

## Jamaica Tackles Violence Against Women

The Jamaica Government has taken a step towards combating violence against women through the passage of a new Bill to create a Sexual Offences Act that combines the old 'The Offences Against the Person (Amendment) Act' and the 'Incest (Punishment) (Amendment) Act' under one umbrella.



Olivia Babsy Grange

Significantly, the Bill came on March 2, during the week leading up to the 98th marking of International Women's Day and at a time when women, girls and boys are facing unprecedented sexual attacks that have included kidnappings, rape and brutal murders.

"Mr. Speaker, today is an emotional experience for me seeing this Bill brought to Parliament, being debated and about to become law, broadening the scope of legislative measures to specifically address sexual violence against women, children, the vulnerable, persons with disabilities and our men folk too," declared the Minister with portfolio responsibility for Women Affairs and Gender Issues, Olivia Babsy Grange.

While noting that the legislation was gender neutral, the minister noted the significance for women: "It is a fact, that our women and girls have been subjected to sexual violence, whether it is in the form of rape, incest, carnal abuse, indecent assault or sexual harassment. Moreover, in recent times, the sexual violation of our women and children has become more grotesque, more insidious and more violent and this has prompted us to review, discuss and introduce new legislation in the form of this new Sexual Offences Act."

Grange said the merging of the two pieces of legislation to create the Sexual Offences Act, brings the law in Jamaica in line with modern legislative trends, both in substantive and procedural respects to eliminate rape and other forms of sexual violence.

"The number of proposed changes to the law are far reaching, including marital rape, inducing or encouraging the violation of children under 16 and the sexual grooming of a child to commit sexual offences -punishment of persons who sexually assault boys, procuring persons for prostitution, living on the earnings of prostitution, the establishment of a register for sex offenders and the introduction of harsher penalties, moving it from that of a misdemeanour to being a felony," she said.

"Today, by passing this Bill - the Sexual Offences Act, we are making a national commitment to eliminating violence against women and to upholding human rights as a means to achieve equality for women under the law."

Grange mentioned other pieces of legislation that will complement this Act and reiterate the government's commitment to meet its obligations to protect women through comprehensive legislation such as:

**The Property (Rights of Spouses) Act** dealing with the equitable distribution of property upon the breakdown of marriage or Common Law relationships after five (5) years;

**The Maintenance Act** which confers equal rights and obligations on spouses with respect to the support of each other and their

children;

**The Domestic Violence (Amendment) Act, 2004** which makes special provision for women involved in residential and non-residential relationships.

Proceedings under the Sexual Offences Act may be initiated by a third party on behalf of an abused woman, and damage to property has now been recognised as a form of domestic violence.

Grange said that in addition, the Domestic Violence Act and the Child Care and Protection Act continue to be used as a means of redress for women and children.

"In 2009 we will also be seeking to develop a National Plan of Action on gender-based violence taking into consideration all the appropriate comprehensive protective measures, including legislation, better services for victims, stronger partnership and increased efforts to engage men and boys," she said.

"We will continue to meet our obligations in keeping with the principles of the relevant international conventions and agreements to which the Government is committed to addressing the problem of violence against women and the protection of human-rights."