

***Inter-Agency Campaign on Violence Against
Women and Girls***
(UNIFEM - UNPD - UNICEF - UNFPA - ECLAC - UNHCR - UNAIDS - UNHCHR)

UNITED NATIONS DEVELOPMENT PROGRAM
UNDP

Regional Project RLA/97/014

***National Reports on the Situation of Gender Violence
Against Women***

**NATIONAL REPORT
JAMAICA**

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TABLE OF CONTENTS

GENERAL INTRODUCTION

Introduction of Methodology

CHAPTER ONE: GENDER VIOLENCE

- 1.1 Gender Violence: An Overview
- 1.2 Common Myths about Acts of Violence Against Women
- 1.3 Gender Violence through Life Cycle
- 1.4 Effects of Violence on Women
- 1.5 Violence as a Socialising Agent
- 1.6 Terms of Reference
- 1.7 Methodology of Study
- 1.8 Conceptual Definitions of Violence
- 1.9 Jamaica: Country Description
 - a) Demographic Data
 - b) Primary Health Care
 - c) Education
 - d) Labour Force and Unemployment
 - e) Political Participation

CHAPTER TWO: DATA ON GENDER VIOLENCE

- 2.1 Incidence and Prevalence of Violence against Women in the Country over Last Five Years
 - a) Sexual Offences
 - b) Child and Adolescent Exploitation
 - c) Prostitution
 - d) Murder, Wounding and Assault of Women and Children
- 2.2 Research and/or Case Information Coming Out of Institutions or Private Entities, Including Results of Recent Studies
 - a) A. Harriott
 - b) R. Gopaul and M. Cain
 - c) Nisha Haniff
 - d) J. Stevens
 - e) University Women's Group
- 2.3 Information about Number/Quality of People Requesting Support in Specialised Institutions
- 2.4 Characteristics of Victims and Perpetrators
- 2.5 Type of Service Requested

- 2.6 Reporting Mechanisms
 - a) The Police
 - b) The Crisis Centre
- 2.7 Are there Mechanisms in Certain Sectors, Institutional or Inter-Institutional Systems?
- 2.8 Is Violence Against Women and Girls Included in the National Systems of Social Statistics?
- 2.9 National, Sectoral, and Institutional Policies and Plans to Eradicate Violence Against Women
 - a) Is there a National Policy on this Issue?
 - b) Institutional Support for the Policies
 - c) Organisation Responsible for the Design and Follow up of Policies
- 2.10 Budgetary Endowment and Human Resources
- 2.11 The Role of International Co-operation
 - a) UNICEF
 - b) UNDP
 - c) UNIFEM
 - d) UNFPA
 - e) CIDA – Gender Equity Fund
- 2.12 Mechanisms of Inter-Institutional Co-ordination
 - a) Are there Policies and/or Plans in Main National Public Institutions?
 - b) Theoretical Background, Conceptual Reference and Principles that Support these Policies
 - c) Inclusion of Programs on Gender Violence in General Institutional Programming
 - d) Is there a Specialised Entity Responsible for the Implementation and Follow-Up?
 - e) Human and Budgetary Resources
 - f) Role of External Co-operation and Inter-Institutional Coordination with Civil Society
 - g) Policy Sustainability and Means to Ensure It

CHAPTER THREE: JUDICIAL FRAMEWORK AND JUDICIAL ADMINISTRATION

- 3.1 Country's Legal Resources for Protection and Penalisation that Exists in Relation to Violence Against Women
 - a) Court System in Jamaica
- 3.2 Criminal Proceedings and Penalisation
 - a) Incest
 - b) Rape
 - c) Carnal Abuse
 - d) Indecent Assault
 - e) Attempted Buggery/Indecent Assault

- 3.3 Specific Laws
 - a) Domestic Violence
 - b) Matrimonial Causes Act
- 3.4 Ratification of International Conventions
- 3.5 Is Gender Violence a Crime?
- 3.6 Analysis of the Application of Legislation on Violence Against Women
- 3.7 Specialised Programs, Services and/or Personnel to Deal with the Problem
 - a) Family Court
 - b) Special Investigative Unit-Rape Unit (JCF)
 - c) Mediation Unit
- 3.8 Are there Specific and Clear Regulations to Deal with Violence Against Women Issues within the Judiciary?
- 3.9 Are there Training Programs for Judicial, Medical, and Legal Personnel?
- 3.10 Are there Training Links and Co-ordination of the Judicial Bodies with Other Specialised Organisations?
- 3.11 Principle Limitations for Prompt Judicial Exercise in Situations of Violence Against Women

CHAPTER FOUR: SERVICES AND PROGRAMS PREFERRED FOR THE DETECTION, REFERENCE AND INTERVENTION IN SITUATIONS OF VIOLENCE AGAINST WOMEN

- 4.1 Services Available for the Population within the Main State Sectors
 - a) Bureau of Women's Affairs (BWA)
 - b) Ministry of Health
 - c) Private Medical Practitioners
 - d) Ministry of Education
 - e) Child Care and Protection Services
 - f) Jamaica Constabulary (JCF)
 - g) Ombudsman
 - h) Judiciary
 - i) Dispute Resolution Foundation Limited
- 4.2 Service De-Centralisation and Participation of Other Social Actors
 - a) Work within the Churches
 - b) University of the West Indies
 - c) Organisations that Help Female Children
 - d) Groups that Help Adolescents
 - e) Women's Groups that Deal with Violence
- 4.3 Promotion of Alternatives to Violence Against Women
 - a) Plans and/or Programs for the Promotion of Alternatives to Violence and Identification and Prevention of Risk Situations in Formal Education
 - b) National Educational and/or Media Sensitisation Campaigns at the Community Level
- 4.4 Is there a Policy for the Promotion and Implementation of Exploratory

- and/or Evaluative Research on Gender Violence
- 4.5 Description and Analysis of Policy and Service Evaluation
- 4.6 Civil Society Participation
 - a) Successful Experiences

CHAPTER FIVE: RECOMMENDATIONS ARISING FROM NATIONAL REPORT

- 5.1 Jamaican Position on Gender Violence
- 5.2 Gender Violence Strategies: Recommendations
 - a) Recommendations for Research
 - b) Intervention: Responding to the Violence
 - c) Intervention: Attacking the Roots of Violence
- 5.3 Suggested Agencies or Institutions for Implementation of Recommendations
 - a) Research
 - b) Reactive Measures
 - c) Proactive Measures
- 5.4 Summary

General Introduction

In March 1998, various agencies of the United Nations Organizations (UNO) joined forces to launch the Campaign for Women's Human Rights, whose theme is "A Life Free of Violence. It's Our Right." It is coordinated by the United Nations Development Fund for Women (UNIFEM), the United Nations Development Programme (UNDP), the United Nations Fund for Population Activities (UNFPA), the United Nations Children's Fund (UNICEF), the United Nations Joint Program on HIV/AIDS (UNO-AIDS), the High Commissioner for Human Rights (UNHCHR), the High Commissioner for Refugees (UNHCR), and the Economic Commission for Latin America and the Caribbean (ECLAC). In various countries, other agencies have also joined, such as the Pan-American Health Organization of the World Health Organization (PAHO/WHO) and the HABITAT Program for Urban Management for Latin America and the Caribbean.

In commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights and the fifth anniversary of the Declaration and Plan of Action of the Vienna Human Rights Conference, the Campaign for Women's Human Rights was created in 1998 to advocate against the global scourge of gender violence against women.

The global commitments outlined in international instruments are of fundamental importance in the fight to eliminate violence against women and serve as building blocks for the evolution of the issue. While the Universal Declaration established the universal and indivisible character of human rights of all people, the Vienna Conference went further recognizing its political, social, cultural and economic character as well. It consecrated as a basic human right, the right to development, including those to health, education and a life free of violence. The Vienna Declaration was groundbreaking in that it married women's rights to human rights, underlining the importance of women's participation, as agent and beneficiary, in the development process and in all activities, of the UN system and/or nations and governments. An emphasis was given to targeting work toward the elimination of violence against women in public and private life, to all forms of sexual abuse, exploitation and mistreatment of women; to sexual prejudices in the administration of justice; and, to the conflicts arising between women's human rights and certain traditional practices, customs or acts of religious extremism.

For its part, the Beijing Conference of 1995 reiterated the conclusions and commitments made in Vienna on human rights of women and identified the fight against violence as one of the twelve strategic areas that its Plan of Action was to address.

Consequent to the Conferences and global instruments, which outlined the minimum standards of human rights, the agencies of the UN launched the Inter-Agency Campaign on Women's Human Rights "A Life Free of Violence; Its our Right", which produced, among other things, various publications, two internet sites, and sensitizing workshops and forums.

In June 1998, as part of its contribution to the Campaign and in its capacity as a founding member, the United Nations Development Programme (UNDP) launched a regional project for Latin America and the Caribbean (Regional Project RLA/97/014). Under this programme UNDP undertook to produce a body of knowledge on the subject so far absent everywhere in accessible and relatively standardized form. Thus, one of the most significant outputs of the programme constituted the production of "National Reports on the Situation of Domestic Violence Against Women". These National Reports compiled, systematized, analyzed and provided updated information on the situation of domestic violence against women for each country. Further and more important, perhaps, is the catalytic effect that the process of report production actually had in terms of bringing together policy makers, implementation agents and non-governmental organizations, to constitute the critical mass required to take forward the issue and its corresponding agendas for progress. An estimated 13-19 countries have committed with UNDP to such report production under the aegis of the Campaign.

Specific objectives of the reports themselves included:

- To systematize all available information concerning gender violence in the country in agreement with the content and format design of the Terms of Reference, so as to allow for the preparation of a regional report based on the information.
- To support the mandate of the Special Rapporteur of the UN Human Rights Commission in gathering information and other relevant data regarding violence against women and girls.
- To provide updated information on the progress made by each country in achieving the goals outlined in the 1995 Beijing Platform for Action.

- To identify the limitations of existing social and institutional responses to gender violence, through an analysis of the ongoing experiences within each country.
- To provide guidelines and frameworks for future actions aimed at the prevention and eradication of violence against women in the country and in the region.
- To identify and document best practices developed in the area of gender violence against women and girls.

The general coordination of the Regional Project was assigned to the Latin America and Caribbean Bureau of UNDP, headquartered in New York, and directed by Aparna Mehrotra, who was responsible for the creation, initiation and coordination of the project at the regional level from June 1998 to June 1999. Danielle Benjamin has been responsible for coordinating the project since June 1999. The technical coordination of the Regional Project was headquartered in Costa Rica and directed by Ana Isabel Garcia Q., with the technical assistance of Ana Lorena Hidalgo.

At the operational level, the project involved the identification of national consultants either by the UNDP representative in the country offices or more often, by an inter-agency gender team. Each county consultant (or team) followed a standardized terms of reference for the national reports and presented a work plan before initiating the report. Such a process resulted in close interaction (mainly through electronic communication) between the national consultants, the Technical Coordinator of the project and the official UNDP representatives designated by each country office (usually this being the UNDP Gender Focal Point within the country who in turn directed the inter-agency effort in the UN inter-agency gender thematic groups).

Fundamental to the methodology followed for report production were the organization of two key meetings held at the national level:

- a) The first meeting occurred at the initiation of the project, primarily to introduce the project objectives to local organizations and institutions working on the issue of gender violence and to solicit their support;
- b) The second meeting occurred after approximately two-thirds of the preliminary report had been prepared. The objective of this second meeting was to assess the goals of the report, share preliminary results, and identify areas where information was lacking (including examples of best practice). Especially important for this second meeting was the process of legitimizing

the report and the information contained within among the participating sectors, including governmental and non-governmental actors.

It was recommended that a wide number and range of organizations be represented amongst both the governmental and non-governmental sectors. In the very least it was suggested that following institutions constitute the minimal network for participation in report production and validation: the National Office of Women's Affairs; the Ministries of Health, Education, Labor and Justice; civil society groups that specialize in this area, including women's organizations; the Judiciary; Police; Ombudsman Office (if one exists); UN agencies, donors as well as any other organization relevant to the problem being addressed (including organizations dealing with social security and child care, among others).

In the first meeting, the consultant analyzed, with the participants, the purpose of the report and its main research areas in order to assess the potential of missing aspects that should be incorporated. The meeting was also used as a vehicle for identifying possible sources of information, as well as to provide the participants the opportunity to input to the report, thus completing the basic and initial goals of information collection requested in the terms of reference of the project.

According to the terms of reference, it was also suggested the further follow-up meetings be carried out with the particular organizations, should it be considered relevant and important for the purpose of the reports. However, it was considered imperative that the second and final meeting, which was used to legitimize the report, involve all sectors and institutions.

Additionally, and once again in accordance with the standard and established terms of reference, after the initial meeting, the consultants were to submit a research proposal and work plan for comments and approval to the project's regional coordination office in San Jose and to the coordinating headquarters in New York via local UNDP COs. While overall coordination, strategic guidance, financial administration and quotidian liaison with the country offices remained with New York headquarters, the technical and methodological aspects were handled by the coordinator in San Jose.

The research methodology reflects the viewpoints and initiatives of the multiplicity and diversity of social actors, both state institutions and civil society, involved in programs and services dealing with gender violence.

The operative strategy and methodology used by each consultant for the preparation of the National Reports are published in each document as an annex (persons/entities interviewed, bibliography, list of organizations, etc).

The work of each national consultant has consisted fundamentally of compiling, systematizing and analyzing all documented information and references on each theme. This entailed that the UNDP representative within country offices identified potential institutions and persons of interest within the country. This list was then supplied to the Technical Coordinator, who then prepared profiles and made suggestions regarding the best approach for investigating the issue domestically.

Further, the project proposed a structured format for presenting the reports, more-or-less acting as a guide in which to facilitate the homologous nature of all country reports. This task became one of the greatest challenges for report finalization.

From the contractual point of view, the report was considered final only once the consultant had made all the necessary revisions, starting with the initial report, and once all aspects solicited by the Coordinators had been included. The majority of the country team reports followed the process, although in some there were discrepancies due to local conditions, initial lack of experience (which improved the process with time) or initial selection of inappropriate consultant teams. Thus, in some instances the reports do not in fact follow the pre-determined structure and outline, and are not as finely homologous as was initially hoped and anticipated. Also, efforts were consciously made to respect the style and presentation of the individual consultants' reports, only providing editing recommendations when considered necessary. All attempts were made to preserve the very national texture of each report - a texture determined largely by the specificity each the national process and the diversity of participants that it encompassed.

It is the sincere desire of the Programme Coordinators that the national reports, while not perfect by any means, serve to contribute to the systematization and accessibility of information on the issue in a manner that assists to better advocate for the progress that is sorely needed to eliminate the scourge of gender violence everywhere.

New York October1999

Introduction: Methodology

This report was coordinated through the United Nations Development Programme (UNDP) office in Jamaica at the Center for Studies of Gender and Development at the University of the West Indies. Barbara Bailey was the principle investigator. The report was initiated in January of 1999 and was finalized in March of the same year.

The research compiled information regarding the situation of violence against women in Jamaica, in accordance with the guidelines of the Terms of Reference (TOR) established by UNDP. The information for the report was primarily drawn from documented and statistical sources. A number of interviews were conducted with individual representatives of key sectors, including:

- Representatives of different religious denominations
- Representatives of governmental services and institutions
- Representatives of international agencies (UNDP, UNICEF, UNESCO, UNFPA)
- Representatives of non-governmental organizations
- Police
- Professionals nationally known in the fields of law and social work
 - Academic representatives from schools of medicine, sociology, and the Center for the Studies of Gender and Development at the University of the West Indies
- Women's organizations (see annex)

At the same time, consultative meetings were convened with representatives of organizations that actively work in these themes, as well as individual meetings

with feminist investigators and consultants from the Association of Women's Organizations of Jamaica (AWOJA), with the goal of expanding the spectrum of opinions and suggestions regarding the undertaken investigation (it has not been possible to determine, from the consultant's report, the dates of the meetings).

This report incorporates different observations that emerged from the General Coordination and Technical Project, including the expansion of information on national legislation and successful experiences. This additional information was sent in July 1999.

CHAPTER I

1. GENDER VIOLENCE

1.1 Gender Violence: An Overview

The Caribbean region of which Jamaica comprises a part was founded on violations of human rights during slavery and throughout the period of colonialism. Violence was endemic in this process, and the repercussions of this violence are still being felt throughout the region. In Jamaica in particular, historians are recording that a particularly brutal system was in operation. This brutality was exacerbated by a high incidence of absenteeism among the plantocracy, and documented evidence shows that many of the slaves on Jamaican soil did not accept, without considerable resistance, the intolerable conditions imposed upon them.¹

Jamaica, a matrifocal society,² is divided along political, socio-cultural, and economic lines. These divisions give rise to a society that is hierarchically structured with power being in the hands of a few, and violence and fear used either to maintain the status quo or as a measure of protest by powerless males. According to Clarke:

Violence against women is embedded in this context still it is only recently that the typology of the violence of the region

*has included gender violence, and more particularly named abuse of women in the family as violence.*³

World statistics show that gender violence causes more death and disability among women aged 15-44 than cancer, malaria, traffic accidents and even war. Yet it was not until 1993 that violence against women in the home was declared a breach of women's human rights at the U N Conference on Human Rights.

Besides death, the cost of violence to women's health, as well as to productivity is high. There is loss to industry from those who are in the work force, and the cost of domestic violence to women's sexual and reproductive health is also high. Health problems that women face as a result of domestic violence includes:

Unwanted pregnancy
Illegal abortions
{PAGE }Contracting Sexually Transmitted Diseases (STDs)
including AIDS
Gynaecological problems, (especially Cervical Cancer)
Psychological problems (fear of sex, loss of pleasure,
promiscuity due to low self-esteem).

There are a number of similarities about acts of violence directed against women and girls. Some are noted here

All acts are under-reported. The statistics are merely "the tip of the ice-berg". Estimates of the number of reports filed range between one half and one tenth. It is suggested that one in ten battered women reports, and the rates of report for incest are even lower. In Jamaica, one of the difficulties faced by some victims is that in some areas to be seen at a police station automatically casts suspicion on the person as an informer. Women rarely report offenders to police because they know that the police will do very little about it. Cases also have been recorded of policemen being violent to women in their custody⁴ Women do not have the sympathy of police, or relatives or friends in reporting incidents of domestic violence. In Jamaica, middle and upper class women do not report incidents of violence against themselves because they have to save their own face as well as that of the man.

Gender violence is largely unidirectional, with 'male as victim' being a rare exception. In cases of sexual violence often the male victims' attackers are

other men (This is true of Jamaica, which is regarded as a homophobic society, where men perceived to be homosexuals are likely to be attacked)

A further similarity is that not only are acts of violence against females still not taken very seriously by the society and its institutions, worse yet, they are often joked about.⁵ Thus sexual and physical violence against females continue to be trivialised or ignored.

A feature common to acts of violence against women is that of “blaming the victim”. Typical stories that circulate are:

the incest victim (a child) colluded by her silence,
the rape victim asked for it by her clothing,
the spouse “liked the beatings” that is why she stays.

The more intimacy there is between the victim and the perpetrator the more blaming occurs; and, as a consequence, the less cases are reported. In Jamaica, cases of incest and spousal abuse are the least reported, whereas acquaintance abuse and stranger abuse are the most commonly reported.

These victimising behaviours serve to keep the women in their prescribed place, leaving females dependent upon male protection, geographically limited (as they do not have access to all places, nor can frequent other places alone) and frightened.

1.2 Common Myths about Acts of Violence against Women.

It is important to view gender violence from a Jamaican perspective in order to dispel some of the myths that are associated with this phenomenon.. Some of the most commonly held beliefs are that:

Females provoke this violence by their clothing, by their seductiveness, or by their friendly behaviour. This myth is readily dispelled with evidence that the youngest victim of rape in Jamaica in 1998 was a two month old female and the oldest an eighty-three year old grandmother.

Females are masochistic. This myth is perpetuated and played out in the male imagination by pornographic images and messages from the media that portray the woman as enjoying pain, and the linking of pain and sexuality. Lyrics of Jamaican dance hall songs echo this misconception. Even the name of the popular condom to promote safe sex amongst youngsters has an aggressive label – *Slam*

Perpetrators are not normal. This myth allows men to be assured that the perpetrator is not similar to them - he is not a nice respectable banker, street-cleaner, farmer, etc. In fact, research has shown that there are no general psychological characteristics of rapists - they are a heterogeneous population⁶ Perpetrators of incest seldom have prior criminal records, are not necessarily drinkers, and their marital histories are primarily monogamous.

Abusers belong to a certain socio-economic class or race. It is believed that only persons from the lower socio-economic classes and persons who are non-Caucasian are exploited and that the exploiters belong to these same groupings.

Women are insatiable in their demands. There is a view that women wear men out but cannot be worn out⁷ themselves by the sexual act. This leads to the non-recognition of the fact that women can be raped in marriage, and that women are not always receptive to sexual overtures, nor do they always have a *quid pro quo* attitude of sex in return for financial support.

Men have higher sex /aggressive drives and cannot control themselves.⁸ It is also posited that males react aggressively/sexually to stress. This suggestion by implication invalidates the stress that women undergo.

1.3 Gender Violence through Life Cycle

Jamaica though matrifocal is clearly a patriarchal society with a traditional view (biblical) of man as head of household. When men are violent, this view, to them has sanctioned their use of violence as they deemed necessary to put women in their place⁹ Haniff argues that male on female violence is 90% domestic, i.e. between persons in intimate relationships. In her research she discovered that for one month in 1994 there were 409 acts of violence committed on women by men. Domestic violence is not a mandatory-reporting act; it is seen as a private matter. Not only is the man deemed to have ownership of his spouse but also of his children.

In Jamaica violence feeds off social and cultural conditions for as stated by Bailey *et al*¹⁰ there is a definite association between money and violence in relationships. There is compensatory violence in males who are insecure, violence from competition amongst males, and violence in the home if the female does not provide services for economic support. Girls that were interviewed from the inner city, stated that the one disadvantage of a boyfriend is that "they beat you". Their research showed that men were seen as gatekeepers to the resources that women need, therefore they had to take orders, give respect and hear what men say. The researchers showed that violence in parent -child, as well as male -female relationships was a given and expected norm. There was

consensus amongst a wide cross section of males in the lower socio-economic strata that they would use violence to women.

There is no period in the females' life cycle when she is not exposed to violence because of her sex: During the pre-natal stage, battering of the mother during pregnancy, and other domestic and spousal abuse can affect the unborn child. During infancy and childhood, girls may experience differential access to food. Males in many Jamaican households are given larger portions and served first. Physical punishment occurs for both male and female children, and both can experience sexual abuse by family members and strangers.¹¹

During adolescence, both sexes may be physically punished, and girls are beaten by boyfriends, and experience date rape, battery, and ¹² economically coerced sex.

In the adult stage, there is spousal and relationship abuse, sexual abuse in the workplace, rape, sexual harassment, and enforced prostitution.

Elder abuse is predominantly a problem facing women, and it is often meted out by care-givers. Although there are no data on the problem of elder abuse, personal communication has indicated that this too is a growing problem in our society, where once the elderly were revered as "elders". Elderly persons, particularly females have been unceremoniously dumped on the steps of charitable organisations. Murder and rape of elderly females is no longer uncommon.

1.4. Effects of Violence on Women

Violence against women affects mental and emotional health. The violence can be psychological or physical. While the effects of physical violence are clear-cut (fractures, cuts, abrasions, bruises), the issue of psychological violence is more vague and is often less understood. This is probably because there are no physical manifestations or scarring. Although these cases are often reported to counsellors, and crisis centres they are rarely picked up in police files.

Violence against women and girls also creates an enormous economic cost to the country, in terms of loss of productivity, health costs, judicial and custodial costs as well as emotional and psychic costs to the family, children and dependants.

1.5 Violence as A Socialising Agent

Jamaican society gives tacit and legal approval to violence. This is evident in child-rearing practices where there is tacit and legal approval for corporal punishment of children (boy children are often brutalised by female care-givers). Children are regularly smacked, flogged and even threatened with weapons. Reporting the physical abuse of children, which often occurs as a result of disciplinary action on the part of the parent or guardian is not mandated by law, but evidence of sexual abuse (such as the presence of STDs or vaginal bleeding) has to be reported to the authorities.

Children in the school system are also disciplined with physical punishment. In a monograph by Bailey *et al* it is stated that:

the cultural attitude has created a climate conducive to physical abuse of children, the adult male relative will help the female relative in disciplining even the wayward female child

Corporal punishment is condoned for prisoners - flogging, and hanging, and gang murders in prisons ¹³ sometimes occur. Violence is glamorised in the media, and Jamaica is bombarded on a daily basis with programmes from our North American neighbours that also depict violence as glamorous. Even children's cartoons convey violent messages. The DJs and certain popular entertainers have also glamorised violence in lyrics and the commentaries made during radio programmes and public dances.

It would seem that virtually all women are subjected to the actual occurrence of violence, if in no other form than the ubiquitous media portrayals of women as victims

1.6 Terms of Reference (TOR)

The terms of reference and general objectives for the National Report on the Situation of violence against Women and Girls were as follows:

Within the framework of the Interagency Campaign: Violence Against Women and Girls', the report will collect, systematise, analyse and provide updated information concerning the actual situation of violence against women in the country as a guideline for future actions.

Specific Objectives for the development of a National Report were:

To systematise all available information concerning the situation of violence against women in the country, in accordance with the indicators

and established formats (see following point V), in such a way that permits the elaboration of a homologous regional report

To support the mandate of the UN Special Rapporteur on Human Rights on violence against women in gathering relevant information for the reporting process.

To provide current information that illustrates the advances achieved in the country, in compliance with the Platform of Action agreed upon in Beijing (1995).

To identify and bring to light the missing pieces and limitations noticed, in the social and institutional answers to the problem of violence against women, based on the analysis of the experiences taking place in the country.

To provide prioritised concrete proposals for future actions aimed at preventing, and eradicating violence against women in the country.

To identify and document good practices developed in the area of intra-family violence against women and girl children.

1.7 Methodology of Study

In order to achieve the specific objectives outlined above, a participatory methodology was applied. Primary data were collected from key players through meetings, interviews, or focus group discussions.

Meetings were held with the following specialist groups from the parishes of Kingston and St. Andrew, St. Catherine and St. James:

Ministries of Government and International Agencies
The Police and Rape Unit of the Police Force,
Social Workers, Child Care Officers
The Judiciary, lawyers specialising in women's issues, the Family Court
Association of Women's Organisations in Jamaica (AWOJA),
Other Women's Organisations,
Non-Government Organisations (NGOs)
NGOS representing the interests of children,
Church organisations

Representatives from St. James were selected because the parish represents the major tourist area of Jamaica, and as a result, there might be different

manifestations of gender violence due to sex tourism and other tourist related activities.

Representatives from St. Catherine were also invited because of the high incidence of crimes of violence against women reported for this parish.

Interviews were conducted with individuals from:

Hospital administration in Emergency Units
Crisis Centre counsellors
Pastors
Adolescent and adult female victims of sexual and physical violence

Focus Group Meeting

A focus group meeting was held with representatives of organisations actively working in the field and achieving a modicum of success in providing interventions for gender violence: the groups involved were:

Woman Inc., Renewal, Womens' Media Watch
Sistren AWOJA Change From
Within
Youth Opportunities Unlimited

Individuals attending included a Feminist Researcher and Consultant and an Attorney-at-law, and legal advisor to AWOJA. Based on the guidelines supplied, a written report was developed and the information required was ordered into chapters according to the TORs. This National Report for Jamaica seeks to provide not only the statistical evidence of gender violence in our midst, but also a background for the causes, as well as recommendations for corrective measures that should be taken, and key players in this process.

Written reports from which secondary data were extracted were received from:

Office of the Ombudsman
UN Agencies operating in Jamaica and the Caribbean (UNIFEM)
The Bureau of Women's Affairs,
Mrs. S. Marshall-Burnett, Senator and Director, Advanced Nursing
Education Unit, UWI

1.8 Conceptual Definitions of Violence

The definition of violence as adopted from the Convention of of Belem do Para¹⁴ is understood in this report as:

Any act or conduct, based on gender, which causes death, harm or physical, sexual or psychological suffering to a woman, either in the public arena or the private

Based on this definition, it is understood that violence against women includes any physical, sexual or psychological violence that:

{SEQ 1_0 * ROMANO \r 1}. takes place within the family or domestic unit or any other interpersonal relationship, whether it be by a live-in aggressor or one who has shared the same home in the past with the woman, and includes among other acts, rape, mistreatment or sexual abuse.

{SEQ 1_0 * ROMANO \n}. takes place in the community and is perpetrated by any person and includes, among other things, rape, sexual abuse, torture, abusive treatment of persons, forced prostitution, kidnapping and sexual harassment in the work place, and in educational institutions and/or health establishments or any other place, and

{SEQ 1_0 * ROMANO \n}. is perpetrated or tolerated by the State or its agents, wherever it may occur.

This definition is in effect, an elaboration of Article 1 of The United Nations Declaration on the Elimination of Violence Against Women (UN, 1993) where violence against women is defined as:

Any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life

Acts of violence against women, in the opinion of researchers in this field, however, should also include less noxious behaviours such as, obscene phone calls, “Peeping Tom” behaviour, and sexual hassling on the streets.

In this report “Domestic violence” is defined as:

Any act committed within the family by one of its members which seriously impairs the life, body, psychological well-being or liberty of another family
15

The Association of Women's Organisations in Jamaica (AWOJA) has defined domestic violence as:

*physical or mental abuse carried out against persons within their homes and in the context of their personal relationships*¹⁶

In the last two definitions it should be noted that women are not singled out as the only victims. This can have unforeseen consequences. For instance, domestic violence is often correctly reported in police records when the violence has occurred between two male members of the same household. This is not, however, the case when the violence involves a woman. Despite the non-specificity of the victim in the definition by AWOJA, inherent in the statement is the idea that the victims are women.

1.9 Jamaica : Country Description

Brief country description: information about the population by gender, age, place of residence, ethnic background, etc.; education, health conditions i.e., coverage, social services, number of doctors per inhabitant etc.); employment situation, political participation.

a) Demographic Data

Unless otherwise stated, the following data have been collected from the *Economic and Social Survey of Jamaica, 1997*

At the end of 1997 the population of Jamaica was estimated at 2,553,600 an increase of approximately one percent over the 1996 figure. The crude birth rate was estimated to be 22.8 per 1000 and the crude death rate to be 5.9 per 1000. Jamaica's population is predominantly made up of persons of African descent. Over ninety percent of the population is of African descent; whites, Middle Easterners, Chinese and East Indians comprise less than 2 percent of the population and the rest are of mixed race¹⁷

The age and sex structure of the Jamaican population reflects post-censal estimates of births, deaths and external migration and the pattern is similar to other developing countries. In 1997 Jamaica's population consisted of 99.3 males to every 100 females. Women of reproductive age comprised 26.1 percent of the total population and by implication were responsible for approximately 57,

000 live births, this represents a general fertility rate (GFR) of 89 births per 1000 women of reproductive age.

The dependency ratio calculated as a ratio between the dependent population (0-14 and 60 and over age groups) and the labour force population (15-59 years) for 1997 was unacceptably high, 645 per 1000 persons of labour force age. This has a negative impact on those who bear the burden of support for these dependants, and also on the economy. It must be borne in mind however that many persons over 60 are still actively engaged and economically independent.

Data on the urban areas of the parishes reveal that the overall rate of urbanisation has been slackening, however the traditional parish capitals of Montego Bay and Spanish Town continue to absorb most of the growth in the parishes. A distinctive feature of these cities has been the growth of suburbs within them which serves to move the population away from the former city centres, many of which have reached saturation point as evidenced by the growth of ghettos within them. Squatter settlements have become not only a characteristic feature of the two major cities, Kingston and Montego Bay, but also of major towns throughout the island. These communities have created undesirable levels of poverty, which are reflected in the health, education sectors and the social conditions in Jamaica. The growth of other urban areas, e.g. Linstead, Ewarton and Old Harbour as well as Portmore has contributed to St. Catherine being the fastest growing parish in the island in terms of population, housing, development and commerce.

Primary Health Care

There are shortages of personnel in many key areas of the public health sector, with vacancies of over forty per cent for the following categories:

Public Health Nurse	Occupational therapists
Midwives	medical technologists
Mental Health Officers	EEG Technicians
Community Health Aides	Speech Therapists
Pharmacists	Hospital Administrators
Dental technicians	Therapeutic Radiographers
Public Health Inspectors	Epidemiological Officers (100%).

There are 421 physicians employed in the public health sector with only 4 vacancies. This means that there is one physician to every 6000 persons.

Listed in the 1998 Telephone directory are five public hospitals for the Kingston and St. Andrew Parish; these include specialist hospitals for Mental Health, Children, Maternity, Chest complaints, and Orthopaedics. There are also 7 Health Centres in Kingston and St. Andrew. There are 21 regional hospitals, one for each major town and 77 Health Clinics to serve areas other than Kingston and St. Andrew. The Health Clinics arrange for specialist services as well as provide for all the primary health care needs of the communities that they serve.

c) *Education*

According to the Social and Economic Survey (1997) primary level education, offered to students in Grades 1 -6 had an enrolment of 306,205. At primary and secondary level the percentage of males to females is approximately equal, with 49 per cent of females registered at primary level . At secondary level, Grades7-11 there was an enrolment of 219,336 in public institutions. Enrolment was higher among girls, with 52 per cent of the total registered at secondary level being female. However, among those students who register for tertiary level education, the number of females registered (64%) is about double that of males (34)

In 1998, the (Common Entrance Examination) CEE was discontinued. This examination had been used to screen students at the end of grade 6 into secondary level schools based on their ability. A pass at CEE meant that the child would be admitted to a high school. The passes were based on number of places available in the high schools, and there were approximately equal numbers of spaces for males and females. In Jamaica many high schools are still single sexed. Research¹⁸ mostly from the Faculty of Education , UWI has shown that in this selection process male students routinely secured places in high school over better performing female students, implying what has already been proven by research world-wide, that females are outperforming males throughout the educational system.

d) *Labour Force and Unemployment*

According to *ESSJ*, 1997, female employment declined by just under 6,000 persons with the reduction being concentrated among young persons under 25 years. Employment among household heads also decreased by 1.2 percent to a level of 450, 600 with both men and women contributing equally to the decline.

ESSJ, 1996, showed there were contrasting movements in unemployment between men and women; among the former there was a decrease in unemployment, whereas among the latter there was an increase. In 1996 there was a total of 1900 more women than men being out of work. The female

unemployed labour force stood at 121,700 or 1.6 percent above the 1995 figure.

This increase in female unemployment was partly due to a decline in employment opportunities in the female dominated sectors such as the community, social and personal services sector, garment and manufacturing.

There was thus an increase in the number of unemployed women to 66.5 percent, whereas there was a decrease in the number of unemployed men to 33.5 percent. Young females (under 25 years) had the highest rate of unemployment, 47 percent in 1996. Among adults (over 25 years) the rate for women was almost three times that for men, 14.5 percent as against 5.2 percent. At the same time the rate for young persons (both sexes) was 34.4 percent compared with 9.5 percent for adults.

In 1997, 59 percent of females were employed whereas 74.6 per cent of males were. There was a decline in the employment figures for young females (under 25 years) by 4.1 percent since 1996. Female unemployment under 25 years stood at 31.8% (19 percent for males) and at 33.5 percent for females over 25 (15.6 percent for males). The net loss in unemployment is therefore more pronounced for females.

In 1997, ESSJ showed a rise in employment levels of male and female heads of households, up by 7 percent for males and 3.8 percent for females. Full-time employment also contracted in 1997, and hours for over-time were reduced.

Political Participation

There was a General Election in 1997, and also a Local Government Election in 1998; but each was marked by low voter turnout. However, due to the activities of the Jamaica Women's Political Caucus, more women are beginning to take part in representational politics. There are 8 women Members of Parliament, one woman Minister. In local government elections, 3 female mayors were elected through out the island and 54 councillors (representing 24%) were elected.

Notes Notes {TC \11 "Notes }

1. Harriott, Anthony. "The Changing Organisation of Criminals in Jamaica", in *Caribbean Quarterly*, Vol. 42, Nos. 2&3, 1996
2. A term coined by M.G. Smith to denote a society in which women are the centre of the household in a predominantly patriarchal society, but men rule.

3. Clarke, Roberta. *Violence Against Women in the Caribbean: State and Non State Responses*, Bridgetown, Barbados: UNIFEM and CIM, 1998.
4. Oct 17 *Daily Gleaner*- - policeman in Portmore wanted for raping an alleged traffic offender- he took her to police station and allegedly raped her in a barrack room, in another *Gleaner* Report, 1997, a sex worker in Negril was raped by three police officers when reporting a rape and robbery . In early 1998, a special constable was alleged to have raped a schoolgirl at his workplace.
5. A Radio personality, Allan Magnus, who invites listeners to send in jokes for broadcast told of an incident of domestic violence, Women's Media Watch sent him a letter of protest.
6. Sue Cox, *The Female Psychology*, New York: St. Martin's Press, 1981, p191.
7. Because of this notion of the insatiability of women sexually, there are a variety of tonics etc. for men to put increase their libido with names such as Staggerback, Front End Lifter and chemicals to maintain an erection "Stone", "Chiney brush"
8. There is the common myth in Jamaica that if a man (or woman) does not have sexual release they will go insane
9. Haniff, N. *Violence Against Women: The Case of Jamaica*. Mimeo. Kingston, Jamaica: Centre for Research, 1994:
10. Bailey, W., C. Branche, and G. McGarrity. *Family and the Quality of Gender Relations in Jamaica* . Kingston, Jamaica Institute of Social and Economic Research (ISER), The University of the West Indies (UWI), Mona, 1998.
11. Myths abound that a cure for STDs is achieved by having sexual relations with a virgin, hence as the age at which girls are becoming sexually active lowers, younger and younger females are being abused. Many men also see it as their privilege and right to deflower a young girl, whom they have provided for ('tek her cherry') rather like the slave-owner or the lord of the manor in feudal times having access to women before their marriage
12. A term used to describe violation and rape of a girl by a gang of men, usually administered as 'punishment for the girl becoming too uppity and 'dissing local youth'
13. The notorious riots against homosexuals, where several were killed went unhampered by warders who for the most part turned a blind eye and in some instances colluded with the attackers.
14. Article 1.1 *Interamerican Convention to Prevent, Penalise and Eradicate violence against women* (Convention of Belem do Para):
15. Anthony and Miller, 1986 in UNECLAC, 1992:7
16. AWOJA pamphlet on Domestic Violence, produced by Association of Women's Organisations, Jamaica, 1996.

17. Nettleford, Rex. *Mirror , Mirror*. Kingston, Jamaica: Kingston Publishers, (reprint),1998.
18. Figueroa, Mark, a paper on male underachievement presented at Conference on Caribbean Culture, UWI, Mona, 1996.

CHAPTER 2

2. DATA ON GENDER VIOLENCE

2.1. Incidence and Prevalence of Violence against Women in the Country over the Last Five Years

In order to gather data on the incidence and prevalence of violence against women in the country over the last five years, statistics were collected from the following sources:

The Statistics Division - Crime Division, Jamaica Constabulary Force (JCF)

Economic and Social Survey of Jamaica (ESSJ) 1997

Sexual Offences

The statistics for rape, carnal abuse, indecent assault and incest for the 1993 to 1997 collected by the Statistics Unit of the JCF are set out in table 2.1.

Table 2.1: Sexual Offences Reported and Number Cleared up

Year	Reported/ Cleared up	Rape	Carnal Abuse	Indecent Assault	Incest	Total
1993	Reported	773	583	131	-	1,587
	Cleared up	332	255	45	-	632
1994	Reported	776	668	113	26	1,583
	Cleared up	408	331	75	-	814
1995	Reported	843	761	174	40	1,818
	Cleared up	268	281	54	-	603
1996	Reported	914	855	195	43	2,007
	Cleared up	308	328	92	-	728
1997	Reported	828	745	197	39	1809
	Cleared up	227	272	65	-	564

a person shall be taken to harass sexually another person if the first-mentioned person makes an unwelcome sexual advance, or an

unwelcome request for sexual favours, to the other person, or engages in other unwelcome conduct of a sexual nature to the other person, and -

(a) the other person has reasonable grounds for believing that a rejection of the advance, or refusal of the request or the taking of objection to the conduct would cause the other person to suffer disadvantage in any way in connection with the other person's employment or work or possible employment or possible work; or

(b) as a result of the other person's rejection of the advance ' refusal of the request or taking of objection to the conduct, the other person suffers any form of disadvantage in connection with the other person's employment or work or possible employment or possible work."

The model legislation also makes sexual harassment in educational institutions unlawful as well as sexual harassment in relation to securing and retaining accommodation. The latter provision is a timely one as there are incidences of women being harassed when seeking accommodation which is difficult to acquire at a reasonable rate in Jamaica. The model proposes the establishment or appointment of a tribunal to hear and determine complaints and to grant remedies to victims of sexual harassment. (See Appendix for a copy of the proposed legislation)

Notwithstanding the CARICOM model legislation on sexual harassment, with the exception of the Bahamas, none of the CARICOM member states has enacted legislation which prohibits sexual harassment at the workplace. If there is a physical assault or a threat of an assault, the victim of such assault can bring an action in tort and get an injunction to restrain further such behaviour. Of course, the heart of sexual harassment is that tolerance of it is a prerequisite for the maintenance of the employment relationship. As such, access to the routine civil remedies would not protect a woman from the consequences of her termination from employment.

In Jamaica, there is no legislation against Sexual Harassment although AWOJA and other Women's Organisations have been advocating for such a law. Because there is no legal recourse for victims there is unlikely to be much that the individual can do in cases of sexual harassment though it is prevalent in the workplace. There is in the Jamaican society, a tolerance of levels of sexual harassment on the street which would not be condoned in some other societies, and this can be carried into the workplace. There is also lack of knowledge about what actually constitutes sexual harassment. The University of the West Indies has a policy on Sexual Harassment and this has been used as a model for other organisations who have modified it to suit their own conditions.

Child and Adolescent Sexual Exploitation

If there is a veil of secrecy with regards to sexual harassment, there is an even greater one with regards to the sexual exploitation of children. Data on incest and carnal abuse have been cited, however, this is only the tip of the iceberg. Incest is defined in Jamaican law as sexual relations between (blood) relatives, however there are many cases of sexual abuse which is perpetrated by the live-in or visiting male friend of the child's mother. As a result of the preponderance of multiple live-in, common-law relationships which are serial it is common for children to be reared by males who are not their biological fathers. The CARICOM Model legislation seeks to address this anomaly. These cases are also rarely reported as the mother's source of income and material support is likely to be diminished as a result of such action. The child is often punished by the mother if she complains. These cases are just as damaging in the opinion of many counsellors as incest. Like incest they often do not surface unless the child runs away from the home and is brought to the attention of the Children's Officers as they are deemed to be in 'need of care and protection', or else the child becomes pregnant. With younger children teachers may be alerted to the situation because of the child's sexual precociousness, changes in behaviour or academic performance, or other cues.

The following is abstracted from a paper on Gender Violence, (Salter, 1998) it illustrates the pervasiveness and consequences of early sexual abuse :

Ten Jamaican Case Studies to Illustrate the Effects of one type of Chronic Gender Violence-Incest

Ann is from the lower socio-economic strata, she is quiet, church going, with a 'mouse-like timidity' She was violated at 7 years by a step-father, then a series of mother's boyfriends. Mother sent her to 'look man' at 14. Attracted to older men, she has low self-esteem, seeing herself as a sinner. She had 3 children, two surviving. Her first pregnancy was at 14 years. Her other surviving child is in a Place of Safety (as an incest victim of her own step-father). She is very judgmental of her daughter

Betty is a teacher from the middle strata of the society. She was violated by a great uncle at 10 years until she was 13 years old. Between the ages of 14 and 16 years she was then violated by a pastor. In the latter case,

she blames herself and has never confided in anyone. She has feelings of worthlessness, an inability to sustain relationships, is psychologically trying in relationships and not responsive sexually.

Carole is a lawyer. She was violated by an uncle and older male cousins from 13 years. Her mother refused to believe her though she did not blame her but removed her from the situation. She suffers from eating disorders, severe depression, is suicidal, is angry with her mother, and is unable to sustain friendships and lacks trust.

Dawn is a 16 years old high school student who was violated by her father at 4 years, and suffered continual abuse from her father and his friends. Her mother, she states was a sex-worker who left her father because of abuse. When picked up soliciting at 10 years, she was put in a place of safety. When returned to the home where her father still lived she attempted suicide. Highly intelligent, she has the beginnings of multiple personality syndrome.

Eve is a 17 year old High school student, who was raped by an elder cousin at 10 years. The family has been downwardly mobile because of her father's cruelty to her mother. Her mother has had to leave her matrimonial home and take her children elsewhere. Eve fantasizes, has mood swings, and is always 'acting out'.

Fran is from the upper socio-economic strata. Her uncle violated her repeatedly from she was 10 years old. Her mother refused to believe her, and only bothered when Fran ran away and was found to be sexually active with various boys in the neighbourhood. She contracted STDs and says this is what she wanted to do, as she hoped to get AIDS and die. She is suicidal, showed deterioration in school performance, is angry, promiscuous, and is now pregnant.

Gwen is 15 years. She was violated by father from she was 9 years old. Her mother left home because of cruelty. Gwen got pregnant for her father at 14. He beat her for this and accused her of 'keeping man'. Her brothers who live at home do not believe Gwen. She has very poor school performance, is aggressive, withdrawn socially, and grieves for her child, which was given up for adoption.

Helen was violated by her father from she was 6 years old, and received beatings for crying out. She suffered, internal injuries and contracted STDs 3 times from him, last time with syphilis. She is withdrawn, insecure, and sleeps all day.

Ingrid, a high school student, is doing quite well in school as her family sees nothing wrong with their condition. She and her sister are in care, as her father is also her grandfather. He has violated three generations.

Jane is from the upper socio-economic strata of society. She was not aware of violations until she was 40 years of age when she came for treatment to cure nail-biting. Under hypnosis she recalled abuses by her father from age 6 -14 years. She married a psychologically abusing, controlling man, and got a divorce after her amnesia ceased. She now has total recall.

The consequences of early sexual exploitation, violence to self and entrapment in sexually exploitative situations are graphically illustrated by these typical cases which were drawn at random from many more like them. The latter consequence is of importance because of the relationship that can be established between childhood sexual abuse in women and the bartering of sex for material gain (prostitution).

Prostitution

Prostitution is addressed because of its connection with sexual exploitation of girl children.

Two studies have been conducted in Jamaica on prostitution, one by Ross-Frankson in the 1980s and a 1997 study conducted by the University of the West Indies as part of a major research on *The Sex Trade in the Caribbean*. Most sex workers consider themselves *persona non grata*, and are unwilling to offer information about their trade as their families are often unaware of what they do. In the latter study the youngest sex worker was 14 years. Most of the subjects in that study began as sex-workers around their 16th year. Although only 16 sex workers were interviewed they were able to give information about the trade itself and the reasons why they became sex-workers. Four of the informants had run away from home because of abuse that had been taking place often with their mother's knowledge. Six had early pregnancies forcing them to drop out of school. As one stated "men are what brought most of us here". Most were introduced into the trade by others involved in it or else through starting out as go-go dancers, and discovering that they could make more money. None were 'forced' into the trade by adults although male proprietors of clubs did not prevent them at a young age from becoming sex workers. Their clients were often procured for them by taxi drivers but none worked for a pimp.

The respondents stated that younger and younger girls were going into the trade by starting out as go-go dancers as young as 12 years. It was stated that their parents made them fend for themselves and many had to find something lucrative to do in order to support a drug habit. Research world-wide has found significant correlations between chronic drug-abuse and childhood abuse. Entertainment co-ordinators at all-inclusive hotels were also cited as being sex-workers. Many of these are school leavers, and in some hotels this was conveniently ignored. The report stated that recruiters from hotels and clubs in the Negril area, a major tourist area in Jamaica noted for its 'laid back' and hedonistic lifestyle, go to the nearby Savanna-La-Mar Bus Depot on a Thursday afternoon to 'interview' young recruits from all over Jamaica and assess their suitability in the trade. If they are not considered acceptable they are sent back.

A form of exploitation that exists in Jamaica, and again is not formally acknowledged, is that of older men 'minding' young girls in return for sexual favours. This scenario was graphically depicted in the recent movie 'Dance hall Queen' (1996) and has been described at debates and discussion groups by a few teachers in Jamaica. The material gains for the girl from these relationships can be from lunch money (as in the case of several bus conductors who, it has been reported, keep school girls) to full board and school fees. The investigator counselled one teenager who subsequently went abroad to University. Her tuition at school, and all expenses were paid for by a foreign consultant on secondment to Jamaica, who was introduced to the girl at 14 years by the girl's mother whom he had initially been dating. He informed me that if he gave up this particular girl there were many more at her own prestigious high school who were more than willing to take her place, and that many of the men picking up their 'daughters' from school were actually supporting these girls and not related to them. As the economic crisis in Jamaica worsens, sexual exploitation of minors (and others) will no doubt increase.

Data on Prostitution

Exploitation of girl children although it exists, is an area that it is also impossible to get quantifiable data on. Reports from sensationalist newspaper articles, health personnel and social workers indicate that exploitation occurs but there is even among the professional care-givers a reluctance to admit that this occurs in Jamaica, and also (except for health workers) a tendency to condemn.

Policy on Prostitution

Prostitution in Jamaica is illegal, it is considered to be a misdemeanour punishable by up to 2 months imprisonment. It is punishable under the *Soliciting and Loitering Section 4 of the Vagrancy Act of 1902* and the

Town and Communities Act Section 3, para 3. It is also an offence to encourage a person to become a prostitute, to keep a brothel, and to live off the earnings of prostitution.

The CARICOM Model Legislation is very specific on how it deals with exploitation of minors. It is far-reaching , not only with regard to this aspect but also addresses sexual exploitation by step-relations, adoptive parents, employers of minors as well as sexual exploitation by same sex adults.

Areas addressed are:

Incest

Sexual Intercourse with female under fourteen

Sexual intercourse with minor employee.

Indecency with person under fourteen.

Indecency between woman and girl

Procurement of minor.

Procuring.

Abduction etc.

If at the trial for an offence under section 18 which relates to the procurement of a minor, the parent or guardian of a minor is convicted of the offence, the court may divest the person convicted of all authority over the minor or to be the guardian of the minor until the minor becomes an adult. In addition, the court may, from time to time, vary or rescind the order. (See Appendix)

Murder, Wounding and Assault of Women and Children

The data in Table 2.2 are for murders committed for a 10 year period between 1988 and 1997. Two trends are evident. The first is that the total number of murders has shown a steady increase each year over the previous year and the number of cases between 1988 and 1997 more than doubled. Secondly, the number of domestic-related murders remain more or less constant, but because the total number increased each year, when expressed as a percentage, a steady decline is shown

Table 2.2: Total Murders Committed and Number of Domestic Related: 1988-1997

Year	Total	Domestic Related	% Domestic Related
1988	414	188	45
1989	439	206	47

1990	542	229	42
1991	561	237	42
1992	629	260	41
1993	654	227	35
1994	690	256	37
1995	780	255	33
1996	925	188	20
1997	1,038	216	21
Total	6,672	2,262	34

It was only since 1998 that the police have begun to disaggregate statistics for murder by sex of victim. In 1998, there were 92 women murdered and 18 children. The parish of Kingston and St. Andrew accounted for 69 percent of all female murders for the year 1997.

The following are the statistics received from the Jamaica Constabulary Force for 1996 and 1997 for murders of females.

Table 2.3: Females Murdered and number cleared up, 1996 and 1997 by Parish

Parish	1996		1997	
	Reported	Cleared up	Reported	Cleared Up
Kingston	34	11	33	9
St Andrew	37	20	22	10
St. Thomas	2	1	-	-
St Catherine	12	5	8	3
St James	7	3	4	3
Trelawny	1	1	1	1
Westmorland	1	-	3	2

Hanover	4	3	3	2
St Mary	2	1	-	-
St Ann	3	2	2	2
Portland	2	1	2	1
Manchester	3	-	6	1
Clarendon	3	3	4	4
St Elizabeth	-	-	2	2
Total	110	51	99	40

Data presented in Table 2.3 and Figure 2.1 show that in female murders accounted for almost 10% of all murders, and that 55 of the 99 murders of females, or 55.6 percent occurred in the parishes of Kingston and St. Andrew which is the main urban area of Jamaica. In 1997, female murders accounted for a similar percentage of all murders, and the percentage in Kingston and St. Andrew was even higher with 71, or 64.5 percent of the 110 female murders taking place in these parishes. The overall number of female murders reported for 1997 increased by approximately 11.1 percent over those for 1996 from 99 to 110 cases, indicating an increase in this extreme type of physical violence against women.

Data presented in Table 2.4 give the breakdown of females murdered in 1996 and 1997 by age groups. In 1996 the largest number of females murdered (42 to 42.4 percent) were in the 26 – 30 age group and in 1997, the largest numbers were in the 16 – 35 age range with 70 or 63.6 percent of the 110 murders falling in this range. These data suggest that it is females who are in the peak of their child-bearing years who are most vulnerable to this form of gender violence, possibly implying that these murders result from domestic disturbances. Further research would be required to verify this assumption.

Data presented in Table 2.5 represent the magnitude of the problem of violence as reflected in the number of cases of assault and wounding. These data only show the number of cases and therefore do not yield any information about the sex of either the perpetrator or the victim. The figures do show, however, that there was a slight decline in the number of incidents between 1996 and 1997.

Data presented in tables 2.1 to 2.5 show that violence against women particularly sexual offences, has been on the increase over the past decade. It could be argued that this increase is due to the fact that with the establishment of the Special Investigative Unit, more persons know where to go to seek assistance and therefore cases are being reported. Nevertheless, these statistics follow a world-wide trend and for sexual crimes probably reflect only 10 percent of the actual cases.

Table 2.4: Females Murdered by Age Group 1996 and 1997

[REDACTED]		
0 – 5	3	1
6 - 10	2	1
11 – 15	5	5
16 – 20	7	15
21 – 25	22	17
26 – 30	20	21
31 – 35	8	17
36 – 40	8	11
41 – 45	6	5
46 – 50	7	3
51 – 55	5	1
56 – 60	1	2
61 – 65	-	4
66 – 70	2	2
71 – 75	1	3
76 – 80	2	-
81 – 85	-	2
86 – 90	-	-
> 91	-	1
Total	99	110

Table 2.5: Woundings and Assault 1988 – 1997

11,630	812	12,630
11,594	651	12,451
11,700	675	12,604
10,138	560	10,935
11,921	447	12,628
12,071	639	12,937
12,790	1,065	14,111
13,614	1,269	15,138
13,136	1,297	14,649
122,874	8,736	133,872

2.2 Research and/or Case Information Coming Out of Institutions or Private Entities, Including Results of Recent Studies

Despite the National concern about violence in Jamaica there have only been a few studies which specifically deal with violence against women and girls. The findings from five sources are highlighted below:

a) **A. Harriott**¹

Harriott concluded a study on the social organisation of crime and criminals in Jamaica and found that Jamaica's homicide rate was 4 times higher than the global average of 5.5. (this confirms a statement that appeared in Jamaica's largest daily paper, which claimed that the city of Kingston has the highest murder rate in the world - an astounding 109 per 100,000, whereas Washington DC is 67 per 100,000, The *Sunday Gleaner*, 17/10/98). Harriott in his report points out that

. there is a direct relationship between the rate of murder and the rates of other violent crimes- robberies, rapes etc. In Jamaica, historically, most murders were crimes of passion. In 1963 in 64% of the murder cases, the victims were known to the offender, and domestic violence accounted for 28% of all homicides, while in 1993, this declined to 16%. This does not mean that cases of domestic violence are on the decline, it means that the murder rate - especially since the increase in the number of illegal guns on the island - is going up

This observation is consistent with a report that up to November 1998 there had been an increase in the incidence of rape, and up to that time more rapes had been committed than for all of 1997.

b) R. Gopaul and M. Cain²

Research carried out by Gopaul, R and M. Cain in 1996 on violence between spouses in Trinidad is included because they specifically deal with the issues of domestic violence and many of the observations they make are common to many Anglo-Caribbean countries because of a similarity of history and experience. It is interesting to note that they did not find either ethnic or occupational differences in incidences of violence. They stated that:

In Trinidad, domestic violence is as common as theft, it is cross-ethnic and cross occupation, conjugal status made very little difference to incidence of violence, the childhood experiences of violence by male partners influenced the amount of violence but there were exceptions, there was some evidence that areas with smaller populations are less violent, violence between spouses is gendered, with men the perpetrators and women the victims

c) Nesha Haniff³

Haniff conducted research on violence against women in Jamaica during 1994. According to Haniff:

It cannot be proven that a somewhat higher rate of spouse victimisation than has been found elsewhere is connected with a violent historical past, but the suggestion is plausible.

Those who have transcended this cultural baggage, sometimes by education, by negotiation, by an act of will in the face of a strong prognosis to the contrary, are the ones who offer hope for an alternative future

Haniff went on to state that despite the alarming statistics about male crime in Jamaica, the person most victimised by violence is the woman.

She analysed crime data for one month in 1994 and showed that there were 409 acts of violence committed on women by men, including physical acts of violence by beating, and wounding without guns, and that most of these were violent acts were committed by men on the women with whom they were most intimately involved. For that same month, there were 579 acts of male to male violence ninety-nine acts of violence of one female against another female and forty-nine acts of violence female to male. Haniff went on to multiply this total of 409 by 12 and estimated that the reported cases for one year would be 4908. She then reckoned that if reporting is in the region of only 5 of the total number of incidents, then with the addition of the statistics for rape and murder, one in 11 females between the ages of 5 and 60 would experience an act of violence in one year. Haniff states that these estimates are very conservative, and that the estimate is much closer to one in 5.

d) J. Stevens⁴

J. Stevens (1997) conducted research on domestic violence and the tolerance of violence among Jamaican women. The researcher found that women, due to socialisation, do not challenge their partners but rely on alternate ways to cope with forms of abuse. She also found that in violent behaviour there is more tolerance for verbal abuse, which is the most common form of abuse. When physical abuse is present, the relationship ends when the well being of the children is threatened rather than the personal safety of the woman. Women tolerated violence because of low levels of self-esteem and because of the perceived economic benefits derived from men. The researcher concluded that the observed behaviour and the attitudes within the family of origin established what was normative and operated to influence the women's' decision-making about their situation.

e) University Women's Group

In 1996, the University Women's Group conducted a Church service for victims of violence. They examined the records and ascertained that in

1996 there were 911 homicides, these included ninety women and thirty children. In 1994 there was a total of 690 murders, 72 women were victims. In 1993 there were 643 murders, with 64 women victims. Murder rates, (including those for women), are therefore on the increase. The service was therefore held to help to raise public awareness about the extent of the problem and the plight of these women.

2.3 Information about Number/Quality of People Requesting Support in Specialised Institutions both Private and Public Including:

Total number of cases reported annually Types of violence/cases reported, Characteristics of victims (sex, age, education, occupation, civil status, etc.), Characteristics of perpetrators, a Geographic distribution of the cases. Type of service/support requested, type of service received

There are two Crisis Centres in Jamaica run by a private non-profit organisation, Woman Incorporated. The centres are located in the two largest cities in Jamaica, Kingston, the capitol, and Montego Bay, their major tourist destination in the west of the island.

The statistics from the crisis Centre only reflect violence directed to adult women (over the age of 18 years) as by law, the Crisis Centre is not allowed to treat or counsel minors. If minors are brought to the Crisis Centre, or, if they call they are referred to the Juvenile courts, the Family Court or the Children's Services Division.

For the period January to September, 1998 the Kingston Centre saw or counselled 3844 persons. (See Table 2.6 & 2.7).

Table 2.6: Summary of Annual Statistics, Telephone Calls and Visits for 1985-1997 by Reason for Seeking Help

1985	17	9	24	-	28	42

1986	26	3	47	368	88	780
1987	40	-	30	215	49	508
1988	68	16	83	430	116	559
1989	84	19	138	256	134	886
1990	140	35	135	402	77	843
1991	105	52	235	855	50	879
1992	156	78	360	1351	123	347
1993	252	49	268	1562	142	500
1994	98	45	292	1365	112	15
1995	75	26	333	955	31	31
1996	190	46	496	862	43	115
1997	131	31	1350	1205	113	32

Data presented in Table 2.6 indicate that the majority of cases brought to the Crisis Centre in Kingston between 1985 and 1997 related to domestic crisis and domestic violence. Of note also is the dramatic increase in cases for 1997. This could be due in part to heightened awareness on the part of victims, as well as to the fact that each year Woman Inc. holds a trade fair used as a means of educating women about their rights and about the services offered by the organisation.

No obvious pattern is evident in the case of rape and incest with variations in the number of cases from year to year. What is evident, however, is that compared to the number of cases reported in earlier tables (See Tables 2.1) only a small proportion of victims is making use of these services. This could be due, in part, to the fact that the Centres are in two extreme ends of the island and may not be readily accessible to women in other locations.

Table 2.7: Clients Seen at Crisis Centre in Kingston from January to September, 1998 & Reasons they Sought Help

Rape	109
Incest	58
Domestic Violence	1037
Domestic Crisis	1510
Request for Shelter	48
Repeat	25
Other	1057
Total	3844

These data (Table 2.7) show that as for other years, most visits to the Kingston Crisis Centre for 1998 were related to domestic violence and domestic crisis. Domestic crisis does not necessarily involve violence, but is often related to the whole family being at risk. In spite of these large numbers, only 48 requests for shelter could be accommodated because of limited space, therefore many women had to face the risk of remaining in the abusive situation or seeking shelter with friends or relatives.

The Crisis Centre in Montego Bay reported the following numbers of persons seeking assistance for January to September 1998.

- Domestic Violence – 57
- Rape – 49
- Carnal Abuse – 6
- Incest – 7
- Indecent Assault – 7

In Montego Bay, the number of incidents of domestic violence reported over the three-year period 1995, 1996 and 1997 was 102, 96 and 101 respectively

The statistics indicate that overall, reported crimes of violence against women have been on the increase. This may be due to there being more persons who are aware of where they can go for help, but it nevertheless is alarming.

2.4 Characteristics of Victims and Perpetrators

It is impossible to make any inference as to the characteristics of either the victim or the perpetrator on the basis of sex, education, occupation, civil status etc. There has been no attempt made by any organisation to break down the statistics, from victim data as reported to the police, or statistics from those seeking help from either private or public sector organisations. According to the above variables, some of this information might have been collected in the course of the victim being interviewed but this could only be accessed by a thorough examination of confidential files.

Police records may have information on the perpetrator, but again, this is difficult to access. Data on the geographical distribution of the crimes committed are available, and in one case there was a breakdown of victim according to age category (See table 2.4)

2.5 Type of Service Requested

There is no readily available information on the types of services requested by victims. However, the only services available are:

Public Hospital/emergency treatment, private doctor's examination, medication for physical injuries at a cost, counselling and sometimes medication at the Rape Unit, and counselling, limited shelter facilities, and sometimes referral to a private medical practitioner or therapist by the Crisis Centre, or various NGOs or church organisations.

Existing Reporting Mechanisms or Systems, Data Processing and Analysis on Violence against Women at a National, Regional and Local Level if it Exists. Describe and analyse these Mechanisms/Systems such as the Indicator Principles of Analysis.

2.6 Reporting Mechanisms

The Police

All crimes reported to the police are recorded at the local level. This information is sent to the regional office and then eventually included in the National records of crimes kept at the Statistics Department of the Jamaica Constabulary Force, Crimes Division.

If the crime is of a sexual nature, the victim is encouraged to report it to the Special Investigative Units, (in the Kingston and St. Andrew and St. Catherine Divisions) or to the police officer specially assigned to deal with these offences in other parishes. These data are again sent to the Statistics Department of the JCF.

In 1997 the Police Statistical Department, Crime Division became computerised. This has enabled them to collect data according to sex for crimes such as homicide, and wounding. Recently, one police officer separated information on murder victims according to age. The reports from the regional offices are fed into the data bank, and computer sheets are produced regularly for analysis. However requests would have to be made to the crime Statistics Department to sensitize them to the necessity to collect data according to whether the crime of violence was: male to male, male to female, female to male, female to female. The occupation of victim, when and if ascertained, could give a rough indication of the socio-economic level of the victim

The Crisis Centre

At the Crisis Centre, records are also kept of clients who either visit the Centre or telephone. There is a standardised form that is filled in for each visit and for each call made to a telephone counsellor. The Centre requests that these forms be sent to the Office for sorting. The onus of responsibility for sending in forms related to telephone calls rests with the counsellor, who is a volunteer, and although training is received as to how to complete the form, many errors occur, not least of all being the error of omission of vital information.

The counsellor is requested to fill in as many details about the client as s/he can, as the information is useful in selection of the best form of intervention for the client. However most telephone interviews take place under crisis conditions where the counsellor has to react quickly. From experience, most calls occur in the middle of the night or just before dawn, and information has to be remembered until the counsellor gets a chance to write it down. Sometimes more than one call comes in at the same time and if the counsellor does not make note immediately,

information gathered may get confused. The records kept for walk-in counselling are more accurate. In the statistics for the Crisis Centre, no distinction is made between walk-in and telephone cases, but there are telephone cases that never get recorded for the reasons cited, so these figures are also under-estimations.

2.7 Are These Mechanisms in Certain Sectors, Institutional or Inter Institutional (Integrated) Systems?

The statistics cited earlier from the Crisis Centre do not take into account the number of women who seek medical attention and/or counselling from their family doctor or psychologist, nor are these cases included in police statistical records unless the women also made a report to the police.

Research and interviews with clients have revealed to this researcher that in instances of robbery in a home, especially if a weapon is used, then any woman present is automatically raped. These incidents are rarely reported to the authorities and the women often seek help, if they do at all, privately.

Statistics from the Casualty Departments at Hospitals of women treated for injury sustained as a result of violence are not included in statistics of violence against women. The only integrated statistics would be for cases of children with sexually transmitted diseases as these cases must be reported to the Special Unit of the police, and criminal proceedings must be commenced. These cases would be included in the appropriate crime statistics on carnal abuse, indecent assault, buggery, incest.

A check with the Casualty Department at Kingston Public Hospital⁵ revealed that they treat approximately 20 women daily, as out-patients for injuries that require suturing, and that 90% of them are as a result of domestic violence. This figure does not take into account those who are admitted to the wards with fractures, serious wounds or acid burns. Research by Mansingh⁶ has revealed that this violent behaviour is very costly to the country and the health service.

A check with two private hospitals yielded minimal information - one hospital stated that they rarely saw cases that could be attributed to domestic violence and the other refused to divulge any statistics. These private hospitals are likely to cater to the middle and upper echelons of the Jamaican society. It is unlikely that women receiving treatment for injuries sustained as a result of domestic violence would reveal the causes of their injuries. Information from counsellors revealed that women from the middle and upper socio-economic levels are often

accompanied by the perpetrator to receive medical attention for the injuries; victims often claim that these injuries are self-inflicted. The perpetrator usually behaves in a most solicitous manner, appearing highly protective, and he rarely allows her to be in the company of anyone without being by her side. Consequently the women usually state that their injury was due to carelessness such as walking into a wall or falling off a chair.

Similarly “battery” or gang rape, which is meted out as a punishment to a woman - usually a young girl from the community who is deemed to have stepped out of line, or to have ‘dissed’ (dismissed, or ignored) the youth in the area - is rarely reported, because of fear of reprisals.

Where reporting is made, the mechanisms are therefore largely institutional and there is no mechanism to allow for an inter-institutional or integrated approach to the keeping of records on gender related violence.

2.8 Is Violence Against Women And Girls Included In The National Systems Of Social Statistics?

The Economic and Social Survey of Jamaica (ESSJ) produced annually by the Planning Institute of Jamaica (PIOJ) does not in general make gender distinctions in its reporting in the Crime data for the year in review.

One can only infer that rape and indecent assault as well as incest are acts of violence perpetrated on a female. Victims of buggery are similarly not distinguished by their gender. An assumption is made that they are males but this need not be so. Murder statistics, as well as wounding are not tabulated by either sex or age, making it difficult to estimate the number of crimes of violence perpetrated on women and girls.

2.9 National, sector and institutional policies and plans to eradicate violence against women

Is there a National Policy on this issue?

There is a National Policy Statement on Women, which was produced by the Bureau of Women’s Affairs and accepted by Cabinet in July 1987.

This policy cites as one of its immediate goals:

Recognising that evidence physical and sexual abuse within families and societies is increasing, the Government will pursue means of providing adequate protection and means of redress to women and

children who are victims of family violence, incest, rape and sexual harassment

Recognising that legal and administrative reforms are still required to achieve adequate protection and treatment of women under the law, the Government will identify areas in which reforms are required to eliminate discrimination against women in accordance with the UN Convention on the Elimination of All Forms of Discrimination Against Women, and will implement the reforms necessary for the protection and advancement of women. (p.5)

b) Institutional Support for the Policies

The basis for all legislation in Jamaica is the Constitution however, the present Constitution of Jamaica, constructed with extreme sensitivity to racial characteristics, to the diversity of religious denominations and intense political rivalries, contains no provision against discrimination based on sex.⁷

A programme of public education on proposed constitutional reform is anticipated, at the end of this exercise, a referendum will be held to determine the changes that would be preferred. This in itself, however, could lead to the Government's reneging on its responsibility to legislate against acts of gender violence, including sexual violence. For example, it was not until March, 1995 that the Domestic Violence Act was passed; however, it did not come into effect until May 6, 1996. There is still no confirmation of a Sexual Offences Act, or an Incest Act, and Sexual Harassment has not yet been addressed

Violence against women in common law relationships or visiting relationships is not recognised as a special case and laws that can be applied come under the *Offences Against the Person Act*. From a legal viewpoint, there is therefore no distinction made between domestic violence and common assault in cases affecting such women.

Rape in marriage also is not a punishable offence in Jamaica

c) Organisation Responsible for Design and Follow up of Policies

Under "Implementation" in the National Policy (pp 6-7) it states that

Permanent Secretaries in all Ministries will be responsible for the implementation of the principles and the immediate goals of the Policy Statement as they relate to their own Ministries., and also that a committee chaired by the Permanent Secretary in the Ministry responsible for the Bureau of Women's Affairs (The of Labour and Welfare) will be responsible for not only the pursuance of the implementation but has also to make an annual report and recommendations to Cabinet on progress in implementation

The Bureau of Women's Affairs is to act as facilitator and co-ordinator of the committee, and, more generally, as a catalyst and support to all Ministries in implementation of the Policy Statement

A representative of the Women's Bureau confirmed that little has happened in respect of this implementation plan. In an interview it was noted that:

The policy was to be reviewed periodically, however, the last review was in 1987. An Inter-ministerial committee was recommended to meet annually to look at policies that have been implemented but this recommendation seems not to have been adopted

The Policy on Women has been cited as a symbolic policy, and almost a substitute for action. It has been argued that the Government can point to the policy as if it is doing something⁸. However the fact that there has been no follow-up belies this, and it would seem that the remark made that the Government is using the existence of the Policy Statement as a 'face-card'⁹ is accurate.

The Bureau has been active in terms of actions to support an eradication of violence against women and girls. They have been lobbying against Sexual Harassment. Over the past 2 years they have been holding a series of Justice System Workshops, for the judiciary/ lawyers/social workers/nurses etc. with the hopes of sensitising the public sector. And, at the community level they have been hosting informal sessions dealing with the subject of violence against women/child abuse. As stated by the Bureau "National Action Plan for women covers all gender issues", and "Once gender issues are examined violence becomes a part of the package". In order to bring about the procedural changes required , to ensure that the follow up procedure recommended comes into effect, the Bureau may needs to be strengthened institutionally.

2.10 What is the budgetary endowment and human resources?

Minimal support has been offered to support initiatives related to gender violence. The Bureau, which is under-staffed does what it can in terms of the limited resources that it has at its disposal. The BWA however, did acquire computer equipment that was donated by The British High Commission. This has enabled the BWA to streamline and upgrade its library facilities. A regional communication system which will facilitate electronic data exchanges among Women's Bureaux throughout the CARICOM region has also been established with funds from the Inter-American Commission of Women (CIMS), UNIFEM and Canadian Regional Gender Equity Fund. The contributions of these agencies are discussed in the following section of this report.

2.11 What is the role of International Co-operation?

a) UNICEF¹⁰

Issues relating to women are mainstreamed in all programmes funded by UNICEF in Jamaica. The Programme on Social Policy and Planning recognises women and children as priority groups in the development process. The plight of adolescent mothers is taken into account and addressed in the programme for Children and Youth at Risk. Women and children are especially targeted under the Decentralised Community Development Programme and improvements are being made to day care services to ease the stress of working mothers as part of the Early Childhood Development Programme.

With respect to gender issues, and, in particular, violence against women, UNICEF has provided assistance to the following organisations for activities related to gender issues and violence against women:

Women's Media Watch (1997-1998) Research on gender based analysis of media violence and an International Women's Day activity.
Association of Women's Organisations in Jamaica: Public Education on Domestic Violence as an activity related to the post Beijing Plan of Action

Bureau of Women's Affairs (1993-1998): Launch of International Women's Day and follow up activities; Preparatory activities for Beijing World Conference on Women; leadership training for women; training in project development for BWA staff

Woman Inc. (1998) International Women's Day activities

In addition to direct support to the above groups, UNICEF is also assisting the Government of Jamaica and NGOs as a part of its Country Probe Programme, with the following activities:

Parenting education

One-day focus group sessions were held in collaboration with Fathers Inc. in four communities under the Decentralised Community Development Project. These communities were:

Rocky Point, Clarendon,
Clarke's Town, Trelawny,
Morant Bay, St. Thomas,
Rae Town, Kingston

The main aim of the focus groups is to understand male and female parental perceptions, attitudes and practices in order to develop relevant messages for the mass media

Parenting Support Groups

Parent support groups have been established in St. Thomas through the customised Community Development Programme which is being implemented by the Social Development Commission.

b) UNDP

All new projects and programmes at UNDP are being gender-screened. The UNDP was the initiator of the Public Education and Media campaign to end violence against women and girls which is a UN inter-agency effort but will also be supported by funding from the Dutch Government and the Canadian International Development Agency (CIDA). This campaign is directly related to a regional initiative on violence against women and girls in the Latin-American and Caribbean region. The launch of this public education programme was held on November 25th, 1998, and an island-wide media campaign is planned. As a part of this programme, there will be workshops for the Police; select inner city and rural communities; Secondary & High School staff; and Health workers; the Judiciary; Government/ Nurses; Staff at Places of Safety (e.g., Mustard Seed, St. Andrew Settlement); and Training of Media Workers by Women's Media Watch. There will also be a one-year training programme designed to modify the behaviour and attitude of health workers to violence against women.

A Steering Committee is to be established to monitor the project so as to avoid duplication of effort by different organisations.

c) UNIFEM¹

UNIFEM is committed to women's development and to the campaign to recognise women's rights as human rights. They are also committed to the Platform for action, coming out of the 5th World Conference on Women. To this end UNIFEM had decided to direct its resources and activities towards two thematic programme areas, namely Women's Economic Empowerment and Women's Political Empowerment. The Political programme includes a sub-programme on human rights under which violence against women falls. The Commonwealth Caribbean selected violence against women as one of its priority areas of concern in the process leading up to the Fourth World Conference on Women. As a result, the UNIFEM Caribbean Office decided to conduct several policy studies under the project's aegis

A study by Roberta Clarke on Violence against Women in the Caribbean context and a National Seminar on the issue was sponsored by UNIFEM's Caribbean office. UNIFEM has also hosted and organised a Regional Conference on *A Violence Free Society- Its Our Right'* held in Nassau, Bahamas in November, 1998. In order to highlight and bring the problem of violence against women to public notice, in December 1998, UNIFEM held a Tribunal on Violence in Barbados with victims giving their testimonies to a panel of judges. This programme was televised and aired by CANA and was seen in a number of Caribbean countries.

d) UNFPA

The UNFPA is involved in gender mainstreaming. The Agency has funded participants to the following conferences; Gender mainstreaming workshops organised by the Commonwealth Secretariat, to be part of discussions on the status of women in New York, and the sending of participants to Beijing.

The Agency has also given financial assistance to the Crisis Centre Hotline, and assistance with the production of Training Modules by the Fertility Management Unit, UWI which include modules on Issues of Violence and Sexual Abuse.

UNFPA will assist in funding a pilot project proposed by the Bureau of Women's Affairs on the Impact of Sexual Abuse on the Girl Child

e) CIDA- Gender Equity Fund¹²

CIDA's strategy is to advance Gender Equity support through sustained promotion of women's practical needs and strategic interests viz-a-viz empowerment, by consistently factoring gender concerns into all projects and programmes

The priority of the Canada-Caribbean Gender Equity Fund (CCGEF) is to increase opportunities for women in CARICOM countries to participate in the sustainable development of their societies. This will be done by supporting the improvement of equitable relations between men and women. Emphasis is placed on projects that will:

- strengthen networking around gender concerns
- support advocacy for, and participation in policy and legislative reforms
- develop initiatives that will lead to the development and use of education, research and advocacy materials

The Gender Equity Fund in Jamaica has a specific focus on Gender mainstreaming and the issue of violence against women. In addition to the significant funding provided in the Inter-agency campaign on Violence against Women (See 2.11-b) The fund has, and continues ;to provide support for most of the agencies involved in programmes addressing the issues of Violence against Women, including: Women's Media Watch, Woman Inc., the YWCA's "We against Violence".

2.12 Mechanisms Of Inter-Institutional Co-ordination; Co-ordination And Participation Of Civil Society

The Terms of Reference also sought information on the following:

- a) Are there (in addition) policies and/or plans in main national public institutions, health, education, judicial, police, social (labour, housing, social welfare...) - to deal with this problem? if yes, describe its main objectives, goals and areas of intervention**

All the Ministries with responsibility for the services listed above were contacted, and responses by way of attendance at a meeting or a written report were received from Education (Counselling Unit), Health (Comprehensive Clinic), and the Police (Training School and Special Investigative Unit). The following information was solicited from these sources:

In October 1998, The Child Guidance Unit at the Ministry was asked to develop programmes around gender issues, but to date, no action has been taken. The Ministry of Education is in the process of developing the framework for special projects within this unit.

The Child Guidance Section recognised that there is a problem in the schools, in that some children find it difficult to relate to an academic teacher who is also a guidance counsellor, especially on issues relating to sexual abuse. The teacher with more than one title cannot effectively deal with the child, but they hope to address this.

The Ministry of Education has also implemented the Change from Within Project and Peace and Love in the Schools. (More details are provided of these programmes in a later section)

The Comprehensive Clinic attempted to deal with issues of violence through play, using colouring books etc. These activities are highlighted in a later section of the report.

b) The “theoretical background, conceptual reference and principles that support these policies

The plans that have been developed by these organisations have been supported by the conceptual references and theoretical background provided for by the following human rights instruments on violence against women¹³ which have been endorsed by the Government of Jamaica.

Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women - Convention of Belem do Para, Beijing Declaration and Platform for Action as adopted by the Fourth World Conference on Women: Action for Equality, Development and Peace.

Article 124 of the Platform for Action address actions to be taken by Governments to prevent and eliminate violence against women. These

include legislative measures, implementation of the *Universal Declaration of Human Rights*, Implementation of the *Convention Against All Forms of Discrimination Against Women*, as well as to formulate and plan to eliminate violence against women through programmes and education at all levels. Nineteen actions to be taken by Governments are cited.

Article 125 deals specifically with actions to be taken by government, community organisations, NGOs, educational institutions, the public and private sectors and the mass media. Ten actions are cited and these include the provision of support services for victims, as well as campaigns of public education and sensitisation amongst the public.

Article 126 includes four actions to be taken by Governments, employers, trade unions, community and youth organisations and non-governmental organisations, as appropriate.

These deal specifically with vulnerable women at the workplace, displaced women, women with disabilities, migrants, and women who have been forced into abusive relationships, and sets out measures to be taken to help these women and girls.

Article 129 sets out 4 actions to be taken by Governments, regional organisations, the United Nations, other international organisations, research institutions, women's and youth organisations and non-governmental organisations, as appropriate. These actions deal with the promotion of research and the dissemination of findings on violence against women and girls. They also encourage the media to examine the impact of gender stereotyping including advertisements which foster gender-based violence.

The CARICOM Secretariat Model Legislation on Domestic Violence, Sexual Offences and Sexual Harassment - Report of the CARICOM/UNECLAC/UNIFEM Post Beijing Encounter: A Caribbean Sub-regional Ministerial Conference

This conference was held in Guyana in August 1997, and was a meeting preparatory to the *Seventh Session of the Regional Conference on the Integration of Women into the Economic and Social Development of Latin American and the Caribbean*. Coming out of this meeting was the *Georgetown Consensus*. The following points addressed violence against women and children:

- *Emphasise the prevention of violence against women and children and the prosecution of offenders, and urge the enactment of legislation where it does*

not already exist

- *Encourage the provision of counselling services both for the victim and the perpetrator of violence against women*
- *Develop appropriate training, advocacy and awareness programmes for judicial, legal, medical, social, educational, media and police personnel to sensitise them to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be assured, in order to ensure the effectiveness of legislation on violence against women and children*
- *Develop and strengthen programmes aimed at ensuring women's sexual and reproductive health rights, in keeping with the decisions taken at Cairo and Beijing;*
- *Initiate research and action towards strengthening the judicial authority within national machineries for women, to ensure that national plans and international agreements and conventions are implemented. The Equal Opportunities Commission currently under consideration in Trinidad and Tobago may be investigated as a model.*

Unofficial text of *The Santiago Consensus*, at the *Seventh Session of the Regional Conference on the Integration of Women into the Economic and Social Development of Latin America and the Caribbean*, Santiago, Chile, November 1997.

This text was proposed by the chairperson with the support of the CARICOM delegation of which Jamaica was a part. The points of particular relevance to issues of violence against women are:

- *To develop gender-sensitive teaching materials, classroom practices and curricula and regular gender-training for teachers to break down gender stereotypes and develop non-discriminatory education and training aimed at the physical and intellectual development of boys and girls; teacher training is an essential component in the transmittal of gender-sensitive programmes for eliminating the differential behavioural expectations of girls and boys that reinforce the division of labour by gender; techniques for improving teachers' capabilities to deliver gender-sensitive instruction need to be researched and widely disseminated in order to support the development of multicultural, gender-sensitive curricula in all areas of instruction*

- *To carry out regular training programmes on gender awareness and planning for civil servants at both national and local government levels*
- *To accelerate action in promoting an active and visible policy of mainstreaming a gender perspective in policies and programmes in all political, economic and societal spheres through the implementation of: gender analysis and planning; gender management systems; gender impact assessments; and more specifically*
- *To emphasise the prevention of violence against women and children and the prosecution of offenders and urge the enactment of legislation where it does not already exist; to encourage the provision of counselling services for both the victim and the perpetrator of violence against women; to develop appropriate training, advocacy and awareness for judicial. Legal, medical, social, educational, media and police personnel to sensitise them to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be assured, in order to ensure the effectiveness of legislation on violence against women and children*
- *To initiate research and action towards strengthening the judicial authority within national machineries to ensure that national plans and international agreements and conventions are implemented; to promote support for the Committee of Experts in their monitoring of compliance with the Convention on the Elimination of all Forms of Discrimination against Women*
- *To contribute to the process of elaboration of the optional protocol to that Convention*

c) How are these Programs on gender violence included in general institutional programming (is it a special program, is it transversally included in general institutional Programs...?)

There has been some general institutional programming, the PALS (Peace and Love in our Schools), a programme using conflict resolution techniques has been successfully implemented in the Primary schools through the Ministry of Education. This same Ministry has also created a special unit to deliver the *Change from Within Project* to teacher trainees (this programme is discussed in a later section).

The Bureau of Women's Affairs has been actively involved in a programme of Legal Reform (discussed in detail later)

e) Is there a Specialised entity (commission, program) responsible for the implementation and follow-up of these policies

The Gender Equity Commission and the Inter-Ministerial Committee the latter being previously described as being inactive as it relates to the Bureau for Women's Affairs programme

f) Are there human and budgetary resources to accomplish them (in comparison to the general budgetary distribution

The special programmes each have their own special budget. The work of the Inter-Ministerial Committee would be supported by the budgets of the respective Ministries. The Gender Equity Commission is not yet operational because funding to support its establishment and work is yet to be identified.

g) Role of external co-operation; and Inter-institutional co-ordination with the civil society

As has been outlined earlier, Jamaica receives extensive help from external agencies, particularly those named. Inter-institutionally, a great deal occurs through networking of the various institutions, both governmental and non-governmental. However, nothing has ever been set up to clarify exactly who is doing what. No evaluation of programmes has been done, nor has there been co-ordination of activities to prevent duplication. For instance, several organisations are involved in gender-sensitivity training but no one is involved in collection of statistics that could be used to put pressure on the government to bring about reform. There is often no follow up action.

h) Policy sustainability and means to ensure it

The situation here is also dubious as not only are there infrequent evaluations to assess success, but also funds are often non-existent or meagre. To cite an example: at the Child Guidance Clinic, when UNICEF funding for the provision of teaching materials and toys (colouring books for teaching appropriate gender- behaviour, and "appropriate and "not appropriate" touching) became exhausted, no budget or means of generating income to sustain the project had been put in place, and so it was discontinued. The policy adopted by The Gender Equity Fund

whereby funds will only be distributed if there is sufficient evidence that the project will be sustainable is therefore reasonable.

Summary

A considerable amount of time and utilisation of Jamaican expertise has been expended in order to formulate such an excellent Policy Statement on Women. Although there is good liaison between the government and non-governmental agencies, pressure for the government to act decisively is reduced by the fact that the non-governmental organisations taking up the slack and doing much of the work that should be done by government. It must therefore be implemented, as it clearly reflects the theoretical and conceptual guidelines outlined by the various instruments for Human Rights described in this section.

Notes

1. Harriott, A. "The Changing Social Organisation of Crime and Criminals in Jamaica", *Caribbean Quarterly*, Vol. 42, Nos3&4, 1996
2. R. Gopaul and M. Cain, Violence between Spouses in Trinidad and Tobago, *Caribbean Quarterly*, Vol. 42, Nos3&4, 1996
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11. The text that follows unless otherwise stated is abstracted from the Preface of Roberta Clarke's *Violence against Women in the Caribbean*. Bridgetown, Barbados: UNIFEM and CIM, 1998
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CHAPTER 3

3. JUDICIAL FRAMEWORK AND JUDICIAL ADMINISTRATION

3.1 Country's Legal Resources for Protection and Penalisation that Exists in Relation to Violence against Women

a) *The Court System in Jamaica.*

In Jamaica, there are two Courts, the Lower Court or Magistrates' sometimes referred to as the petty sessions, and the Higher Courts consisting of the Supreme Court and the Court of Appeal. The Clerk of Courts, a trained lawyer, after examining the case determines in which court a case will be heard. All prosecutions for the Crown (the State) are handled in the lower courts and even if a certain matter has to go to the Supreme Court it is still taken first to the lower court for a preliminary inquiry to determine whether or not there is a substantial case to take to the Supreme Court. During the preliminary inquiry the Clerk of Courts examines witnesses, and from these depositions, the decision is made by the magistrate whether there should be proceedings in the Supreme Court.

At a Magistrate's Court the defendant may plead guilty and in such a situation the Magistrate passes sentence. If the defendant pleads not guilty, the case is tried. Occasionally in the lower courts, the judge may enter a plea of *nolle prosequi*, meaning that the prosecution is not prepared to follow through with the case. This can be due to the failure of witnesses to show up due to fear, or settlement of the issue out of court¹, or the changing of accounts of the alleged offences from time to time in the re-call.

In the Supreme Court cases are presented by Crown Counsel, headed by the Attorney-General (similar to the District Attorney in the U.S.). The Attorney General is technically responsible for all state prosecutions, and often after the police have conducted investigations, their report is sent to this Office for a decision as to whether a case should be started. This might be determined by the nature of the evidence presented. If it is insufficient to allow judges and the public to satisfy themselves as to the innocence or guilt of the accused, a case may be delayed for further investigation or abandoned.

The Supreme Court comprises the Circuit Court, sometimes called simply the High Court, and the Divorce Court. The Circuit Court Judges

periodically hold sessions in the various parishes at the Resident Magistrates' Courts making it easier for persons residing in these parishes. At a Supreme Court trial the jury, comprising ordinary citizens decide on the verdict, after hearing the Judge's summing up of the findings. This verdict must be unanimous.

Persons not satisfied with judgements at either the lower or the higher court may take their case to the Court of Appeal. An Appeal Court can increase or decrease a fine or sentence, quash a conviction or order a new trial. However in cases where the State prosecutes, only the defendant can appeal against sentence. This has led to calls for amendment of the law so as to allow the Crown to appeal when it feels that sentences are too light (as has been known to happen in cases involving violence against women and children ².)

There is also a Juvenile Court for persons under the age of 16 years and the Family Court which has special responsibility for all family issues except divorce and is specially charged with the care and protection of children, whether or not they are in trouble with the law. Cases of domestic violence are heard in the Family Courts, but in parishes where there are no Family Courts, cases have to be heard in the petty sessions court. This leads to a lack of privacy, as all cases brought before the Family Court are heard in camera as also are all cases of sexual assault.

Special problems associated with cases of violence against women and children arise in cases where the accuser and accused know each other. The accuser may be unprepared to go ahead with the trial. In cases of domestic violence, the parties involved often withdraw charges, the accuser claiming that they have made up their differences. Because of this, the Law on Domestic Violence in Trinidad has a clause that once a case has been made, prosecution will proceed regardless. AWOJA, through its legal committee, has been seeking to get this amendment onto the statutes in Jamaica. The Police often do not wish to be involved in issues of domestic dispute because they know only too well that if they arrest the accused, the woman is likely to drop the charges before the trial. The same obtains in cases of rape where the victim is known to the accused.

Another problem is that cases of rape and carnal abuse are often difficult to substantiate because of the difficulty in the case of an adult, in establishing whether the act was consensual. This is particularly difficult if the accused is known to the defendant or no weapon was brought into

play³. In the case of a child it has to be established that the offence was committed by the accused and not someone else. These cases require extensive cross examination and the evidence of witnesses. However, as the law is based on the principle of 'innocent until proven guilty' the victim, under examination, is often so traumatised and made to feel that she is the person on trial that she collapses under cross-examination and leaves the judge no other recourse than to return a verdict of 'not guilty'. The trauma of sexual violence also makes these cases especially difficult for the victim. In court she is forced to re-live the event. She has to prove that she did not cause the event to occur, whereas if a person had her car stolen she would never have to prove that she was in any way responsible for its being stolen. She may have been careless but nevertheless this does not make the accused less than guilty of theft.

In sexual assault cases character witnesses can be brought to testify to the positive characteristics of the accused. In sexual crimes, however, there need not be any correlation between these characteristics and how a man might behave sexually.

One positive change that has taken place is that in a cross-examination, the past history of the woman's sexual life cannot be brought before the court, as was the case previously, when a case was often presented that the woman was promiscuous and had consented to sexual relations.

3.2 Criminal Proceedings and Penalisation

The information that follows, unless otherwise noted, was gathered at the consultative meetings with members of the legal fraternity as part of this exercise to gather information for this study.

In all CARICOM countries, assault, wounding and other violent offences against the person are prohibited, and capital murder in Jamaica carries a Death sentence. Battered women are entitled to lay a criminal complaint which would expose the perpetrator to the penalties of fine and/or imprisonment, the extent of which varies from offence to offence and according to jurisdiction.

In Jamaica where a person is charged with assault upon any female or male child, and the Magistrate finds that the assault is of such an aggravated nature that it cannot be sufficiently punished as a common assault, the magistrate can fine or imprison the offender for a greater period than that allowed for common assault.

The information on 'Penalties' has been abstracted from *No, to Sexual Violence*⁴

a) Incest

Under the law it is an offence for a man to have sexual intercourse with a woman whom he knows to be his granddaughter, daughter, sister or mother, this is defined as incest. The maximum penalty if the victim is under 12 years is 10 years imprisonment, otherwise the maximum is 5 years.

b) Rape

Rape is punishable by imprisonment for a maximum term of life imprisonment (*Offences against the Person Act, Sec. 44*)

c) Carnal abuse

Carnal abuse is defined as sexual intercourse with a female under the age of consent. The age of consent for a female is 16 years. If a male has sexual intercourse with a female under the age of fourteen, he is guilty of an offence whether or not the female consented or whether or not he believed at the time the female to be 14 years or more. The maximum penalty is life imprisonment where the girl is under 12 years and five years if the girl is over 12 but under 15 years at the time of the offence.

d) Indecent assault

Indecent assault on any female is a criminal offence in Jamaica, the extent of the prison term for this offence varies. Indecent assault covers all acts of assault and battery accompanied by an indecent intention or motive. The penalty varies and depends on the nature and circumstances of the assault.

e) Attempted buggery/indecent assault

Attempted buggery/Indecent assault is an act short of penetration, and represents conduct which shows signs of carrying on an unsuccessful sexual act. The Maximum penalty is 7 years

3.3 Specific Laws (Principal Measures and Procedures)

The following pieces of legislation relating to gender issues were supplied by the Women's Group of the People's National Party (PNP). The latter three are specifically related to gender violence.

The Employment (Equal pay for men and women) Act. Act 34 of 1975
The Employment (Equal pay for men and women) Act. Act 34 of 1975
{TC \1 "The Employment (Equal pay for men and women) Act. Act 34 of 1975}

The Status of Children Act. Act 36 of 1976, 6 of 1993 (Section 8)

The Married Women's Property Act. Acts 33 of 1969, 11 of 1970, 41 of 1975 (second schedule), 3 of 1995 (Section 3)

The Matrimonial Causes Act. Act 2 of 1989

The Domestic Violence Act. Act 15 of 1995

The Offences Against the Person Act.

Domestic Violence

The Association of Women's Organisations in Jamaica (AWOJA) produced a pamphlet on Domestic Violence, which states:

The Domestic Violence Act provides special protection for spouse, parent, child, or dependent of the household. Under this Act, former husbands or wives and persons in common-law relationships are given the same protection which applies to married persons.

A person may seek the protection of the Court against violent acts which cause personal, physical or mental injury. In addition, however, a person may seek protection where he or she is being molested, even if no actual violence has been used.

Molestation for this purpose includes:

Watching or besetting a person's home, school or workplace, following or waylaying a person, making persistent calls, to a person, using abusive language to or ill- treating a person.

Protection Orders may be made to prevent the abuser from:

Entering or remaining in the home, or the area where the home is located

Entering or remaining in the school or workplace of the abused person, or in any other place

Molesting a person in any of the ways outlined above.

The Court may also make:

Occupation Orders which give the abused person the right to live in the household

Ancillary Orders to allow the abused person to use the furniture, appliances and household effects.

Before an order is made, the Court must be satisfied that the abuser has used violence, or has threatened mental or physical injury to the person and is likely to do it again.

An abused person may apply at the office of the Resident Magistrate's Court or Family Court for the parish in which he or she lives. Usually, the person against whom an order is sought will have to be served and given an opportunity to appear in Court. However, where the Court is satisfied that a delay in hearing the matter would cause risk to personal safety or serious or undue hardship to the abused person, it may make orders *ex parte*, i.e., without serving the other person the application, before making the order.

Matrimonial Causes Act

Under the *Matrimonial Causes Act*, the Court may make Orders for the personal protection of wives, husbands and/or children of a marriage. The Orders are similar to those which may be made under the Domestic Violence Act and include the following:

Orders to restrain a husband or wife from entering or remaining in:

The matrimonial home or place where the abused person lives.

The area in which the abused person lives

The workplace of the abused person

The workplace or school of a relevant child

Orders in relation to the property of a party in the marriage

Orders for the use and occupation of a matrimonial home by either party

Protect persons under the age of seventeen against assaults, ill treatment, neglect, or abandonment by parents, guardians, or their agents. Any person who commits these acts can be fined or imprisoned or both.

The Domestic Violence Act provides penalties for persons who carry out acts of physical violence. These acts are criminal offences and therefore the person found guilty of them may be fined or imprisoned or both.

The following Bills are yet to be confirmed. Both address issues of violence against women and children:

The Sexual Offences Act

The Incest Act

One serious matter that has not yet been addressed is that there is no legislation about Sexual Harassment, which is defined as:

Unwanted conduct of a sexual nature, made by a person who knows or ought to know that such conduct is unwanted, which either the rejection or imposition of can have negative employment consequences for the victim, as well as undesirable effects on the work environment⁵

The legal Reform Unit of AWOJA has been advocating for such a bill. The CARICOM model legislation seeks to address the matter of sexual harassment as a labour relations matter and to provide civil remedies for workers harassed at the workplace or in educational institutions. CARICOM has recognised that sexual harassment, like other forms of violence against women, has been linked directly to gender inequality and sex discrimination. The Bahamas has enacted legislation against sexual harassment. In Jamaica, the individual is only protected under the law if the victim has been physically assaulted or threatened with an assault. This, however, gives a victim no protection against termination of employment if she refuses to tolerate the harassment.

3.4 Ratification Of International Conventions

Three international treaties have been ratified by the Government of Jamaica. These are:

The Convention for the Elimination of Discrimination against Women (CEDAW)
The International Bill of Human Rights
American Convention of Human Rights

It is difficult to determine how much the contents of these treaties are being adhered to with regard to violence against women. It could be argued that if they were being adhered to then there would be a significant decline in the levels of violence directed to women and girls, but the statistics show that this is not so. In a December 1998 television broadcast on *Women, Violence and Human Rights*, it was argued that in discussions on Human Rights, women were often ignored, the perception being that women were somehow less than human. Further to this, in the Caribbean region, the perception is that women are the property of their partners⁶.

The OAS *Convention for the Prevention, Punishment and Eradication of Violence Against Women (Belem do Para)* has not been ratified by the GOJ and this should be regarded as a serious omission on its part.

Is Gender Violence a Crime?

In the group meetings, participants felt that this question was rhetorical, because violence is a crime. However, certain acts of violence because of the circumstances in which they occur in Jamaica are not recognised by the law as criminal acts, for example, rape in marriage. This, however, is considered a criminal act in other CARICOM countries. In discussion groups another point was made that; many males in the Jamaican society do not consider incest a criminal act because they consider that as the person who supports and is financially responsible for the child that they have a right to sexual relationships with that female child.

It was thought that this is clearly reflected in the law itself where the maximum penalty for incest is 10 years if the child is under five years, and five years if older, whereas an act of carnal abuse carries a maximum penalty of life imprisonment if the child is under 12 years. This light treatment of the offence minimises the traumatic and destructive effect of incest on the child, an act that has more far-reaching effects than carnal abuse because the act is perpetrated by a care-giver, and a person in whom the child has placed her trust.

3.6 Analysis of the application of legislation on violence against women: strength, weakness, future challenges: Efficiency, effectiveness and the timeliness of the judicial administration system in the situation of violence against women

In the opinion of one lawyer, the courts are not sensitive to the plight of women, and the judges have no idea about how to deal with verbal or psychological abuse. They only understand if a woman has been gun-butted. She went on to say:

They do not implement the laws on abuse. They do not care about the laws on abuse. They do not know the laws on abuse. They are not going to rule on abuse issues.

Police at the Special Investigative Unit thought that there was too long a delay between apprehension and trial of perpetrators of violence against women. Many participants alluded to the insensitivity of the judiciary, and the legal process itself. There was still much disgust that a particular judge had incarcerated a rape victim for one night in the Fort Augusta prison because she was not speaking up loud enough for him to hear. In cases involving children it was thought that there should be only one trial, as the events were too traumatic and the child under duress often forgot or changed their statements in later trials. This was then used by the defence to throw out the case.

3.7 Are there specialised Programs, services and/or personnel to deal with the problem (intervention programmes, victims assistance, specialised courts, programmes and/or Regulations according to age group). Describe these programmes, their strengths and weaknesses.

a) *The Family Court*

The Family Court deals with incidences of domestic violence and crimes against children. There are two courts, one in Kingston, the other in Montego Bay. However according to several lawyers, the Family Court trivialises concerning domestic violence. One lawyer stated that "The court needs to look legal, imposing and threatening."

b) *The Special Investigative Unit- Rape Unit (JCF)*

This Unit was established December 1989, and since that time there have been increases in reporting, not due to an increase in the number of

cases but to the fact that persons now have somewhere to go to seek redress. There are 5 special units: Ruthven Rd, (Kingston); Spanish Town Police station; Portmore; Morant Bay; and the Montego Bay Clinic. In addition, trained female Police Officers are located in each Parish.

Each victim receives counselling, doctor's visit, sometimes medication often from the counsellor's own pocket. It was pointed out that doctors are often not willing to see a victim because of their unwillingness to attend court. The women are encouraged to proceed with court hearings but sometimes the women do not want to proceed because of embarrassment and fear. The police at the Unit stated that there was a need to ensure that once the man can be found, he is brought in and the case sent quickly to trial.

The Rape Unit also provides community education with visits to schools and community watch groups. The Unit works closely with counsellors in schools, especially in areas where rape is prevalent. Selection of areas in which to work are determined by the analysis of statistics collected by the Rape Unit. The Unit also produces fliers and posters for general distribution, amongst schools, community centres, health centres and police stations island-wide.

The women police are specially chosen based on their 'demeanour and empathy'.⁷ Training consists of a 2-week intensive training in rape investigation and counselling at the Twickenham Park Police Training Academy. After training, female officers are placed in the main police station in each division/ parish, or else at the Rape Unit in Kingston.

c) *Mediation Unit*

The police also have a mediation unit, and cases of Domestic Violence would be referred to the unit.

3.8 Are there specific and clear regulations to deal with violence against women issues within the judiciary ?

As noted previously, there are no specific regulations to deal with violence against women. There is a maximum sentence for each offence but it is up to the judge to exercise his (usually) discretion in passing sentence. In 1996 there was a national outcry by the women's groups and other groups of concerned citizens when a judge gave a non-custodial sentence and fined a man found guilty of carnal abuse of a physically disabled child \$3000 (approximately US\$80.00).

3.9 Are there training programs for judicial, medical and legal personnel?

There are no programmes, or units within established programmes with specialised training for the judiciary to deal with violence against women. Lawyers who were part of this consultation, however, felt there should be, and that this could happen through Norman Manley Law School. However, it was felt that there were not too many persons interested in issues of violence against women and children as these cases do not generate income. It was suggested that someone like the Minister of National Security or the Attorney General needs to lead the crusade against abuse of women and the insensitivities often exhibited by legal and judicial personnel. The statement was made by one participant that: "The fact is that in comparison, the Family Court is not seen to be as important as the Gun Court".

As will be discussed later in the report, the Bureau of Women's Affairs has been conducting programmes for the training and sensitisation of persons in the judiciary. However, there was general agreement among the participants in the consultation that: such programmes do not have much credence, or weight amongst many in the legal fraternity. They tend as a body not to respond to measures taken to sensitise them, and are often autocratic, patriarchal and sexist. It was generally recognised that many would not respond favourably to programmes offered by women. The suggestion made is to encourage a leading legal luminary to take up the cause as this would yield better results.

3.10 Are there training links and co-ordination of the judicial bodies with other specialised organisations?

The Bureau of Women's Affairs is conducting a series of workshops throughout the island for members of the judiciary (see next section for details).

3.11 What are the principal limitations for prompt judicial exercise in situations of violence against women?

In the opinion of those consulted the principal limitation is insensitivity to the issues. judges need to be aware and sensitised to the law, and the peculiarities of issues of gender violence. Others mentioned that in the

case of Domestic Violence there is now complacency among the judges as the law is now on the books. One lawyer stated that: "Laying the document in front of the judge, and sitting in a room is not implementation".

Another factor is that there are only two Family courts to deal with domestic violence (one in Kingston, and the other in St. James). Cases in other parishes have to be dealt with in the Circuit Courts. This leads to a lack of privacy and confidentiality, and in a place as small as Jamaica this can seriously impede the course of justice.

The problem of training also needs to be addressed. There is no training for either lawyers or judiciary on gender issues. For those on the Bench there is general training, however the training in gender issues is brief and not involved enough to provide an in-depth understanding of the concepts and issues.

According to many female lawyers, there is evidence that both the judges and the system are sexist. And despite the fact that abuse cuts across people of all social classes, in the opinion of some participants judges tolerate abuse at lower levels, and are unsympathetic to these women. These women are most vulnerable, as they do not know where to look for help, or what the alternatives are.

NotesNotes{TC V2 "Notes}

1. Sexual crimes, especially in the poorer sections of the community are often settled by the accused giving a monetary sum to the accuser or their family in the case of a minor.
2. In 1997, a judge fined a man found guilty of carnal abuse of a physically handicapped child less than US\$80.00 - his argument was that the man had no previous offences and was in regular employment.
3. The Superintendent at the Special Investigative Unit, during consultations stated that if there is any crime against women where there is evidence that the accused had a gun, then on apprehension of the accused this case would be readily brought to trial at the Gun Court and the matter dealt with speedily and the accused would be found guilty.
4. *No To Sexual Violence* by Sistren Theatre Collective

5. ILO : Training Package on the Promotion of Equality and Treatment of Women Workers in Employment : Module 7: Combating Sexual Harassment in the Workplace.
6. *"Caribbean Perspective", CBU Broadcast, December 10, 1999, International Human Rights and Violence Against Women , a panel discussion featuring, Justice Jackman, Barbados, Dr. E. Barriteau, CGDS, Cave Hill Campus, UWI, Dr. V. Salter, Mona Campus, UWI*
7. Information supplied by Special Investigative Unit, JCF

CHAPTER 4 CHAPTER 4 {TC \14 "CHAPTER 4}

4. SERVICES AND PROGRAMMES OFFERED FOR THE DETECTION, REFERENCE AND INTERVENTION IN SITUATIONS OF VIOLENCE AGAINST WOMEN

Most of the information gathered in respect of these issues,, unless otherwise stated was gathered from participants at the specialised meetings that were held, and also from written reports about the respective agencies that were submitted by participants

**Which services are available for the population within the main State sectors:
health, education, police, justice, and social**

Reports and information were solicited from the following:
The Bureau of Women's Affairs
Ministry of Health
Private Medical Practitioners
Ministry of Education
The Jamaican Constabulary Force
The Ombudsmen

a) *The Bureau of Women's Affairs (BWA)*

The aim of the bureau is to enable women to recognise and actualise their full potential as individuals and to create avenues for their full integration into National Development.

The specific objectives are:

To develop a National Plan of Action for Women in order to direct policies and programmes aimed at integrating women in all areas of National Development.

To seek methods of improving the status and promoting the development of women in the society.

To assist in promoting programmes and policies aimed at integrating women in areas of national development with particular emphasis on the integration of rural women into the rural economy.

To develop and implement projects to provide training and economic support for women in order to enable them to become an integral part of the labour force.

Objectives that relate specifically to deal with issues of violence against women include:

To establish links with existing agencies with a view to developing policies geared towards the elimination of all forms of discrimination against women.

To develop a Public Education Programme in order to change the consciousness of women and men so as to effect the active participation of women in all spheres of national life.

In order to achieve these objectives, the functions of the BWA include, among other things, Research, Public Education, and Continuing Education programmes for adolescent mothers. They also operate a revolving loan fund for income generating projects for women.

In order to carry out these functions, the BWA mounts media programmes for public education, develops non-traditional skills training for women, identifies services available to women, liaises with international agencies, and facilitates the development and expansion of Women's Centres.

During 1997 to 1998, the Bureau of Women's Affairs specifically targeted the issue of Violence Against Women and hosted a series of seminars on *Gendered Analysis of Violence against Women*, to sensitise personnel within the judicial system of the situation of women and the scope of the problem. Participants included key policy makers in the Justice System, representatives of the Judiciary, members of the Security Forces, the Bar Association, the Legal Reform Council, selected lawyers and leaders of the women's non-governmental organisations. The first seminar covered the parishes of St. Andrew, Kingston and St. Thomas, the second the western parishes of St. James, Trelawny, Hanover, Westmoreland and St. Ann. The central and southern parishes were also to have seminars in the series. According to the Bureau approximately 135 persons have benefitted from these workshops, and towards the end of February-March 1999 they will be holding two additional seminars specifically for judges..

b) The Ministry of Health

The Ministry of Health has facilities that deal with child abuse, including sexual abuse. However, there are no special facilities to deal with violence that is directed at women in any of its forms. For children, there is a clinic at the University Hospital of the West Indies that offers counselling to children who are victims of physical and sexual abuse, and the Comprehensive Health Clinic also offers guidance and counselling for child victims. Children are referred by churches, clinics or schools. Walk ins to the clinic are rare.

There is a Child Guidance clinic where children who have STDs, or are the victims of physical, psychological and sexual abuse are seen. Their youngest victim in 1998 with STD was 2 months old. The mothers also receive counselling since many of them deny that their child is being molested because of fear that their source of income and support will dry up. Children with psychiatric problems are also seen, and the clinic conducts education programmes for parents, hoping to dispel the myth that having sexual intercourse with a virgin child will cure STDs.

There is intersectional collaboration between the clinic and the Police, as well as with nurses and schools but the work of the Clinic has been limited because of staff shortages and lack of funds.

Nurses and Public Health Educators at Clinics throughout the island also offer help and advice on an *ad hoc* basis and many of them are of the opinion that cases of violence against women and girls are more likely to come to their attention before reaching the Police.

Victims of violence are also seen in the Casualty Departments of hospitals. Cases of sexual abuse of minors have to be reported to the Police. There is no official policy for other cases.

The Kingston Public Hospital uses the services of a full-time doctor designated a "wound officer" to attend to trauma patients between the hours of 4.00 p.m and 10.00p.m.¹

Public Health Sector clinics and hospitals and STD clinics provide medical attention for sex workers Contact investigators also visit sex-workers in clubs and also attempt to dissuade and counsel young girls who arrive by bus to Savanna La Mar to become Entertainment Coordinators or go-go dancers. as detailed earlier.

c) *Private Medical Practitioners*

Medical Practitioners also see women who are victims of violence. A Family Practitioner stated that in routine interviews conducted with female patients, over 60 percent presenting with symptoms of depression had been victims of sexual and physical abuse whereas 30 percent of non depressed patients were also victims. A psychiatrist in a telephone interview stated:

I know that at least 85% of my patients suffering from depressions and other psychiatric complaints have been sexually abused at sometime in their lives, some repeatedly. I would state that 90% of my female patients who have been in a relationship for more than two years have been subjected to domestic abuse, either psychological or physical. Many are the typically abused personalities, they have come to expect it and do nothing about it.

d) The Ministry of Education

As mentioned earlier, the Child Guidance Unit, at the Ministry has been mandated to implement programmes within the schools to deal with gender issues, specifically problems of abuse. This directive was received in October, 1998, but has not yet been implemented. Most schools, however, employ guidance counsellors but many of them are not qualified or competent to deal with issues of gender violence, particularly incest which is a taboo subject in Jamaica as in the rest of the world.

The Coalition for Better Parenting is a Non-Governmental Organisation which is affiliated with the Guidance Department of the Ministry of Education, Youth and Culture. The Coalition trains and equips facilitators to assist parent groups throughout Jamaica. Parenting Partners developed and distributed materials that are used in this programme.

Classes are held in Family Life Education throughout the school system. The syllabus deals with issues such as family, socialisation, sex education etc. Again it is up to the individual teacher to determine how issues of abuse and gender violence are dealt with. However, personal communication with many students has shown that many children are ignorant about sexual and related matters such as menstruation, and pregnancy, despite having attended classes in Family Life Education. There is often resentment amongst parents about the teaching of this subject, and there is a general belief that discussion of such matters will encourage the child to become sexually active.

Recently the Ministry of Education, under the direct supervision of the Minister, the Hon. Burchell Whiteman, employed the principal facilitator of the *Change from Within Project* to implement the project in schools nation-wide. This project deals specifically with raising the levels of self-esteem amongst both staff and students in order to bring about positive relationships within the school community with proven carry-over into the wider society which the school serves. Training in the principles involved has already been incorporated into the Mico Training College for Teachers and will be established in the other Training Colleges island-wide. The Project is discussed more fully in the section on 'Successful Endeavours'.

e) *Child Care and Protection Services*

This department deals with under-age girls who are found employed in clubs, or in need of care and protection. The children are placed in Homes (state run or private) and assigned a Probation Officer or counsellor whilst Family Court proceedings ensue (and after this also).

f) *The Jamaica Constabulary(JCF)*²

The JCF runs several programmes to deal either directly or indirectly with the problem of violence against women, the chief of which are the Sexual Offences Investigative Unit and the Mediation Unit. Indirectly, the JCF can also influence attitudes towards violence through their Youth Clubs.

The Sexual Offences Investigative Unit are now established throughout the island and they investigate reported incidents of rape and other sexual offences and provide treatment and counselling for victims. The reported incidence of sexual violence declined by 9.7 percent from 1996 to 1997, however figures indicate that it has risen again in 1998 (see statistics - Section 2).

The Mediation Unit provides counselling in alternative dispute resolution methods. The core group of specially trained police personnel works with other members of the force, schools, colleges, youth clubs and churches to sensitise them to these techniques. A total of 7,532 persons participated in the 105 lectures conducted in 1997. The unit plays a vital role in reducing incidents arising from domestic disputes. One hundred and ninety-eight such disputes were referred to the Unit in 1997. One hundred and twelve (56.6 percent) were successfully mediated and 13 were referred to the Courts.

Police Youth Clubs. During 1997, a total of 106 new Police Youth Clubs were formed, bringing the total to 332. Membership in these clubs totalled 16,000, and members were exposed to leadership training, participated in athletic meets, personal development programmes and summer camps.

g) *The Ombudsman*

A report from the Ombudsman was sent for inclusion in the data. It was explained by the Office that in their work, they had never dealt with a case of violence, or even one that involved a gender issue. They emphasised, however, that should such a case arise, their staff were gender-sensitive in their approach.

h) *The Judiciary*

During 1997, special emphasis was placed on the training of personnel to be more responsive to the public, especially to persons with disabilities³. The Bureau of Women's Affairs during 1998 was involved in a similar programme of sensitisation on gender.

i) *The Disputes Resolution Foundation Limited*

This organisation continued to provide training for Police and a range of other institutions. It also worked with the Court system to which 63 cases were referred. The Foundation has also got involved in the Correctional Services, certifying 78 mediators under this project.

Service De-Centralisation and Participation of Other Social Actors Such As Local Governments, Universities, Civil Society, and Churches, etc.

There is an excellent relationship between the governmental organisations and the Non Governmental organisations (NGOs) that operate in Jamaica. The country has managed to provide facilities that deal with issues of social welfare because of the support of the very vibrant NGO movement. However, it has to be pointed out that these support services operate voluntarily.

In the case of women's issues, Jamaica possesses a vibrant and conscious women's movement that exists in a state system that is

essentially male in outlook⁴ . The women's organisations as well as other conscious persons are doing all that they can, not only to advocate for change in the legal system but also to provide services for victims as well as public education on issues of violence. However, cash constraints limit what can be done, which means that the bulk of the work is done by volunteers.

a) *Work Within the Churches*

The United Theological College (UTC) and St. Michael's Seminary offer a course on Women and Liberation was recently introduced because of a felt need to make the teachings and daily practices of worship within the church more gender sensitive. However, it was noted that there was considerable resistance from certain members, but that with many biblical references being cited to support the continuance of gender inequities, it was felt that such a course should be compulsory.

UTC also conducts courses in Pastoral Counselling for students. The lecturer, a trained psychologist and pastor ensures that the students know the difference between pastoral counselling and Christian counselling and advises that in matters secular (such as issues of Domestic abuse, marital counselling etc.) pastoral counselling should supersede as not all persons who are seeking help, hold the same religious beliefs as the counsellor). The evangelicals do not make any distinction between pastoral and Christian counselling, only offering the latter to their church members. Several Church Organisations also offer counselling, pastoral guidance and medical help, as well as work with youth organisations (for a listing see Appendix A.)

At the meeting with church representatives a concern was expressed that the evangelical denominations to which over 60 percent of the Christian population in Jamaica are affiliated, do not have programmes on gender issues and still subscribe to gender inequalities in their doctrinal teachings. There was no member of the evangelical movement present to address this concern.

b) *The University of the West Indies*

The University, as the leading educational institution in the region recently formulated a Sexual Harassment Clause in its ordinances with

procedures to be adopted in cases of sexual harassment. The Office of Administration has conducted workshops on this ordinance (8) throughout the University Community in order to sensitise the members of the University to the issues involved. The Policy can be regarded as a model one for the Caribbean, and the University has been approached by many private sector organisations for assistance in formulating their own guidelines⁵.

Training and Research are central to the thrust of Gender Mainstreaming, and *The UWI Centre for Gender and Development Studies* was a key agency in supporting these activities through its training and research programmes. Two hundred and ten students at undergraduate level and 6 at graduate level pursued related courses at the Centre in 1997. The Centre also designed projects and co-ordinated research in the areas of:

Gender Awareness Training for Teacher Educators in the Region

Perspectives on Male Under-achievement in Education and the Implications for Policy and Planning and Prepared with funding from UNIFEM a training manual on *Gender Analysis in Policy and Planning*

Staff and members of the University community were involved in Research and Teaching on:

Gender Bias in Primary level Curriculum Texts

Development of Gender Codes through pedagogical and social processes in classrooms

Women's Health

Gender Identity and Popular Culture

Sexual and Domestic Violence

Prostitution

The Caribbean Child Development Centre (CCDC) undertook a pilot study on gender issues affecting children prior to primary school entry. This will form a basis for a more in-depth study of Gender and the young child. Jamaica was one of six countries involved in this study using the Participatory Learning in Action (PLA) method of research.

A World Bank/UWI Participatory Study of urban poverty and violence in Jamaica was conducted by the *Faculty of Social Sciences* in five urban communities in Jamaica⁶. The study revealed that both men and women stressed the influence of frustration arising out of poverty and hopelessness on domestic violence. They recommended the establishment of safe centres for counselling on the improvement of

family and interpersonal communication as a priority to deal with the problem. There is already a Children's Desk run by the *Dept. Of Sociology and Social Work* which deals with issues of abuse and exploitation.

The University Hospital of the West Indies provides counselling for adolescent victims of sexual exploitation.

Organisations That Help (Girl) Children

The following text highlights the activities of organisations that assist children (specifically girls) in Jamaica.

Big Sister Movement

The organisation attempts to offer girls the opportunity for further growth and development through friendship with a woman she can trust.

Children's Lobby

This is an interdisciplinary group of practitioners actively involved in the delivery of services to children. It is committed to providing an effective voice for the children, who are unable to vote, lobby government, or represent themselves. It is primarily policy oriented and pays particular attention to children who are disadvantaged.

The Lobby, in association with the Jamaica Association of Social workers, held several seminars to address the issue of child abuse from a policy and programme development point of view. The recommendations are to be forwarded to the Government of Jamaica. In May 1997 (Child Month) findings of research funded by UNICEF on children and violence were released and they showed that child victims of violence were predominantly female, but that boys do not escape sexual abuse which is the most common form of abuse in Jamaica. This organisation provides hot-line telephone counselling for children and adolescents.

Fathers, Inc.

This is a group of concerned males who have undertaken the task of educating and providing guidance for fathers in the task of parenting. They hold workshops, panel discussions and employ interactive techniques with groups of persons throughout the island and also hope to start a hot-line counselling facility for males. Fathers, Inc. also

collaborated with the public and non-governmental women's organisations on issues concerning domestic violence, population and health.

Jamaica Save the Children Fund

The Fund offers Parenting courses in an effort to improve family life. The members also keep in touch with parents so that the first signs of physical or emotional stress in children can be investigated

Parenting Partners

Parenting Partners is an association of agencies, each of which recognised that alone it had neither finances nor personnel sufficient to tackle the necessary major tasks. They have provided an example of non-competitive agency collaboration that is a credit to all participants. This Partnership of organisations arose out of discussions with Save the Children Fund and the Child Guidance Clinic following a symposium to discuss the existing parenting programmes in Jamaica. A two volume manual for community based facilitators of parent groups, referred to in the section on coalition for Better Parenting, and a research component to test the efficacy of this parenting education approach have been developed.

d) *Groups that Help Adolescents*

The Women's Centre

The Centre's main function is to operate a programme for adolescent mothers, in order to allow them to be reintegrated into the school system after the delivery of their babies. But, in addition, the Women's Centre offers:

- A walk-in counselling service for women
- Counselling for baby fathers and parents of teenage mothers
- Skill training for both males and females in age group 17-25 years
- A homework project for youngsters 9-12 years old, which includes instruction, family life education, and counselling
- Confidential counselling for children of any age, and group counselling
- Day care facilities for babies of working mothers
- An activity programme at five rural centres for children 9-14 years who have either dropped out of school or are at risk of dropping out.

Teens in Action

The group was formed in 1987 by a member of Sistren. Their mission is to reach young people at the community level, both nationally and regionally, to make them able to deal with issues such as violence. Their objective is to empower the youth and to enhance their lives. Their programme also seeks to confront the public with the problems facing teenagers in the hope of getting possible solutions. Their ongoing activities include workshops, counselling, drama and dance tutoring, organisational skills training and community service outreach, e.g. helping the elderly.

Youth Opportunities Unlimited (Y.O.U.)

The aims of this organisation are:

To ensure that through the mentoring relationship, every adolescent is provided with the emotional support necessary to build self-confidence and self-esteem.

To provide through counselling, training and example, the tools, resources and ideals that will ensure that adolescents complete their post-primary education and are equipped to become productive citizens.

To support schools in their goal of leading students to use effectively the opportunities offered to them through post-primary education.

To play a strong advocacy role for the rights of children and adolescents.

Y.O.U., which was launched on March 14, 1991, is targeted at adolescents in the post-primary school system. Their objective is to identify young people who want to succeed, and have the potential to do so, but who do not have the necessary support system.

They aim to give such children the motivation and the inspiration to do well in life, to guide them and expose them to a wider variety of life experiences than would normally be available to them, and to provide practical assistance in identifying and achieving their goals in life. They provide mentoring for adolescents which includes career guidance, positive role models, emotional support and counselling through:

Introduction to workplace skills

A homework programme for students, with supervised facilities

Job placement

- Summer enrichment projects
- Training of adult mentors
- Advocacy on behalf of all children and adolescents
- Consultancy services for agencies and institutions wishing to start their own mentoring programmes
- Parenting workshops to improve family life and to involve parents more in the school life of their children.

Y.O.U firmly believes

... that young people from even the most disadvantaged circumstances can succeed, when they are brought together with caring adult mentors who listen to them, stand by them and help them to achieve their full potential.

Y.O.U. works closely with teachers and guidance counsellors in schools to select youngsters who can benefit from its programmes. The Y.O.U. social work team closely monitors the mentor and the person being mentored. Many of these students come from inner city communities where they are surrounded by crime and violence. Some are from abusive families, while others just need extra motivation to achieve their potential. Recruitment and training of mentors is ongoing. The workshops mentioned above cover topics such as career guidance, communication, child abuse, values and attitudes and goal setting.

Through its support programmes, Y.O.U. introduces students to the world of work, enhances their life skills and helps them to find holiday jobs and make valuable career contacts.

The Y.O.U. Consultancy Programme guides other organisations wishing to start mentoring programmes. Y.O.U. also plays a strong advocacy role, operates a Parenting Programme, and finds financial support for youngsters enrolled in its programme who need assistance.

Over 200 volunteer adult mentors have been recruited and trained during the organisation's first six years of operation, all of whom have mentored adolescents. In addition to several outstanding "success stories" in which students have been mentored through graduation, gaining employment and/or starting tertiary education courses, dozens of others have shown improved attitudes, better grades and increased confidence after joining the Y.O.U. programme.

An additional benefit is the increasing cadre of trained adult mentors who gain valuable counselling and communication skills through the Y.O.U. training programme, while becoming more committed to community development.

Y.O.U. has received support from the private sector, the Jamaican Government and the international community. It collaborates with other private voluntary organisations, and networks with mentoring organisations world-wide.

e) *Women's Groups That Deal With Violence*

AWOJA - Association of Women's Organisations in Jamaica⁷

AWOJA is an umbrella organisation made up of approximately 30 member organisations and 30 individual members. Its aims are as follows:

- To develop a common voice and group speaking to issues that concern women of all ages, socio-economic groups, class and political inclinations.

- To create lobby groups to address issues concerning women

- To encourage women to join and actively participate in organisations' that address issues of concern for women

- To improve condition of women as consumers and citizens

- To collect data locally and internationally on conditions of women

- To implement programmes of public education

- To raise the consciousness of women.

As part of their aim to implement programmes on public education the Domestic Violence Public Education Committee conducted a total of 10 workshops funded by UNICEF/WIDE in 1997 on Domestic Violence throughout the island. They have also conducted workshops in Parenting in communities that have requested such workshops. Issues of incest are raised at these workshops, and also the participants are informed of what recourse women have if they are victims of domestic violence.

AWOJA organises and co-ordinates the activities of member organisations on International Day Against Violence Against Women, November 25.

In order to collect information for research purposes a Questionnaire on Domestic Violence was sent out by AWOJA to all member organisations,

to find out what they do in this area. This activity was co-ordinated by the Legal advisor on Domestic Violence to AWOJA.

AWOJA has also produced a pamphlet on Domestic violence that gives information on how someone should proceed if she is abused (see Appendix).

Summary of the Work done by the Member Organisations of AWOJA

a) Practical Services - Offered by Member Organisations

WROC: weekly clinic treating mostly gynaecological problems and childhood illnesses

JLP Now: 1988-1990: mobile medical unit providing primary health care to urban and rural communities.

Catholic Women's League: 2 Health Clinics.

Mel Nathan Institute: Blood pressure and urine tests among the elderly.

Women's Centre: Referrals.

Woman Inc.: Counselling.

Fifty-eight percent or 14 out of 24 organisations surveyed have some focus on health issues, either in their public education activities or through direct services. Of the topics covered in public education activities, AIDS/STDs, family planning and nutrition seem to be most common topics. The clinics tend to offer general primary health care to persons who are ill and seek medical attention. However, there is no indication that the clinic services being offered are based on information about women's health and well-being, nor are the programmes aimed at meeting women's needs throughout the life cycle.

b) Exploitation of Women

A considerable amount of attention has been paid to issues such as rape, incest, carnal abuse, sexual harassment and domestic violence through workshops and lobbying activities. In addition to these Sistren Theatre Collective has addressed, through plays, the issues of exploitation at the work place, namely in free trade zones and among household workers.

Sistren, Teens in Action, Women's Media Watch and *Woman Inc./Crisis Centre* are organisations that have placed emphasis, consistently, on issues of exploitation of women.

c). *Young Women*

Workshops are held in schools and communities on health and social issues that affect young women by Sistren, YWCA, Teens in Action, Women's Centre Foundation, and the University Women's Group)

d). *Shelter (establishment and/or support of)*

Woman Inc. runs a crisis shelter/hostel
St. Andrew Business & Professional Women supports the Elsie Bemand Home for Girls
Women's Centre runs a hostel

e). *Skills Training*

The following organisations provide skills training:

The Jamaica Federation of Women (JFW)
Woman Inc.
Jamaica Baptist Women's Federation
Women's Centre
Women's Construction Collective
YWCA

f). *Education (academic courses)*

Women's Centre Foundation
YWCA
University Women's Group

g). *Employment/Income Generation*

Women's Centre Foundation
YWCA
Women's Construction Collective

h). *Health Services (including counselling)*

Catholic Women's League
YWCA
Women's Resource and Outreach Centre
Women's Centre Foundation

i). *Advocacy for Policy And Programme Changes At National Level*

Women's Centre Foundation
Women's Media Watch
PNP and JLP women's organisation
Woman Inc.
UWI

j). *Elderly Women's Health (Clinics/periodic checks)*

Baptist Women's Federation operates an elderly care centre in Sadbury, St. James

Mel Nathan Institute offers blood pressure and urine checks in communities.

Church based groups are in the forefront of providing services for the elderly. However none of these groups are involved in advocacy for the rights and needs of elderly women (or men) in the society. This is carried out by a national organisation - The National Council for the Aged that promotes and protects the interests of elderly persons.

k). *Decision Making*

Of the eleven groups that indicated that they had activities to improve women's participation in decision making, a significant number defined this in terms of women being in the leadership of their organisations. Four groups were identified as having the highest degree of focus on activities directed at improving women's leadership skills, increasing their participation in decision making at the national level in critical sectors of the economy, in communities, in the church

These groups are the YWCA, the PNP Women's Movement, the Jamaica Labour Party's (JLP) National Organisation of Women and the Jamaica Women's Political Caucus. The PNP and JLP women's organisations have been active in providing their membership with education in areas of national policy as well as activities aimed at self development in order that they might have a say in the policies/activities of their parties. For both groups, however, party loyalty is foremost. Hence, both groups reported that they exercised restraint in their activism on certain issues, particularly when their party forms the government. At such times both utilise more direct and "internal" approaches in expressing their views.

Leadership training is a priority area of focus for the National YWCA and the topics on which emphasis is placed, include leadership functions in a group, motivation, planning and communication, interpersonal relations, recording and reporting. These courses were held in the urban and rural centres of the YWCA.

l). *Media & Communication*

Women's Media Watch

Monitors with a critical eye media images of women
Provides gender training for media practitioners including musicians
Holds workshops to demonstrate some of the effects of media images

m). *Peace*

The inter-agency campaign against violence focuses on peace. The first poster depicts a family with the slogan "the family is where peace begins". Although all groups falling under the umbrella of AWOJA have peace as one of their main areas of concern, only three member organisations have made efforts to rally their own members as well as those of other AWOJA organisations around issues specifically concerning peace. They are Political Caucus, Teens in Action, and the University Women's Group.

The Jamaica Women's Political Caucus, has been particularly concerned with electoral violence and has through its initiatives encouraged and maintained peaceful and co-operative exchanges amongst the female candidates and their supporters. This augers well for Jamaica. All female candidates are encouraged to use peaceful, non-confrontational means, and to dissociate themselves from any act of violence or the perpetrators thereof.

Teens in Action was founded as an attempt to bring peace to warring factions within a particularly volatile community. These youngsters through their public education campaigns and presence, have acted as both mediators and educators on peaceful alternatives.

The University Women's Group brought violence to the public's attention by holding a memorial service for the victims of violence. At the service,

representatives from warring factions (though unknown to the group at the time) came together at a non-partisan function to mourn their dead.

Estimated Impact of AWOJA's Member Organisations (Numbers Served)

Fifty-four percent (54%) of the agencies serves 100 - 500 persons annually, and twenty-nine percent (29%) serves from 1000 - 3000 persons and sixteen and two-thirds percent (16 2/3%) serve 10,000 and more annually⁹. The organisations which come in contact with the largest number of persons (1000 and over, annually) are:

The Women's Centre Foundation
YWCA
Jamaica Baptist Women's Federation
Catholic Women's League
PNP Women's Movement
PNP Youth Organisation
Woman Inc.
St. Andrew Business and Professional Women's Club
Women's Media Watch
Sistren Theatre Collective
Mel Nathan Institute

AWOJA's Impact On National Policies And/Or Programmes

Forty percent (40%) of the groups reported having had an influence on some aspect of national policy/programmes as follows:

Woman Inc.

This organisation lobbied for action on a Police Rape Unit that was instituted in 1989. The organisation is active in training police officers in domestic crisis intervention. They have been a strong lobby group for Domestic Violence legislation.

The PNP Women's Movement

The PNP Women's Movement has played a leading role in successful lobbies for the Maternity Leave with Pay Law, Amendment to the Nationality Act, and the Domestic Violence Act.

The Women's Centre Foundation

The Women's Centre Foundation was instrumental in getting the Education Code changed to allow teenaged girls to return to school after pregnancy (1987). The Foundation also recognises the importance of working with the fathers and also offering them counselling. Additionally, in rural centres, Youth Activity programmes have been introduced with 400 adolescents identified as being at risk. They are taught to accept positive life styles and to negate destructive social behaviour by the use of an integrated programme of remedial education, arts, drama, music and sports. The Centre also has a counselling/medical clinic in Kingston which in 1997 saw 1,617 new clients and had 5,292 revisiting. The Medical clinic served by volunteer doctors, saw 209 youngsters. Peer Counselling Workshop for schools in St. Andrew trained 82 young persons as peer counsellors.

Women's Media Watch

Women's Media Watch has played a role in the introduction of gender issues into the training of media practitioners at the Caribbean Institute of Media and Communications, UWI. The group also had input in a National Media Policy that was being drafted in 1993, but has not been implemented.

Renewal

This group of concerned women comprises counsellors, psychologists and survivors who have recognised that there is a need amongst victims and survivors of sexual, physical and psychological violence for ongoing therapy and support for at least six months. This time allows the victim to begin the healing process that will lead to the ability to be able to function as a survivor of violence. The group is in the process of seeking funding in order to be able to offer professional group therapy to victims of rape, domestic violence and incest. They plan to target men's organisations as they believe that men should be made more responsible for the consequences of violence against women which is, in most cases, perpetrated by men.

St. Andrew Business and Professional Women's Association.

The aim of the Association is to work for equal opportunities and status for women in economic, civil and political life in Jamaica by the removal of discrimination. Their main project is the Elsie Bemand Home for Girls, a

privately run organisation for girls who have suffered physical, emotional and sexual abuse.

Soroptimists.

The aim of the association is to maintain high ethical standards in business and private life and to strive for human rights for all, in particular to advance the status of women

Sistren Theatre Collective

The Theatre collective uses theatre and popular education techniques to advance the awareness of its audiences on questions affecting women. They have explored with their audiences such themes as violence, old age, discriminatory practices, domestic issues, sexual harassment and the plight of women in the labour market, particularly domestic and sugar workers. They also run programmes for children and youth as well as a summer camp. Sistren is also involved in research and has produced a very useful booklet, "*No, to Sexual Violence*" which is in its third re-print.

The University of the West Indies

Centre for Gender & Development Studies /University Women's Group

The University, because of its mandate, is from time to time involved in research, data collection and analysis of situations related to gender. The Centre for Gender and Development Studies was instrumental in spearheading the formation of AWOJA, and has, throughout the years provided institutional and educational support for issues relating to women and girls. The Units have been actively involved in research and have provided expertise for country representation at major conferences, roundtables and discussions as well as playing a pivotal role in the formulation of policy and agenda internationally.

At a local level, the Centre for Gender and Development Studies and the University Women's Group have conducted workshops and panel discussions in Halls of Residence, and amongst the members of the University Community on Domestic Violence, Date Rape, and Sexual Harassment at the Workplace etc.

Woman's Resource and Outreach Centre (WROC)

In this organisation professional resource persons give voluntary assistance to the Centre in order to help the staff conduct various aspects of its work on behalf of women. The services offered are in the areas of general advice and assistance, medical services for women and children, legal advice and assistance and skills training. They also run a thrift shop.

Woman Inc., Kingston

This organisation fund raises in order to be able to provide the facilities of a Crisis Centre, a shelter and a hostel. The only support provided for women experiencing violence is the provision by the government of rent-free facilities for the Crisis Centre and for an administrative office for Woman Inc at the Ministry of Social Security which also accommodates the government operated Women's Bureau.

The aims of the Crisis Centre are:

- To deal with problems related to rape, incest and domestic violence
- To develop self awareness, self healing coping and survival skills to women
- To build self-esteem and independence in women
- To encourage the women to portray a realistic and positive image of women
- To provide through public education, an awareness of existing problems of women in Jamaica and to raise the consciousness of men regarding attitudes, feelings, and situations that contribute to their aggressive behaviour
- To collaborate with existing social services in cases where they can assist
- To use the information gained through the operation of the centre to encourage legislative change and policy reforms on problems affecting women
- To generate interest for change and improvement in the areas of education, health and legal services
- To encourage police sensitivity in dealing with rape, battered and incest victims

The shelter, the only one in the entire island, can only house eight women at a time and they are usually accompanied by their children. All are victims of violence, usually domestic. These women are all referrals from the Crisis Centre. The shelter facilities are temporary and women are actively encouraged to seek alternative accommodation after a maximum

stay of ten days (10) although on many occasions this has had to be extended on humanitarian grounds.

The Crisis Centre also provides a 24-hour hot-line telephone counselling service as well as walk-in counselling during office hours. The Crisis Centre does not have a toll free line so it can be assumed that most of the cases dealt with are from women who live in the Kingston, St. Andrew, St Catherine environs. The Crisis Centre gets referrals from the Family Court as well as from the police, (especially 119 emergency calls), private doctors and psychiatrists.

In 1997 the Shelter and the Crisis Centre had to close for several months due to financial constraints, but with the help of sponsors the salaries for the full-time counsellor and one administrative assistant have now been picked up by private sector organisations. Woman Inc. relies on funding from its annual Trade Fair to keep these facilities operational.

Woman Inc. also operates a residential hostel and training centre for girls who have been in State care until the age of eighteen - this is a proactive programme designed to enable these girls to make the transition from institutional life into the world of work and independent living. Woman Inc. also has a public education committee which visits schools and organisations, organises workshops and panel discussions as requested.

Woman Inc- Montego Bay

There is a chapter of Woman Inc. operating out of Montego Bay. They operate a Crisis Centre that provides walk-in counselling and telephone counselling during office hours. Woman Inc., Montego Bay also operates an outreach programme, visiting schools, churches and youth clubs. With funding from UNIFEM they produced an excellent video presentation on Domestic Violence and Rape. They also have a very vibrant support group that comprises not only volunteers but also many survivors of violence. They meet twice a month and do volunteer work in one of the girls' homes as well as provide support for victims.

They also fund-raise by baking and crocheting etc. In order to help the Centre, they also help to organise a major fund-raising events such as a Walkathon and Gala Dinner. The Chief counsellor's main regret is that they cannot provide a shelter. Despite all the counselling the women often have to go back to the men that abused them because at the end of the day there is no alternative in the majority of cases.

Women's Media Watch (WMW)

This organisation evolved out of a 1987 meeting of 34 women's groups in Jamaica who were concerned about the escalating problem of sexual violence. Their aims are to:

Raise public awareness of the issues of sexual and domestic violence in Jamaica through their public education programme

Improve, by lobbying, monitoring the media etc., the image portrayed of women and men in the media as one way of reducing violence against women

Produce Materials through documentation, conducting surveys, producing videos, educational materials and gender sensitive teaching aids.

They also teach a module on gender awareness in the media for CARIMAC students at the UWI

Young Women's Christian Association (YWCA)

There are eight YWCA Centres throughout the island. Their programmes are aimed at providing service to others and are built around the three-fold purpose of the YWCA - development of body, mind and spirit. They hold a Week against Violence programme annually when they host meetings, and seminars on violence.

4.3 Promotion of alternatives to violence against women

a) Are there plans and/or programs (in which institutions or departments) for the promotion of alternatives to violence and the identification and prevention of risk situations in formal education (schools and universities)

The following programmes address violence, but not specifically gender violence:

PALS

Change from Within⁸

Conflict Resolution Programme

The former two are initiatives of the Ministry of Education, and the latter is a private enterprise endeavour.

The Government has recognised that males must be key actors in educating other males about their responsibilities and about violence against women⁹. However what will be done about this remains to be seen as so far there has been little implementation of the proposals made in the said policy.

The second major target group should be children, as they are Jamaica's future. Programmes are organised in some schools in depressed areas to give children strategies to use to combat violence and solve conflicts, but domestic violence as a separate issue is not addressed. Change From Within, Teens in Action, Youth Opportunities Unlimited and PALS address these issues of concern, but not specifically gender violence.

b) At the community level; national educational and/or media sensitisation campaigns

All the aforementioned organisations have from time to time conducted workshops and programmes at the community level. In addition, the local media addresses issues on gender violence from time to time. There is coverage of gender issues, especially those concerning violence, on radio (especially on discussion panels, Radio Call in Programmes, Morning Magazine programmes such as "Breakfast Club") and TV. The two national newspapers have women's bulletins which address these issues from time to time.

According to *ESSJ*, 1997, campaigns against domestic violence were undertaken through public education and sensitisation work shops, printing of brochures, exhibitions and a walkathon. These efforts were supported by resources from the NGOs, the Bureau of Women's Affairs, Planning Institute of Jamaica (PIOJ), WIDE, UNICEF, and UNFPA.

The Women's Media Watch, through the Caribbean Institute of Mass Communications (CARIMAC), conducts programmes for media personnel and also was instrumental in the development of a course on Gender Analysis and the Media at the UWI.

The United Nations Development Programme's (UNDP) Media and Public Education Campaign, of which this report forms a part, was launched in November, 1998. The main components of the project are:

The launch of a Media and Public Education Campaign via the electronic and print media

Inter-active seminars and workshops for: judges and resident magistrates, Police and trainees, Health workers, Media workers, Selected inner-city and rural communities, Selected secondary schools, Government homes of safety¹⁰.

The project will be executed by Non-Government Organisations (NGOs) with AWOJA as the executing agency and Women's Media Watch, Sistren, Women INC and Fathers INC as implementing NGOs. In addition, The Centre for Gender and Development Studies at the UWI will be responsible for the research and evaluation of the whole project. The Bureau of Women's Affairs will also be implementing a component of the Project.

Is there a policy for the promotion and implementation of exploratory and/or evaluative research on gender violence?

Not at the present time

4.5 Describe and analyse policy and service evaluation.

There will be a national evaluation of the UNDP project conducted by the University of the West Indies, but there are no governmental policies in effect to evaluate and conduct research on gender violence.

4.6 Civil Society Participation

Actions developed by civil society to address violence against women.

a) *Successful experiences*

The three successful experiences that will be highlighted are: Change For Within, Youth Opportunities Unlimited and the AWOJA Programme, Break the Cycle.

Change From Within¹¹

“Change From Within” originated in schools. Schools presently involved in the project are: St. Peter Claver Primary School, Charlie Smith Comprehensive High School, Friendship Primary School and Windward Road All-Age.

The aim of the project is to help children to improve their sense of self and so reduce levels of violence due to lack of knowledge and ownership of self. The Ministry of Education had adopted the programme and was encouraging other schools to use it in trying to change their outlook on violence. Should the children’s energies be channelled into activities that make them happy, such as sports and the performing arts, they would respond and begin to function as motivated individuals. Areas chosen were sports (football), music etc. These subjects, it was felt, would help to instil in children a belief in themselves, and a feeling that anything is possible. This attitude could then be transferred to other areas of the children’s lives, such as academics and relationships with others.

Secondly, trust is built. Students were expected to develop a sense of responsibility by attending leadership courses, and to develop such skills as conflict resolution for settling disputes. As a result, students would get into groups and share experiences and School Assemblies became gatherings

where apologies were given, and recommendations were made. With regard to football matches, students were the ones who selected the team; and if any person misbehaved, the students meted out discipline, usually in the form of forfeiting a place on the team for the coming match.

Students who were selected to be prefects had to perform a self-examination, and had to be supported by fellow students, form teacher, vocational teachers etc. At assembly s/he was subject to scrutiny before becoming a prefect. This was accomplished by focusing on the student's being responsible.

The Co-ordinator of the programme reported that there was a drastic reduction in violence and the carrying of weapons to school. Other students reported children who continued to carry weapons and informed on students who were still involved in violent activities.

It was also reported that at St. Peter Claver, music was used to motivate students, and parents were involved in whatever areas they were capable; for example, they participated in field trips, thus contributing to and aiding in their children's learning process. The rate of parents' involvement moved from a low of 40% to 88%. There was a Parent of the Year award along with the children's award.

Youth Opportunities Unlimited

This programme was described previously, but it shares similar features to that of *Change from Within* and can be a tool for change.

The core mentoring programme aimed at developing high self-esteem and showing that someone cared. They are experimenting with a pilot project at Kingston Secondary School, where they were training and mentoring the girls' football team with noticeable success in the three months that they have been operational. The girls were showing more responsibility, better social skills and were better able to deal with conflict in a positive way.

Over 200 volunteer adult mentors have been recruited and trained during the organisation's first six years of operation, all of whom have been linked with adolescent children in need of mentoring. In addition to several outstanding "success stories" in which students have been mentored through graduation, gaining employment and/or starting tertiary education courses, dozens of others have shown improved attitudes, better grades and increased confidence after joining the Y.O.U. programme.

An additional benefit is the increasing cadre of trained adult mentors, who gain valuable counselling and communication skills through the Y.O.U. training programme, while becoming more committed to community development.

AWOJA Programme in Schools - Break The Cycle

This programme used Miss Jamaica World, 1997-98. She was selected not only because she would be seen by many children and young teenagers as a role model, but also because she herself was a victim of violence and therefore able to relate to the situation that she would discuss with them.

Notes

1. Mansingh, A and P.Ramphal, "The Nature of Interpersonal Violence in Jamaica, and its strain on the National Health System". *WIMEd.J.*, 1993 pp. 42-53.
2. Information abstracted from *ESSJ*, 1997
3. *ESSJ*, *op. cit.*
4. Haniff, N. *Violence against Women: The Case of Jamaica*. Mimeo. 1994.
5. "Sexual Harassment" produced by the Office of the Vice Principal and the Office of Student Affairs, UWI, Mona Campus
6. For a full report see: *They Cry Respect*, H. Levy (ed.) Kingston: Faculty of Social Sciences, UWI, Mona 1997.
7. *The Way Forward*. Kingston: AWOJA, 1996
8. *Change From Within* - a project sponsored by UNESCO, piloted in selected inner city schools by Special Projects, The University of the West Indies, under the direction of Sir Philip Sherlock, utilising the expertise of Mrs P. Chevannes as one of four facilitators. The project sought to raise the levels of self-esteem of the children in the chosen schools and also taught them how to use alternative strategies to reduce conflict. The philosophy behind the project was that the only way to reduce violence was to bring about changes in the youngsters' attitudes and values about themselves and life through the development of healthy self esteem and respect for both the animate and inanimate.
9. *National Policy Statement on Women*. Government of Jamaica. 1987.
10. Extract from The Inter-Agency Campaign Against violence Against Women and Girls, Nov 25 1998.

11 Change from within. *op. cit.*

CHAPTER 5.CHAPTER 5.{TC \I2 "CHAPTER 5.}

5. RECOMMENDATIONS ARISING FROM NATIONAL REPORT5. RECOMMENDATIONS ARISING FROM NATIONAL REPORT{TC \I2 "5. RECOMMEN

5.1 Jamaican Position on Gender Violence5.1 Jamaican Position on Gender Violence{TC \I2 "5.1 Jamaican Position on Gender Violence}

During deliberations at both the focus group and specialist group meetings in addition to eliciting information on the problems of violence against women and girls and related activities, much valuable discussion focussed on possible solutions. During deliberations at both the focus group and specialist group meetings in addition to eliciting information on the problems of violence against women and girls and related activities, much valuable discussion focussed on possible solutions. {TC \I2 "During deliberations at both the focus group and specialist group meetings in addition to eliciting information on the problems of violence against women and girls and related activities, much valuable discussion focussed on possible solutions. }

During the focus group discussion a framework proposed by Basta¹ for assessing strategies geared at gender violence from the perspective of the individuals and institutions was discussed. This framework, it was thought could be used as a method of assessing actions taken so far, identifying gaps and sorting recommendations coming out of the meetings in relation to further research that is needed, interventions that are required and the agencies that should be involved in implementation of the suggested interventions.During the focus group discussion a framework proposed by Basta¹ for assessing strategies geared at gender violence from the perspective of the individuals and institutions was discussed. This framework, it was thought could be used as a method of assessing actions taken so far, identifying gaps and sorting recommendations coming out of the meetings in relation to further research that is needed, interventions that are required and the agencies that should be involved in implementation of the suggested in{TC \I2 "During the focus group discussion a framework proposed by Basta¹ for assessing strategies geared at gender violence from the perspective of the individuals and institutions was discussed. This framework, it was thought could be used as a method of assessing actions taken so far, identifying gaps and sorting recommendations coming out of the meetings in relation to further research that is needed, interventions that are required and the agencies that should be involved in implementation of the suggested in}

In order to assess the present situation in Jamaica, participants were asked to examine the Strategies Framework Matrix (See Table 5.1) and rank the status of Jamaica in respect of each cell using a 5 point scale as follows:

In order to assess the present situation in Jamaica, participants were asked to examine the Strategies Framework Matrix (See Table 5.1) and rank the status of Jamaica in respect of each cell using a 5 point scale as follows

- 1 none or very little implementation
- 2 weak level of implementation
- 3 need for improvement
- 4 adequate implementation
- 5 superior implementation

The number shown in brackets in each cell of the matrix indicates the rating given in relation to the situation in Jamaica. The number shown in brackets in each cell of the matrix indicates the rating given in relation to the situation in Jamaica.

The ratings given immediately show up the weaknesses in the implementation framework in Jamaica. In fact they point to a situation in which implementation itself is the weak link. There has been adequate research and there is no shortage of work that has been done on the probable and possible causes of violence. Jamaica has certainly lived up to its reputation as a 'think tank' and 'talk shop' but has not been successful in terms of carrying through with interventions to attack the problems. The ratings given immediately show up the weaknesses in the implementation framework in Jamaica. In fact they point to a situation in which implementation itself is the weak link. There has been adequate research and there is no shortage of work that has been done on the probable and possible causes of violence. Jamaica has certainly lived up to its reputation as a 'think tank' and 'talk shop' but has not been successful in terms of carrying through with interventions to attack the problems. {TC \12 "The ratings given immediately show up the weaknesses in the implementation framework in Jamaica. In fact they point to a situation in which implementation itself is the weak link. There has been adequate research and there is no shortage of work that has been done on the probable and possible causes of violence. Jamaica has certainly lived up to its reputation as a 'think tank' and 'talk shop' but has not been successful in terms of carrying through with interventions to attack the problems.}

Intervention should not only address the immediate concerns of the victim (i.e. there has to be a response to the violence) but should also attack the known roots of the violence. In other words intervention must be both reactive in addressing the concerns of the victim and proactive in addressing the root causes that perpetuate violent behaviour. Intervention should not only address the immediate concerns of the victim (i.e. there has to be a response to the violence) but should also attack the known roots of the violence. In other words intervention must be both reactive in addressing the concerns of the victim and proactive in addressing the root causes that perpetuate violent behaviour. {TC \12 "Intervention should not only address the immediate concerns of the victim (i.e. there has to be a response to the violence) but should also attack the known roots of the violence. In other words intervention must be both reactive in addressing the concerns of the victim and proactive in addressing the root causes that perpetuate violent behaviour.}

Table 5.1: Strategy Framework Matrix

Victims (Actual and Potential)	Document and identify; kind, extent, conditions of violence Effects on women What is needed to stop it (3)	Offer protection to victims Provision of medical/legal/therapeutic assistance Establish support systems (2)	Empower women to: develop a social analysis of violence Understand extent and limits of law Create new options by developing skills Organise for political action (2)
The Public	Identify popular myths about violence: attitudes of tolerance/acceptance by men and women (4)	Provide information on prevalence in Jamaica Supply information on resources/procedures (2)	Make violence a political issue relevant to all (1)
Institutions	Identify influential institutions: their mechanisms for affecting social values Identify cultural and economic practices that facilitate violence (4)	Assist institutions close to victim to provide support Collaborate with agencies to provide services Train personnel to respond to victims needs/rights (2)	Cultivate allies in institutions and groups Challenge religious, educational, professional authorities to take appropriate

Laws/{Policies)	<p>Evaluate laws dealing with violence Identify how can be improved Develop legal framework to reflect concepts of gender (4)</p>	<p>Use legal means available to obtain protection, redress (2)</p>	<p>action counter negative institutional influences (1) At local, national and international levels Propose more adequate laws Introduce new frameworks and arguments Mobilise public support Lobby legislative bodies for passage of new laws, procedures, policies (2)</p>
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In addressing the concerns of the victim, the methodology employed must also be more than merely putting on a 'band-aid'. It must address the need to return the victim to society as a survivor and not as a person who as a result of the violent act(s) committed against her is dysfunctional and likely to become a victim again and so become entrapped in the cycle of violence. **In addressing the concerns of the victim, the methodology employed must also be more than merely putting on a 'band-aid'. It must address the need to return the victim to society as a survivor and not as a person who as a result of the violent act(s) committed against her is dysfunctional and likely to become a victim again and so become entrapped in the cycle of violence.** 2{TC \18 "In addressing the concerns of the victim, the methodology employed must also be more than merely putting on a 'band-aid'. It must address the need to return the victim to society as a survivor and not as a person who as a result of the violent act(s) committed against her is dysfunctional and likely to become a victim again and so become entrapped in the cycle of violence. 2}

5.2 Gender Violence Strategies –Recommendations5.2 Gender Violence Strategies –Recommendations{TC \12 "5.2 Gender Violence Strategies –Recommendations}

The recommendations from the group meetings and the focus groups as well as the written reports and interviews will be included under the captions used in Table 5.1. These are; Research, Responding to the violence (Reactive Intervention) , and Attacking the roots of violence, (Pro-active Intervention). Likewise the five labels used for categorization of these three captions in Table 5.1 (Victims- actual and potential, The Public, Institutions, Laws/Policies, Enforcement Agencies) have also been used and the appropriate recommendations ordered under these headings and sub-headings

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a) Recommendations for Research Recommendations for Research

Although the causes of violence have been well documented there is one arena that has received no attention, it is the human cost factor in gender violence. How much does it cost the country in terms of time, health costs, productive labour loss, etc. As stated by Dundeen Ferguson²:

Very worrying are the data that confirm that children of abusers are likely to form destructive and violent relationships. Of grave concern is the information from local Child Guidance clinics and Protection Services that a large number of the children in care are there because of violent family circumstances, incest and abuse

Data on human cost can be very difficult to obtain. But some countries have attempted to determine the facts, dispel the myths and deal with the real needs by identifying costs to society. Research done in 1996 show that in Canada 20 percent of women admitted for emergency surgery are

victims of male violence. For the same year in the U.S.A. up to 35 percent of emergency admissions were domestic violence victims .

There is also need for improvement in Documentation and Statistical Data as the areas concerned with statistical documentation of violent acts are woefully inadequate. Without statistical information of this type, as well as data on the economic costs of violence, it is impossible to lobby, form pressure groups, or mobilise persons into action. This could account for why areas of implementation are weak.

Group discussions generated the following suggestions with regard to research and data collection:

Statistics need to be made available to individuals at large.

A research centre should be developed and the economic cost of violence on women be researched.

There needs to be documentation and recording of all events and information, in order to evaluate programmes implemented, or what has been accomplished.

Collection of all data should be separated by gender

From data collected, instruments should be developed for identification of those at risk, and those with a history of violence.

An Evaluation of preventive and therapeutic interventions should be undertaken.

b) *Intervention - Responding to the violence (Reactive Intervention)*

Victims (Actual and Potential)

From the actual victim's standpoint , the intervention strategies are a fraction of what is required. Jamaica boasts a shelter (with accommodation for 8 persons), a rape unit, 24 hour counselling service, and the other facilities cited in this report but none of them are adequate enough to deal with the tidal wave of violence that threatens to engulf us all.

There is a need for a shelter to be established in every major town, with more beds in each, made available.

In addition, Crisis Centres need to be established in every major town.

As stated by the president of Woman Inc ³

It is now three years after the Fourth World Conference of Women in Beijing. It is three years since the Jamaican Government signed the

Platform for Action, to which it agreed among other things, that it would provide a crisis shelter for women who were victims of violence. Yet the Crisis Shelter operated by Woman Incorporated is still, thirteen years since its establishment, the only Shelter in Jamaica of this kind. It offers refuge for female victims of rape, incest and domestic violence. The Platform for Action, a document which was drafted after many years of work and much expense, sought to protect the basic human rights of such women. What really is the responsibility of government and what is that of a voluntary organisation such as Woman Inc.? But what will be the situation in the future? I see the responsibility as that of the government, with assistance from voluntary organisations such as Woman Inc. Violence against women is a human cost with implications for increasing social and economic costs to the country.

It was felt that because the NGO's are very efficient in aiding and implementing measures to aid women victims of violence, the government was not going the extra mile to help e.g. by providing shelters. Pressure needs to be brought to bear on the government for the provision of facilities, shelters and medical and therapeutic treatment for victims

It was mentioned that victims can be counselled to a certain point but this cannot make an individual self-supportive. Therapeutic measures are needed for women and these should be provided free of cost.

The Public

There has to be an interagency collaboration on issues of violence before they can be taken to the community. This would ensure that media and organisations portray a more coherent message.

Different language and stylisation are to be used so that the message can be understood by all categories of persons

Information on the issues of violence should be put together and publicised, for example, at a rally where specific demands can be made by demonstrations etc. There needs to be a reasonably sustained campaign before-hand, using both the churches and politicians to mobilise individuals. Battered women should be encouraged to speak out and to participate.

There should also be a media campaign in which five victims are presented to the public. These five faces should represent the diversity of victims in Jamaica.

Institutions

There should be some systematic training for staff at Children's Homes as it was stated that children from these institutions, many of whom were already victims of violence, were being molested and raped and blind eye was being turned on this issue. It was also pointed out that children were brought up in situations that engendered in them a very low self-esteem where they were made to feel that in order to receive love they had to give themselves to whomever asked.

In order to bring the cycle of child molestation to an end, perpetrators have to be exposed, some of whom could be volunteers at children's homes, pastors and other persons in prominent positions. These children were likely to become victims or perpetrators in the cycle of violence.

Education for church leaders and membership has been suggested. Church members who are victims need to be educated about domestic violence. They would approach their church leaders but are afraid of being "read out" of church hence the abuse continues.

Churches should be educated to a point where they would not only engage in marriage counseling but would also help to prevent abuse. There was general agreement that many church counselors were very judgmental.

Women need to be trained and sensitised, especially those dealing with victims. Mention was made of a particular pamphlet circulated which suggested that what women wear was an influencing factor in causing domestic violence and rape.

It is recommended that different organizations such as the church, police, women's groups need to develop a systematic approach in combating the problem of violence by integrating information from all these organizations.

Laws/Policies

The persons involved in the legal system first need to recognise the extent of the problem. It has been recognised that, starting with the Constitution, there needs to be recognition of women's equality. One participant was of the opinion that a woman was seen as a commodity in the society, and that this was reflected in how they were treated

Enforcement Agencies

There needs to be ongoing training for the staff of enforcement agencies

The legal aid system is not responding fast enough to the issue of violence against women and not creating the impact which is expected, hence there is a need to set up infrastructure to deal with the problem

Night courts should be established to deal with cases, especially cases of domestic violence.

For certain cases, especially for those involving children, there should be only one trial.

Assistance should be given to the victim so that she knows what to expect at the trial and a support person should be available to her during the court case.

c) *Intervention : Attacking the Roots of Violence (Pro-active intervention)*

The Victim (actual and potential)

The following were suggestions generated at the meetings to help reduce the problem of violence to women:

Reduce the social acceptability of violence against women by means of public education, media blitzes etc.

Enhance positive self-esteem among women.

Empower women financially, by job creation, and by unionisation of women involved in the service sector, especially domestic workers, so as to create a financially secure base to reduce their dependence upon men for survival.

Promote gender-sensitive approaches in the production of educational and entertainment materials.

The Public

In the educational system, teachers' self-esteem needs to be enhanced. It is suggested that teachers, and not just students should be targeted for training. The Change From Within Programme should be introduced into the curricula and programmes in Teacher College's, and used with the teacher-trainees for their own enhancement as well as for their use as future teachers with their classes.

Integrating the programme “Change From Within” and others similar programmes of activities into the community is vital . It was realised by the facilitators that although students involved in the programme had become non-violent in schools when they went back into the community they had to revert to violent behaviour as this was the societal norm, hence these students live by a double standard.

Institutions Laws/Policies

It was suggested that men’s organisations and service clubs be involved in the development of methods of counselling etc, of men, especially perpetrators of violence. They should be involved in the design, planning and implementation of workshops for men to offer assistance to men.

Enforcement Agencies

Rehabilitation and remedial programmes need to be implemented for abusers . Offenders should be targeted for counseling, education on relevant issues, improved self-esteem, as well as programmes involving the men in reparation for their violent action.

Demands need to be made on parliamentarian representatives to stand up for the issue of gender violence. It was suggested that women be encouraged to cease being partisan and vote for the representative who will represent them best on these issues.

5.3 Suggested Agencies or Institutions for Implementation of Recommendations.

The following agencies or institutions have the expertise to be able to assist in the implementation of these suggested actions

Research

Annual Accumulative Statistical Data: UWI or Bureau of Women’s Affairs

Research on Economic Cost of Violence: UWI

Clearing office for all projects, data bank of expertise: Bureau of Women’s Affairs, and AWOJA

Evaluation of interventions : UWI

Development of Instruments for identifying victims and perpetrators (for use by medical and health personnel, social workers, police, teachers, guidance counsellors): AWOJA and Medical Association of Jamaica

Reactive Measures

Provision of shelters, therapeutic measures, medical help etc. for victims, including staff: Government (to provide the economic costs)

Counselling /Therapy : Woman Inc., Renewal (Private Sector especially men's organisations to be persuaded to pay economic costs)

Interagency Collaboration : Bureau of Women's Affairs (Governmental); AWOJA (Non-Governmental)

Preparation of media messages and information : Women's Media Watch (WMW)

The organisation of a public Rally, and a Media campaign using five women : Bureau of Women's Affairs, AWOJA membership as well as children's organisations

Staff Training in children's homes and with personnel involved with victims : Change From Within, Sistren, Woman Inc, AWOJA member organisations.

Legal Reform : AWOJA; legal representatives of political parties; Women's Political Caucus; interested lawyers to form a lobby.

c) *Proactive Measures*

The following strategies were suggested for creating awareness and improving the attitude of the public to issues of violence.

Training and sensitization to issues of gender violence targeting especially schools and children, using programmes such as "Change from Within", and organisations such as Y.O.U., Sistren, WMW, Woman Inc.

5.4. Summary

A central collecting unit for gender statistics on violence must be established. At this central unit statistics on gender violence from all available sources must be documented - i.e. rape unit, crisis centres, hospitals, police records. The

police are now separating murder victims according to gender, but this must happen for all crimes.

Specifically for statistics on violence, the data for both victim and perpetrator must be categorised as far as possible according to: gender, age, indicators of socio-economic status (occupation, residence, level of education), location of attack (own home, residence, public/private building, outdoors etc.) Research must now be conducted on the economic cost of violence on the society to be done.

The various organisations must continue their programmes of public education. These must include ongoing programmes of education starting with pre-school children which are highly participatory and involve strategies to achieve gender equality, conflict resolution and enhancing children's self-esteem.

There has to be involvement of the churches which are seen as sometimes unintentionally perpetuating instances of inequality and the position of subservience of women and girls in the society. They are also very influential and therefore could do much to change attitudes and complacency to gender violence.

There must be evaluation and accountability of all programmes offered that have benefited from public funding or international aid. Lack of evaluation is a major weakness, as there is no proof of the benefits that have accrued as a result of the intervention.

Programmes must involve all players. Until men accept responsibility for violence and are willing to seek to bring about corrective action, gender violence will continue to be seen as a non-issue by the legal system and the society in which it operates.

Armed with statistical evidence, documentation of successful interventions, and persons who are willing to take a stand, the roots of gender violence and ultimately all forms of violence can be destroyed.

Notes

1. Reprinted from BASTA, In Schuler, M. *Freedom from Violence: Strategies from around the World*. New York: UNIFEM, 1992
2. Ferguson, Dundeen. Report. *Daily Observer Supplement on Woman, Inc. Trade Fair*. 1998
3. Ferguson, Dundeen. *op.cit.*

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