DATA SHARING PROTOCOL FOR TRAFFICKING IN PERSONS IN JAMAICA

BACKGROUND

Jamaica's National Anti-trafficking Task Force (NATFATIP), chaired by the Permanent Secretary in the Ministry of Justice, coordinates the country's national programme to prevent human trafficking, as well as prosecute perpetrators and protect victims. NATFATIP members include representatives of several Government Ministries Departments and Agencies, as well as representatives of Community Based Organisations (CBOs) and Nongovernmental Organisations (NGOs) whose work is related to the elimination of human trafficking in Jamaica.

This Protocol provides a framework to broaden the range of institutions involved in and sharing information on human trafficking, to improve consistency with the Palermo Protocol, as well as polices, laws and practices to address human trafficking globally, regionally and nationally.

The Terms of Reference (TOR)

The TOR for the Database Study required the Consultant to **'draft a TIP data-sharing Protocol to be adopted by various institutions to update the Database.**

Purpose of the Data Sharing Protocol

The Protocol aims to facilitate access and integration of data and data-collection systems across stakeholder groups to support the 3Ps in advocacy work on TIP. The Protocol will over time help to reduce cases of human trafficking in Jamaica. It will also strengthen cooperation between law enforcement departments. This will increase national capacity to secure convictions and punish perpetrators of human traffickers. It will also broaden the range of social development agencies and specialist service providers that assist victims of human trafficking. This Protocol will include agencies addressing commercial sexual exploitation and forced labour.

Principles: This Data Sharing Protocol explains the reasons and principles for sharing data on activities linked to TIP among a larger range of national institutions, in addition to the current NATFATIP members.

Strategy: The Protocol also outlines a strategy for gaining the support of these new agencies.

Strategic Planning: As an important element of NATFATIP's New Strategic Plan, it is proposed that NATFATIP's Prevention Committee should:

 a) contact the list of agencies identified in the appendix to this Protocol

b) develop a TIP awareness programmes for these agencies to increase their awareness of the problem of TIP and the important role they can play in data sharing to reduce the crime;

c) collaborate with these institutions to encourage data sharing with NATFATIP's Database and sign NATFATIP's Memorandum of Understanding (MOU) for Data Sharing to indicate their commitment . This will help to strengthen national capacity to detect and prevent cases of human trafficking, prosecute and convict perpetrators as well as rescue, rehabilitate and support victims. The Data Sharing Protocol also outlines the broad standards that can be used to handle the data shared as outlined in NATFATIP's Memorandum of Understanding (MOU).

The Data sharing Protocol therefore complements NATFATIP's MOU. The Protocol proposes general data sharing between a large group of agencies. The MOU covers agreements between current NATFATIP member institutions that are government agencies, to share TIP-related information.

Principles of Data Sharing

Legal Framework: The data shared will be guided by the legal framework (e.g. Access to Information Act);

Ethical standards: The highest standards of integrity will be used to guarantee privacy for the individual and respect for basic human rights.

Information and Review: Significant value can be gained from sharing information. Results can not only build knowledge assets gained from analysis of the data collected but can also serve NATFATIP and the respective agencies for mutual benefits.

Data Collection/Evidence: The Data Sharing Protocol also provides a framework to collect evidence to review and strengthen policy approaches to addressing TIP. It also expands the scope of data available on Human Trafficking to support reporting as well as guiding strategic interventions as needed.

Reporting: The code of practice serves to facilitate the development of an integrated electronic database on Human trafficking that pools various streams of information on the subject derived from specific stakeholder groups.

*Knowledge-sharing. U*sing this mechanism would facilitate more strategic management and scope for evidence-based policy making to tackle the problem of human trafficking in Jamaica more effectively.

Scope of Data to be Shared

The TIP-related Data to be shared by each agency, is summarised in the Table in the Appendix. The data to be included would be reports and statistics currently publicised on the websites of each agency, which is accessible to the general public. These new partner agencies, may wish to share more detailed statistical information with NATFATIP over time, as awareness is raised and as trust develops.

Information contributed to NATFATIP's Database Document Holder could significantly improve the scope and quality of information shared. It could also improve understanding of TIP-related trends and processes.

Value and Benefits of Data Sharing :

The TIP Database will facilitate the integration of information into a single interface. This will make it more accessible to relevant partners at various levels in Jamaica.

Good practices identified from the review of approaches used in other Commonwealth jurisdictions to address human trafficking include effective types of formal cooperation agreements which have helped to:

- Foster a common understanding of the nature and extent of the problem of TIP;
- Streamline objectives, procedures and roles among members;
- Build trust and confidence among members;
- Improve transparency and reduce bureaucracy;
- Facilitate identification of gaps in knowledge and limitations;

- Provide an objective frame of reference to measure progress;

- Reinforce accountability among all stakeholders (including victims).

Legal Principles Guiding Information sharing

Below is a summary of the main laws related to TIP in Jamaica:.

- Trafficking in Persons Act (2007) and An Act to Amend the Trafficking in Persons (Prevention, Suppression and Punishment) Act (2013)
- Constitution of Jamaica
- Cyber Security Act (2010)
- An Act to Amend the Proceeds of Crime Act (2013)
- Child Pornography (Prevention) Act (2009)
- Sexual Offences Act (2011)
- Registration of Sex Offenders (2012)
- Domestic Violence Act (1998)
- Child Care and Protection Act (2005)
- Spirit Licence Act (1995)
- Access to Information Act

Development of the TIP Database and Brochure

In 2015 the UNDP supported the development of a TIP Database , this Protocol to complement NATFATIP's Data Sharing MOU, as well as a Data Sharing Brochure to support use of the TIP Database. These resources are available for use by the NATFATIP Secretariat and members and support the new Strategic Plan and Programme .

 The TIP Database was developed to strengthen data-sharing on TIP in Jamaica. The three main agencies consistently sharing information with the Secretariat are: the JCF, the Office of the Children's Advocate and the Office of the Director of Public Prosecution.

The Protocol will encourage increased data sharing among relevant Ministries, Departments and Agencies of Government and other stakeholders. This will facilitate continuous improvement in national capacity to monitor: prevention programmes (public education); prosecution and; protection (providing support and assistance to victims).

Database Access, Management and Security;

The comprehensive Database and data-sharing programme has been developed from a Template used by the International Organisations for Migration. This has been adapted based on feedback from stakeholders committed to the elimination of human trafficking. The Database has three modules: Data management, Document Management and Statistics Management or reports. Measures have been introduced to guide different levels of access, management and security in using the Database.

Monitoring and Review of Data Sharing Protocol

NATFATIP members will agree on the schedule for a periodical review of the Protocol.

Appendices:

The Appendix includes the following documents

- A copy of the MOU between Partner Agencies/Ministries/Departments;
- The expanded list of agencies to be included in the Data sharing Protocol