

POLICE (CIVILIAN OVERSIGHT) AUTHORITY ANNUAL REPORT APRIL 1, 2014 - MARCH 31, 2015











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Nomenclature and Abbreviations

ACP	Assistant Commissioner of Police
COMPOL	Commissioner of Police
CIB	Criminal Investigation Branch
C/U	Clear Up Rate
DDI	Divisional Detective Inspector
GOJ	Government of Jamaica
HQ	Headquarters
IOC	Inspectorate of Constabulary
IMU	Inspection and Monitoring Unit
INDECOM	The Independent Commission of Investigations
JCF	Jamaica Constabulary Force
MIT	Major Investigations Task Force
O i/c	Officer in Charge
PCOA	Police (Civilian Oversight) Authority
PIC	Prisoners in Custody
PMAS	Performance Management & Appraisal System
Rep	Reported
SDC	Social Development Commission
SOP	Standard Operating Procedure
SP	Superintendent of Police
SSP	Senior Superintendent of Police

About the PCOA

VISION

To be a model Police (Civilian Oversight) Authority focused on enhancing the culture of policing in the community through professionalism and police-community partnerships built on openness, equity, trust and accountability.

MISSION

To aid the transformation of the Jamaica Constabulary Force and its Auxiliary into a highly motivated professional, disciplined, and service oriented Police Service that works in close partnership with the community through modern democratic policing practices, performing with courage, diligence, honesty, impartiality and accountability. To achieve this end we will:

- Monitor the implementation of policy relating to the Force and its Auxiliary;
- Monitor the standard of performance of the Force and its Auxiliary so as to ensure that internationally accepted standards of policing are maintained, and to report thereon;
- Conduct inspections of the Force and its Auxiliary;
- Monitor the management and use of financial and other resources of the Force and the Auxiliary; and
- Perform other such functions as may be necessary for promoting the efficiency of the Force and its Auxiliary.

FACT: To learn more about our work please like our page at www.facebook.com/pcoagov



The Most Rev. & Hon. Charles Dufour

Chairman's Remarks

The PCOA has continued this past year to fulfil its mandate in keeping with the tenets of the PCOA Act. Specifically, we have continued our inspections and monitoring programme while examining special thematic concerns related to the overall standard of performance of the JCF. This past year we conducted comprehensive inspections of four (4) JCF Geographical Divisions and one (1) island-wide thematic inspection and study related to the JCF Supervision and Management and its impact on clear-up rates for major crimes.

Though we see continued improvements in the JCF receptivity towards Civilian Oversight and Inspection, which itself is a critically important milestone, there is still much to be achieved in the JCF with respect to a recognized lack of consistent adherence to its own promulgated policies, procedures and standing orders. This lack of consistency is in itself a major problem in developing a culture of individual and organizational accountability.

We have summarized a number of cases in this year's report to illustrate this weakness. It is our expectation that continued inspection, advocacy and referrals to the Police Service Commission where necessary will eventually lead to a shift to a JCF Culture that is wholly professional and accountable.

It is ultimately through demonstrable professionalism and accountability that the JCF's efforts will yield sustainable results in citizen confidence and crime reduction.

In this regard, we continue to ask the Lord to bless and guide our nation in peace and justice for Jamaica, land we love.

The Most Rev. & Hon. Charles Dufour, DD, OJ, CD Chairman, Police (Civilian Oversight) Authority, and Roman Catholic Archbishop of Kingston

FACT:

The Most Rev. & Hon. Charles Dufour was appointed PCOA Chairman on the 21st of August, 2006. Under his helm, a framework for the operations of the Authority was established and staff hired.



The PCOA was established by Parliament in 2005, however became operable in 2007.

FACT:

As of November 2007, some 142 re-inspections of JCF stations have been conducted by the PCOA.

Corporate Governance



Back row from left to right: Gladstone Lewars; Pastor Glen Samuels; Professor Anthony Harriott; Rudolph Hamilton and Dr. the Hon. Marshall Hall. Seated are: Chairman, The Most Rev. & Hon. Charles Dufour and Arlene Harrison Henry.

Composition of Authority

In accordance with the PCOA Act, 2005, Section 3 Constitution of Authority – (1) which states that, "The Authority shall consist of not less than five nor more than seven members," **[Appendix 3]** there are seven members appointed by the Governor General. The members of the Authority are: The Most Rev. & Hon. Charles Dufour, Dr. the Hon. Marshall Hall, Mrs. Arlene Harrison Henry, Mr. Gladstone Lewars, Mr. Rudolph Hamilton, Pastor Glen Samuels and Professor Anthony Harriott.

Meetings and Attendance

Section 14 (1) of the Schedule to Section 3 of the PCOA Act, 2005 requires that, "The Authority shall meet at least once per month for ten calendar months of every year and at such other times as may be expedient for the carrying out of its functions and such meetings shall be held on such days and at such places as the Chairman may determine." **[Appendix 3]** For the period under review, the Authority held 13 meetings. For calendar year 2014, meetings were held on April 15, May 21, June 24, July 22, August 28, September 30, October 23, November 25, December 10 & 17. Meetings were held on January 27, February 19 and March 26 in the 2015 calendar year. (See Attendance table below)

Members	Meetings Attended	Apologies
The Most Rev. & Hon. Charles Dufour, DD, OJ, CD	12	1
Dr. the Hon. Marshall Hall, O.J	12	1
Professor Anthony Harriott	11	1
Rudolph Hamilton, O.D	13	
Arlene Harrison Henry	8	-
Gladstone Lewars	9	-
Pastor Glen Samuels	3	-



Police Commissioner, Dr. Carl Williams (third from right) posing with PCOA Members and staff after meeting in 2014.



Representatives from the Criminal Investigative Branch (CIB) meet with PCOA Members and staff in 2015. Representatives included CIB Head, ACP Ealan Powell (second from right).

FACT:

To date, Chairman, The Most Rev. & Hon. Charles Dufour, Gladstone Lewars and Rudolph Hamilton are the longest serving members -9 years.

Chief Executive Officer's Report



Mr. Dave M. McIntosh

ADVANCING ACCOUNTABILITY AND PROFESSIONALISM IN TRANSFORMING THE JCF IN CHALLENGING TIMES

This year the PCOA Inspections covered a total of 41 police stations throughout four geographical divisions and additionally, we conducted a comprehensive thematic study related to the clear up rates for major crimes in Jamaica. The overall objective of this study was to identify and highlight the principal hindrances to achieving clear up rates for major crimes that are consistent with international best practices. Sadly, in addition to the expected resource challenges faced by several public entities in Jamaica, poor clear up rates by the JCF have been significantly impacted by deficiencies in Management, Supervision and Leadership.

Deficiencies in Management, Supervision and Leadership are consistently seen throughout and this has perpetuated a known problem of poor internal accountability in the JCF. In other words the JCF continues to demonstrate a pervasive inability to consistently and reliably adhere to its own promulgated Standing Orders, Policies, Rules and Procedures. This challenge, if not checked by the consistent and predictable application of discipline, will continue to foster a JCF culture lacking in Accountability and Professionalism.

Notwithstanding, the PCOA in its determination to create real change and transformation in the JCF, continues to document its findings as well as share its findings and recommendations with the Police Service Commission, the JCF, Ministry of National Security and INDECOM as joint stakeholders in the partnership to build professional policing in Jamaica.

FACT:

Mr. Dave McIntosh has been the PCOA CEO since 2009. He succeeds the late Richard Black, who resigned in October, 2008.

Performance Review of 2014/15

Our strategic programmes continue to hinge on raising the quality and proficiency of leadership and accountability in the JCF to engender a change to a culture of service orientation and professionalism. As such, our output during the year consisted of standard inspections of geographical divisions, a special/ thematic inspection; reporting and conducting presentations of findings from these inspections to relevant stakeholders. Also of significance during the year under review, was the PCOA's inclusion on a Sub-committee of Cabinet to review the detention system across the island and, to develop a strategic response to the issue of the treatment of persons in lock-ups and correctional facilities. Work previously conducted by the PCOA in the area played a key role in assisting the Cabinet in its deliberations in responding to the issue. Overall, there was a deepening of partnerships with not only communities and social organizations but also, with members of law enforcement as evidenced in our involvement in the inaugural JCF Best Station of the Year competition.

THEMATIC INSPECTIONS

Thematic inspections remained an integral component of the operational plan for the PCOA during the period under review. We sought to isolate and examine a key policing issue/service in extensive detail, with a view to identify weaknesses as well as areas of good performance and report thereon. We find that these specialized inspections not only encourage but also facilitate improvements and solutions on the way forward in correcting inadequacies.

For the period the Inspection and Monitoring Unit (IMU)embarked on one extensively scoped thematic inspection entitled: *"Investigative Supervision and Management and their Impact on Clear up rates for Selected Major Crimes: An Analytic Study of Selected Investigative Outcomes for 2013".* In light of the pervasiveness of crime in the Jamaican society, the selection of this theme was largely influenced by the need to, determine how efficiently the police are investigating crime to be able to establish clear suspects, apprehend suspects and compile evidence and statements at a standard capable of securing a successful prosecution.

Upon the completion of the inspection, a 25 page report was compiled and subsequently disseminated to the JCF, specifically, the Inspectorate of Constabulary (IOC) and the Criminal Investigation Branch (CIB). Consultations were held with both JCF entities and the recommendations for the way forward were well received with assurances made to address/implement them.

Further details of this inspection is outlined in Table 1 below as well as the summary of findings and recommendations in **Appendix 1**.

Investigative Supervision and Management and their Impact on Clear up rates for Selected Major Crimes: An Analytic Study of Selected Investigative <u>Outcomes for 2013</u>

DIVISIONS	DATE OF INSPECTION
St. James Division	November 17-21, 2014
Westmorelend Division	December 2-4, 2014
Clarendon Division	January 12-15, 2015
St. Catherine North Division	January 19-20, 2015
St. Catherine MIT	January 21-22, 2015
Area 4 (Kgn and St. Andrew)MIT	January 27-28, 2015
St. Catherine South Division	February 3-4, 2015
Kingston Western Division	February 11. 2015
Kingston Central Division	February 12, 2015
Kingston Eastern Division	February 16-17, 2015
St. Andrew South Division	February 23-24, 2015
St. Andrew Central Division	March 2, 2015
St. Ann Division	March 17, 2015
Table 1: Divisions/Stations selected f	or CIB thematic inspection

during the period under review.POLICE (CIVILIAN OVERSIGHT) AUTHORITY

THEMATIC INSPECTION



THEMATIC INSPECTION STAKEHOLDER MEETINGS (IOC & CIB)



MONITORING (RE-INSPECTIONS)

The monitoring (re-inspections) of JCF Divisions remain critical for building a strong police service and as such, is an integral element of the work of the PCOA. This monitoring activity assists in the understanding of how well JCF Force Orders are being understood as well as applied, in order to improve the effectiveness of the operation of the Force. Additionally, the monitoring of JCF Divisions ensures the identification of existing issues within the Force for corrective action outlined in recommendations in inspection reports. Re-inspections encompass various areas of general policing such as: Records and Station Management; Accountability and Prisoners' in Custody. Key observations regarding transportation plus the condition of station plants and surroundings are also included.

During the year, four JCF Divisions were re-inspected -Portland, St. James, St. Thomas and Manchester, which comprised collectively, 41 stations and, this is outlined in Table 2. Findings from these re-inspections are summarized in **Appendix 2.**

Portland May 12-20, 2014	St. James June 23-July 3, 2014	<mark>St. Thomas</mark> November 24 - December 2, 2014	Manchester February 16 -26 , 2015			
Hope Bay Manchioneal Castle Orange Bay Hope Bay	Coral Gardens Anchovy Mount Salem Montego Hills Barrett Town	Golden Grove Bath Cedar Valley Seaforth Trinityville	AsiaKendalMandevilleNewportAlligator PondPorusChristianaSpaldingCross KeysWilliamsfield			
Buff Bay San San Port Antonio	Spring Mount Amity Hall Adelphi Granville Barnett Street Freeport Cornwall Court Post Meadows of Irwin Post	Yallahs Llandewey Port Morant Morant Bay	Cottage			

Table 2: Divisions/Stations re-inspected during the period April 1, 2014 – March 31, 2015



EXIT INTERVIEWS

From the perspective of the PCOA, the aim of exit interviews is to give and also receive feedback from the Divisions inspected prior to, generating a final report for dissemination in the public domain. On this basis, these interviews operate as a useful driver for organizational improvement in the JCF.

The interview takes the form of a visual presentation of the draft re-inspection report by the IMU, which is conducted at a Divisional Tasking Meeting attended by all Station and Divisional Heads. Representatives from the Inspectorate of Constabulary (the

SPECIAL INSPECTION/ACTIVITY

Best Station of the Year Competition

During the period under review the IOC enlisted the assistance of the IMU in the inspection process to determine the winner of the inaugural **Best Station of the Year Competition**, held in 2014. The IMU assisted in the inspection of six of the 19 JCF Divisions. In the end, the Irish Town Station copped the top prize. This collaboration highlighted the positive impact that the PCOA has had on the JCF over the years. The involvement of the PCOA in the inspection process is outlined in **Table 4**.

Inspection	Divisions	Dates
2014 Best	Kingston Western	October to November, 2014
Station	Manchester	
Competition	St. Elizabeth	
	Portland	
	Clarendon	
	St. Catherine North	

Table 4: Divisions the IMU assisted the IOC for the 2014 Best Station Competition.

JCF internal inspection arm) are routinely in attendance at these feedback sessions, as they also consider them, an essential exercise to correct deficiencies in the Force. Details of these interviews are reflected in **Table 3** below.

Table 3:	Divisions	Dates
Exit Interviews conducted during	Portland	August 11, 2014
the period	Clarendon	August 18, 2014
April 1, 2014 – March 31, 2015.	St. James	October 27, 2014
	St. Thomas	March 17, 2015



IMU Officer (left) with IOC representatives on an inspection of Kingston Western Division. (Photos 1 & 2)





PCOA CEO handing out awards for best stations in divisions comprising Area Three during 2014 Eastern Impact and Best Station Awards Ceremony in Portland.

Sub-Committee of Cabinet Involvement

The Mario Deane Incident in August 2014 resulted in a Sub-Committee of Cabinet being appointed to review the island's entire detention system and make recommendations for improvement. The stated intent was: To Review the Detention System and Develop a Strategic Response to the issue of the Treatment of Persons in lock-ups and Correctional Facilities. The PCOA thematic inspection report entitled, 'Understanding the Causes and Effects of Overcrowding in Police lockups in Jamaica' was distributed among members of the sub-committee to inform deliberations on the issue. Co-Chairman of the cabinet subcommittee the Hon. Mark Golding, Justice Minister formally conveyed his appreciation for the quality of work done by the PCOA. On September 2, 2014 three working groups were established, one of

which headed by the PCOA, was commissioned to examine the specific areas of Infrastructure and Logistics. The group was comprised of the following: Group Leader, Dave M. McIntosh, PCOA CEO; The Hon. Marigold Harding, Custos Rotulorum - St. Andrew; The Hon. Steadman Fuller, Custos Rotulorum - Kingston; Ms. Althea McBean, Attorney-at-Law; Mr. Glenford Hudson, SSP; Mr. Garth Soares, Ministry of National Security; and, Mr. Gilbert Suckoo, Department of the Correctional Services. On the stated deadline, September 30, the document entitled, 'Report of the Working Group tasked to examine Infrastructure and Logistical Concerns', was submitted. The report detailed some 14 recommendations for consideration.

PUBLIC OUTREACH (SOCIAL INCLUSION)

The communications strategy continues to be organized in conjunction with the inspection and monitoring programme, and remains a collaborative effort with stakeholders such as, the Social Development Commission and Parish Councils. These presentations are multifunctional in purpose: that of reporting the findings and recommendations from re-inspections; that of facilitating and in some cases, enhancing partnership between the citizenry and their local police, who are generally in attendance to respond to queries and complaints; and, to impart information regarding the rights of citizens. Details of this intervention are outlined in **Table 5**.

Parishes	Groups	Dates
Clarendon	SDC Inter-agency Meeting, May Pen	November 12, 2014
Portland	Portland Parish Council, Port Antonio	November 13, 2014
Portland	Community Consultation Meeting, Buff Bay	November 24, 2014
Portland	Community Consultation Meeting, Manchioneal	November 27, 2014
Portland	Portland Resort Board Meeting, Port Antonio	January 28, 2015
Clarendon	Sandy Bay Community Development Committee	March 25, 2015
National Police College	26th Command Course, Twickenham Park	September 10, 2014

Table 5: Presentations conducted during the period under review.



National Police College



Sandy Bay, Clarendon



Manchioneal Station's new Toyota Hilux pick-up.



Portland Resort Board

A major highlight which resulted from an outreach in Portland, specifically a presentation to the Portland Resort Board, was the purchase of a new Toyota Hilux pick-up, which was handed over to the Manchioneal Station outside of the period under review. The presentation had pointed out among many things, the issue of inadequate transportation especially at that particular station. The purchase of the new vehicle illustrated how community and police partnership can bring forth worthwhile benefits. This is in addition to, validating the PCOA efforts to act as a conduit to facilitate better community and police partnerships.

Social inclusion activities also involved targeted presentations to JCF branches - IOC and CIB. The PCOA was among the entities invited by the National Police College to conduct a lecture at the 26th Command Course. The Command Course, which is offered annually at the College had some 20 participants from the JCF, the Jamaica Fire Brigade, Jamaica Defence Force and Royal Turks and Caicos Islands Police Force in attendance.

In a move to further connect with our partners and stakeholders, the PCOA created a facebook page at: **www.facebook.com/pcoagov.** The page seeks to capture the extensive work of the Authority and goes a far way in assisting the PCOA in sustaining the various linkages formed from presentation/lectures tours across the country.

HUMAN RESOURCES

With the departure of the Director of Human Resources and Office Services during the previous financial year, our parent ministry – Ministry of National Security - and the Accounts Manager shared the responsibility of overseeing this department. The building of human capacity was however impacted with the departure of the Director.

Notwithstanding, the drive to further build competencies in the area of inspections and monitoring remained a priority. The annual workshop for the Members of the Authority was held under the theme, *"JCF Investigative Capacity: Information and Case Management Protocols and Challenges."* This workshop exposed members to the work of the CIB, focusing on case management protocols and processes as well as, developments relating to technology and software to improve the management of cases. Presenters were from the CIB. The IMU staff, were also the beneficiaries of a similar session in addition to, an extensive tutorial on JCF Records by the IOC.

High on the agenda also was a staff retreat, which was organized between March 18 -20. This exercise was imperative as it served to boost teamwork whilst offering an invaluable opportunity to propose strategies and initiatives to strengthen the performance of the Authority.



Members' Workshop with CIB.

JCF Records Training with IOC

Staff Retreat at Cardiff Hotel in St. Ann.

In the next financial year, the PCOA will seek to build on its successes while maintaining its commitment to implementing strategies to further impact positively on the JCF.

Dave M. McIntosh Chief Executive Officer

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POLICE (CIVILIAN OVERSIGHT) AUTHORITY APPENDICES

APPENDIX 1: SUMMARY OF FINDINGS AND RECOMMENDATIONS FROM THEMATIC INSPECTION FOR PERIOD 2014/15

During the period under review, the PCOA pursued one thematic inspection which focused on a particular policing service, revolving around the Criminal Investigative Branch (CIB). A summary of the findings and recommendations are outlined herein.

INVESTIGATIVE SUPERVISION AND MANAGEMENT AND THEIR IMPACT ON CLEAR UP RATES FOR SELECTED MAJOR CRIMES: AN ANALYTIC STUDY OF SELECTED INVESTIGATIVE OUTCOMES FOR 2013

Overview

There is a generally accepted perception that crime levels in Jamaica are unacceptably high and have been so for a long time. Concomitant with that discussion is the issue of crime detection, crime prevention and crime deterrence as there is a clear and established causal relationship between the effectiveness of these processes (crime detection, crime prevention and crime deterrence) and overall crime rates. This study therefore focused on these processes as it accepts the premise that for crime levels to be reduced and sustained at acceptable levels, there has to be as a prerequisite, efficiency and effectiveness at crime detection, crime prevention and crime deterrence. It must be highlighted also that one established measure of the efficiency and effectiveness of these processes is the 'Clear Up Rate'. As such, the processes for clearing up reported crimes and clear up rates for crimes was the essential subject of this study and report.

Definitions of Clear Up and Clear Up Rates

The process of determining an investigative success commences with the formal reporting of a crime or offence to the JCF and effectively ends

when charge(s) are proffered against suspect(s); this excludes the prosecutorial phase. When the suspect is arrested and charged, the reported crime is considered to be 'Cleared Up'. A crime is also cleared up if the suspect is unavailable to be arrested and charged due to the following circumstances:

- The suspect(s) are deceased; or
- The suspect(s) are in custody in another jurisdiction.

Clear up Rate = Cumulative Clear up X 100 Crimes Reported per year

JCF Units, Departments and Formations for Investigating Major Crimes (as at 2013)

The principal formation of the JCF tasked with the responsibility of investigating major crimes island-wide is the CIB. COMPOL may from time to time reorganize and/or re-align the investigative assets through the creation and deployment of specialist investigative units. Notwithstanding the transient existence of several specialist investigative units, the PCOA focused its study on the most common and widely distributed investigative infrastructure in the JCF, the CIB. We have highlighted the CIB and areas inspected in this study for emphasis. This represents the organizational structure with responsibility for the 1549 case files reviewed in this study.

Rationale

The recording and compilation of national crime data is conducted by the Research, Planning and Legal Services Branch of the JCF. Since 2013 the categorization by the JCF, of major crimes was amended to reflect as follows:

CATEGORY 1 Serious & Violent Crimes

- Murder
- Shooting
- Rape
- Aggravated Assault

CATEGORY 1 Acquisitory Crimes

- Robbery
- Break-in
- Larceny

In 2013, 11 of Jamaica's 19 geographic JCF Divisions accounted for over 60 % [70.1 %] of major crimes reported in the country. Similarly, in the same Divisions over the same period, the three crimes of *Murder, Robbery & Larceny* accounted for between 63 % and 73 % of the crimes reported. It is as a result of these significant proportional contributory relationships that the target Divisions and crime categories were selected for this study. The PCOA Team paid particular attention to Category 1 larceny offences, which are investigated by the CIB, taking special note that there are other types of larceny offences (Category 2) which are investigated by the regular uniformed police and would therefore fall outside of the scope of inspection.

CRIMES	NATIONAL CRIME FIGURES FOR JAN 1-DEC 31, 2013	TOTAL CRIME FIGURES FOR THE 11 DIVISIONS FOR JAN 1-DEC 31, 2013	PERCENTAGES %
MURDER	1197	907	75.7%
ROBBERY	2650	2024	76.3%
LARCENY	527	333	63.1%

Table 1. Proportional contribution of selected crimes to overall crimes reported in 2013 (11 Problematic Divisions) Source: JCF Statistics and Data Management Unit

CRIMES		2013			2012			2011		2	2010		2	009	
	REP	C/U	%	REP	C/U	%									
MURDER	1197	492	41.1	1099	424	41.9	1133	474	41.9	1447	506	34.9	1683	453	26.9
ROBBERY	2650	468	17.6	2771	504	18.1	3092	548	17.7	2855	472	16.5	3023	382	12.6
LARCENY	527	173	32.8	758	188	24.8	425	145	34.1	424	101	23.8	510	83	16.2

 Table 2.
 National Clear Up rates for selected crimes 2009 – 2013 (11 Problematic Divisions) Source: JCF Statistics and Data Management Unit

Scope

In executing the inspection, the PCOA examined the status of investigations and files from the CIB in rural and metro Divisions that had some of the highest crime rate in murders, robbery and larceny. The PCOA Inspection Team also conducted inspections of the Major Investigation Task Force (MIT) both in St. Catherine and Kingston. The locations inspected are outlined in the **Table 3**.

The PCOA Team included a JCF Superintendent from the CIB HQ acting as liaison. The format of the inspection included interviews, examination of case files for murder, robbery and larceny. The PCOA Team also interviewed the Crime Officer, Divisional Detective Inspectors (DDI) and investigators to get additional insight as to the work environment at the CIB. The review period for the case files was January 1 - December 31, 2013. The sampling captured all the available 'un-cleared' case files in the 11 Divisions for the crimes mentioned and numbered 1549 case files in total.

Locations	JCF Area	Dates Inspected
St. James Division	1	November 17-21, 2014
Westmoreland Division Clarendon Division	1 3	December 2-04, 2014 January 12-15, 2015
St. Catherine North Division St. Catherine MIT	5 5	January 19 – 20, 2015 January 21-22, 2015
Area 4 MIT	4	January 27-28, 2015
St. Catherine South Division Kingston Western	5 4	February 3-4, 2015 February 11, 2015
Kingston Central Division Kingston Eastern Division	4	February 12, 2015 February 16-17, 2015
St Andrew South Division	4	February 23-24,2015
St. Andrew Central Division St. Ann Division	4 2	March 2, 2015 March 17, 2015

Table 3: Schedule summary of Divisions/Formations visited

FINDINGS

Categorization of Un-cleared Cases/Files

The PCOA Inspection Team found that the 2013 cases that remained 'not cleared up' could be grouped into 6 major categories as follows:

a. Little or no evidence of case work

This describes cases where no comprehensive work had been conducted on the file, with some files showing only a single day of activity, while others had only one or two documents on file **(Photo 1 - 4)**.

EXAMPLES OF CASES REVIEWED ACROSS VARIOUS DIVISIONS SHOWING ONLY A SINGLE DAY OF ACTIVITY ON FILE



-	WORK SHEET	
E. hol	stary with Aggravation	
DATE	NATURE OF INVESTIGATION	SIGN
0-11-13	On this day the Complainants report	
	was received and opposited the scene	
1	was visited where I took totes and	
	Made observation a statement was	0.1
	investigation Continues.	D.St
	0	U

Photo 1: Robbery file from Kingston Western Division taken February 11, 2015.

Photo 2: Robbery file from St. Catherine South Division taken February 3, 2015.



Photo 3: Robbery file from St. Ann Division taken March 17, 2015.



Photo 4: Robbery file from St. James Division taken November 20, 2014.

b. No clear suspect(s) identified

Under this category, investigators were unable to identify a clear suspect based on the statements and associated evidence already gathered in the matter.

c. Slow progress of prescribed work

Files falling under this category have been vetted by a supervisor (usually DDI), who issues directives (tasks) to the investigator for follow-up and completion in order to achieve some progress on the file. These tasks, however, were not completed, up to the time of inspection.



Photo 6: Corresponding worksheet of the investigator indicates that the last date of activity on the file was 8/4/13. The Inspection Team noted that up to the time of inspection, November 18, 2014, none of the tasks assigned had been completed. Photo taken November 18, 2014

d. Not yet able to charge suspect(s)

In this category, processes such as Question and Answer sessions and ID Parades were conducted but evidence emanating from these processes was not potent enough to charge the suspect(s) identified in the matter.

e. Unavailable witness(s)/complainant(s)

This describes cases where witnesses and/or complainants: expressed no further interest in the matter; or were uncooperative; or could not be located thereby, affecting the efficacy of the investigations (**Photo 7 & 8**).

WORK SHEET Photo 7: St. Catherine Photo 8: St. Ann South Division -Division · Mother of Witness did not ENCE R boy with Aggravation Line Hall P.S. Line Hall P.S. St. ann complainant show up for **ID** parades held (a minor) expressed no further interest on two occasions. NATURE OF INVESTIGATION The suspect was March 13/13: in pursuing a Sph. Hendricks. & anns Bay P.S. St. anns Bay P.D. S DATE released pending robbery case. 28113 Report received scene visted Are checke further investigations. Photo taken on of culprities who were not from Seen (Actement Photo taken on March 17, 2015. St-ann. February 4, 2015. Deal Sil) Kurided day to you, hears they add day to you, hears they add with the go any further with the care, he notice my daught grades factors noticintenent throwing the good XX started, Ste has return lisens, under to insert also Satuday chester to insert to distact the CXC lesses as this Good only only care 211213 6.8m tion affer a similar valoury at the protion and to face ID Parode to distart had Cold leibing as this Cond only once. 3 1 Enougha atte daing you Job and I thank you very intuely going that hay I take you well beigue me someday. I well alings applicable that you were there has no daught when she was shaken up our the phone. Out they you where you continue doing you you, that the (Furpects were served wi 5-1213 Both Parode and Parole downest submitte Supecto attend porode and when werresched another day u up and TO Parade and 161213 Both furget again Mended untress and not howed up was released pending hurstypet 19.12B Surrect

f. Cannot apprehend suspect(s)

This describes cases where a suspect has been identified based on the evidence gathered, but the suspect could not be located.

Proportional Contribution of Categories to Un-Cleared Cases/Files

The relative and proportional significance of each category of the overall sample is summarized in the following table and charts.

Categories	Murder	Robbery	Larceny	Total		
Little or No Evidence of case work	99	336	84	519		
No clear suspect(s) identified	165	262	30	457		
Slow progress of prescribed work	99	143	19	261		
Not yet able to charge suspect(s)	71	43	6	120		
Unavailable witness(s)/complainant(s)	25	59	14	98		
Cannot apprehend suspect(s)	61	27	6	94		
Total	520	870	159	1549		

Table 4: Summary of proportional contribution of categories to un-cleared cases



Chart 1: National Examination of Case Files - Combined 1549 files



Chart 2: National Examination of Case Files - Murder 520 files



Chart 3: National Examination of Case Files - Robbery 870 files



Chart 4: National Examination of Case Files - Simple Larceny 159 files

Interpretations and Inferences

a. General

Based on the data generated, the PCOA Inspection Team found that the three most influential factors affecting the clear up rate for murders, robberies and larceny cases were:

- Little or no evidence of case work
- No clear suspect identified
- Slow progress of prescribed work

Although the other categories were critical elements affecting the overall percentage of clear up rate for the three offences, the data revealed that there is a significant concern regarding the supervision and management of cases within the JCF. At least 50% of the cases (34 % - Little/No Evidence of Case Work and 17 % - Slow Progress of Prescribed Work) showed major deficiencies in relation to consistent and systematic supervision that would facilitate critical advancement in the work delivered on these files. It is important to note that although cases that fell under the category **'Slow Progress of Prescribed Work'** did have some element of supervision, there was little evidence of consistent monitoring of these files, by supervisors, to ensure that tasks issued were pursued expeditiously.

b. Murder

For the offence of murder the same three (3) categories are the most significant, however the order of significance is rearranged as follows:

- No clear suspect identified
- Little or no evidence of case work
- Slow progress of prescribed work

The data indicates, however, that the principal reason for files remaining 'not cleared up' was that investigators were unable to *identify clear suspects* based on the evidence gathered. With the victim being deceased, there is a heavy reliance on the weight of the evidence collected from third parties to secure a charge.

The combined figures for cases falling under the categories **little or no evidence of work done** and **slow progress of prescribed work (38%)** are indicative of problems related to inadequate supervision of investigators. The categories of **'Not yet able to charge suspect(s)'** and **'Cannot apprehend suspect(s)'** carried greater significance in murder cases as opposed to Robbery and Larceny offences.

c. Robbery

For the offence of Robbery, similar categories continue to dominate:

- Little or no evidence of case work
- No clear suspect identified
- Slow progress of prescribed work

The PCOA Inspection Team found that the category **'Little or no evidence of case work"** featured as the dominating driver for these cases remaining 'not cleared up'. In many instances the team found very little activity on these files and very little evidence of these files being vetted by a supervisor, which triggered the debate as to whether or not investigators/supervisors attributed greater significance to murder cases, as opposed to robbery files.

Some files which had some level of activity were met with the challenges of complainants being *unable to identify* clear suspects, in statements, which we posit in further details later in this report are influenced (directly and indirectly) by inadequacies in supervision and management and the public perception of the Force and its members.

d. Larceny

Once again, the three (3) most significant contributing categories were:

- Little or no evidence of case work
- No clear suspect identified
- Slow progress of prescribed work

There was, however, a drastic increase in the number of cases that fell within the category of **little or no evidence of case work.** This observation raised a similar concern as to whether or not the level of activity on these files was driven by the value attributed to larceny cases, which are less egregious and invasive to the person, when compared to murder and robbery offences. Murder files illustrated more comprehensive activity leading the Inspection Team to deduce that murders were given highest priority and larceny cases the least priority.

The Inspection Team also noted that for robbery and larceny offences, witnesses/complainants were more inclined not to pursue these cases, perhaps for the same reasons as those identified above (7% and 9% respectively).

All told, it ought to be recognized that the three most significant contributing factors are directly influenced by the standard of supervision and management of the investigative process which validates the main thesis of this study.

e. Inactivity on Files

A summary of the categorization and duration of the inactive files is tabulated below, and tells an important story.

Categories	Murder	Robbery	Larceny	Total
Unable to specify time	96	152	36	284
Inactivity for period 0 -12 months	79	41	10	130
Inactivity for period 12 months plus	345	677	113	1135
Total	520	870	159	1549

Table 5: Summary of inactive files by duration of inactivity.

The PCOA Inspection Team found that many of the files inspected, for all three offences, were inactive for long periods of time. Inactivity was determined based on the difference between the last date of activity on file and the date the PCOA Inspection Team conducted its inspection. The data revealed that the number of files that were inactive **increased eightfold** for periods of inactivity of 12 months and above. The figures suggest that if cases are not cleared up within the first year of the commission of an offence, then the probability of the



National Examination of Case Files - Combined Categories 1549 Files

cases being cleared up decreases significantly after the first year of inactivity. The data continues to demonstrate a systemic weakness in the supervision and management of cases that could ensure regular and cogent activity that could assist in improving the clear up rate for crimes committed.

Additionally, a full 18 % (284 files) of the sample bore no notifications or other documentary evidence indicating a date of the last activity thus rendering it impossible to determine the duration of inactivity. Again, this type of critical omission is indicative of a poor standard of supervision and management of the investigative process.

Observations & Discussion

Clear up rates to be included as a Performance Target

RECOMMENDATION

- **Targeted Clear up rates for major crimes**
- should be included as a part of overall JCF Performance Targets.

JCF Internal Reviews of the CIB

The PCOA has noted the existence of a routine JCF internal review of the CIB island-wide. This process takes place on a cyclical basis by a review team from the CIB HQ and written reports submitted to the SSP Investigations at the CIB HQ. These reports tend to be in a standard format of 2 - 3 pages in length, largely stating and itemizing the resources available to the relevant CIB detachment. While a routine review process is a good thing, we are of the view that the reports do not go far enough to analyze and rectify the gaps identified in supervision and quality of the investigations. Similarly, there is little evidence of accountable action in this regard.

RECOMMENDATION

Routine JCF Internal Reviews of the CIB should seek to reverse engineer the progress of the case files in order to determine and resolve the specific root causes of slow and poor investigative outcomes.

The role of the DDI

The role of the DDI as the first line supervisor of the investigators is critical to the progress, direction and quality of the investigations. The overwhelming relative contribution of 'Little evidence of work', 'Slow progress of work' and 'No clear suspect' to the overall 'un-cleared' cases suggests to us that the profile and competency of the DDI appointments have to be upgraded and taken into account in the PMAS. Our checks of the currently posted DDIs reveal a lack of standardization and specific formal qualification for this appointment. While this is the case for several appointments in the JCF, we believe that addressing the qualifying criteria for the DDI in this regard is a low hanging opportunity capable of yielding a significantly high impact in a short time. Our inspections reveal that in addition to being a seasoned investigator the DDI should possess high proficiency in the following:

- Supervisory Management/Leadership
- Project/Time Management
- Multi-tasking
- Prioritization
- Efficient use of resources
- Working to deadlines
- Feedback
- Documentation & Record Keeping

Additionally, the PCOA Inspection Team found DDIs across the divisions to have attained the qualification of 'Command Course' as the most common qualification. In some instances there were DDIs with a Sergeant Management qualification in lieu. Having examined the broad objectives of these courses, the PCOA team felt that they did not sufficiently address the critical and evident problem of investigative supervisory management.

RECOMMENDATION

3 The qualifying criteria for the appointment of DDI should be upgraded and formalized in the PMAS in the shortest possible time.

RECOMMENDATION

 Files reviewed by a supervisor should carry detailed notations regarding tasks not carried out citing specific human, material or circumstantial constraints if applicable.

Cases/Files Inactive in excess of 12 Months

The PCOA Team noted a trend that the period of sustained inactivity of a case file is a virtual predictor of the likeliness of the case ever being cleared up. We generally found that after 12 months of sustained inactivity, investigative interest wanes and balloons the backlog of uncleared cases. We are of the view that the method of capturing and reporting crime and clear up on an annual basis inadvertently contributes to this phenomenon as there is a focus to merely improve the perceived performance of a current year over a previous year. This is a dangerous self defeating practice which runs the risk alienating large swaths of the citizenry whose sense of being aggrieved is further exacerbated when their matters seemingly fall off the 'radar'.

RECOMMENDATION

Files for cases under investigation should be

 reviewed by a supervisor at least monthly and notifications of such a review inscribed in the file.

Impact of the 3 main contributing categories (Little Evidence of Work, Slow Progress & No Clear Suspect) As opined earlier in this study, contributing categories of 'Little/No Evidence of Case Work' and 'Slow Progress of prescribed Work' are directly influenced by the standard of supervision and management of the investigative process. Whereas, it could be argued that inadequacies in supervision and management practices may not have direct causal relationship to the category of 'No Clear Suspect', they are still contributing factors insofar as the cogency of the basic investigative practice and direction of the investigation. Additionally, the poor public perception of the police (Gallagher & Maguire & Mastrofski & Reisig, 2001) and its relationships with the citizenry discourages the provision of useful information and willingness of witnesses hence impacting the category of 'No Clear Suspect'.

RECOMMENDATION

The JCF should implement as a part of its Strategic Objectives, sustained initiatives aimed at improving the citizens' confidence and willingness to participate in the investigative process.

Prioritization of Case work by Offence Type

The disparity in the relative contribution of the three most significant categories, in particular the overwhelming contribution (53 %) of 'Little/No Evidence of Case Work' as it relates to the offence of larceny is cause for concern. We understand that the realistic impact of high crime in an environment of limited resources will be to prioritize and focus investigative resources in the areas deemed more egregious. However the wide disparity between the allocation of investigative resources to murder vis-à-vis *larceny* needs careful balancing. A citizens' perception is that it is pointless to report a case of larceny may be the recipe for vigilante justice and other more serious offences to larceny. As it now stands (from our sample), at best, there is a 50/50 chance of a larceny report rising in importance to having a case file being opened and receiving any attention whatsoever.

Exacerbating Resource Concerns

a. Human Resources and Training

The PCOA Inspection Team took note of an anomaly with respect to the proportion of trained and qualified investigators to cases being handled within the divisions. According to the CIB SOP précis, and promulgated in JCF Force Orders 1661 dated October 23, 2008, a prerequisite for appointment as detective is the successful completion of the Major Investigation courses Level 1 and Level 2. Across the targeted divisions in this study the PCOA found that a number of persons deployed to the investigative process had only completed the JCF Level 1 investigative course and were not qualified to be appointed detectives. In a few divisions [Westmoreland, St. Catherine North and Kingston Central], the complement of <u>trained and qualified</u> detectives represented a minority of the assigned investigators in that division. We are of the view that this anomaly reduces the productivity of the divisional CIB team and places a greater burden of supervision on the DDI and Crime Officer.

LOCATIONS	CIB/MIT DEPLOYMENT	DETE	% NOT QUALIFIED			
		Qualified & Appointed	Not qualified but within establishment			
St James Division	62	45	17	27		
Westmoreland Division	24	8	16	66		
Clarendon Division	36	20	16	44		
St. Catherine North Division	30	13	17	56		
St Catherine MIT	34	30	4	11		
Area 4 MIT	101	63	38	37		
Kingston Western	21	12	9	42		
Kingston Central Division	15	5	10	66		
Kingston Eastern Division	27	19	8	29		
St Andrew South Division	32	21	11	34		
St. Catherine South Division	40	32	8	20		
St Andrew Central Division	34	23	11	32		
St Ann Division	48	30	18	37		
TOTAL	504	321	183	36		

Table 6: Deployment of Investigators across Divisions/Units inspected showing qualifications and appointments at time of inspection.

RECOMMENDATION

JCF should adhere to promulgated policies regarding the training and qualification criteria for detectives.

b. Fixtures, Equipment and Transportation The PCOA Inspection Team noted inadequacies in the facilities, equipment and transportation resources available to the CIB and MIT detachments island-wide. This is not a new problem or one specific to the CIB and/or MIT, but broadly affects the JCF and continues to be reported on in the PCOA's standard divisional inspection reports. As a result we treat with this matter in brief and broad terms. Simply put, the JCF leadership needs to ensure that minimum functional objectives of the CIB (and indeed all JCF formations) are reliably met. In our view, functional objectives of an investigative detachment must include the ability to reliably:

- Write, type, document, file, photocopy, print, call by telephone, send and receive email.
- Deploy by service vehicles to visit crime scenes, take statements, search for suspects etc.

RECOMMENDATION

The JCF leadership should ensure the provision and maintenance of basic functional objectives related to office fixtures, equipment and transportation for investigative detachments island-wide.

c. Standardization of Case Forms & Case Practices

i. Forms

The PCOA Inspection Team noted that there were disparities in the types of forms being used to capture information across the Divisions.

A primary example includes the form utilized by the supervisor to document outstanding activities of the Investigator; the forms were given different names at different locations (action sheet, task sheet, action, initial action). Although the objective of the supervisors across the Divisions may be similar, the various formats increase the potential for disparities in the quality of the content captured on the form and the quality of the investigative process.

EXAMPLES OF VARIOUS TASKING/ACTION SHEETS USED ACROSS DIVISIONS



St. Catherine MIT. Photo taken January 21, 2015.



Photo 10: Tasking sheet on a robbery file seen at Westmoreland Division. Photo taken December 3, 2015.



Photo 11: Tasking sheet on a murder file seen in the St. James Division. Photo taken November 18, 2015.

ii. Commendable Practice

The PCOA Inspection Team recognized a commendable practice at the St. Catherine MIT, where the family of the victim is regularly updated on the status of the investigations; this was not found to be a standard practice across Divisions.

iii. Varied Treatment of Larceny Reports

The PCOA Inspection Team noted varied practices in the treatment of larceny reports across the Divisions. In some Divisions, the team found Category 2 larceny offences being investigated by the CIB and not the uniformed constable as in other cases. This anomaly runs the risk of causing statistical and interpretive errors in crime analysis and management.

iv. Case Management

As it relates to the existence of a case assignment system, for the JCF, the PCOA Inspection Team noted that there was no standard practice for assigning cases to investigators across the Divisions. For three of the Divisions that the team was able to ascertain data from (St. James, St. Andrew Central and Clarendon), it was found that 1 investigator was assigned as many as 58 cases (Clarendon Division) to as little as 1 case (St. Andrew Central Division), for the year 2013. The data also showed that the average ratios of cases per investigator were 1:14, 1:12 and 1:26 for the St. James, St. Andrew Central Division and Clarendon, respectively.

Similar data was not readily available in some Divisions either because the information could not be produced or rendered 'irrelevant' due to the current transition from manual to electronic storage of said information for 2013. This 'inadvertent' practice limits the JCF's ability to properly monitor the portfolio of cases assigned to investigators, in order to assess the effectiveness and efficiency of investigator performance (number of cases assigned, number of cases cleared up, and number of cases un-cleared). This again brings into focus the principal issue regarding weak supervision and management, which not only affects investigative successes, as posited throughout the document, but also affects the

effectiveness of the JCF's case management processes.

The PCOA Inspection Team will not seek to posit an appropriate benchmark in terms of the number of cases to be assigned to investigators within the CIB. However, it is critical that any discourse surrounding the subject matter, must consider a number of factors in determining an appropriate ratio to complement the current investigative environment. Comparing benchmarks for jurisdictions with similar population sizes and/ or crime rates must be approached with caution because of a number of other important variables that may influence a case assignment formula. Considerations such as staffing matrix, staff attrition rates (internal or external), training, investigator experience, investigator output, investigation dynamics and strategy (preliminary investigators at crime scene versus officers preserving crime scene until investigator arrives), resource allocation and fluctuation in crime rates are just a few considerations that must be made in determining an appropriate case assignment model for the JCF.

RECOMMENDATION

Case Management Forms and processes should be standardized across all Divisions as a quality

control mechanism.

RECOMMENDATION

 The updating of a victim's family
 or complainant on the status of the investigation should be promulgated as SOP across Divisions, with a view to improve public perception and support.

RECOMMENDATION

 An interactive case assignment
 system should be promulgated and implemented across Divisions.

RECOMMENDATION

Regular assessment of investigator performance should be formalized in the PMAS and include productivity measures of assigned case loads and investigative outcomes.

D. CONCLUSION

The process of measurement and improvement of clear up rates has to commence with proper management, supervision and documentation of the investigative process. It is through this process that the relative contribution of resource variables can be recognized, categorized and specifically addressed through managerial and executive decision making. The absence of detailed and specific information contributing to the slow and poor progress of case files speaks to significant weaknesses in the management and supervisory capacity in the investigative architecture and overall internal accountability of the JCF.

APPENDIX 2: SUMMARY OF FINDINGS FROM RE-INSPECTIONS FOR THE PERIOD 2014/15

During the captioned period under review the PCOA Inspection and Monitoring Unit (IMU) conducted re-inspections of four geographical Jamaica Constabulary Force Divisions. The Divisions were Portland, St. James, St. Thomas and Manchester, which comprised collectively 41 stations.

The focus of these re-inspections were on selected areas of police service delivery – Records Management with emphasis on entries in the Station Diaries, Firearm Register, General Property Books and Sudden Death Registers; Station Management including human resource and other resource managements such as electricity and water usage, in addition to inspections by the Division; and, Prisoners in Custody (PIC), which encompasses an examination of the PIC Register, PIC Cards and Remand Books along with the condition and capacity of cells.

In general, while there was evidence of improvement in the management of records at a few stations, overwhelmingly the lack of compliance to Force policy in this area continued to be a pervasive problem in the Divisions inspected. Importantly, the practice of accountability in these Divisions failed to extend to records management, thereby allowing the problem to persist. Also contributing to this problem and others has been the frequent rotation of Divisional Commanders, which invariably hinders continuity in addressing some of the issues raised by the PCOA Team. The condition and maintenance of physical plants throughout the Divisions continued to be of profound concern.

The salient findings from all re-inspections are summarized in tables offering comparisons where possible, highlighting improvements or lack thereof, recommendations implemented and key observations.

DIVISION: PORTLAND

INSPECTION HISTORY

Date of First Inspection: April 7; May 5-14, 2009 O i/c SP Dudley Scott Date of Re-inspection: May 12-15, 2014 O i/c SP Wayne Cameron

Stations	Station	Diary	Firea Ammu Regis	inition	Gen Prop Bo	erty	Sudden Regi		PIC Re	gister**	PIC	Cards		ted Cell acity	Comments	
	2009	2014	2009	2014	2009	2014	2009	2014	2009	2014	2009	2014	2009	2014		
Buff Bay	MA	FMA	FMA	FMA	FMA	FMA	MA	MA	NA	NA	NA	NA	NA	NA	1. The management of records remained woefully substandard indicating that, the 2009 recommendations were largely ignored.	
Castle	FMA	FMA	FMA	MA	MA	MA	NI	MA	FMA	MA	NI	MA	MA	MA	1. Evidence of implementation of 2009 recommendations given improvement in record keeping.	
Hope Bay	MA	FMA	NI	FMA	NI	MA	MA	NE	NA	NA	NA	NA	NA	NA	1. Management of records requires more attention.	
Manchioneal	MA	FMA	FMA	MA	FMA	U	FMA	MA	MA	MA	NI	MA	TOU	MA	1. Improvement in management of records evident.	
Millbank	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	 Omitted from inspection schedule due to treacherous road conditions. 	
Orange Bay	FMA	FMA	FMA	MA	FMA	MA	MA	NE	NA	NA	NA	NA	NA	NA	 Improvement in records management evident despite glitch with Station Diary. Radio/communication system malfunctioning. Personnel not able to receive or send messages. The mobile provided had no credit. 	
Port Antonio	MA	FMA	MA	MA	FMA	MA	MA	MA	MA	MA	NI	MA	MA	FMA	 Records for the most part in good order, with the exception of Station Diary. Overcrowding in lock-up is of profound concern. 	
San San	MA	FMA	NI	FMA	NI	U	MA	MA	NA	NA	NA	NA	NA	NA	1. The management of records needs improvement.	
Spring Hill	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	1. Omitted from inspection schedule due to poor road conditions.	

KEY



Maintained Adherence to JCF Policies

Not Included in Re-inspection

Not Applicable

No Entries for the Period Reviewed Unavailability of Book

Temporarily Out of Use *

The Firearm and Ammunition Registers were combined as stipulated by JCF Force Order May 12, 2011 Serial #3336

** Prisoners in Custody

CRITICAL OBSERVATIONS

- The management structure of the Portland Division was not consistent with the New Management structure outlined in JCF Force Orders 3319 Appendix 'A' dated January 13, 2011. Under that management structure, divisions with Superintendents in charge are to be supported by seven Deputy Superintendents (DSPs). According to the Update of Personnel April 31, 2014, the Portland Division had two DSPs one in charge of Operations the other, Administration. This represents a shortage of five DSPs for the Portland Division Management Team.
- At the Port Antonio Station, the bathroom facility in the lock-up was out of order. Of the three toilets in the cells, none of them could be flushed from the toilet's tank and a bucket of water was used to carry out this function.
 [Photo 1] The showers were also non-functional and a hose was pushed through a hole into the lock-up for the prisoners to take their showers. This was done in the hallway of the lock-up which was converted to a shower area.
 [Photo 2] These conditions are a breach of UN Standard Minimum Rules for the Treatment of Prisoners Section 12 & 13.





Photo 1: Non-functioning toliets at the Port Antonio lock-up as presented on May 15, 2014.

Photo 2: Converted shower area at the Port Antonio lock-up with buckets to catch water as presented May 15, 2014.

3. The areas around the cells were not sterile and persons could access these areas without the knowledge of the Police. [Photo 3] There were also cars stored at the south side of the lock-up which is very porous. These occurrences pose a security risk and can be difficult for the detention and court staff to properly monitor all areas around the cells 24 hours a day.



Photo 3: Evidence of a man loitering near cell block at the Port Antonio Station which highlights the non-sterile area around the lock-up as presented on May 15, 2014.

4. None of the compounds of the seven stations re-inspected had adequate security fencing, which may result in unauthorized persons gaining access to station compounds and damaging/removing property in the custody of the police. Of concern was that three of the stations had prisoners in custody. This situation poses a security risk to the lives of both police personnel as well as the prisoners in the custody and was also highlighted in the 2009 report. [Photos 4 & 5]



Photo 4 & 5: Evidence of inadequate/absence of fencing between the Port Antonio and Castle stations respectively, as seen on May 14 & 15, 2014.

DIVISION: ST. JAMES

INSPECTION HISTORY

Date of First Inspection: September 13–October 5, 2010 O i/c SP Merrick Watson Date of Re-inspection: June 23-July 9, 2014 O i/c Senior SP Egbert Parkins

Station Diary		Diary	Firea Ammunitio			Property ook	Sudden Regis		PIC Re	gister	PIC	Cards	Gazette Capa		Comments
	2010	2014	2010	2014	2010	2014	2010	2014	2010	2014	2010	2014	2010	2014	
Adelphi	FMA	FMA	MA	FMA	FMA	MA	MA	NE	NA	NA	NA	NA	NA	NA	 Mixed outcomes regarding record keeping, nevertheless more attention is required for overall improvement.
Amity Hall	FMA	FMA	MA	MA	U	NE	MA	NE	NA	NA	NA	NA	NA	NA	 While the records that could be inspected were in fairly good order, there is still room for improvement.
Anchovy	FMA	FMA	MA	MA	FMA	NE	MA	MA	NA	NA	NA	NA	NA	NA	 Good consistency in the management of two of the four records, however more scrutiny necessary for the record which fell short.
Barnett Street	NI	FMA	NI	FMA	NI	NE	NI	МА	NI	FMA	NI	FMA	NI	МА	 Management of records appallingly poor. Several disabled vehicles/motorcycles cluttered the station compound. Absence of JCF signage at entrance of Station. The proximity of the cell block to the guard room poses serious visibility challenges which was noted repeatedly in the cell diary.
Barrett Town	FMA	FMA	MA	FMA	U	FMA	MA	MA	MA	FMA	NI	MA	MA	MA	 Urgent attention required for the management of records, which are for the most part, substandard.
Cambridge	FMA	FMA	MA	MA	FMA	FMA	MA	FMA	NI	NE	NI	NE	NI	NPIC	1. Recommendations from 2010 inspection for the improvement in records management went largely ignored.
Coral Gardens	FMA	FMA	MA	MA	FMA	MA	MA	MA	NA	NA	NA	NA	NA	NA	1. Aside from the Station Diary, record keeping in good order.
Cornwall Court	NI	FMA	NI	U	NI	U	NI	U	NI	NA	NI	NA	NI	NA	1. Station had limited furniture and a section of the floor damaged.
Freeport	FMA	FMA	MA	FMA	MA	MA	MA	FMA	FMA	FMA	NI	FMA	FMA	FMA	 Chronic overcrowding in lock-up remains a profound concern. Station compound cluttered with disabled vehicles. Record management remains dismal and requires prompt remedy.
Granville	FMA	FMA	MA	FMA	FMA	NE	MA	MA	NA	NA	NA	NA	NA	NA	1. More attention required for improvement in the management of records.
Meadows of Irwin	NI	FMA	NI	FMA	NI	U	NI	U	NI	NA	NI	NA	NI	NA	1. The keeping of records demands more scrutiny.
Montego Hills	FMA	FMA	MA	FMA	FMA	NE	MA	MA	NA	NA	NA	NA	NA	NA	1. Further improvement in records management required.
Mount Salem Spring Mount	FMA FMA	FMA FMA	MA MA	FMA FMA	FMA MA	NE NE	MA MA	MA MA	NA NA	NA NA	NA NA	NA NA	NA NA	NA NA	 The management of records needs attention. Slight fall off in the keeping of records, therefore added attention to this area was advised.

KEY

Failed to Maintain Adherence to JCF Policies

Maintained Adherence to JCF Policies

Not Included in Re-inspection

Not Applicable

No Entries for the Period Reviewed

Unavailability of Book

No Persons in Custody (Children)

The Firearm and Ammunition Registers were combined as stipulated by JCF Force Order May 12, 2011 Serial #3336

** Prisoners in Custody

CRITICAL OBSERVATIONS

 The assigned vehicles at seven of the stations (Anchovy, Spring Mount, Amity Hall, Granville, Adelphi, Montego Hills and Freeport) were in need of tyres. At three of the stations (Spring Mount, Montego Hills and Freeport) the service vehicles were parked and only used in cases of emergency due to the poor condition of the tyres. [Photo 1 & 2]



Photo 1: Service vehicle at Freeport Station as seen on July 8, 2014.

 The 2010 inspection highlighted the issue of inadequate or absence of security perimeter fencing at seven stations - Coral Gardens, Anchovy, Spring Mount, Amity Hall, Adelphi, Granville, and Montego Hills. The recommendation for urgent attention was largely ignored as observed in the 2014 inspection. [Photo 3 & 4]



Photo 3: Absence of perimeter fencing at the Adelphi Station seen on July 2, 2014.



Photo 2: Service vehicle seen at Freeport Station on July 8, 2014.



Photo 4: Low perimeter fencing at the Coral Garden Station seen on June 23, 2014.

DIVISION: ST. THOMAS

INSPECTION HISTORY

Date of First Inspection: February 2-17, 2011 O i/c SP Mervin McNabb Date of Re-inspection: May 15-17, 2012 O i/c SP Mervin McNabb Date of Second Re-inspection: November 24-December 1, 2014 O i/c DSP Charmine Shand

Stations	St	ation Di	ary		n & Amm Register:		Gene	eral Prop Book	erty	PIC	C Regist	er	P	IC Cards	;		Gazetted Cell Capacity		Pointers
	2011	2012	2014	2011	2012	2014	2011	2012	2014	2011	2012	2014	2011	2012	2014	2011	2012	2014	
Yallahs	FMA	FMA	FMA	MA	MA	FMA	MA	FMA	FMA	FMA	MA	FMA	FMA	MA	FMA	MA	MA	MA	Deterioration in the keeping of records evident therefore, request made for immediate remedy. Significant improvement in removal of station clutter (derelict vehicles). This issue was initially highlighted in 2011 inspection.
Bath	FMA	FMA	FMA	FMA	FMA	ΜΑ	MA	FMA	MA	FMA	MA	FMA	FMA	FMA	MA	MA	MA	MA	 Assorted vehicles in custody clutter compound. Situation exacerbated by the fact that the station also houses car pound for the Division. Marked improvement evident in the management of records which is commendable. This indicated that special attention was given to recommendations coming out of previous inspections.
Seaforth	FMA	FMA	FMA	MA	FMA	FMA	FMA	MA	FMA	FMA	MA	MA	FMA	FMA	MA	FMA	FMA	MA	 Poor lighting in the lock-up was of serious concern as was the case in the 2012 inspection. While there was significant correction in PIC related records, there was an obvious deterioration in the keeping of general records.
Llandewey	FMA	NI	FMA	FMA	NI	FMA	MA	NI	NE	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Records management remains unsatisfactory.
Port Morant	FMA	FMA	FMA	FMA	FMA	FMA	FMA	MA	MA	NA	NA	NA	NA	NA	NA	NA	NA	NA	 Missing official JCF signage. Major breach in perimeter fencing observed.
Golden Grove	FMA	FMA	FMA	FMA	FMA	FMA	MA	FMA	FMA	FMA	MA	MA	FMA	MA	MA	MA	NPIC	MA	 Security breach seen at lock-up in 2012 was corrected. Keeping of PIC records commendable, however no attempt evident in improving other important station records.
Cedar Valley	FMA	NI	FMA	MA	NI	FMA	MA	NI	MA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Special attention required in the area of records management.
Trinityville	FMA	FMA	FMA	FMA	FMA	MA	MA	FMA	MA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Good improvement in the management of records.
Morant Bay	FMA	NI	FMA	MA	NI	MA	MA	NI	FMA	MA	NI	MA	MA	NI	MA	MA	NI	MA	 Ordinary padlocks were still being used to secure the lock-up entrance grills. This was highlighted in 2011 inspection.

KEY

Failed to Maintain Adherence to JCF Policies

Maintained Adherence to JCF Policies

Not Included in Re-inspection

Not Applicable

No Entries for the Period Reviewed No Persons in Custody (Children)

*

The Firearm and Ammunition Registers were combined as stipulated by JCF Force Order May 12, 2011 Serial #3336

** Prisoners in Custody

CRITICAL OBSERVATIONS

 The Team saw leaking pipes at the Llandewey, Trinityville and Seaforth stations. [Photo 1] These pipes were either dripping constantly or water running profusely from them. The lock-offs for these pipes had either gone bad or in some instances, there was no lock-off apparatus.



Photo 1: Makeshift pipe (hose) at the Seaforth Station as seen on November 27, 2014.

 The PCOA Team also noted that there were malfunctioning security lights at the Golden Grove, Bath, Llandewey, Yallahs and Seaforth stations. [Photo 2 & 3]



Photo 2: Security light on during the day at the Llandewey Station on November 25, 2014.



Photo 3: Security light on during the day at the Golden Grove Station on November 27, 2014.

 During the 2012 inspection the PCOA Team noted that registers/books at most stations were in a deplorable condition as they were tattered. The situation remained the same during the 2014 inspection. As a result, the PCOA Team was not always able to find selected information because parts the information was either torn from the books or pages were missing. [Photo 4 & 5]



Photo 4: A tattered Firearm Register at Port Morant Station in 2012.



Photo 5: A tattered General Property Book as seen at the Bath Station in 2014.

4. During the 2012 inspection, the PCOA Team noted that there was an open electrical panel seen at the Seaforth Station. The electrical wires were not only exposed but also there was a wire improperly connected to the panel. The Team noted that during the 2014 inspection the situation remained unchanged, as the electrical panel box had not been covered, leaving the wires exposed. This poses a safety risk to officers as they have to use the area to gain access to the strong pan. [Photo 6 & 7]



Photo 6: An open electrical panel at the Seaforth Station in 2012.



Photo 7: The same opened electrical panel at the Seaforth Station in 2014.

DIVISION: MANCHESTER

INSPECTION HISTORY

Date of First Inspection: May 5-July 29, 2009 (All Stations) – O i/c SP Ryland Salmon Date of Re-inspection: April 9 – May 9, 2011 (Mandeville, Spalding & Porus) - O i/c SP Lascelles Taylor Date of Second Re-inspection: February 16-26, 2015 O i/c SP Melvin Brooks

Stations	Station Diary			Firearm & Ammunition General Property Registers* Book							PIC Register PIC Cards						zetted Ce Capacity	ell	Comments
	2009	2011	2015	2009	2011	2015	2009	2011	2015	2009	2011	2015	2009	2011	2015	2009	2011	2015	
Asia	FMA	NI	FMA	FMA	NI	MA	NI	NI	NE	NI	NI	FMA	NI	NI	FMA	NI	NI	MA	1. Roof to cells was leaking. There was also concern about the proximity between the cell area and the guardroom.
Alligator Pond	FMA	NI	FMA	FMA	NI	MA	NI	NI	MA	NI	NI	MA	NI	NI	FMA	NI	NI	ΜΑ	 There was no light in the cell area. Temporary lighting was set up outside of cell to provide some visibility. Due to the location of the cells in relation to the guardroom, prisoners were able to see persons entering the station to make a report. Records in fair order.
Christiana	FMA	NI	FMA	FMA	NI	MA	NI	NI	MA	NI	NI	MA	NI	NI	MA	NI	NI		1. There was a hole in the perimeter fence surrounding the cell area.
Cross Keys	FMA	MA	FMA	FMA	MA	MA	NI	NI	MA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Records were in fairly good order with the exception of the Station Diary.
Cottage	FMA	NI	FMA	FMA	NI	MA	NI	NI	NE	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Improvement seen in one record, however Station Diary requires further attention.
Kendal	FMA	NI	FMA	FMA	NI	MA	NI	NI	NE	NA	NA	NA	NA	NA	NA	NA	NA	NA	 The malfunctioning of two security lights plunged the compound of the Station into darkness at night. There was a large water tank on the compound that was unsecured.
Newport	FMA	NI	FMA	FMA	NI	MA	NI	NI	NE	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Improvement seen in one record, however Station Diary requires further attention.
Porus	MA	NI	FMA	MA	NI	MA	NI	NI	MA	NI	MA	MA	NI	MA	MA	NI	FMA	MA	 Poor lighting conditions were observed in the cell area. Management of records for the most part, commendable.
Spalding	FMA	MA	FMA	FMA	FMA	MA	NI	NI	NE	NA	NA	NA	NA	NA	NA	NA	NA	NA	 Mixed outcome regarding the management of records.
Williamsfield	FMA	NI	FMA	FMA	NI	MA	NI	NI	MA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1. Records were in fairly good order and reflected improvement.
Mandeville	FMA	MA	ΜΑ	FMA	ΜΑ	ΜΑ	NI	NI	FMA	NI	FMA	MA	NI	FMA	ΜΑ	FMA	FMA	FMA	 Although there was no physical expansion of the cells, additional bunks were added to accommodate additional prisoners. This has resulted in several breaches in security. There was thremendous effort by the cell staff to increase the number of physical checks due to issues of overcrowding and breaches to security in the lock-up. Several defective police motorcycles observed no compound. Excellent management of records. Reflects positive impact of 2000 inspection. Clearly the best station in the Division in terms of records management.

KEY

Failed to Maintain Adherence to JCF Policies

Maintained Adherence to JCF Policies Not Included in Re-inspection

Not Included in Not Applicable

No Entries for the Period Reviewed

The Firearm and Ammunition Registers were combined as stipulated by JCF Force Order May 12, 2011 Serial #3336

** Prisoners in Custody
CRITICAL OBSERVATIONS

- There was an absence or in some cases, poor security fencing at the Cross Keys, Kendal, Cottage and Newport stations. As a result unauthorized persons could freely gain access to station compounds, which could result in property being damaged or removed from the custody of the police. This situation also poses a security risk to police officers, as well as prisoners in the custody of the police. [Photo 1 - 4]
- 2. The Cottage, Asia and Alligator Pond stations were each assigned one cellular phone, however police personnel were unable to make calls due to the non-provision of credit for these phones. This situation poses a serious threat to the safety and security of police officers, in the event that they are unable to communicate in cases of emergency. In addition, the cellular phones were on different networks Asia and Alligator Pond stations the Digicel network, while the Cottage Station had a LIME mobile. In order to keep these phone numbers active, police officers were purchasing call credit to add to the station phones.



Photo 1: Poor perimeter fencing at the Cross Keys Station.



Photo 2: Inadequate perimeter fencing at the Kendal Station.



Photo: 3 Absence of perimeter fencing at the Cottage Station.



Photo 4: Absence of perimeter fencing at the Newport Station.

3. A number of decrepit vehicles and bicycles were seen on the compounds of Alligator Pond, Asia, Cottage, Cross Keys, Kendal, Spalding and Williamsfield stations. **[Photo 5 - 10]**



Photo 5: Alligator Pond Station



Photo 6: Asia Station



Photo 8: Cross Keys Station



Photo 9: Kendal Station



Photo 7: Cottage Station



Photo 10: Spalding Station



Coolu

Governor-General.

28th day of December 2005

AN ACT to Provide for the establishment of a civilian oversight authority to monitor the operations of the Jamaica Constabulary Force and the Auxiliaries and for connected matters.

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the Authority of the same, as follows:---

1. This Act may be cited as the Police (Civilian Oversight) Authority Short title Act, 2005, and shall come into operation on a day to be appointed by the Minister by notice published in the Gazette.

and commencement

2. In this Act, unless the context otherwise requires-

Interpretation.

"Authority" means the Police (Civilian Oversight) Authority established under section 3:

"Auxiliaries" means-

- (a) the Island Special Constabulary Force constituted by the Constables (Special) Act; and
- (b) the Rural Police constituted by the Constables (District)Act;

"Force" means the Jamaica Constabulary Force.

3.—(1) There is hereby established a body to be known as the Police (Civilian Oversight) Authority.

(2) The provisions of the Schedule shall have effect as to the constitution of the Authority and otherwise in relation thereto.

- 4.--(1) The functions of the Authority are to---
 - (a) monitor the implementation of policy relating to the Force and the Auxiliaries;
 - (b) monitor the standard of performance of the Force and the Auxiliaries so as to ensure that internationally accepted standards of policing are maintained, and to report thereon;
 - . (c) conduct inspections of the Force and the Auxiliaries;
 - (d) monitor the management and use of the financial and other resources of the Force and the Auxiliaries;
 - (e) perform such other functions as may be necessary for promoting the efficiency of the Force and the Auxiliaries.

(2) The Authority shall, in the exercise of its functions under this Act, have the power to—

- (a) require the attendance of the Commissioner of Police or any other officer of the Force or the Auxiliaries;
- (b) call for and examine documents and records;
- (c) receive representations from members of the public in relation to the operation of the force and the Auxiliaries;
- (d) do all such other things as it considers necessary or expedient for the purpose of carrying out its functions under this Act.

tion of Authority. Schedule.

Establishment and

constitu-

Functions of Authority.

(3) An officer or employee of the Authority may, with the prior written authorization of the chairman of the Authority, at any reasonable time----

- (a) enter premises occupied by any division of the Force or by any of the Auxiliaries;
- (b) require a member of the Force or of any of the Auxiliaries to furnish such information or to produce such category of documents or records as may be specified in the authorization; and
- (c) inspect and examine such documents or records and make copies thereof.

5.-(1) A member of the Force or any of the Auxiliaries shall give Duty of an officer, employee or member of the Authority all reasonable assistance in his power and furnish him with such information, records or documents Auxiliaries to as he may reasonably require.

member of Force or furnish information. etc.

(2) A person who-

- (a) obstructs, hinders or prevents an officer or employee of the Authority from entering any premises referred to in section 4(3);
- (b) fails or refuses to give information or to produce any document or record required by that officer,

shall be guilty of an offence and liable on summary conviction before a Resident Magistrate to a fine not exceeding one hundred thousand dollars.

6.--(1) The Authority may, where it considers necessary, refer a Reference of matter to----

matters by Authority.

- (a) the Police Service Commission;
- (b)" the Minister;
- (c) the Commission for the Prevention of Corruption; or
- (d) the Commissioner of Police,

as the case may require, for appropriate action to be taken.

(2) Where the Authority refers a matter under subsection (1), the person or body to whom the matter was referred shall as soon as possible cause a report to be made to the Authority on the action taken.

7.—(1) The Authority shall, within four months after the end of each financial year or within such longer period as the Minister may in special circumstances approve, cause to be made and transmit to the Minister, a report of the operations and findings of the Authority during that financial year and may include in the report recommendations for improving the efficiency of the Force and the Auxiliaries.

(2) The report shall be in the form directed by the Minister.

(3) The Minister shall cause a copy of the report to be laid on the Table of the House of Representatives and of the Senate as soon as possible, but in any case, not later than two months after submission of the report to him.

8. The Authority shall, upon the request of the Minister, furnish to him a report on any specific matter which the Minister may from time to time request of the Authority.

9.—(1) Except with the approval of the Authority or where required by a court of competent jurisdiction or a tribunal lawfully constituted, no officer or employee of the Authority shall give or disclose any information concerning the affairs of the Authority, the Force or any of the Auxiliaries acquired by him by reason of his employment.

(2) A person who is in possession of any information which he knows to have been disclosed in contravention of subsection (1) shall not publish such information.

(3) A person who contravenes subsection (1) or (2) shall be guilty of an offence and liable on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

Regulations.

10.—(1) The Minister may make regulations subject to affirmative resolution, with regard to any matter or thing in respect of which it appears to him to be expedient to make regulations for the purpose of carrying this Act into effect.

Report to Minister.

Annual Report

Restriction of disclosure and publication of information.

(2) The maximum penalty that may be imposed in respect of a breach of a provision of the regulations shall be a fine not exceeding two hundred and fifty thousand dollars or imprisonment for a term not exceeding six months or both such fine and imprisonment.

11. Part VI of the Constabulary Force Act is hereby repealed.

Repeal of Part VI of Constabulary Force Act.

SCHEDULE

(Section 3)

The Police (Civilian Oversight) Authority

Constitution of Authority.

1 - (1) The Authority shall consist of not less than five nor more than seven members, of whom---

- (a) two members shall be members of the Police Service Commission;
- (b) one member shall be a duly qualified accountant;
- (c) subject to sub-paragraph (2), one member shall be a person with operational experience in security services.
- (2) A person may not be appointed under sub-paragraph (1) if he is-
- a serving member of the Jamaica Constabulary Force, or any of the Auxiliaries or the Jamaica Defence Force;
- (b) a member of the first class of the Jamaica National Reserve.

Tenure of Office. 2.—(1) The members shall be appointed by the Governor-General after consultation with the Prime Minister and the Leader of the Opposition and shall hold office for a period of five years.

(2) Every member shall be eligible for reappointment.

Chairman,

3.—(1) The Governor-General shall appoint one of the members, other than a member appointed pursuant to paragraph 1 (1) (a), to be chairman of the authority.

(2) The Chairman shall preside at all meetings of the Authority at which he is present, and in the case of the chairman's absence from any meeting, the members present and forming a quorum shall elect one of their number to preside at that meeting.

4. If any member is absent or unable to act, the Governor-General may

appoint any person to act in the place of that member, so, however, that such

Acting appointments.

appointment shall be made in the same manner and from among any of the categories of persons as would be required in the case of the substantive appointment.

5.—(1) Any member other than the Chairman may at any time resign his office by instrument in writing addressed to the Governor-General and transmitted through the Chairman and from the date of receipt by the Governor-General of such instrument, that person shall cease to be a member.

(2) The Chairman may at any time resign his office by instrument in writing addressed to the Governor-General and such resignation shall take effect as from the date of receipt by the Governor-General of that instrument.

Resignation.

6. The Governor-General after consultation with the Prime Minister and the Revocation Leader of Opposition may at any time revoke the appointment of any member. of

appointment.

membership.

7. If any vacancy occurs in the membership of the Authority, such vacancy Filling of shall be filled by the appointment of another member, so, however, that such vacancies. appointment shall be made in the same manner and from the same category of persons as would be required in the case of the original appointment.

8. The names of all members of the Authority as first constituted and every Gazetting of change therein, shall be published in the Gazette.

9. The funds of the Authority shall consist of funds as may from time to time Funds of be placed at its disposition for the purposes of this Act by Parliament, and such Authority. other moneys as may be lawfully paid to the Authority.

10. The Authority shall keep proper accounts of its receipts, payments, Accounts assets and liabilities and such accounts shall be audited annually by an auditor and audit. appointed in each year by the Authority with the approval of the Minister.

11. The Authority shall, on or before the 31st October in each year, submit to Estimates. the Minister for approval, its estimates of revenue and expenditure in respect of the ensuing financial year.

12.--(1) The Authority shall appoint and employ at such remuneration and Appointon such terms and conditions as they think fit, a Secretary and such other ment of officers and employees as they think necessary for the proper carrying out of staff. the provisions of the Act:

Provided that no salary in excess of the prescribed rate shall be assigned to any post without the prior approval of the Minister.

(2) In sub-paragraph (1) "prescribed rate" means such rate as may be prescribed by the Minister by order published in the Gazette.

(3) The Governor-General may, subject to such conditions as he may impose, approve of the appointment of any officer in the service of the Government to any office with the Authority and any officer so appointed shall, in relation to any pension, gratuity or other allowance, and other rights as a public officer, be treated as continuing in the service of the Government.

13.-(1) The seal of the Authority shall be kept in the custody of the Chairman Seal and and shall be affixed to instruments pursuant to a resolution of the Authority.

execution of documents.

(2) The seal of the Authority shall be authenticated by the signatures of the Chairman and one other member.

(3) All documents, other than those required by law to be under seal, and all decisions of the Authority may be signified under the hand of the Chairman or the Secretary.

Proceedings and meetings.

14.--(1) The Authority shall meet at least once per month for ten calendar months of every year and at such other times as may be expedient for the carrying out of its functions, and such meetings shall be held on such days and at such places as the Chairman may determine.

(2) A quorum of the Authority shall be three.

(3) The decision of the Authority shall be by a majority of votes and, in addition to an original vote, the Chairman shall have a casting vote in any case in which the voting is equal.

(4) Minutes in proper form of each meeting of the Authority shall be kept and shall be submitted to the Governor-General and the Minister within seven days after confirmation thereof.

(5) The validity of the proceedings of the Authority shall not be affected by any vacancy amongst the members thereof.

Protection of members.

15. No member shall be personally liable for any act or default of the Authority done or omitted to be done in good faith in the course of the operations of the Authority.

16. There shall be paid to the members of the Authority such remuneration as Remuneration of members.

the Minister may determine.

Office of member not public office.

Provisions applicable when no Leader of Opposition.

17. The office of chairman or member of the Authority shall not be a public office for the purposes of Chapter V of the Constitution.

Where, pursuant to the provisions of this Schedule, the Governor-18. General is required to act after consultation with the Leader of the Opposition and-

there is no person holding the office of Leader of the Opposition; or (a)

(b) the holder of that office is unwilling or, by reason of his illness or absence from Jamaica, unable to perform his functions in that regard,

those provisions shall be construed as if the reference to the Leader of the Opposition were a reference to such person as the Governor-General, in his discretion, considers appropriate.

Passed in the House of Representatives this 25th day of October, 2005.

O. T. WILLIAMS

Deputy Speaker.

Passed in the Senate this 25th day of November, 2005.

SYRINGA MARSHALL-BURNETT, C.D. President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act. Clerk to the Houses of Parliament.



POLICE (CIVILIAN OVERSIGHT) AUTHORITY FINANCIALS



AUDITOR GENERAL'S DEPARTMENT P.O. BOX 455 KINGSTON 10 JAMAICA Email: audgen@auditorgeneral.gov.jm

INDEPENDENT AUDITOR'S REPORT

To the Chairman Police Civilian Oversight Authority

Report on the Financial Statements

I have audited the accompanying financial statements of the Police Civilian Oversight Authority as set out on pages 48 to 58, which comprise the Statement of Financial Position as at March 31, 2015; Statement of Financial Performance, Statement of Changes in Equity and Statement of Cash flows for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these Financial Statements in accordance with International Public Sector Accounting Standards. This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on these Financial Statements based on my audit. I conducted my audit in accordance with the auditing standards issued by the International Organization of Supreme Audit Institutions (INTOSAI). Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the Financial Statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the Financial Statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the Financial Statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of the accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements give a true and fair view of the financial position of the Police Civilian Oversight Authority as at March 31, 2015, and of its financial performance, and its cash flows for the year then ended in accordance with International Public Sector Accounting Standards.

Report on Additional Requirements of the Police Civilian Oversight Authority Act

I have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purpose of the audit. In my opinion, proper accounting records have been maintained and the Financial Statements are in agreement therewith and give the information required in the manner so required.

Auditor General

2017/02/01..... Date

Police Civilian Oversight Authority Statement of Financial Position as at March 31, 2015

		2015	2014
	Note	\$	\$
Non-current assets			
Property, plant and equipment	4	729,085	1,081,552
Current assets			
Receivables	5	467,314	925,810
Cash and cash equivalents	6	137,743	130,931
		605,057	1,056,741
Current liabilities		<	
Accounts payable	7	2,151,664	1,642,342
Employee benefits	8	5,715,811	3,170,461
		7,867,475	4,812,803
		12	
Net current assets		(7,262,418)	(3,756,062)
Net assets		(6,533,333)	(2,674,510)
Non-current liabilities			
Employee benefits	8	1,360,520	1,513,063
Equity			
Capital - GOJ investment	9	2,656,086	2,656,086
Accumulated deficit		(10,549,939)	(6,843,659)
Donated assets reserve	10	-	-
		(7,893,853)	(4,187,573)
Total equity and liabilities		(6,533,333)	(2,674,510)
and the second			

Approved for issue on behalf of the Authority on October . 2.5, 2016. and signed on its behalf by:

Dave McIntosh Chief Executive Officer

2

The Most Reverend Charles H. Dufour, D.D., C.D.

Chairman of the Authority

Police Civilian Oversight Authority Statement of Financial Performance for the year ended March 31, 2015

	Note	<u>2015</u> \$	<u>2014</u> \$
Revenue			
Subvention		38,881,509	40,570,607
Total operating revenue		38,881,509	40,570,607
Operating expenses			
Compensation of employees Travelling and transportation Premises related expenses Public utilities Administrative expenses Board fees Depreciation	11 12	26,109,464 5,705,808 3,525,645 1,656,023 4,876,897 368,500 352,467	21,285,713 5,448,541 3,525,645 1,608,181 3573,789 263,000 301,010
Total operating expenses		42,594,804	36,009,879
Surplus/(deficit) from operating activities Exchange rate gain/(loss) Interest income Net surplus/(deficit) for the year		(3,713,295) 6,204 811 (3,706,280)	4,560,728 11,576 37 4,572,341

Police Civilian Oversight Authority Statement of Changes in Equity for the year ended March 31, 2015

	Carital COI		
	Capital GOJ Investment	Accumulated Deficit	Total
	\$	\$	\$
Balance as at March 31, 2013	2,656,086	(11,416,000)	(8,759,914)
Surplus for the year		4,572,341	4,572,341
Balance as at March 31, 2014	2,656,086	(6,843,659)	(4,187,573)
Surplus for the year		(3,706,280)	(3,706,280)
Balance as at March 31, 2015	2,656,086	(10,549,939)	(7,893,853)

The accompany notes on page 5 to 12 form an integral part of the financial statements

		Note	<u>2015</u> \$	<u>2014</u> \$
Cash f	low from operating activities			
	s/(deficit) for the year		(3,706,280)	4,572,341
Adjust	tments:			X.*. = X.3 =
	Depreciation		352,467	301,010
	Increase/(Decrease) in accounts receivable		458,496	-
	Increase/(Decrease) in accounts payable		509,322	829,988
	Increase/(Decrease) in employee benefits		2,392,807	(5,296,865)
	Transfer from donated assets reserve	_	_	
Net cas activiti	sh from/(used in) operating es	_	6,812	406,474
Cash f	low from investing activities			
Capital	expenditure		-	(394,870)
Net cas	sh used in investing activities	н —	-	(394,870)
		_		
Cash f	low from financing activities	_	-	-
Net cas	sh flows from financing activities		-	-
Increas	se in cash and cash equivalents		6,812	11,604
Cash ar	nd cash equivalents at beginning of year	_	130,931	119,327
Cash a	nd cash equivalents at end of year		137,743	130,931

The accompany notes on page 5 to 12 form an integral part of the financial statements

2. Statement of compliance, basis of preparation and significant accounting policies (Cont'd)

c. Significant accounting policies

i. Cash and cash equivalents

Cash and cash equivalent are carried in the statement of financial position at cost. For the purpose of the cash flow statement, cash and cash equivalents comprise cash at bank, in hand, and deposits.

ii. Receivables

Trade receivables are carried at original invoice amounts less provision made for impairment losses. A provision for impairment is established when there is objective evidence that the entity will not be able to collect all amounts due according to the original terms of receivables.

iii. Accounts payable and accrued charges

These are recognised at their carrying amounts.

iv. Property, plant and equipment

Property, plant and equipment are stated at historical cost less accumulated depreciation. Depreciation is calculated on the straight –line basis at annual rates to write off the assets over their estimated useful lives. Annual rates are as follows:

0/

	%
Computers	25
Office equipment	20
Furniture fixtures and fittings	10

Property, plant and equipment are reviewed periodically for impairment. Where the carrying amount of an asset is greater than its estimated recoverable amount, it is written down immediately to its recoverable amount.

v. Amortisation of donated assets reserve

The reserve is written off on a straight line basis over the life of the assets.

2. Statement of compliance, basis of preparation and significant accounting policies (Cont'd)

c. Significant accounting policies (Cont'd)

vi. Foreign currency translation

Transactions in foreign currency are converted at the exchange rates prevailing at the dates of the transactions. Monetary assets and liabilities denominated in foreign currency are translated using the exchange rate ruling at the statement of financial position date. Exchange differences arising from the settlement of transactions at rates different from those at the dates of the transactions and unrealised foreign exchange differences on unsettled foreign currency monetary assets and liabilities are recognized in the statement of financial performance account.

vii. Employee benefits

A provision is made for the estimated liability for annual leave earned, for employees, that are not taken and gratuity not paid as at the date of the statement of financial position. The expected cost of vacation leave that accumulates is recognized when the employee becomes entitled to the leave.

viii. Provisions

Provisions are recognized when the Authority has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation, and a reliable estimate of the amount of the obligation can be made.

viii. Impairment and reversals of impairment

At the date of authorization of the financial statements, there were no impairment reviews by Authority. This lack of review is not expected to have a material impact on the financial statements.

ix. Financial instruments

A financial instrument is any contract that gives rise to both a financial asset of one enterprise and a financial liability or equity instrument or another enterprise. The Authority's financial instruments at March 31, 2015 were receivables and payables.

2. Statement of compliance, basis of preparation and significant accounting policies (Cont'd)

x. Revenue recognition

Revenue is recognized in the income statement when the significant risks and rewards of ownership have been transferred to the buyer, recovery of the consideration is probable, the associated costs and possible return of goods can be estimated reliably and there is no continuing management involvement with the products.

Subvention is recognized when payments are made on behalf of the Authority by the portfolio ministry (Ministry of National Security). The Authority's expenditures are paid directly by the Ministry as no funds are disbursed to PCOA.

Interest income is recognized in the income statement for all interest bearing instruments on an accrual basis unless collectability is doubtful.

xi. Taxation

No provision has been made for taxation as the Authority is tax exempted as per section 12 (b) of the Income Tax Act.

3. Financial risk management

The Authority's activities expose it to a variety of financial risk: market risks (including currency risk and price risk), credit risk, liquidity risk, interest rate risk and operational risk. The Authority's overall risk management policies are established to identify and analyse risk exposure and to set appropriate risk limits and controls and to monitor risk and adherence limits. The risk management framework is based on guidelines set by management and seeks to minimize potential adverse effects on the Authority's financial performance.

a. Market Risk

The Authority takes on exposure to market risks, which is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risks mainly arise from changes in foreign currency exchange rates and interest rates. Market risk exposures are measured using sensitivity analysis. There has been no change to the authority's exposure to market risks or the manner in which it manages and measures the risk.

i. Currency risk

Currency risk is the risk that the value of a financial instrument will fluctuate because of changes in foreign exchange rates. The Authority manages this risk by maintaining a minimal balance on its foreign currency bank account,

ii. Interest rate risk

Interest rate risk is the risk that the interest earned on interest bearing bank account balances will fluctuate due to changes in market interest rate. Income and operating cash flows are substantially independent of changes in market interest rate. The Authority is not exposed to interest rate risk.

	<u>2015</u> \$	<u>2014</u> \$
Cash and cash equivalents	137,743	130,931

b. Liquidity Risk

Liquidity risk is the risk that an organization will encounter difficulty in raising funds to meet its commitments associated with financial instruments. The risk is managed by maintaining sufficient cash and cash equivalent balances and GOJ providing budgetary support.

2015

		2013	2	
Financial liabilities	Carrying Amount	Contract Amount	Within 1-12 months	Within 1- 3 Years
	\$	\$	\$	\$
Accounts payable	2,151,664	2,151,664	2,151,664	
Employee benefits	7,076,331	7,076,331	5,715,811	1,360,520
	9,227,995	9,227,995	7,867,475	1,360,520
		2014	4	
Financial liabilities	Carrying Amount	Contract Amount	Within 1-12 months	Within 1 - 3 Years
	\$	\$	\$	\$
Accounts payable	1,642,342	1,642,342	1,642,342	-
Employee benefits	4,683,524	4,683,524	3,170,461	1,513,063
	6,325,866	6,325,866	4,812,803	1,513,063

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3. Financial risk management (Cont'd)

c. Credit risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Authority has limited exposure to credit risk. This is managed by GOJ through the Ministry of National Security. The authority has the following financial assets:

	<u>2015</u>	<u>2014</u>
	\$	\$
Cash and cash equivalents	137,743	130,931
Receivables	467,314	925,810
	605,057	1,056,741

4. Property, plant and equipment

	Computer Hardware	Office Equipment	Office Furniture	Total
	\$	\$	\$	\$
At Cost or Valuation: April 1 2014				
	3,100,361	893,363	1,783,601	5,777,325
Additions	-	-	-	
Disposals	-	-	-	
March 31, 2015	3,100,361	893,363	1,783,601	5,777,325
Depreciation:				-
April 1 2014	2,796,136	820,758	1,078,879	4,695,773
Charge for the year	157,517	16,590	178,360	352,467
Disposals		-	-	-
March 31, 2015	2,953,653	837,348	1,257,239	5,048,240
Net Book Value:				
March 31, 2015	146,708	56,015	526,362	729,085
March 31, 2014	304,225	72,605	704,722	1,081,552

5. Trade and other receivables

This represents Board fees that were overpaid due to the use of incorrect rates.

6. Cash and cash equivalents

Cash at bank	2015 \$ 137,743	2014 \$ 130,931
7. Accounts payable		
	<u>2015</u> \$	<u>2014</u> \$
Accrued expenses	2,151,664	1,642,342

8. Employee benefits

A provision is made for the estimated liability for unused annual vacation leave not taken and gratuity due as a result of services rendered by employees up to the balance sheet date.

	<u>2015</u> \$	<u>2014</u> \$
Current :	Ψ	Ψ
Provision for salary arrears	342,017	311,301
Provision for gratuity	4,579,068	2,055,919
Provision for vacation leave	794,726	803,241
	5,715,811	3,170,461
Non-current:		
Provision for gratuity	1,360,520	1,513,063
Provision for salary arrears	-	
	1,360,520	1,513,063
	7,076,331	4,683,524

9. Capital - Government of Jamaica Investment

These amounts represent initial notional loans received from the Government of Jamaica deemed to be expended on capital assets retained by the Authority at December 28, 2005. This has now been converted to equity in line with a change in GOJ policy.

10. Donated assets reserve

This represents the residual value of the assets donated to the Authority by the Government of Jamaica through the Public Sector Modernization Programme on December 28, 2005. The value of assets has been credited to the donated asset reserve.

11. Compensation of employees

	<u>2015</u>	<u>2014</u>
	\$	\$
Salaries	33,185,795	26,582,578
Employee benefits	(7,076,331)	(5,296,865)
	26,109,464	21,285,713

12. Administrative expenses

	<u>2015</u>	<u>2014</u>
	\$	\$
Advertisement	43,000	
Security services	3,350,912	2,207,100
Office expenses	445,807	429,846
Audit fee	207,572	207,572
Bank charges	203	9
Meals	70,800	61,960
Hotel accommodation	754,603	319,330
Staff training	4,000	30,500
Office supplies	=	317,472
	4,876,897	3,573,789

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NOTES



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