing and managing the Inspection, Audit and Monitoring Programmes.
  - b. Researching International Best Practices for Policing and setting up a benchmarking process against which to measure the Jamaica Constabulary Force and its Auxiliaries
  - c. Liaison with Officers and members of the Jamaica Constabulary Force
  - d. Overseeing the collection and analysis of data to determine trends, issues and concerns
  - e. Preparation of weekly, monthly, quarterly and annual performance reports supported by statistical data
  - f. Preparation of budgets for the Inspections and Monitoring Department
  - g. Establishing and maintaining proper internal controls
  - h. Managing the Administrative affairs of the Inspections and Monitoring Department
  - i. Actively participating in the development of Strategic and Operational Plans for the Authority

(Captain Barham subsequently resigned in February 2008)

- C. In November 2007, Mr. Andrew Beaumont-Smith was engaged as the Manager for the Inspections and Monitoring Department to give support to the Senior Director. He commenced duties on November 25, 2007.

## 12. Office Space

1. Considerable effort was made to identify and secure suitable offices for the Authority. In September 2007 premises located at 1A North Avenue, Kingston Gardens was viewed and deemed suitable by the Authority and the National Land Agency. Lease documents were prepared and signed by the owners, Citrus Growers Association of Jamaica. Repairs and refurbishing to the building commenced in November 2007 and in March 2008 the Authority officially took occupancy and established its office.

## **KEY ACTIVITIES**

### **September 2006 to March 2008**

#### **13. Authority Members Inspections**

- a. The Quarterly Members Inspection Visits conducted were:
  1. St. Andrew South Division, Hunts Bay Police Station
  2. St. James Division, Freeport Police Station.
  3. Manchester Division, Mandeville Police Station.
  
- b. A general summary of the findings of the Inspections conducted by the Members is contained in **Annex 'E'**.

#### **14. Research/Bench Marking Studies**

- a. During this period the Executive Staff undertook in-depth study and research into the JCF Force Standing Orders, Book of Rules and other pertinent documents, Acts and Statutes pertaining to the JCF. Research was also conducted into other Police Services internationally in order to gain a full understanding of both the local picture and International Best Practices and thereby develop appropriate recommendations for amendments and/or changes to current Policies, Procedures and Practices. This study is ongoing and will be supported by visits to carefully selected Agencies internationally in order to observe and participate in civilian oversight of law enforcement practices and to develop benchmark standards for policing.
  
- b. In January/February 2008, the CEO accompanied by the Senior Director attended the 8<sup>th</sup> Annual Performance Management of Police Seminar in London, England. During this visit meetings were also held with:
  - a. The Kent Police Authority
  - b. The Kent Police Service
  - c. Her Majesty's Inspectorate of Constabulary (HMIC)
  - d. The Independent Police Complaints Commission
  - e. Home Office – Police and Crime Standards Unit
  - f. National Policing Improvement Agency
  - g. Representatives of the Republic of Ireland Department of Justice, Equality and Law Reform
  - h. Northern Ireland Police – Policy Planning and Performance Unit
  - i. Representatives of the RCMP – Strategic Policy and Planning Directorate.
  - j. Various individuals and Agencies involved with Police monitoring and strategic planning
  - k. Members of the Jamaican Diaspora at a meeting arranged by the Jamaican High Commission

These meetings were not only quite informative but also laid a foundation for further collaboration with and assistance from several of those agencies. Of particular note is a commitment from the HMIC to assist the PCOA in the development of a Performance Management Assessment Framework.

- c. A Performance Management Assessment Framework (PMAF) for the Jamaica Constabulary Force (JCF) is being developed. This Framework will be used by the Police (Civilian Oversight) Authority to measure and assess JCF performance on an annual basis against a set of carefully selected criteria. The Framework will ultimately allow both the JCF and the wider public to identify critical issues and desired outcomes, and to understand their impact on future police performance by:
  - Linking strategic aims, objectives and priorities.
  - Enabling progress against these aims and objectives to be monitored by stakeholders.
  - Linking individual actions to policing performance.
  - Helping to integrate national aims and objectives to local policing priorities.
  
- d. A well structured PMAF should enable the JCF to become a forward-looking, proactive and citizen-focused service which engages in an on-going process of planning, monitoring and revising what it does and how it delivers its service.

**15. Operational Audits/Inspections**

a. The development and implementation of an Inspection Programme as part of the Monitoring and Evaluation Function of the Authority was a significant part of the scaling up of operational activities. These were both Thematic and Station/Unit level inspections where specific issues relating to policy and practices were examined. Thematic Reports were also prepared to examine particular issues of importance to the JCF at an organizational level. The following themes and specific issues were covered:

- Governance, Leadership & Accountability
- Policies & Strategies
- People & Training; Resources
- Internal & External Partnerships
- The Process
- Results

b. The Table below shows the Inspection activities conducted by the Inspections and Monitoring Department.

Inspections/Visits	Thematic Reports
Matilda’s Corner Police Station	JCF Armoury
Cross Roads Police Station	JCF Firearms Policy
Papine Police Station	JCF Firearms Tactical Training Unit
Duhaney Park Police Station	
Stony Hill Police Station	
Bureau of Special Investigations	
Office of Disciplinary Regulations & Procedures	
Office of Community Safety	
Major Investigative Task Force	
Narcotics Division	

c. A summary of the key findings and recommendations is contained at **Appendix ‘F’**.

d. The Executive Management Team also held in-depth meetings with a number of Senior Officers, including:

- Commissioner of Police – Rear Admiral Hardley Lewin
- Commandant Oswald Bromfield – Island Special Constabulary Force
- Former Commissioner of Police – Lucius Thomas
- Deputy Commissioner Jevene Bent – Administration and Support Services Portfolio
- Deputy Commissioner Linval Bailey – Operations Portfolio
- Deputy Commissioner Charles Scarlett – Intelligence Portfolio (subsequently Inspector General)
- Deputy Commissioner Mark Shields – Crime Portfolio
- Assistant Commissioner of Police Justin Felice – Anti-Corruption Branch
- Assistant Commissioner John McLain – Community Relations
- Assistant Commissioner Les Green – Serious and Organised Crime
- Assistant Commissioner Paul Robinson- Firearms and Coastal Security
- Acting Assistant Commissioner Granville Gause - Bureau of Special Investigations
- Assistant Commissioner Keith Gardner - Office of Disciplinary Procedures and Regulations

## **16. Destruction of Firearms held by the JCF**

- a. Through its efforts the PCOA has been instrumental in having the JCF effect the destruction of firearms slated for such disposal. These firearms fall into three main categories:
  - JCF Firearms which are obsolete and cannot be repaired
  - Firearms that were evidence in criminal cases now concluded
  - Private firearms slated for disposal (destruction)
- b. The JCF have already passed several thousand of those firearms through a 'Metal Chopper' donated by the British Government. That machine breaks down the weapons into smaller metal fragments.
- c. In the past the JCF utilised the foundry at Caribbean Metal Castings Company Limited to melt weapons however, since that company's closure the melting of weapons had stopped. The Police (Civilian Oversight) Authority has arranged with Caribbean Cement Company Limited to melt weapons for the Jamaica Constabulary Force and have already initiated meetings between the parties. A melting operation for 2,500 firearms and other weapons had been planned before the end of 2007.

## **17. Authority Web Site**

- a. During the period reported, the Authority began the development of its Web Site. This site provides general information on the Police (Civilian Oversight) Authority, its activities and projects as well as an outline of future plans and objectives.
- b. The Site also provides links to the Police (Civilian Oversight) Authority Act, 2005, the Commission for the Prevention of Corruption, the Police Public Complaints Authority as well as information on the Police Services Commission. Links to other important Jamaican Bodies and Entities (both Government and Private) are provided along with links to International Agencies involved with Civilian Oversight of Law Enforcement amongst others. The URL for the site is <http://www.pcoajamaica.org>

## **18. Grant from USA Government**

- a. Through the United States Embassy in Jamaica and its Senior Officers, who are committed to assisting the Police (Civilian Oversight) Authority in achieving its mandate, the Government of the United States has kindly offered the PCOA a Grant of US\$174,000.00 towards the implementation of a number of projects.
- b. These projects, some of which have already commenced, are :
  - Benchmarking Studies
  - Community Outreach Activities to include
    - o Public Forums
    - o Town Hall Meetings
    - o Community Association Meetings
    - o School Visits/Talks
  - Development and publication of informational material such as:
    - o Brochures
    - o Booklets
    - o Posters
    - o Training/Awareness Videos

Other related activities are also planned.

## **19. Community Outreach**

- a. In February 2008, the Authority conducted its first Public Forum. This was held in Montego Bay, St. James, with attendees from the Parishes of Hanover, Westmoreland, St. Elizabeth, St. James and Trelawney. The Commissioner of Police, Rear Admiral Hardley Lewin, Senator, the Honourable Arthur Williams, Minister of State in the Ministry of National Security and Dr. Peter Phillips, Opposition Spokesman on National Security all delivered addresses.
- b. The attendees fully participated, asking several questions and offering various suggestions to improve policing across Jamaica. This event was extensively covered by the Media.
- c. Additional Forums will be held across the island throughout 2008.

## **OBJECTIVES FOR 2006/2008**

The following some key objectives/priorities that the Authority had set for the periods 2006 – 2007 and 2007 - 2008:

- To develop the staffing requirements of the Authority.
- To acquire adequate Office accommodations for the Authority.
- To develop Strategic and Operational plans.
- To develop and implement Inspection, Audit and Monitoring Programmes
- To conduct Benchmarking visits to recognised Oversight Authorities external to Jamaica to:
  - Determine Best Practices/Standards for Policing and civilian oversight of Law Enforcement
  - Participate in training exercises in oversight practices
  - Participate in training exercises in procedures and practices for the inspection and monitoring of Police
- To develop a Performance Management Assessment Framework for the Jamaica Constabulary Force
- To develop a website for the Authority
- To conduct Quarterly Public Meeting across Jamaica commencing in Montego Bay
- To develop and conduct other Community Outreach activities.
- To development and publish informational and training material.

**SCHEDULE OF MEETINGS  
November 2007 to December 2008**

November 30, 2007	-	Regular Meeting
December 11, 2007	-	Regular Meeting
January 22, 2008	-	Regular Meeting
February 28, 2008	-	Regular Meeting – JCF Division
February 28, 2008	-	Public Forum – Montego Bay
March 18, 2008	-	Regular Meeting
April 22, 2008	-	Regular Meeting – JCF Division
May 30, 2008	-	Regular Meeting
May 30, 2008	-	Public Forum - Westmoreland
June 24, 2008	-	Regular Meeting
Date/Venue to be determined	-	Public Meeting – Manchester
July 22, 2008	-	Regular Meeting – JCF Division
August 26, 2008	-	Regular Meeting
September 23, 2008	-	Regular Meeting
October 28, 2008	-	Public Meeting – Kingston
November 25, 2008	-	Regular Meeting – JCF Division
December 16, 2008	-	Regular Meeting

## ACKNOWLEDGEMENTS

We wish to offer our sincerest thanks to the Commissioner of Police, the Officers and other members of the Jamaica Constabulary Force and the Auxiliaries for the cooperation and courtesies extended to the Authority. The Authority knows that the JCF and Auxiliaries contain many honest and hardworking members and we congratulate them on their performance under extremely difficult conditions. We encourage those members to seek to increase and expand the quality of service to the public and work with the Police (Civilian Oversight) Authority and other entities to achieve this purpose.

Sincerest thanks to the United States Government who through its Embassy in Kingston approved a grant to the Authority to enable us to pursue a number of projects and activities.

Sincerest thanks also to the British Government, who through its High Commission in Kingston have given significant counsel and advice as well as facilitating a visit to London where the Chief Executive Officer and Senior Director attended the 8<sup>th</sup> Annual Performance Management of Police Seminar, and visited several agencies including Police Authorities and Police Services.

Sincere thanks to Mrs. Bette Black, the wife of the C.E.O., for designing the Authority's Logo.

We also wish to thank the numerous other persons who have given of their time and counsel to the Authority. With your help and continued cooperation we feel certain that we will achieve our mandate as stated in the Act.

**APPENDIX 'A'**  
**Members/Executive Management Contact Information**

**Members**

**Chairman:**                   **The Most Rev. Bishop Charles H. Dufour, C.D.**  
Roman Catholic Chancery Office,  
1 Fort Street, P.O. Box 197,  
Montego Bay, St. James

**Members:**                   **Pastor Dr. Patrick Allen, C.D.**  
President  
W.I. Union Conference of Seven-Day Adventists  
P.O. Box 22  
125 Manchester Road,  
Mandeville, Manchester

**Hon. Oliver F. Clarke O.J.**  
Gleaner Company Limited  
P.O. Box 40, 7 North Street,  
Kingston

**Mr. Rudolph G. Hamilton, O.D.**  
Guardsman Group Limited.  
107 Old Hope Road,  
Kingston 6

**Mrs. Arlene A. Harrison-Henry**  
Independent Jamaican Council for Human Rights  
109 Tower Street, Kingston

**Mr. Gladstone (Tony) Lewars**  
Price Waterhouse Coopers  
ScotiaBank Centre  
Corner Port Royal and Duke Streets, Kingston

Dr. Marshall McG Hall, C.D.  
Jamaica Producers Group Limited  
6A Oxford Road  
Kingston 5

**Executive Management**

**Chief Executive Officer:**   **Mr. Richard O. Black, CFE, CPO**  
Police (Civilian Oversight) Authority  
1A North Avenue  
Kingston Gardens  
Kingston C.S.O., Jamaica  
Telephone: 967-5219  
Cellular: 579-5076  
E-mail: richard.black@pcoajamaica.org



## APPENDIX 'B' Other Authorities/Commissions

The Police Civilian Oversight Authority in pursuing its mandate under the Act is required from time to time, to refer matters to and interact with certain Commissions and Authorities. An outline of the functions of those entities is set out below.

### **POLICE SERVICE COMMISSION ([http://www.ziplaw.com/constitu/chap\\_9.htm](http://www.ziplaw.com/constitu/chap_9.htm))**

#### **Legal Authority and Composition**

The Police Service Commission is enshrined in the Constitution of Jamaica, under Section 129 (1).

*“There shall be a Police Service Commission for Jamaica consisting of a Chairman and such number of other members, being not less than two nor more than four, as the Governor General, acting on the recommendation of the Prime Minister after consultation with the Leader of the Opposition, may from time to time decide.”*

#### **Legal Functions of the Police Service Commission**

The Police Service Commission makes recommendations to the Governor General in respect of:

- a) The appointment and discipline of police personnel from the rank of inspectors upwards
  - b) Retirements
  - c) Selection for study leave, and appeals for the entire police force.
- 

### **POLICE PUBLIC COMPLAINTS AUTHORITY (<http://www.moj.gov.jm/node/view/15>)**

#### **What is the Police Public Complaints Authority?**

The Authority is an independent, **non-police** agency with the power to investigate allegations of misconduct filed by members of the public against members of the Jamaica Constabulary Force and its Auxiliaries. Investigations are conducted in an impartial and objective fashion by the Authority's Investigative Staff which is made up **solely** of civilian employees. The Authority functions under the Police Public Complaints Act, 1992

([http://www.humanrightsinitiative.org/programs/aj/police/legislation/jamaica/police\\_public\\_complaints\\_act.pdf](http://www.humanrightsinitiative.org/programs/aj/police/legislation/jamaica/police_public_complaints_act.pdf))

#### **Who comprises the Authority?**

The Authority consists of three persons appointed by the Governor General in his discretion, by instrument under the Broad Seal (one of whom is appointed Executive Chairman).

#### **What are the Legal Functions of the Authority?**

- a) **To Monitor** the investigation by the Force of any complaint or other matter to which the Act applies with a view to ensuring that such investigation is conducted impartially.
- b) **To Supervise** the investigation of complaints by the Force.
- c) **To Undertake** direct investigation of complaints.
- d) **To Evaluate** and report to the Minister of Justice from time to time on the system of handling complaints.

## COMMISSION FOR THE PREVENTION OF CORRUPTION

(<http://www.moj.gov.jm/node/view/8>)

### **What is the Corruption (Prevention) Act 2000?** (<http://www.moj.gov.jm/cpa>)

The Corruption (Prevention) Act 2000 was established to eliminate bribery and corruption within the government services. The act requires that certain categories of public servants make statutory declarations of their assets, liabilities and income. It makes provisions for the investigation of those government employees whose declared assets are not in keeping with their total emoluments. The Act is administered and enforced by the Commission for the Prevention of Corruption.

*The Regulations became effective January 31, 2003.*

### **Who comprises the Commission?**

The Commission for the Prevention of Corruption comprises of five (5) members/commissioners appointed by the Governor General as under the First Schedule, Section 3 – 1 of the Act:-

*“The Commission shall consist of (a) – the Auditor General; (b) four other persons (thereafter referred to as “appointed members”) appointed by the Governor General after consultation with the Prime Minister and the Leader of the Opposition from the following categories of persons –(i) members of the Privy Council; (ii) the president or any past president of the Institute of Chartered Accountants of Jamaica; (iii) retired Judges of Appeal or retired Judges of the Supreme Court; (iv) persons who have held the post of Commissioner of Income Tax, Financial Secretary or Auditor General.”*

### **The functions of the Commission shall be:**

- To receive and keep on record statutory declarations furnished by public servants pursuant to the Act;
- To examine such statutory declarations and to request from a public servant any information relevant to a statutory declaration made by him, which in its opinion would assist in its examination;
- To make such independent enquiries and investigations relating to a statutory declaration as it thinks necessary;
- To receive and investigate any complaint regarding an act of corruption;
- To conduct an investigation into an act of corruption on its own initiative, if it is satisfied that there are reasonable grounds for such investigation.

## APPENDIX 'C'

### MEMBERS GUIDELINES AND WORK PLAN

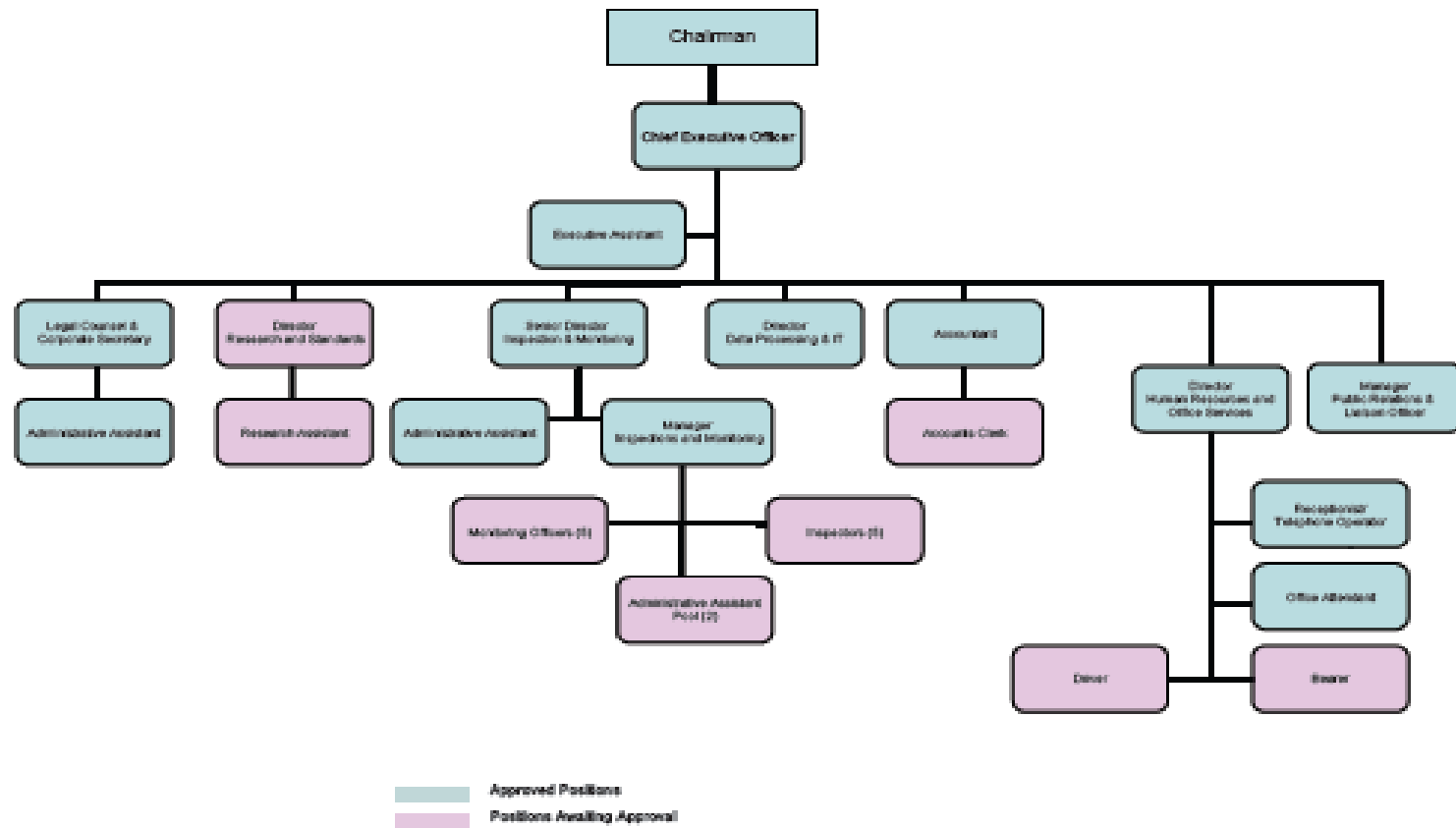
At the first meeting of the Authority in September 2006, the Members outlined the following guidelines for its general functioning:

1. Meetings – 4<sup>th</sup> Tuesday of each month Venues to be determined as necessary.
2. Time of meetings – 10:00 a.m. to 3:30 p.m.
3. Rural Meetings – It is intended to hold at least two PCOA meetings outside of Kingston each year.
4. Suggested format for meetings –
  - 10:00 a.m. to 10:30 a.m.** - Review minutes of last meeting
  - 10:30 a.m. to 11:30 a.m.** - Commissioner of Police or his representative presents a review of activities concluded in the previous month with related discussions this to include HR plus Finance/Budget.
  - 11:30 a.m. to 1:00 p.m.** - Review specific chosen area of work for PCOA for month
  - 1:00 to 2:30 p.m.** - Lunch – invite representative of the JCF/Auxiliaries/other persons to meet informally with PCOA.
  - 2:30 p.m. to 3:30 p.m.** - Meet a number of external persons e.g. DPP, Solicitor General Professor Anthony Harriott, Chief of Staff, Permanent Secretary to National Security Ministry, Public Defender, Bishop Herro Blair, Jamaicans for Justice, Police Complaints Board, Anti-Crime Corruption Commission
5. Suggested Work Programme for the PCOA:-
  - Inspections – work with the police on its plan to reactivate its Inspections Unit and to review and comment upon inspection reports.
  - Police Use of Firearms
  - Professional standards
  - Anti Corruption
  - Finance
  - Crime
  - Physical Assets
  - A project with the Special Constabulary and the District Constables
  - Management Structure of JCF and Capacity
  - Programme for producing effective managers/leaders
  - Training
  - Treatment of victims of sexual crime

6. Authority Visits – The Authority will from time to time visit a Division or Department for a day or half day. This will be good for visibility and early impact. It is proposed that:-
  - The Division/Department be informed beforehand and asked to prepare a separate programme for each member of the Authority. An individual/separate programme for each member of the Authority and visits take place with each member of PCOA looking at a different area of interest, e.g. Criminal Investigations Bureau, prisoner management, community, safety, administration, firearms control, etc.
  - At the end of the visit a round table discussion will take place with the JCF senior staff to discuss what has been seen and giving officers a chance to respond. Out of this is likely to develop actions to be undertaken possible by the Commissioner and possibly by the Authority. These discussions should be minuted and discussed at the next meeting of the PCOA.
7. Transparency & Accountability  
Decisions should be taken about the following matters:
  - a. Public meetings of the Authority to be held, two or three times a year, to review in public the implementation of the work of the PCOA
  - b. To make available to the public on a timely basis, the minutes of the PCOA meetings with appropriate crime statistics, etc – these to be placed on a web site

## APPENDIX 'D' ORGANISATIONAL STRUCTURE

### Police (Civilian Oversight) Authority Organisation Chart



**APPENDIX 'E'**  
**SUMMARY OF INSPECTION VISITS BY AUTHORITY MEMBERS**

**Firearms and Ammunition**

**1. Findings**

- Concerns were expressed by Police personnel about the working relationship between the Jamaica Constabulary Force (JCF) and the Firearm Licensing Authority (FLA) concerning the management of civilian weapons. It was felt that the procedures were either not well worked out or not properly communicated to the individuals of both agencies who work on the ground.
- Quantities of apparently defective and/or obsolete firearms were seen during the inspections.
- Quantities of apparently defective, ageing and expired ammunition were seen during the inspections. In some cases 'in-service' rounds where the war-heads could be removed were observed. There is a cost attributed to both the wastage and disposal of ammunition. There are also potential safety and public health risks involved.
- Exhibit weapons and ammunition are not properly stored and are handled without gloves. Some of these weapons are being kept for cases still before the courts.
- Exhibits weapons are stored with either JCF or civilian weapons and ammunition.
- Many Police personnel had not been recertified annually as required by Force Regulations.

**2. Recommendations**

- Private firearms and ammunition, whether police or civilian, should not be stored with JCF weapons and ammunition.
- Ammunition should be regularly checked by the JCF Armoury. Ammunition nearing or past an expired condition as well as defective ammunition should be withdrawn with a determination made as to which should be disposed and which should be used for training purposes.
- Exhibits should not be stored with either JCF or civilian weapons and ammunition. There should be a separate Exhibit Room with a separate chain of custody, accountability and proper exhibit management system to preserve the evidence.
- The working relationship between the JCF and the FLA needs to be examined.
- Every effort must be made to ensure that firearm reclassification is done annually.
- Regarding the quantity of apparently defective, obsolete and poorly maintained firearms seen during the inspections, the PCOA recommends that:
  - An immediate audit on all firearms held throughout the JCF be conducted to determine their functionality.
  - Firearms that can be repaired be sent to the JCF Armoury in Kingston for action.
  - Firearms that cannot be repaired or are otherwise slated for disposal be sent for proper destruction and disposal immediately.

## **Logs and Inspection Reports**

### **1. Findings**

- At several of the Stations inspected the Registers/Log Books are not clearly labelled and not properly filed.
- Registers/Log Books in many cases not up to date. The last entries recorded in some Books go as far back as 6 to 9 months when in fact there were matters which should have been recorded.
- The lack of cross referencing between the appropriate Station Registers/Log Books appears to be a systemic problem. In various Stations there appeared to be no systematic transfer of information from the Station Diary to the relevant Log. For example, an assault may be recorded in the Station Diary but not recorded in the Crime Book, so the possibility exists that the case may never get reported and therefore not investigated.
- A stark example of inadequate documentation is the case of a missing person entered on August 1, 2007. The next entry was on August 22, 2007, to indicate that the person returned home. There is no evidence of risk assessment considering that the individual is a minor (12 years old), and no working file to say who was assigned the case or any evidence of cross referencing. It may be possible that the necessary investigation was carried out, but there is no record to indicate what actually took place.
- There is a critical shortage of Log Books and appropriate Registers. In one instance, the Station Diary had to be cut to make a required Register.
- Across the Stations inspected, there are frequent occurrences where persons signing the Register have omitted to include their regulation number and rank.
- Too many entries are shortened. There are many instances of a tick and ditto, where entries should be written out and signed.
- While persons sign for weapons, in some cases no diary entries are made in the relevant Log Book to indicate the types of duty or movement of the firearms.

### **2. Recommendations**

- Registers/Log Books need to be more easily identifiable by proper labelling and filing.
- Station Commanders and Divisional Officers should regularly check to ensure that the records are being properly maintained. Officers who fail to do so should be appropriately reprimanded and disciplined.
- Workshops or seminars in proper Record Entry and Record Keeping methods should be conducted.
- The Records System should be computerized to make the process less tedious.

## **Custody of Civilian Property (including civilian firearms for safe keeping)**

### **1. Findings**

- In some Stations items were seen where there was no record of when they arrived, to whom they belonged or whether those items were associated to cases under investigation. An example of this observed at one Station was two televisions seen on a shelf in the Exhibit Room but not able to be traced to any case investigated or under investigation. No record of their presence at the Station could be found.
- In some cases items which were no longer in custody and had been removed were still recorded as being in police custody. Another demonstration of improper record keeping.

## **2. Recommendations**

- Proper records and tagging of property in custody must be maintained and should be regularly checked by the Station Commanders and Divisional Officers.
- The provisions of the Jamaica Constabulary Force Act relating to the sale of property in Police custody are not being carried out and if the procedure is not followed Stations will become grossly overcrowded with stored property. The Act requires that items be auctioned after being in custody for three months.

## **Fixed Assets and Mobility**

### **1. Findings**

#### **Buildings**

- Some of the Station buildings inspected were found to be in poor condition and in need of repairs.
- In some cases the Offices seen were too small for effective functioning.
- The sleeping facilities provided for the Police personnel are not well provisioned (rooms with no sheets for beds and, in some rooms, no beds at all).

#### **Motor Vehicles**

- There is a shortage of motorcycles as well as marked and unmarked motor vehicles.
- Divisions suffer from a reduction of their fleet because of vehicles out for repairs.

#### **Other Equipment**

- Stations are equipped with radios; however, there is a need for additional portable units.
- There are fax machines in the Divisional Offices; however, there is a constant shortage of stationery, ink and cartridges.
- Many Stations lack fax machines
- In several instances Ballistic Vests are in short supply and many seen are in use long after the integrity (shelf-life) expiration date.

#### **Other Issues**

- The compounds at many Stations/Divisions are filled to capacity with vehicles being stored; not only as evidence for court proceedings but in many instances kept after cases are concluded.

### **2. Recommendation**

- Generally the fixed assets of the Divisions are woefully inadequate and reflect the lack of financial resources of the Divisions. These concerns need to be addressed urgently.

## **Treatment of Sexual Offences**

### **1. Findings**

#### **Carnal Abuse**

- In many cases the offenders are not aware that the victim is under age. In all cases, when the defendant is charged, they are usually traumatized by the reality that they have committed an offence. There are no provisions made for the counselling of offenders.



### **Storage of Exhibits**

- At many Stations there are inadequate facilities for the storage of exhibits. Often the refrigerators available for storage of exhibits are quite inappropriate:
  - They are frequently used for domestic purposes
  - They are not secure
  - There are no controls in place

### **Medical Certificates**

- Often there is a long waiting period for the receipt of Medical Certificate associated with cases under investigation; this has been creating serious problems and has compromised many cases being dealt with.

### **Resources**

- Generally there is a lack of adequate facilities to conduct interviews. The lack of privacy can severely increase the trauma that victims suffer.
- The facilities seen are often shared by other individuals and do not provide privacy for the victims or witnesses

### **Case Management**

- Station level Case Management generally lacks order and in several instances is not linked to the established Divisional Case Management System.
- Generally, the evidence provided often fails to demonstrate that the current system ensures proper allocation, monitoring and evaluation of cases.
- In several instances there is no evidence of review minutes in case files by the Crime Officer or Divisional Detective Inspector (DDI), as required by JCF policy, to ensure proper monitoring.
- Frequently case files lack the basic elements of file preparation such as work sheet and proper indexing.
- Frequently, there is no cross referencing of reports to the Crime Book.
- In general, insufficient and poorly trained human resources add to the inadequacy of the system.

### **Recommendations**

- Proper facilities for the storage of exhibits must be provided.
- The issue of inadequate counselling needs to be examined carefully and addressed.
- There is need for greater collaboration between the Police Department and the Ministry of Health to address the critical issue of Medical Certificates.
- Private areas should be provided for interviews, particularly of victims.
- Case Management system should be reviewed.
- Station Commanders and Divisional Officers should be held accountable for ensuring that proper systems and procedures are followed.
- Standard Operating Procedures (SOP's) as to how cases of sexual abuse are reported and investigated should be in place throughout all Stations and those assigned to deal with such cases must be fully conversant with these SOP's

## **Professional Standards & Anti-Corruption**

The PCOA examined the measures in place to combat corruption and to deal with misconduct on the part of JCF Members.

### **1. Findings**

#### **Anti-corruption**

- The long delays in dealing with interdictions or suspensions do not assist the administrators in dealing with malpractices.
- A new phenomenon involving the seizure and towing away of vehicles is believed to be underway. Police Personnel are allegedly in alliance with towing service providers and receive kick-backs from the towing fees. As a consequence, Administrative Directives have been issued to personnel in at least one Division, that no seizure should be conducted without reference to an Officer or Senior Sub-Officer.
- In relation to seizures of ganja and other drugs, instructions are in place to ensure that each seizure is weighed in the presence of a Senior Officer who is charged with ensuring the proper recording of the amounts. In some instances, assurances were given that weekly lectures are done on these and other related topics by the Crime Officer and others; this does not appear to be consistent throughout the Stations and Divisions inspected so far.

#### **Administration of Discipline**

- The “Defaulters’ Registers” ought to reflect the state of disciplinary action taken and the general state of the conduct of personnel.
- In a number of instances the Defaulters Register was improperly maintained and not current.
- It is vital that disciplinary matters are dealt with expeditiously as failure to do so gives the impression that members can breach the disciplinary code with impunity.

#### **Prisoners and Lock-Ups**

### **1. Findings**

- Generally the lock-up facilities are grossly overcrowded. Beds are in short supply and prisoners at times have to sleep on the floor.
- In several instances these facilities appear to be inadequately ventilated.
- Bathroom facilities in some instances were deemed unfit for human use.
- In some Stations the prisoners were given neither a medical nor a psychological examination before being placed in the lock-up. The medical or psychological state of prisoners, unless obvious, would only come to light after a problem arises. The prisoners thus could have a communicable disease or a psychological condition which puts the prisoner himself, other prisoners or the guards at risk and this would not be known at an early stage where it could be addressed or managed.
- In some Stations inspected, the necessary medication was not readily available and a number of illnesses were reported to have occurred at several of the facilities.
- In several instances the Legal Aid system seems to have broken down and it was reported that it often takes a longer than reasonable period to have persons brought before the Courts.
- Often Lawyers appear to be unwilling to represent persons as there is either low pay or no pay.

## **2. Recommendations:**

- Beds should be provided for each prisoner.
- Cells should be properly ventilated.
- Generally, the lock-up facilities need immediate upgrading, especially with regard to sanitation, ventilation and lighting.
- Overcrowding of prisoners should not be permitted. Regional Remand Centres are needed for long term prisoners. Policemen are not trained to manage or care for long term prisoners.
- Methods to improve the general welfare of the prisoners should be considered as the current conditions can be psychologically damaging to them.
- The JCF needs Police Surgeons and Police Psychologists. All persons taken into custody should be given a mental and medical examination. This would be for their own safety and well being, for the safety and well being of other prisoners, for the safety of the Guards and for use as a Risk Management tool for the JCF and the State as they both could jointly become liable for deaths or injuries.
- The Junior Doctors Association and the Jamaica Medical Association should be approached to ask doctors to volunteer their services.
- The lack of legal representation for prisoners is an urgent matter which must be addressed.

**APPENDIX 'F'**  
**SUMMARY OF KEY FINDINGS & RECOMMENDATIONS**  
**GENERAL AND THEMATIC INSPECTIONS**

Based on these areas within the JCF that were examined by the Authority, the following observations were made.

**Inspections**

**Governance, Leadership & Accountability**

**Findings**

- The levels of supervision and accountability were low with many breaches of procedure going unaddressed. The Station records show that external inspections were infrequent and lacked rigour. Staff indicated that better procedures and processes for communication were required.
- The management style appeared far too hierarchical and lacking in consultation -This does not properly support the sharing of information, teamwork and the building of mutual trust and respect. Many Sub-Officers indicated that the support they required from their immediate supervisors in order for them to function effectively and effectively was lacking.
- In instances where Officers insisted on high standards, but were firm yet fair; where they were open and consultative; and where they build trust and respect; personnel seemed to function more effectively and efficiently and indicated higher levels of job satisfaction and confidence in the organization.
- The Staff Structure at the Commissioner's Office seems inadequate to support both planning and the proper monitoring and evaluation of the day-to-day operational and administrative activities of the Force. At present, the Commissioner of Police has only one dedicated Staff Officer. The present structure and high degree of centralization impacts the entire Force filtering down to the performance of individual Stations.

**Recommendations**

- The structure of the Force, its lines of reporting and authority, and systems for accountability need to be re-examined. In addition to possible restructuring, the Force needs to consider decentralization, especially to the Divisional and Unit levels. These line commanders should be given more authority and the efforts of the Commissioner's Office shifted more to monitoring and evaluation and holding Divisional and Unit Commanders accountable.
- For international benchmarks in governance and accountability a closer examination of the Northern Ireland and New South Wales and Victoria models in Australia are useful.

**Policies & Strategies**

**Findings**

- There appears to be insufficient policies, procedures and protocols in place. Even where these existed, staff was generally unfamiliar with their contents and their requirements. This meant that almost every member of staff interviewed had a slightly different perspective on the correct way to carry out his or her duties. This produced deviations in practices both within Stations and between Stations.
- Based on the absence of supporting documents, as well as the comments from staff, there appears to be insufficient planning at all levels of the Force and very little innovation. The same strategies seem to be repeated year after year with little fundamental change in the approach, even though it should be seriously questioned whether these strategies are working.

- Based on interviews with some members of the JCF and with members of the public, the perception appears to be that problem solving is largely confined to throwing more resources at problems or increasing the existing operational tempo as long as the staff can sustain it. Few JCF members interviewed seemed to have confidence in the overall strategy of the Force. Because of the slow and poor quality communication which exists, few feel any ownership of existing policies and strategies.
- The Major Investigative Task Force, on their own initiative, prepared procedures for their Unit and put them into use pending approval from the Commissioner's Office. The positive impact of this effort on performance and accountability, when compared to some other areas inspected, were noted.

## **Recommendations**

- There needs to be a dedicated planning unit which would also be responsible for continuously updating policies and protocols at the Force level. Commanders of specialist units should be responsible for preparing procedures and protocols for their own units and keeping them updated annually, although they would be ultimately approved by the Commissioner's Office.
- The Commissioner's Office should produce a comprehensive 5-year plan which would be updated annually to reflect current realities and priorities. Every Division and Unit should be tasked to produce a comprehensive one-year plan, drawing on the one-year and five-year Force plans but reflecting local realities and requirements.
- The Police Planning Processes of the Republic of Singapore could be examined and used as a benchmark.

## **People & Training Findings**

- The human resources of an organization are its most important asset. Some of the human resource issues the JCF faces include recruiting the correct people, promoting the correct people and giving the correct training to all staff on an ongoing basis.
- Many JCF leaders, supervisors and trainers indicated that quality of recruits is not always up to the required standard in terms of academics, ethics and socialization.
- The facilities of the Jamaica Police Academy are not at an acceptable standard. These deficiencies affect both living conditions and training facilities.
- Jamaica has an armed police service. It is of some concern therefore, that we have observed that many Police Officers go long periods without refresher training, and consequent recertification. We note that some progress has recently been made in this area with respect to the formation and operation of the Firearms & Tactical Training Unit. This Unit, however, requires much more resources if the JCF is to achieve acceptable standards.
- Linked with on-going training is the issue of promotion. Many persons are promoted without first training them for the rank or position they are to hold. We note the case of one Sergeant of eighteen years who attended a Sergeant's Course after holding that rank for thirteen years. We have noted Inspectors who have been put in command of Stations but have not had training related to that rank or that appointment.

- A number of Police Officers have indicated that they perceive the system of promotion to lack transparency focussing more on length of service rather than merit. Despite teething problems, many feel that the Accelerated Graduate Entry Programmes are good for the Force. However, these programmes alone are not the solution to the problem. Many leaders in the JCF do not employ generally accepted management techniques to complement their operational skills.
- There are a final set of issues which also need urgent attention. One is the practice of persons being kept for many years in one post. This can lead to lower performance, limiting the individual's experience and/or helping to facilitate corruption. There must be a proper system of rotation and relief. There are also the related issues of the length of the work week, practices surrounding sick leave and a failure to take or be granted leave.

### **Recommendations**

- The ultimate success of the JCF rests largely on the quality of its people: the leadership in terms of setting the correct tone and charting the correct course; and the ability of the staff, especially on the ground, to execute their functions efficiently, effectively and professionally.
- The JCF, like many other employers in Jamaica, faces challenges when seeking recruits. However, given the nature of policing, it is imperative that the Force recruits the best possible candidates who possess not only academic qualifications but high degrees of emotional and social intelligence. While some efforts are being made to address both recruiting and recruit training, much more attention is required in this area, not least of which is the need for increased resources.
- The conditions under which young men and women are initially trained and socialized when they enter the Force will have a long term impact on their perception of the JCF and the quality of service they provide to the public. The quality of the Jamaica Police Academy facilities must be of the highest standard. The quality and quantity of the training must be of the highest standard and of such sufficiency and duration to produce well educated and socialized Policemen and women.
- Learning is now accepted to be a lifelong process. On-going training of existing personnel is critical to the maintenance of high standards of service delivery. On-going training must be open to all personnel and not limited to a few. This training must not only reinforce existing skills but must develop new skills wherever the need exists.
- All armed Police personnel must be given sufficient firearms training and recertification at the required periods as required by the Force Regulations.
- We believe that training, promotion and placement should be integrally linked and supportive of one another. Every member of the Force should be properly trained prior to promotion and appointment. Training not only helps to equip people with skills but helps to assess the suitability of candidates for placement and for promotion.
- The promotion process needs to be transparent and competitive and be primarily based on merit and ability. In the coming year this will be an area of close examination. More management training for leaders and the possible use of secondments to broaden the experience and exposure of leaders is required.
- An examination of the British standards of training for armed Police is worthwhile, especially given the British contribution to the JCF in this area.
- A good Police model in the areas of selection, training and promotion is the Swedish Police. Sweden is widely reputed to have one of the best trained and led Police services in the world.

## Resources

### Findings

- The JCF lacks critical resources and in the medium to long run will probably require more resources to enable it to deliver a better service. What is however apparent is that existing resources are not properly managed. If the quality of the management of existing resources is not first improved, then additional resources will not produce the additional benefits expected.
- There is an absence of an up-to-date establishment for personnel and an up-to-date scaling for equipment. The scaling for equipment also needs to be tied to a pre-determined obsolescence schedule. The absence of these, negatively impacts on planning at all levels. It also impacts specific issues such as procurement, recruiting and promotion. It also affects the ability of Divisions and Units to determine realistic goals and planned levels of performance which ultimately affects service delivery to the public.
- We note that the management of firearms and ammunition was one of the areas of significant deficiency. Record keeping for both firearms and ammunition was poor and inconsistent. Security was not always up to accepted standards. There is no process for inspecting, test firing and maintaining firearms and rotating ammunition.
- Mobility remains an ongoing problem. However, while mobility is important, the shift toward community policing requires a switch to more foot patrols in urban areas. The problem with Police mobility is not so much the number of JCF vehicles, which presently stands at over one thousand, but the age of the fleet and the level of servicing they receive.
- The issue with communications lies primarily with the number of radios. Many Police Officers rely on personal cellular telephones to conduct Police business.
- Many Stations are in a deplorable condition with several being uncomfortable working environments and some possibly being health hazards.
- The conditions under which prisoners are held are often even worse and violate the basic human rights of those persons detained under those conditions. Our investigations suggest that there is no proper maintenance schedule for buildings.

### Recommendations

- There are a large number of firearms awaiting repairs because of a shortage of parts, tools and armourers. The JCF needs to determine if purchasing new firearms is a better, more cost effective approach than repairing and reissuing old weapons, many of which may have years of service left in them. The ballistic 'fingerprinting' of all service weapons should be given high priority; assigning each Police Officer a 'sole-use' weapon to improve accountability and care needs to be considered. A shift toward handguns, sub-machine guns and shotguns and away from military-style assault rifles should be considered combined with the integration of less-lethal weapons and greater personal protection.
- A proper procedure for the procurement and replacement as well as the appropriateness of Service Vehicles needs to be established.
- Consideration should be given to the procurement of more diesel 4x4 twin-cab pick-ups as these may be more suitable for the hilly terrain and poor roads found in many areas of Jamaica. These could be supplemented in deep-rural areas by 4 x 4 All Terrain Vehicles (ATV's) which are rugged and relatively inexpensive. The proportion of Sports Utility Vehicles and Motor Cars in the fleet could be reduced and used primarily in urban areas.

- The JCF should consider a Controlled Cellular Phone system to augment the Communication System. This would include the establishment of a Force-wide Caller User Group (CUG) for internal communications and placing a monthly call limit for outgoing calls on most land-lines to enhance communication and control cost.
- A possible solution for improving the maintenance of JCF facilities is the creation of a professionally staffed Police Estate Management Branch.
- Responsibility for medium and long term prisoners should be transferred to the Correctional Services to reduce the excessive demand on JCF resources in this area. The custody of prisoners on a longer term basis should not be the responsibility of the Police but rather the Correctional Service.

## **Internal & External Partnerships Findings**

- a. It has become widely recognized that any successful reduction in crime and anti-social behaviour will only be achieved by multi-agency partnerships, drawing together stakeholders into a public-private partnership arrangement which includes the Police. The success of any organization also centres on issues of teamwork and good internal communication and co-ordination. This is the context behind an examination of Internal and External Partnerships.
- b. The JCF is currently in the process of building its capacity in Community Safety and Community Policing and has been in the process of preparing a policy and a strategy. This is of course a good place to start. There is however a lack of a National Policy. There have been some promising programmes, such as the Safe Schools Programme, but also a history of false starts, a lack of resources and a lack of commitment to see these programmes through. Community Policing is an ideal policing approach and fits well with the principles of democratic policing and Police accountability. The evidence shows, however, that the transition takes at least ten years and requires cultural changes in addition to changes in operational practices. It also requires additional resources and a strong and unwavering commitment from senior Officers.
- c. Currently the overall internal and external partnership framework does not appear to be well developed. Internally the communication and coordination process is less efficient and effective than it should be. There are also examples of departmental “turfing” and a failure to share information and transfer knowledge. This is unfortunate as many members of the JCF possess significant skills and knowledge which if shared and reflected in plans, policies or training programmes would be an important lever for promoting higher levels of efficiency, effectiveness and professionalism.
- d. The poor relationship with civil society and the poor image of the Police by those stakeholders is a serious problem which requires urgent attention. Without a mutually respectful and a co-operative relationship, there can be no sustained improvement in community safety and security.

## **Recommendations**

- a. Good examples of successful community policing are to be found in both Japan and Singapore. An interesting case of the difficulties with implementing a community policing programme is to be found in South Africa.
- b. There is a need for a formal multi-agency approach to community safety and security under a legislative framework and subject to a monitoring and evaluation programme to ensure accountability and sustainability. The British framework of Local Strategic Partnerships, Crime and Disorder Reduction Partnerships and Community Safety Partnerships is worth examination.



## The Process

### Findings

- The process by which the Police have managed crime and disorder has changed little in the last few decades although crime and disorder have both increased significantly.
- Although there have been numerous crime plans, high-publicity strategies with military styled Code Names and special squads, some of them with dramatic acronyms, the reality has generally been an increased level of the same operational process. The heightened operational tempo is sustained until human and physical limits inevitably lead to a return to the normal state of things. The underlying problems which drive crime and disorder, and the deficiencies in the policing process, tend to go un-addressed. Also, some of the most serious instances of actual or alleged Police abuses of human rights have been at the hands of special squads.
- There have been some successes with programmes such as Operation Kingfish and the formation of the Major Investigative Task Force. However, the entire operational process requires fundamental overhaul.
- Despite the fact that the JCF has grown to about eight thousand three hundred persons, plus several thousand more in the Island Special Constabulary Force and among District Constables, there has been no positive impact on crime and disorder.
- Most of the Stations visited seem undermanned by between one-third and one-half of the ideal strength, and many Stations seemed to have had greater complements of uniformed personnel in the past.
- The analysis of the deployment of the JCF is an area that will receive greater Authority scrutiny in the coming year.
- We also note the problem of supervision at the Station level. Too many Stations inspected are commanded by Sergeants instead of Inspectors. Also, Stations do not have a dedicated Patrol Sergeant, Station Sergeant or a Community Relations Officer, preferably at the rank of Sergeant.
- In general the current Station structure often has an Inspector, a General Duties Sergeant, a CIB Sergeant and a Traffic Sergeant. What we have observed in the current arrangement means that sometimes the Station, Patrol and Community Outreach functions are without adequate supervision and Inspectors spend too much time on Administration. Often Sergeants and Inspectors are required to do Night Duties at places such as the Kingston Public Hospital, which do not have an established Police Post.
- Interviews of citizens have indicated a preference for highly visible uniformed Police personnel on foot. They have also indicated a concern for the confidentiality of information given to the Police. Improved customer service was considered a priority with courtesy and anger-management being high on the list. The public does not appear comfortable with plain-clothes Police personnel, especially those with high-powered weapons, and have indicated a preference for neatly attired Officers.

## **Recommendations**

- Some of the practices which need to be reconsidered include the use of special squads whose line of reporting is not to the Station or the division in which they sometimes operate. This leads to less co-ordination and sometimes less accountability.
- We suggest the abolition of all special squads and the creation of a single Armed Tactical Unit for each division and a single Armed Tactical Unit at the Force level. These changes should put more 'boots' on the ground and significantly improve coordination and accountability.
- The structure of command and control at all levels, but particularly the Station level, needs to be re-examined.
- Improved Customer Service Delivery should be at the centre of the operational process. A mechanism to protect information provided by the general public which would reassure them and improve the flow of valuable real-time information and intelligence must be put into place
- We are unconvinced that either more Police or greater force will positively impact crime and disorder.
- Our initial inspections indicate that there should be:
  - Better utilization of existing human resources
  - Transfer of certain functions to civilian staff
  - Removal of mid and long term custody management from the Police.

## **Results**

- The Police on their own cannot have a sustained and significant impact on crime and disorder. Success depends on a multi-agency approach and community involvement and support. The methodologies used over the past several decades have only served to widen the gap between the Police and the communities they serve and a series of significant reforms of the Police will be required if it is to make the contribution which is required and which it has the potential to provide.
- Despite the problems, interviews with citizens show fairly high levels of public support for the Police and a willingness to work with the Police to solve community problems.

## **Narcotics Division**

### **Findings**

- Many of the problems faced by this Unit are common throughout the JCF. There are some other issues which were revealed by our inspection.
- The accumulation of large quantities of drugs for evidence poses a safety, a security and a health risk. To effectively deal with this would greatly help evidence management, but would possibly require either new legislation or new ministerial regulations.
- Another issue relates to forfeiture of assets. Many seized vehicles currently rot away while in the custody of the Police. They could be used operationally by the JCF or sold to raise funds for the JCF.
- The Government is still liable for seized assets whether they are used to improve policing or simply allowed to rot away.
- The inability of the Police to access at least some of the proceeds of crime to assist in fighting crime is another concern.

## **Recommendations**

- Introduce a mechanism to destroy most of the drugs interdicted and retain only a sample for evidential purposes.
- Introduce a mechanism to allow the Police to access the proceeds of crime and seized assets to assist in crime fighting.

## **Major Investigative Task Force Findings**

- The operation of this newly formed Unit indicates that the JCF is capable of much higher standards of professionalism and greater efficiency and effectiveness once more assertive leadership is in place and planning and policy making are put in place.
- While lacking a formal, up-to-date establishment, this was one of the few Units that had formal procedures in place. These procedures were prepared at the initiative of the Assistant Commissioner of Police in charge of the Unit. Although at the time of inspection these procedures were awaiting formal approval from the Commissioner, the Unit had put them into practice to great effect.
- Despite deficiencies in training and many other problems the Unit has a professional feel to it.
- The Assistant Commissioner of Police in charge has also had considerable success in building internal and external partnerships and has received considerable external support. Many Police Officers have indicated a problem with external partnerships and a dislike for soliciting assistance for the JCF. Many have also indicated that the policy framework or lack thereof, frustrated both the Officers who solicited external assistance and the donors. Some Officers also indicated that in the Jamaican cultural context, some persons who give assistance might feel that they could influence the Police.

## **Recommendations**

- The ability to work with external agencies and to successfully solicit external assistance is critical and necessary skills for the modern Police officer and one which is highly prized by some Police Services internationally. This is an area that may need both clear policies and relevant training.
- All Divisional & Unit Commanders should be responsible and accountable for preparing and updating departmental policies and procedures.

## **Thematic Reports Findings**

A number of reports were prepared in the related areas of the Force Armoury, the Management of Firearms and Ammunition, Firearms and Tactical Training and the Use of Force.

- The management of firearms and ammunition requires urgent attention.
- The armoury lacks the staff, tools and spares to maintain JCF weapons to the required standard. This must be addressed as a matter of urgency.
- A programme to determine when and whether weapons require repairing, upgrading or replacement should be developed.

- While ammunition has a shelf-life of up to 20 years under ideal conditions, there is no programme in place to rotate old ammunition for use in training. Operational rounds get damaged largely by everyday use and need to be regularly replaced by fresh rounds. Old ammunition is potentially explosive and there have been several cases worldwide of Police and military ammunition dumps exploding.
- The failure to ensure that all Police Officers recertify on firearms annually is of great concern. This exposes both the Police officer and the public to greater danger and makes the Force less effective than it should be. The Firearms Tactical Training Unit (FTTU) is developing training manuals, which is a very positive step and the training which they are giving the JCF is world-class. The problem, however, is twofold: ensuring that the new tactics are put into practice and that the operational resources such as vests, helmets, shields and radios are in place. These new tactics, which meet international standards, are more effective and reduce risk to both the Police and the public. There is, however, some resistance from a few individuals who are firmly committed to the principle that policing in Jamaica requires a heavy hand. It is hoped that in the near future, with firm commitment from the top, these attitudes will change.

### **Recommendations**

- There is an urgent need for a clear Policy to guide weapons selection, testing, procurement, distribution, maintenance and disposal.
- A Board should be convened to determine the status of thousands of revolvers and shotguns awaiting repairs to determine if it is more economical to repair and maintain rather than replace.
- We note that over one-thousand sub-machine guns were purchased but determined to be faulty and have had to be returned and replaced by the manufacturer. This matter should be the subject of a Board of Inquiry.
- The cost at which some new weapons have been purchased and the source used needs to be more fully explained and possibly re-examined. The cost of the MP5 sub-machine guns appears to be much higher than a check of listed international prices would suggest.
- While the cutting and melting of weapons in 2007 is a positive move, the maintenance of weapons and management of ammunition must also be an integral part of the process.
- The use of military assault rifles and the need for Police to possess 50 calibre sniping rifles needs to be re-examined. We would suggest that a combination of sub-machine guns, handguns and shotguns along with adequate personal protection in the form of ballistic vests, helmets and shields would provide the Police with adequate fire power while reducing the instances of collateral damage to life and property. The greater use of less lethal weapons also needs to be considered. This shift in weapons and protection would also fit well with the new tactical philosophy being developed by the Firearms and Tactical Training Unit (FTTU).
- The solution to this issue requires that the FTTU has an adequate establishment and adequate resources, neither of which it currently has.
- The policy on the Use of Force needs to be re-examined. The latitude given to the Police in internal JCF Regulations and by the Courts needs to be re-examined. This important area cannot be overlooked. The famous cases of *Weeks v. United States (1914)*, *Mapp v. Ohio (1961)* and *Tennessee v. Garner (1985)* all had a powerful effect on curbing Police abuses and shaping Police practices in the United States. The first two cases relate to the exclusionary rule for evidence and the latter relates to the 'fleeing felon rule'. The government should consider a comprehensive legislative framework, similar to the British *Police and Criminal Evidence Act (1984)*, to govern Police use of Force, arrest, detention and evidence management.

**APPENDIX 'G'**  
**CRIME STATISTICS**  
**November 2006 to October 2007**

Below are crime statistics as reported in the Commissioner's Monthly Reports to the PCOA for homicides, shootings, Police fatal and non-fatal shootings, firearms recovered and ammunition recovered as follows:-

**November 2006 to March 2007**

<b>Month</b>	<b>Homicides</b>	<b>Shooting</b>	<b>Police Fatal Shooting</b>	<b>Police Non-Fatal Shooting</b>	<b>Firearms Recovered</b>	<b>Ammunition Recovered</b>
<b>November 06</b>	135	117	21	13	75	342
<b>December 06</b>	113	94	22	5	69	471
<b>January 07</b>	147	90	12	2	50	538
<b>February 07</b>	93	52	18	6	48	1199
<b>March 07</b>	114	94	18	7	72	601

**April 2007 to March 2008**

<b>Month</b>	<b>Homicides</b>	<b>Shooting</b>	<b>Police Fatal Shooting</b>	<b>Police Non-Fatal Shooting</b>	<b>Firearms Recovered</b>	<b>Ammunition Recovered</b>
<b>April 07</b>	115	87	22	2	43	292
<b>May 07</b>	92	95	18	6	40	391
<b>June 07</b>	115	107	27	7	52	735
<b>July 07</b>	123	113	21	7	62	2079
<b>August 07</b>	119	121	22	7	64	533
<b>September 07</b>	130	131	18	9	48	701
<b>October 07</b>	143	121	23	9	51	416
<b>November 07</b>	165	139	14	5	58	401
<b>December 07</b>	147	113	32	10	90	1082
<b>January 08</b>	128	103	15	11	81	1107
<b>February 08</b>	96	109	14	10	45	285
<b>March 08</b>	117	109	8	4	52	342