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## **Jamaica: More executions will not reduce crime**

Jamaica's crime epidemic must be solved with reforms to the police and the justice system, not with more death, said Amnesty International after the Jamaican House of Representatives voted a motion to retain the death penalty.

"Supporting the death penalty to tackle Jamaica's spiralling violence and crime is like trying to put out a fire with petrol," said Kerrie Howard, Americas Deputy Director at Amnesty International. "In order to put that fire out, its root causes need to be tackled."

Amnesty International called on the Jamaican government to prioritize policy changes to reduce crime and convert these changes into effective action. These include implementing recommendations from the strategic review of the Jamaica Constabulary Force and the Justice Sector Reform Review and expediting the passage of legislation to establish an independent commission to investigate police abuses and an Office of Coroner to examine alleged police killings.

"We all agree that crime is an issue that must urgently be addressed. However, executions offer only an illusion of effective action being taken and do nothing to lessen suffering in Jamaican society," said Kerrie Howard.

### Notes to Editors

The vote emerged in the light of discussions around the new Charter of Rights and Freedoms Bill, which seeks to replace Chapter III of the Jamaican Constitution dedicated to the protection of fundamental rights and freedom of persons. The purpose of the vote was to decide whether provisions allowing for the death penalty as an exception to the right to life, should be retained or deleted from the Charter.

Following the vote at the House of Representatives, the Senate will also shortly debate and vote the motion.

The last execution in Jamaica was carried out on 18 February 1988. There were more than 190 prisoners under sentence of death at the end of 1988. Currently there are nine prisoners on death row. This reduction is principally attributable to three events:

- In 1992 the Jamaican Parliament amended the Offences Against the Person Act to classify some murders as non-capital. The amendment applied retroactively and resulted in the commutation of sentences to life imprisonment of a number of people who had previously been mandatorily sentenced to death.
- In 1993 the Judicial Committee of the Privy Council (currently Jamaica's highest court which sits in England) decided, in the case of *Pratt and Morgan v. the Attorney General of Jamaica*, that executing

a person who has spent a prolonged period on death row violates Section 17 of the Constitution of Jamaica, which prohibits "inhuman or degrading punishment or other treatment".

- In compliance with the guidance set out in this case, death sentences of people who have served five years on death row in Jamaica are commuted to life imprisonment. As a result of the 2004 decision of the JCPC in *Lambert Watson v The Attorney General of Jamaica*, mandatory death sentences are no longer allowed in Jamaica. Following this decision, new sentencing hearings were held and many death row prisoners had their sentences commuted.

Jamaica, along with the rest of the English-speaking Caribbean nations, voted against a global moratorium on the death penalty at the 62nd UN General Assembly in December 2007.

The world is turning away from the use of death penalty. Since 2003, the United States has been the only country in the Americas to carry out executions and has dramatically decreased in the number of executions in recent years. 137 countries have now abolished the death penalty in law or practice and only 24 nations carried out executions in 2007. Huge swathes of the world are now free from executions.

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