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Impunity for sexual violence in Jamaica

Each year thousands of women and girls in Jamaica are sexually assaulted in their communities, their schools, their workplaces, their homes and in the street. The state is failing to effectively prevent and investigate these abuses and also to punish the perpetrators.

For many women and girls in Jamaica, domestic violence includes sexual violence, and women are not always protected from rape within marriage. Marital rape is not a statutory crime, meaning that prosecution is difficult. In addition, sexual violence is spreading sexually transmitted diseases such as HIV/AIDS.

Brenda's husband was physically abusive, and she suspected he was having affairs. She asked him to wear a condom during sex but he refused. Despite knowing he was HIV positive, he regularly beat her and forced her to have unprotected sex. Brenda nursed him until he died. Now she is HIV positive, and fears prejudice and exclusion from her local community.

In Jamaica, prosecution of marital rape, due to lack of clarity in the law and discrimination against women, is difficult if not impossible. Legislation does not adequately address incest or sexual abuse either. This leads to impunity for perpetrators of these crimes, and leaves women and girls without the clear protection of the law.

Recommendations to make marital rape a statutory crime were incorporated into the draft Offences Against the Person Act in 1995, but this Act has still not been passed by Parliament. According to the current law, yet to be amended, sexual offences against girls over the age of 12 are punishable with a lesser sentence than sexual offences committed against younger children.

By ignoring these issues, the Jamaican government is failing to protect Jamaican women from human rights abuses; and failing to implement the most basic obligations under international law.

Each year thousands of women and girls in Jamaica are sexually assaulted. The state is failing to protect them and is creating an environment of impunity for the perpetrators.

Please write to the new Prime Minister of Jamaica, Portia Simpson Miller, calling for urgent reform of existing legislation to combat to sexual violence against women.

Dear Prime Minister,

At a rally for this year's International Women's Day on 8 March you said *"as your leader and Prime Minister I am going to be demanding justice and gender justice too."*

I am writing to urge you, as Jamaica's first woman Prime Minister, to honour this promise by ensuring that your Government takes effective measures to protect women and girls in Jamaica from sexual violence.

I'm asking your Government to reform overhaul and implement the Offences Against the Person Act, specifically to:

- legislate to ensure that rape within marriage is a statutory offence;
- define crimes against women in line with international standards, using contemporary language and removing pejorative or misleading terms such as “misdemeanour”, “carnal abuse” and “carnal knowledge”;
- eliminate the distinction in sentencing for sexual offences against children below and above the age of twelve in statutory law

Yours sincerely,

**The Right Honourable Portia Simpson Miller
Prime Minister of Jamaica**

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Salutation: Dear Prime Minister

No woman no cry - listen to Al Jamaica's radio clip – “Stop violence in Jamaican homes” (*in English*)

Read more in our new report *Sexual violence against women and girls in Jamaica: 'Just a little sex'* launched on 22 June



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Portia Simpson Miller, Jamaica's new Prime Minister, stated that she will demand gender justice.

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Domestic violence exposed: the fourth in the series of monthly features focuses on **Jamaica**

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Next month will feature **Spain**