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Jamaica: Response to the Attorney General of Jamaica regarding threats to charge Amnesty International with contempt of court

On 23 June 2005, in comments made to the Jamaican Observer newspaper, the Attorney General of Jamaica threatened Amnesty International with charges of contempt of court. The threat related to fears expressed by Amnesty International that the pattern of impunity for police officers implicated in unlawful killings would continue and that the trial of six police officers charged with four killings in Crawle in May 2002, scheduled to start in September, would not be vigorously prosecuted.

These fears are based on five years of Amnesty International documenting and following the progress of hundreds of cases of alleged unlawful killings by members of the Jamaica Constabulary Force. In numerous cases, there was overwhelming evidence that the officers involved had used excessive lethal force or committed extrajudicial executions.

Amnesty International has documented and made recommendations to address the fundamental flaws in the system of investigation for police killings. Such flaws include the failure to protect the scene of the killings from contamination, inadequate autopsies on those killed and chronic under-resourcing of the Police Public Complaints Authority. The government of Jamaica has undertaken to improve the faults in the investigative system on numerous occasions. However, to date, not one concrete measure has been implemented to address the system's shortcomings.

In the last five years, over 700 men, women and children have been killed by the police force. In stark contrast to this figure – one of the highest rates of killing by any police force in the world – the judicial system of Jamaica has failed to convict a single officer, despite strong evidence in numerous cases, of an unlawful killing. Only a tiny handful of cases ever make it to trial. The system for holding police officers to account before the law in cases of unlawful killings appears to be designed to fail.

During the recent trial of six police officers accused of murdering seven young men in Braeton in March 2001, the prosecution failed to produce sufficient evidence to prove there was a case to answer and the judge ordered the jury to return a verdict of not guilty before the defence had even presented its case. In the case of Janice Allen, a 14-year-old girl shot by a police officer in April 2000, the prosecution failed to even present a case. In both these trials, the jury was not presented with all the evidence. These are just two recent examples of the authorities' blatant failure to ensure the courts function adequately in cases involving police officers.

In light of the above, Amnesty International continues to fear that the government of Jamaica lacks the political will to hold police officers to account and ensure the system of investigation and prosecution is sufficient to find those guilty of unlawful killings are punished as required by Jamaican and

international laws and standards relating to police killings.

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