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Jamaica: five years of impunity must come to an end

As October ends, Amnesty International is gravely concerned that it is now more than five years since any Jamaican police officer has been convicted of an unlawful killing committed while on duty, a shameful blot on the country's human rights record.

"At least 650 people have been killed by police officers in Jamaica since 1999. Many of these have been blatantly unlawful killings, yet not one officer has been convicted since then." Said Piers Bannister, Amnesty International's Jamaica researcher today.

Amnesty International has received repeated assurances from the Jamaica Government that all killings by the security forces are fully investigated and that impunity for police officers does not exist. However, the evidence suggests otherwise.

"If impunity for police officers did not exist, Jamaicans would be witnessing a steady stream of trials of officers accused of unlawful killings resulting in convictions and acquittals. Instead we see almost no trials and no convictions whatsoever," said Mr Bannister.

"How long will the authorities of Jamaica allow this human rights scandal to continue? That not one police officer has been convicted of unlawful killing in five years is profoundly shocking. The Government cannot continue to state that impunity does not exist when there is a lack of trials and convictions." Concluded Mr Bannister.

Amnesty International acknowledges that in recent times there appears to be more of a willingness by the authorities to charge officers and welcomes this progress. However, it is only one small step in a long journey to protecting human rights.

"We welcome the recent charging of officers in the cases of killings at Braeton and Crawle. But as the case of Janice Allen illustrates, the charging of an officer does not guarantee a vigorous prosecution during a fair trial."

The organization is also aware that the above cases received widespread media attention and caused much public concern. Amnesty International will only be satisfied when every case of police killings is thoroughly and independently investigated to international standards regardless of whether there is interest from the media.

Amnesty International remains gravely concerned at the length of time it takes the authorities to bring accused police officers to trial; a denial of justice to all parties. In the case of the killing of Paul Hamilton in 1984, the officer accused of his murder has yet to face a jury. Other cases take years to be resolved at the Coroner's Court, a relatively first step in the process of ensuring accountability.

During the long process of investigation, witnesses' memories fade, they might die, move away etc. The system appears designed for delay and doomed to failure. A fair trial is denied all parties.

In recent years, Amnesty International has documented the failings of the investigative system for police killings. The organization has documented the numerous failings of the system, which include the lack of investigating officers, the authorities failure to protect the scene of killings, inadequate autopsies on the bodies and failure to take statements from the officers concerned in a timely manner. None of these failings have been addressed and the system continues to function inadequately.

"Year after year goes by and case after case fails to come to court. This terrible state of affairs is likely to damage the public's faith in the judicial system. As one relative of someone killed by the police recently stated to Amnesty International "The Government has done nothing to bring justice to my family".

Background Information

Jamaica continues to have one of the highest per capita levels of police killings in the world. The last conviction of a police officer known to Amnesty International was in October 1999, when three officers were convicted of the murder of David Black, who was beaten to death in Trelawny police station in September 1995. The organization has repeatedly requested information on further trials and convictions of police officers from the authorities since that date but has received no information.

The organization has closely monitored the situation through the media, lawyers and national human rights groups but has found no further convictions and only two trials. In August 2002, a policewoman was acquitted after being tried for the 2000 murder of Otis Brown and in March 2004 the trial of a police officer charged with killing 13-year-old Janice Allen in 2000 was abandoned after the prosecution revealed that three vital pieces of evidence were unavailable.

For more information, please see: "Jamaica: Janice Allen case demonstrates lack of political will to end police killings" <http://web.amnesty.org/library/index/ENGAMR380052004>

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