



JAMAICA – Gender Based Violence Policy Briefing

April 2018

Jamaica is an island country in the Caribbean with a population of approximately 3 million. According to the World Bank country classifications by income level, Jamaica is currently classed as an upper-middle income nation (US\$ 3,956 – 12,235).

Gender parity across life domains:

Jamaica's [Employment Act 1975](#) mandates equal pay for equal work for men and women. In reality, however, women suffer discrimination in the workplace and often earn less than men (["Jamaica Pay Gap Worsens", 2015](#)). Jamaican women have access to financial services as well as land and non-land assets use, control, and ownership. The right to vote was granted to women in 1944, but women are largely missing from positions of political power. To date, Jamaica has only had one female head of state, the Prime Minister Portia Simpson-Miller. As for family life, women and men have equal parental rights in marriage and after divorce. Law permits abortion if a woman's physical life is endangered by pregnancy. According to the [Maternity Leave Act 1979](#), women are entitled to 12 weeks' maternity leave, but they are only entitled to pay for the first eight weeks of this leave. There are no gender disparities in the attainment of primary education. Interestingly, more women than men attain secondary and tertiary education ([The Global Gender Gap Report, 2017](#)).

Gender equality indexes:

1. [Gender Inequality Index \(GII\)](#) measures gender inequalities between women and men in three important areas: reproductive health, empowerment, and economic status. Values range from 0 to 1, with higher values indicating more disparities between the genders. Jamaica's current GII index is [0.422](#). Comparable scores are currently held by Brazil (0.414), Algeria (0.429), and Botswana (0.435).
2. [Global Gender Gap Index \(GGGI\)](#) assesses gender gaps on economic, political, education, and health criteria. Values range from 0 to 1, with lower values indicating more disparities between the genders. According to the Global Rankings Report 2017, Jamaica's GGGI is 0.717 (rank 51 out of 144 countries). Jamaica recorded the highest rank on educational attainment (score: 1.000,

rank: 1). The country's lowest rank was on health and survival subindex (score: 0.972, rank: 93), followed by political empowerment (score: 0.171, rank: 74). Jamaica's scoring on political empowerment, healthy life expectancy, and wage equality has lowered compared with the previous report.

Gender-based violence (GBV):

In June 2013, the [UN Economic, Social and Cultural Rights Committee](#) expressed "its profound concern at high rates of domestic and sexual violence, and the lack of a comprehensive strategy to address the phenomenon" (para. 19) in Jamaica. Lifetime prevalence of GBV in Jamaica is estimated at 35% (The Global Gender Gap Report, 2017). There is currently no available comprehensive statistical information on the extent of different forms of GBV in Jamaica, but several reports note high rates of domestic and sexual violence and suggest that these crimes are underreported due to fear of shame, social stigma, disgrace, or further violence. As such, many women seek help only when violence becomes particularly severe. In a self-report study among 3124 high school students (1467 boys and 1657 girls), 44.7% participants reported having witnessed violence in their homes ([Soyibo & Lee, 2000](#)). [Le Franc, Samms-Vaughan, Hambleton, Fox, and Brown \(2008\)](#) conducted a study on the prevalence of interpersonal violence in three Caribbean countries: Barbados, Jamaica, and Trinidad and Tobago. The Jamaican sample consisted of 1402 men and women aged 15-30 years (M age = 20.7 years). Findings indicated that 45.3% and 72.6% of Jamaican women experienced physical violence and sexual coercion respectively in the context of an intimate relationship. Sexual violence victimisation was the highest in Jamaica, compared with the remaining two countries. To gain a better understanding of domestic violence in Jamaica, [Arcscott-Mills \(2001\)](#) administered self-report questionnaires to 187 women who access the services of the Women's Crisis Centre in Kingston. Research findings demonstrated a high level of physical injury (89%) and a low level of reporting violent incidents to the police (26%). It must be noted here that marital rape is not a statutory crime in Jamaica, which can partly explain underreporting of such violence to the police. Another form of GBV of deep concern in Jamaica remains commercial sexual exploitation of girls, in particular those from low-income and single-parent families.

Unlike in some other countries where GBV is widespread, authorities in Jamaica are generally willing to provide effective protection to women ([Home Office, 2015](#)). For example, in 2007, the Child Development Agency (CDA) launched a toll free telephone line to handle cases of human trafficking. In 1985, Jamaica ratified the [Convention on the Elimination of all forms of Discrimination against Women \(CEDAW\)](#). Nonetheless, given that violence is deeply rooted in Caribbean societies, the difficulty of tackling GBV may be augmented by the lack of social programmes whose scope would be sufficient to fully address the problem ([Jones, Trotman Jemmott, Maharaj, & Da Breo,](#)

[2014; Miller, 2014](#)). Indeed, although gender parity is addressed at structural level, it appears that there is still a need to tackle gender stereotyping and these efforts should start early in schools (for more information see [Discrimination against Women UN meeting press release](#)).

Jamaica's most important legislation addressing GBV:

1996 – Domestic Violence Act

2000 – [Criminal Justice Administration Act](#) – Trials for rape, carnal knowledge and incest are held 'in camera' in order to make the judicial system less harrowing to victims of violence.

2004 – [Domestic Violence Act \(Amendment\)](#) – This amendment allows victims to apply for a protection order. It also makes a special provision for women involved in residential and non-residential relationships.

2004 – [Married Women's Property Act \(Amendment\)](#) – An Act to amend the Married Women's Property Law. It introduces a special family property regime for spouses to provide for the equitable division of property between spouses upon dissolution of marriage. Each spouse has a 50% share in the family home, which must be registered solely in one spouse's name or in their joint names.

2004 – [Child Care and Protection Act](#) – An Act to provide for the care and protection of children and young persons and for connected matters.

2009 – [Sexual Offences Act](#) – An Act to repeal the Incest (Punishment) Act and certain provision of the Offences Against Person Act; to make new provision for the prosecution of rape and other sexual offences; to provide for the establishment of a Sex Offender Registry; and other connect matters.

2009 – [Trafficking in Persons \(Prevention, Suppression and Punishment\) Amendment](#) – An amendment to an Act originally introduced in 1971. An act to make provision for giving effect to the protocol to prevent, suppress and punish trafficking in persons, especially women and children.

2015 – [Sexual Harassment Act](#) – An Act to make provision for the prevention of sexual harassment and for connected matters.