

Ministry Paper /2014

Praedial Larceny

1.0 Purpose

The matter for tabling is an update on initiatives being undertaken for the Praedial Larceny Prevention Programme.

2.0 Background

The MOAF, in November 2013, hosted a strategic workshop which incorporated a very wide cross section of stakeholders from the agriculture sector. This was in response to the fact that praedial larceny and other farm theft continued to be an impediment to the Agriculture sector in Jamaica. Larcenists were now more organized than before and conducted their operations using standard channels of transportation and distribution of agricultural produce. Discussions also surrounded the challenges being faced by farmers and other stakeholders and the urgent need to address Praedial Larceny and its attendant problems.

Recently, there has been a glaring upsurge in the theft of livestock, in particular Cattle and small ruminants. The Police have increased their presence on major thoroughfares and the frequency of sting operations however, the perpetrators of praedial larceny continue to negatively impact production in the sector and the livelihood of farmers and other investors.

Praedial larceny proliferation is highly driven by the increased demand for supplies in the domestic fresh food chains, where there are many opportunities for praedial activities to become a profitable business with its own set of dynamics in agriculture food distribution. Small and petty thieves organized systems for theft and utilization of food, have become a part of what now appears to be a national system.

The Ministry of Agriculture and Fisheries (MOAF) has developed a Praedial Larceny Prevention Programme which is designed to look at all aspects of the value chain from farm to end user and address the challenges holistically. The implementation of this Programme will continue to be a joint effort between the MOAF, the Police, the Judiciary, Farmers and other stakeholders.

3.0 Praedial Larceny Prevention Programme

There are several strategies being devised and implemented to prevent and reduce the incidences of praedial larceny. These include strengthening the legislative and policy framework as well as collaborating with other entities and implementing special programmes. The Ministry of Agriculture and Fisheries has developed a four-pronged framework for addressing praedial larceny:

1. Traceability
2. Enforcement and Compliance
3. Legislation
4. Institutional Arrangement

Whilst bolstering the strategies to reduce the incidence of praedial larceny, the Ministry acknowledges that this challenge cannot be addressed in silo or by a single entity but has to be combatted by various agencies and private stakeholders working in concert. With the national drive to increase both crop and livestock production especially through the Agro Park initiative, it is imperative that a more concerted effort be now demonstrated in addressing this problem as one of national concern.

3.1 Traceability

Whilst the Receipt Book serves as a traceability tool, it is not sufficient to track the movement of agricultural produce along the value chain. The law makes provision for the licensing of all players along the food chain. However, the Receipt Book only traces the movement of agricultural produce from farmers to the first purchaser. In order to implement a fool proof traceability system, the Ministry intends to trace agricultural produce along all stages of the food chain in order to identify and document all players. It is necessary to speak to the fact that the Agricultural Produce Act deals with licensing along the value chain but procedures are onerous, hence the need for amendments to make licensing easier.

3.11 The National Animal Identification and Traceability System

In terms of livestock, the Ministry has contracted a consulting firm to implement a National Animal Identification and Traceability System (NAITS) for cattle in Jamaica. The consultancy follows previous works done in 2009 and 2010 to develop a system for cattle. The current focus is on cattle and pigs. However, the prototype developed will be applicable to other species of farm animals. (See Ministry Paper on Food Safety Initiatives).

3.12 RADA/MSBM collaboration

In 2013, a Memorandum of Understanding was signed between the Rural Agricultural Development Authority (RADA) and the Mona School of Business and Management (MSBM) to establish a data sharing mechanism whereby Police could have access to farmers' information housed on RADA's Agricultural Business Information System (ABIS). The MOU was executed as a fellowship programme in which three technology fellows were embedded at RADA over a six month period.

A new praedial larceny software was developed by a group of Fellows under the Code for the Caribbean Fellowship Programme which will assist police officers in confirming information provided by persons found with agricultural produce during routine stop and search operations. With this application, law enforcers will be able to send text messages to an automated system to determine whether agricultural produce was purchased from farmers registered with the Rural Agricultural Development Authority (RADA) and Jamaica Agricultural Society (JAS).

3.13 Abattoir Development Programme

The National Animal Identification and Traceability System will focus on tracing live animals. However, traceability has to be extended from the place of slaughter to fork. In this regard the Ministry commissioned a study which recommended the rationalization of the network of abattoirs. The intent is to have four (4) strategically located abattoirs, equipped to international standards to provide meat processing and distribution services. To bolster the efficacy of this Programme, legislations have been identified for amendment to ensure this practice. (See Ministry Paper on Food Safety Initiatives).

3.2 Enforcement and Compliance

The Ministry has partnered with the JCF and the ISCF to assist in enforcing the use of the receipt book system and other supporting activities such as the Community Farm Watch and incentivizing the Crime Stop initiative. The following are strategies which have been employed by the Jamaica Constabulary Force:

- A Praedial Larceny Prevention Strategy has been developed and instituted in the operational plans of all police divisions
- The JCF has appointed Praedial Larceny Prevention Coordinators within its police divisions
- Ongoing joint operations with Public Health Inspectors who inspect abattoirs, meat shops and other wholesalers/retailers of farm produce to ensure compliance
- Regular patrols of farming districts and increase police presence in areas where praedial larceny is prevalent
- Regular stop and search of vehicles transporting agricultural produce to identify and prosecution of breaches of Praedial Larceny Act and ensuring receipts for agricultural produce are examined for legitimacy of purchase
- Continuous monitoring of fishing activities in the coastal waters in conjunction with other partner agencies to ensure activities are being carried out in accordance with the Fishing Industry Act and all other relevant legislations and regulations

Whilst resource constraints continue to be a limiting factor, there is now the need to strengthen adherence through the provision of tactical, legislative and policy framework to bolster the enforcement and compliance of the system.

3.3 Legislation

The penalties issued for acts of praedial larceny are drawn from several pieces of legislation as the Agricultural Produce and the Praedial Larceny Act do not outline penalties for theft.

Resident Magistrates are forced to pull on legislations such as the Larceny Act, Unlawful Possession of Property Act and several others to apply punitive measures to perpetrators. There is need to bolster the legislative framework in an effort to provide greater penalties as a strong deterrent to this practice by making it a felony under the law. There is also the need to redefine “praedial larceny” to include livestock, fisheries, lumber and other classes of agricultural produce.

Recommendations which were made by the stakeholders at the Strategy Workshop held in November 2013 have been documented and incorporated into the Programme’s Medium Term Plan of Action 2014-2017. A Cabinet Submission incorporating recommended amendments to the Agricultural Produce Act is being prepared for the issuing of drafting instructions to the Chief Parliamentary Counsel as committed. A Legislative Review Committee is to be established in the first quarter of the 2014/2015 financial year. The Terms of Reference for this Committee is being developed and the entities which will be represented have already been identified. The amendments are intended to simplify procedures for licensing of all players along the value chain.

3.4 Institutional Arrangement

The Ministry has employed a participatory approach to tackle the scourge of praedial larceny. There is an established relationship with key stakeholders such as the Jamaica Agricultural Society, the Rural Agricultural Development Authority, Ministry of National Security and all its agencies, the Ministry of Health, Crime Stop and the Attorney Generals Chambers. Private stakeholders, and especially farmers, have also been engaged in developing strategies to reduce the incidences of praedial larceny. This approach has served to strengthen the strategic actions in the national interest. In this regard it may be said that increasingly there is better organization of national systems to prevent and reduce the risk from praedial larceny.

The Ministry of National Security through the Commissioner of Police is proposing the strengthening of praedial larceny intervention strategy through the establishment of a fully funded special unit within the force specifically targeting this problem. The MOAF will work with this special unit to coordinate joint inspection of agricultural produce, agricultural trade and transshipment of goods with a view to ensuring enforcement and compliance with new regulations. This strategy will also involve the Board, the Veterinary Services Division, Ministry of Health and other stakeholders.

Despite the challenges, the Police have reported that much success has been achieved from the strategies which have been employed. The following data represents results for the period January 1 to October 31, 2013:

- **658** reports were received
- **362** prosecutions were made
- **78** convictions gained
- **56** Farmers’ Watch programmes have been launched
- **1188** sensitization meetings were held
- **4574** Receipt books have been inspected

Reports have also been received of significant success achieved in St. Thomas where the incidence of praedial larceny has been significantly reduced over the past year. The Police in the parish have been working with the Farmers and the Judiciary. The Farmers' groups have been established and the FARM WATCH programme encourages all stakeholders to be vigilant and to report any suspicious activities in their communities. The presiding Resident Magistrates have also been sensitized and have been very effective in meting out penalties to perpetrators. The St. Thomas model is one to replicate in other parishes as part of the on-going strategy to reduce the incidence of praedial activities.

4.0 Way Forward

4.1 Establishment of a Praedial Larceny Prevention Unit

The Ministry of Finance and Planning has granted budgetary support in the amount of Seven Million Dollars for the institution of a Praedial Larceny Unit at the Ministry of Agriculture and Fisheries effective April 1, 2014. The Unit will be headed by a Praedial Larceny Coordinator and will now have the requisite administrative and budgetary support it needed. The remit of the Coordinator will be to coordinate anti-praedial larceny initiatives including strategic planning and coordination of operations with stakeholders which may lead to the cessation of farm theft, prosecution and arrest of perpetrators.

Approval has been sought from Cabinet Office to have the posts classified and added to the Ministry's establishment. It is expected that the Coordinator and support staff will be engaged before the end of the first quarter of the 2014/2015 financial year.

4.2 Determining the Impact of Praedial Larceny on Sustainable Development in Jamaica

In 2008, it was reported that the loss of agricultural produce as a result of praedial larceny was approximately \$5 billion. Today, the total loss due to praedial larceny and other farm theft is undetermined as there has been no recent market value estimate. There has been limited research done on the issue of praedial larceny and its effects on producers and their livelihoods, food and nutrition security and the rural economy. Effective decision making requires a fulsome understanding of its nature and the extent of its impact, in order to enable better design of programmes aimed at tackling the problem and militating against the impacts on producers and their communities. The persistent financial incentives along the value chain and its social tolerance also need to be fully analysed.

In this regard, the Government of Jamaica, through its Ministry of Agriculture and Fisheries approached the Economic Commission for Latin America and the Caribbean Sub-regional Office for the Caribbean (ECLAC) to undertake a socio-economic assessment of the nature and impact of praedial larceny on rural communities and sustainable livelihoods. Given that women and youth are particularly involved as either perpetrators or beneficiaries, the study is expected to give focus to these demographics.

The objective of this consultancy is to examine the underlying causes for praedial larceny, appraise the losses of producers and establish an estimate for indirect losses. The study will approach the issue by undertaking the following work assignment:

1. Design and implement an appropriate survey which will allow for:
 - the assessment of direct and indirect losses to the Jamaican economy due to praedial larceny;
 - the assessment of sociological impacts of praedial larceny on the rural economy;
 - the conduct of value chain analysis for estimating the indirect costs of praedial larceny on the economy;
2. Collaborate with ECLAC to undertake an analysis of the incentive framework for praedial larceny in Jamaica;
3. Identify specific challenges which impact the implementation of strategies for preventing praedial larceny;
4. Identify appropriate institutional models and experiences, which can be applied for mitigating praedial larceny in Jamaica;

The research assignment began on April 1, 2014 and will be for a duration of three (3) months.

It is the responsibility of all stakeholders to work together to tackle the scourge of praedial larceny and other farm theft. Failure to do so could seriously undermine any efforts to boost the country's food production, and promote a food secure future.

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