

Analysis of the State of Praedial Larceny in Member States of CARICOM.



The extent and nature of praedial larceny in the Member States of CARICOM have changed from the petty crimes of 20 years ago to an offence resulting in millions of dollars in loss annually. Crops and livestock farmers, fisher folks including freshwater fish farmers are all affected. The extent and magnitude of the loss has become a disincentive to investment in agriculture activities. CARICOM Member States are making bold and aggressive responses but the level of success in prevention and risk reduction is far below levels that farmers and fishers can tolerate. The Report provides information on some of the processes being undertaken by the Member States, some successes and challenges and offers recommendations for strengthening current prevention and risk reduction measures over the medium term.

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ABBREVIATIONS

ADB	Agriculture Development Bank
ASSC	Agriculture Society of Trinidad and Tobago
ASSC/TMAC	Agriculture Sub-Sector Committee
ASST	Agriculture Society of Trinidad and Tobago
BAS	Barbados Agriculture Society
CABA	Caribbean Agri-Business Society
CAFAN	Caribbean Farmers Association Network
CARIOM	Caribbean Community
CARDI	Caribbean Agriculture Research and Development Institute
CDEMA	Caribbean Disaster Emergency Management Agency
CDM	Comprehensive Disaster Management
CFNO	Caribbean Network of Fisher folks Organization
CHC/CDM	Caribbean Harmonization Council/Caribbean Disaster Management
COTED	Council of Trade and Economic Development
CRFM	Caribbean Fisheries Mechanism
DRM	Disaster Risk Management
FAO/UN	Food and Agriculture organization of the United Nations
GAPA	Guyana Agriculture Producers' Association
IICA	Inter-American Institute for Cooperation on Agriculture

MARD	Ministry of Agriculture and Rural Development
MCS	Monitoring, Control and Surveillance
VMS	Vessel Monitoring System
MALMAR	Ministry of Agriculture, Lands and Marine Resources
NAMDEVCO	National Marketing and Development Company
NAMIS-TT	National Marketing Information System- Trinidad and Tobago
OECS	Organization of Eastern Caribbean States
PLPC	Praedial Larceny Prevention Coordinator
PLPP	Praedial larceny Prevention Programme
PLPW	Praedial Larceny Working Group
RBPF	Royal Barbados Police Force
SLU	Saint Lucia
SVG	St, Vincent and the Grenadines
SKN	St Kitts and Nevis
TTABA	Trinidad and Tobago Agri-business Association
TMAC	Technical Management Advisory Committee

Executive Summary

This Report describes the work undertaken to conduct an analysis of the state of praedial larceny in the member states of CARICOM. It examines the measures in place to prevent and reduce praedial larceny and their effectiveness. Some recommendations are provided to serve as a guide for member states to improve or strengthen frameworks and or the implementation of same, based on their respective circumstances. Recommendations are also provided for actions at the regional level.

Praedial larceny has been recognized at the highest level of leadership in CARICOM as one of the constraints to successful implementation of the Regional Transformation Programme for Agriculture (RTPA). A 2010 survey carried out among regional stakeholders indicated that more than 90% agree that praedial larceny is the single most discouraging aspect of agriculture and has become a disincentive to investment in the sector and a threat to livelihoods in farming and fishing communities. On average 82% of farmers and fishers affected are commercial or semi-commercial producers indicating that praedial larceny strikes at the heart of agricultural productivity in the region as well as the food security of its most vulnerable populations.

Conservative estimates reveal that the loss resulting from praedial larceny in crops, livestock, and fresh and marine fish is in the region of US\$ 321 million dollars annually or an estimated 17.9 % of regional agriculture output. This does not take into account the future loss to agriculture productivity as high quality genetic breeds of livestock and crop varieties are stolen from breeding stations and agriculture research facilities, to be sold as food. Also not taken into consideration in this analysis are the potential public health consequences and subsequent industry consequences when uncertified crops or livestock meats are integrated into the domestic food chain. The social implications are as serious in nature, as it is estimated that this crime is the most extensive among all crimes in CARICOM member states in terms of persons and families who are affected.

Regionally a wide range of produce is stolen. Commercial crop farmers frequently lose more than 35% of the harvest and from time to time the entire

harvest. Livestock farmers also suffer substantial losses in numbers of heads of cattle, sheep and goats and aquaculture farmers lose entire harvest of fish while marine fishers lose fish as well as boats and boat's engines. There are reports of abandoned crop and fish farms while other farmers have chosen to change to crop types less vulnerable in order to secure a harvest and a level of profitability.

The perception of most stakeholders is that praedial larceny is driven by the imbalance in food demand and domestic supply, in the member states. A factor in this imbalance is the high demand for daily supplies of fresh food to support the many agri--business chains and the diversity of livelihoods activities at the level of member states. Coupled with the high input costs in most business chains, and the higher cost of imported fresh food this situation has provided an environment for ease of disposal of the stolen agriculture produce, which like any other stolen commodity is often at a lower price. An outcome of this is that praedial larceny peaks where there is a clear end of crop cycle or in the case of unfavorable weather situation such as droughts.

A major concern of stakeholders is the weak sensitivity within the societies of the social and economic consequences of praedial larceny. Critical players in the praedial larceny prevention and risk reduction system including the Police and Judiciary are unaware of the changed nature of praedial larceny from petty crime to the serious offence that it is today. As a result, treatment handed down in the Courts for the offence is often inappropriate and has proven not to be a deterrent to persons who steal agriculture produce. Farmers have become frustrated by long delays in the Court cases and have registered their disillusionment with the justice system as most no longer show an interest in reporting incidences. As a result at a regional level only an estimated 45% of incidences are reported to the police. In this circumstance many praedial larcenists have no reason to consider the probability of any negative consequences attached to carrying out the act.

There are many processes being undertaken in the member states to prevent and reduce praedial larceny. These include strengthening the policy and legislative frameworks for prevention and reduction as well as the establishment of support institutions and implementation of special programs. There are measures for

improvements in traceability systems off farm and for improved security systems on the farm. Many countries have also adopted a participatory approach to the design of praedial larceny prevention programs involving all stakeholders, which has served to strengthen the strategic actions in the national programs. In this regard it may be said that increasingly there is better organization in national systems to prevent and reduce the risk from praedial larceny.

Despite the aforementioned measures, the experience to date is that many challenges exist. Praedial larceny continues in small amounts and in large amounts and is a persistent threat to regional food security and profitability of stakeholders. Occasionally the violence which now accompanies praedial larceny has resulted in loss of lives on both sides. Moreover increasingly persons who have served time for praedial larceny are threatening farmers with physical violence upon their return from prison. Farmers who receive these threats have also had their crops and animals damaged by these same persons. In these circumstances there are clear warnings that agriculture stakeholders in primary production might not be able to sustain or improve their operations at the current level of risk associated with praedial larceny and that stronger measures must be imposed to prevent or reduce praedial larceny with a measure of urgency.

Recommendations to Prevent and Reduce Risk Reduction in Praedial Larceny in CARICOM Member States

Introduction

The conclusions of the analysis of the state of praedial larceny in member states of CARICOM are clear indicators that a set of recommendations to prevent and reduce the associated risks need to be implemented with urgency. It is imperative that these measures be realized over the short to medium term, and are executed in a manner that will contribute to sustained tolerable levels of praedial larceny over the longer term.

For this to happen praedial larceny must be recognized under law for the serious crime that it has become in nature and in magnitude. Priority must be given to tighter measures of enforcement and appropriateness of the penalties handed out by the Court. In addition the Court system must be significantly improved in its capacity to manage praedial larceny offences in a timely manner.

The recommendations focus on short and medium term measures to prevent and reduce risk. However important longer term measures necessary for sustainability are given consideration. Details are provided in Part 6: Conclusions and recommendations.

Recommendation: 1.

It is recommended that urgent steps be taken to strengthen the national legislative frameworks to support the work of the Police and the Judiciary for the prevention and reduction of praedial larceny. This recommendation is in three parts as follows:

1.1 Amendment of praedial larceny legislation for enforcement and stiffer penalties

The first part would be to focus on the necessary reviews to enact provisions for stiffer penalties as well as to deal with the backlog of praedial larceny cases now before the Resident Magistrate’s Courts. In the case of the stiffer penalties many member states have already started the process. All the member states need to work with the respective Justice Ministry towards the necessary amendment to the different pieces of legislation. In order to address

the backlog it is recommended that the Resident Magistrate's Court Act be amended for the specific purpose of extending the powers of the Resident Magistrates to move some of the backlog of cases into the High Court without going through the Preliminary Investigation. An Act to amend the Justice of the Peace Jurisdiction Act in order to allow the Resident Magistrates to also pass some of the petty cases to the Justice of the Peace hearings is also recommended. In the longer term, member states should examine the benefits of bringing under one Act all the provisions from the different pieces of legislation that impinge praedial larceny in order to strengthen enforcement.

1.2 Strengthen effectiveness of traceability systems

The second part of this recommendation calls for member states to establish effective traceability systems. The level of sophistication of the system should be decided by the special circumstances of the country. However care should be taken that the minimum requirements of an effective traceability system are included to ensure that the capability satisfies the purpose of the respective system. A good start is the certificate of purchase, farmer registration and vendors' license.

1.3 Sensitization of the Police and the Judiciary

The third part of the recommendation is that immediately Sensitization Seminars be conducted in all the member states to apprise the Police and the Judiciary of the cost of praedial larceny to the region and to the respective member state. First priority should be given to the Sensitization of the Judiciary, many of whom seem to have very little knowledge about praedial larceny, beyond the fact that it is a crime. This should be followed by Sensitization of the Police, the Clerk of Courts, the Justices of the Peace and the public in general. The programs should emphasize the risk that praedial larceny poses to continued investment in the sector, to health and to rural livelihoods and encourage persons not to buy from suspicious persons and to report reasonably suspicious circumstances through the hot line.

Recommendation 2

It is recommended that each of the member states prepare a results- based National Plan of Action for Praedial Larceny Prevention and Risk Reduction. The Plan of Action should include initiatives to determine the extent and nature of praedial larceny by sub-sector or at the national level. Data collection on praedial larceny information gathering through participatory approaches at community, subsector and national levels should also be included. The plan should adopt an implementation strategy that integrates the objectives and expected results into the reporting and monitoring processes of the National Agriculture Strategy.

Decision making mechanisms for finalization and implementation monitoring of the National Plan of Action would include the appointment of a National Praedial Larceny Coordinator supported by a multi-sectoral advisory body that embraces crime prevention, the NEMOs, Chairs of Praedial Larceny Prevention Committees and Sub- Committees as appropriate, but with emphasis on review of legislation, traceability systems, the critical TMACs, public awareness and sensitization and security systems.

Recommendation 3

It is recommended that data collection and monitoring tools be developed for risk analysis in praedial larceny and to establish a framework to facilitate monitoring of the state of praedial larceny over the long term, with assessments and evaluations at least every two years. A good example of a risk analysis model for praedial larceny is that used by Trinidad and Tobago based on mapping hotspots and collection of research data on incidences, frequencies, magnitude of loss by farmers and by produce type. To ensure integration into the agriculture planning system and particularly the link with the agriculture extension program, the data should be entered into the GIS database in the Ministries. A recommended approach for data collection is to introduce the new methodology adopted by FAO for the conduct of the agriculture census, into the risk analysis model as this will facilitate a monitoring and evaluation system that accommodates selected aspects of praedial larceny, when this is desirable. Another monitoring and evaluation tool recommended is the preparation of an Annual Progress Report on Praedial Larceny and Measures of Prevention.

Recommendation 4

It is recommended that Community Strategy in praedial larceny prevention and risk reduction be examined and evaluated and documented for its adoption in all the member states. The areas recommended for examination include the determination of a mechanism to identify the best set of actions to manage prevention and risk reduction at the local level. This will require close collaboration between the communities, the Ministry and the Police and considerations for the signing of a Memorandum of Understanding (MOU) among all three on roles and responsibilities. Public awareness and education sessions, discussions on physical measures of prevention, responsible information sharing and vulnerabilities in praedial larceny, and

community policing among others should be part of the finalized program. Countries and communities will also decide on the role of a cooperative approach and what would be the value-added of this approach.

Recommendation 5

It is recommended that the Receipt Book System be reviewed in all the member states in which they are in use, and that a system which allows the farmer registration ID to follow the produce to the point of consumer purchase be instituted. In this manner the Farmer Registration Number on the documentation of the Vendor must be transferred to the transaction document of the exporter or greengrocer or restaurateur. Street food people and operators of corner shop restaurants who purchase agriculture produce above a prescribed limit must also be able to show evidence of purchase from a farmer or vendor. The farmer registration number must be a prerequisite for legitimacy of any transaction. It is therefore recommended that vendors be brought under the Receipt Book System and so should the higglers/husksters and middlemen. The System will either have to be renamed or be expanded. Consideration will have to be given on how to treat vendors who sell imported fresh produce in the village markets.

Recommendation 6.

It is recommended that each member state establish infrastructure for information management based on computerized data base to manage the risks associated with praedial larceny. Consideration should be given to where these data bases will be housed, who will manage them, where the data entry points should be located, how the data will be collected and who will share in the use of the database. There will be a need to decide on what information should be made public and what information will remain confidential as part of the intelligence gathering mechanism of the Police as well as the privacy of the farmer/fisher.

Recommendation 7.

It is recommended that an Agreement be reached in the ASSC/TMAC for the collection and evaluation of information and documented practices in praedial larceny generated at the level of member states to be shared at the regional level. A subsequent Agreement should be reached between the ASSC/TMAC and the Government of Jamaica and the Ministry of Agriculture and Fisheries in Jamaica for the management of the information and the posting on its website. The due diligence on quality of the information will be the responsibility of the country submitting the information for posting. In order to facilitate further interactions among the countries, consideration should be given either to country specific links or to a chat room.

Recommendation 8

It is recommended that strategic partnerships be established to design and implement options and alternatives for livelihoods and to satisfy house hold food security among vulnerable populations that have found themselves entrenched in praedial larceny. The leadership in these strategic partnerships should rest with the Ministry of Agriculture. However resourcing of the mechanisms and the actions for social transformation should incorporate shared resources from among all the partners involved in the development of rural communities.

Recommendation 9.

It is recommended that strategic programs be put in place to build farmer and fisher capacity for effective participation in the praedial larceny prevention systems. In this regard a significant and well crafted role should be determined for CaFAN and for CFNO. The recommendation embraces considerations to empower producers to reduce vulnerabilities to praedial larceny including the organization into producer and marketing organizations and their networking, increased participation in traceability systems, modernization of farm management systems including security systems and record keeping, and the promotion of successful practices in praedial larceny prevention.

Recommendation 10.

It is recommended that communication strategies and packages be developed at the level at each member state to promote praedial larceny prevention through public awareness and public education. All the practices in use at national level should be examined; radio, music, flyers, brochures, plays, electronic and written media, town hall meetings and hotlines. Furthermore that the agriculture extension system and the Training Division of the Ministry of Agriculture as well as the police and representatives of the different sub sectors and major commodity groups be involved in the development of the packages.

Recommendation 11.

It is recommended that the usefulness and sustainability of Special Praedial Larceny Units including Special Police Units be evaluated. The basis for this recommendation is that the longer term resourcing of these Units will have to be addressed in the immediate to short term. It is therefore important that the value of the institutional support provided by these Units is not missed and that adequate provisions for longer term resources are formalized so as to ensure that the gains secured in praedial larceny prevention and risk reduction are not jeopardized.

Recommendation 12.

It is recommended that in the medium term very careful consideration is given to compensation and incentives for victims of praedial larceny. In this regard policy makers and planners must guard against prevention and risk reduction system in which farmers/fisherfolks profitability is bolstered by incentives and compensation.

Recommendation 13.

It is recommended that consideration be given at the regional level for resource mobilization for praedial larceny prevention. This may be addressed at two levels. There are the broader

strategic partnerships to be addressed such as how to manage piracy of marine resources and its impact on the livelihoods of fisher folks and the danger it sometimes poses to their lives and equipment. The Bahamas alone is losing an estimated US\$16 million annually to piracy and illegal fishing in its waters. Jamaica and Guyana are also challenged to protect their marine resources from illegal fishing. In this regard the kind of resource mobilization might not necessarily mean financing but an agreement to share in the resources of other management and surveillance mechanisms in the region or internationally that can reduce the risks to the fisher folks. Cross- border business is also now evident in the praedial larceny chain for meats intertwined with other illegal activities. This is another area where it is recommended that the ASSC/TMAC would seek regional support through CARICOM. At the other level the recommendation is for actions to access the traditional sources for technical cooperation in areas where a regional approach can be adopted. Such areas would include models for praedial larceny prevention legislation, risk analysis and information dissemination and communication strategies

Part 1.

Introduction

1.1 Background

1.1.1 Caribbean Disaster Risk Management (CDM) Strategy and the Agriculture Disaster Risk Management Committee (ASSC/TMAC).

In 2004 the Conference of the Heads of Government agreed that policies and programs should be implemented to facilitate and mainstream actions to remove the constraints presented by disasters including praedial larceny and the eight other constraints to agriculture identified under the Jagdeo Initiative. The Council of Ministers of Trade for Economic Development (COTED) followed through in 2008 with the endorsement of Technical Advisory Management Committee (TMACs) for each constraint.

The introduction of the (TMACs) meant that Disaster Risk Management (DRM) in the Caribbean was being coordinated on two regional fronts:

- Through the Jagdeo Initiative with respect to the constraint on deficient and uncoordinated DRM including praedial larceny under the Technical Management Advisory Committee (TMAC); and
- Through the Comprehensive Disaster Management (CDM) Strategy of Caribbean Disaster Emergency Management Agency (CDEMA), with respect to the mainstreaming of CDM within the agriculture sector, under the Agriculture Sector Sub-Committee (ASSC).

In line with the mandate of CDEMA to affect coordination in disaster risk management, the meeting of the (COTED) convened during October 2009, endorsed the amalgamation of the two committees for improved coherence and efficiencies in advancing DRM in the agriculture sector in the Caribbean Region. The amalgamated committee, entitled Agriculture Disaster Risk Management Committee (ASSC/TMAC), is chaired by the Minister of Agriculture in Antigua and Barbuda with the Food and Agriculture Organization (FAO) as the Lead Technical Agency.

The priority outcomes of the CDM are of strategic importance to prevention and risk reduction in praedial larceny. They include:

- a) Enhanced institutional support for CDM Program Implementation at national and regional levels.
- b) An effective mechanism and programme for management and sharing of CDM knowledge is established and utilized for decision making;
- c) Comprehensive disaster management has been mainstreamed at national levels and incorporated into key sectors of national economies (including tourism, health, finance, agriculture, infrastructure, planning); and
- d) Enhanced community resilience in CDEMA states and territories to mitigate and respond to the adverse effects of climate variability, climate change and disasters.

Within this context the ASSC/TMAC has developed and is implementing Terms of Reference to provide overall guidance to facilitate and mainstream disaster risk management in agriculture including praedial larceny, at the national and regional levels. Specifically this covers programs and actions in order to:

- a) Initiate and promote new ideas while promoting and articulating the CDM results of the sector;
- b) Facilitate and lead the process in sourcing financing and technical cooperation assistance;
- c) **Coordinate** major policy changes;
- d) Approve major joint operations pertinent to good governance and Sustainability of CDM implementation at sector level;
- e) Set standards for monitoring and evaluation and;
- f) Nurture opportunities for partnerships between development partners, participating states, private sector and civil society.

1.2 Objective of the Report

The main objective of the Report is to provide recommendation to prevent and reduce the risk to agriculture associated with praedial larceny in member states of CARICOM. The Report is expected to provide the following:

- a) Information on the environment in which praedial larceny takes place in the member states;
- b) Analysis of regional trends in the extent, nature and magnitude of praedial larceny;
- c) A description of the range of measures used in the member states to prevent and reduce risk associated with praedial larceny;
- d) Analysis of the implementation of the range of measures and the challenges;
- e) Conclusions and a set of recommendations for significant improvements for prevention and risk reduction in praedial larceny in the member states.

1.3. Methodology

1.3.1 Approach

The approach was to gather information on the level of risk to farmers and fishers posed by praedial larceny through a desk study and fact finding missions to four preselected member states. Supplementary information to strengthen the findings from these two activities would be gathered from questionnaires completed by selected stakeholders in all of the member states.

The work began with literature searches and reviews on the extent and nature of praedial larceny, and on some of the policy responses in the member states. At the regional level these included credible documents such as Reports of Consultations and Meetings on Praedial Larceny and of Meetings of National Praedial Larceny Committees, and Sub-Committees and Stakeholders' Consultations and Seminars on Praedial Larceny Prevention. Information on the status of and implementation of legislation on praedial larceny prevention and on the range of public policy measures and the practices by farmers and fishers was also reviewed.

Following the endorsement of an Implementation Work Plan discussions were held with CDEMA to gain a better understanding of the expectations in the Report and a Plan of Action to implement the recommendations. Discussions were also held with several persons in regional and international institutions with an interest in agriculture in order to gain a better understanding of the social, economic and public health consequences of praedial larceny.

The methodology used by Saint Lucia to determine the core elements for gathering information on farmers' perception on the state of praedial larceny was also reviewed and discussions held with the Praedial Larceny Prevention Unit in that member state. An agreement was reached with the Ministry of Agriculture Forestry and Fisheries to field test farmer/fisher questionnaires in Saint Lucia.

Field visits were conducted in Jamaica, Trinidad and Tobago, Antigua and Barbuda and Barbados. During these missions meetings were held with a number of stakeholders in the praedial larceny chain including persons from the Ministries of Agriculture and National Security, Coordinators of Praedial larceny Units and Special Police Units, the farmer/ fisher community, agro processors, security firms involved in praedial larceny prevention, agriculture development and financing institutions, the senior members of the Judiciary, and persons in the legal profession with experience and interest in praedial larceny. Meetings were also held with the IICA, FAO and CDEMA in the member states visited.

1.3.2 Research tools

The main research tools included:

- a) Review of published studies, official reports of the Ministries of Agriculture and the agencies that support agriculture and related areas, surfing of websites which contain varied agriculture data of relevance to the topic;
- b) Interviews through skype and telephone conversations and face to face encounters during the missions, focus group meetings with extension officers and members of the farming community, and praedial larceny chain;
- c) Three questionnaires were used to gather information on i) farmers /fisher experiences in praedial larceny across the member states, ii) experience of CEOs of farmer/ fisher organizations and iii) the perspectives of the Ministries of Agriculture on praedial larceny and the policies and programs in place for prevention and risk

reduction.

- d) A set of questions were prepared in advance to guide the interviews with other key stakeholders such as the Police, the Judiciary, agroprocessors, wholesalers and the financing institutions that lend to the sector.

1.3.3 Limitations

The main limitations encountered were as follows:

- a) Due to resource constraints only four of the fourteen member states however due to the fact that the consultant resides in Saint Lucia similar work was conducted in Saint Lucia;
- b) Haiti did not find it possible to participate in the field survey due to challenges being presented by the devastation of the earthquake at the beginning of the year;
- c) One country did not respond to the farmer/fisher questionnaire and another provided substantive information but this was limited to the marine fisheries sub- sector.
- d) There were some challenges experienced in reaching the Caribbean National Fisher folk Organizations (CFNO).

In the case of the situation with the CFNO adequate information on the regional situation was provided by the Caribbean Fisheries Mechanism (CRFM).

Part 2

Agriculture in CARICOM

2.1 Introduction: overview of agriculture in CARICOM

Throughout the fourteen Member States of CARICOM, the agriculture sector continues to be an important contributor to Gross Domestic Product (GDP), employment and foreign exchange earnings. Based on World Bank indicators regional agriculture activities contributed US\$ 1,788,728,830 to regional GDP in 2008 (Table 3 in Appendix 3)¹

In terms of share of contribution at the level of member states, Guyana and Haiti, contribute in excess of 20% of regional agriculture and in three other states Belize, St. Vincent and the Grenadines, Dominica, the contribution is 10% or more and less than 10% in the remaining states with Trinidad and Tobago and The Bahamas contributing just about 1%. In terms of employment ²FAO/UN indicate that on an average agricultural activity provides direct employment for more than 15% of the workforce in eleven countries and in six of those countries, agriculture activity contributes more than 25% to total employment.

Against this background the agriculture sector finds its importance even in member states which are highly service oriented. For example in Trinidad and Tobago where the contribution to GDP is estimated at less than 1%, primary agriculture is considered socially important accounting for 16.7% of the land area, and 5.0% of employment and is key to the rural socio-economy.

Accordingly, CARICOM leaders have given tangible recognition of the considerable scope for agriculture to play in the future of the member states. In this respect agriculture has been identified as one of the engines of growth in the CARICOM Single Market and Economy (CSME), and the sector to lead in the process towards production integration in the Single Market.

2.2 Challenges in CARICOM Agriculture

The last decade has been challenging for the agriculture sector in all of the member states. Most of these challenges have been attributed to trade liberalization and other political arrangements which have placed agriculture producers, exporters and processors in an environment in which they must now grapple with competitiveness, efficiency and cost-

¹ World Bank indicators 2008

² Agriculture Donor Conference 2006- Trinidad and Tobago

effectiveness. Constrained by the many deficiencies and risks in the sector, policy makers and stakeholders are still making the necessary adjustments for timely responses in order to sustain market shares in the domestic and global markets. As a result declines and stagnation have been recorded in some subsectors, and lower levels of returns on investment in others.

The high debt burden being experienced in many of the countries have not helped as implementation of macro-economic policies necessary for economic stabilization or growth have kept public sector investment in agriculture at lower than desired levels, some as low as 1% of the national budget. Except for some of the countries of the OECS sub-region the % allocation of the national budget is well below the 10% commitment by many other developing countries within the ACP Group.

Unfavorable trade arrangements are only one of the many factors that pose a risk to CARICOM Agriculture. By the very nature of geographic positioning the agriculture sector faces risks from natural hazards such as seasonal hurricanes with high winds, flooding and landslides and at other times extended droughts. By the same circumstances agriculture also faces new threats emerging from climate change and climate variability. The incidence of new pests and diseases, and the challenges of changing rainfall patterns are affecting productivity in crops and livestock, while warming of coastal waters is affecting both biomass for fish food as well as the fish stock as both migrate to waters of cooler temperatures.

Much attention has been given to these natural hazards, and the risk they pose to the agriculture sector. This is well understood in light of the devastation of Hurricane Ivan in 2004, Dean in 2008 as well as the impact of the recent drought experienced in 2009-2010 by the crops subsector. Hurricane risk insurance, better water management for crops, livestock and freshwater aquaculture and the introduction of production technologies, such as greenhouse, to counter seasonality have received attention at the highest levels.

Alongside these natural hazards is the manmade hazard which manifests itself as the crime of praedial larceny. The risk associated with praedial larceny has long been recognized in the region. Traditionally many financial institutions view this crime as one of the risk factors to be weighted in the determination of the soundness of an investment or credit arrangement with stakeholders in agriculture activity. This view has filtered through the various chains of agriculture business and many stakeholders have for a long time accepted praedial larceny as a disincentive to investment in financial and human resources arrangements for agriculture and food production activities.

2.3 Praedial larceny in CARICOM

Praedial larceny or the theft of agriculture produce is well recognized in the region as a practice that is contributing to the environment in which agriculture producers (crop/livestock/marine fishers and aqua culturists) conduct business. In the treatment of praedial larceny in CARICOM member states, illegal fishing or piracy of fish resources in the EEZ of respective member states is also considered praedial larceny. In many cases the praedial larceny legislation of member states also makes provision to cover offences that include the theft of agricultural equipment, materials such as agri-inputs as well as secondary products such as feed and fodder. In this respect praedial larceny has become an integral part of how agriculture producers function in the region in an effort to secure the value-added on their investment and how policy makers build strategies to secure the economic gains from public investment in the sector.

2.3.1 Changing nature of praedial larceny

In the last 20 years or so the Caribbean region has noted increasingly, the changing nature of praedial larceny in terms of frequency of incidences, the large volumes of crop, livestock and fish stolen, and the highly organized and often violent behaviors of the thieves. In this manner the environment in which agriculture exists is being increasingly influenced by praedial larceny.

Praedial larceny has emerged from petty thieving to satisfy household food insecurity to the theft of large amounts of agriculture produce involving truckloads of bananas, and the entire field of pineapples or the harvest of the freshwater fish pond. The significance of the loss resulting has become a disincentive to investment in large, medium and small scale agriculture production and fishing and a danger to farmers, fisher folks, aquaculturists, their employees and families.

In the larger economies such as Jamaica, official figures report annual loss to farmers and fishers including aquaculturists in excess of ³US\$55.0 million or 6% of gross output, while Trinidad and Tobago reports ⁴US\$ 11.3 million over a 6 month period. Belize estimates annual loss to be over ⁵US\$300,000 and St. Vincent and the Grenadines an estimated ⁶US\$2.3 million. The Commonwealth of The Bahamas estimates annual loss to its marine fish industry in the amount of US\$16 .0 million. Saint Lucia one of the smaller economies is spending in excess of US\$400,000 annually on district pilot activities to prevent and reduce praedial larceny and

³ Presentation to Sensitization Seminar by PLPL- Jamaica 2010

⁴ Nature and Extent of Praedial Larceny in T&T. Research Report 2008

⁵ CDEMA/FAO Questionnaire for lead policy personnel 2010

⁶ CDEMA/FAO Questionnaire for lead polic personnel on PLP 2010

Grenada, Antigua and Barbuda and St Vincent and the Grenadines smaller but relatively important amounts. In some subsectors such as aquaculture, the farmers have abandoned their enterprises due to high cost paid for security and the heavy loss to theft.

In addition the above farmers have been killed and others have been known to have received threats and physical attacks by persons who have returned to the communities after serving time in prison for praedial larceny. Farmer's crops have also been damaged by these same persons.

2.3.2. CARICOM response to praedial larceny:

Praedial larceny has attracted the attention of the leaders of CARICOM and its development partners resulting in very decisive and tangible actions. In 2004 praedial larceny was listed among the among the nine- key binding constraints of the Jagdeo Initiative. In this regard praedial larceny was perceived as a hazard with high risks to economic sustainability of member states and financial profitability of the primary stakeholders in the agriculture sector. In this manner praedial larceny was viewed as requiring urgent attention under the initiative to reduce the constraint linked to *deficient and uncoordinated disaster risk management including praedial larceny*.

Encouraged by the action of the leaders some national Governments established policy with the objective to prevent and reduce praedial larceny. In this regard the Agriculture Development Strategy of Jamaica (2005-2008) recognizes praedial larceny as a major deterrent to agriculture development in recent years, due to the increased risks to the sector and to the cost of implementing countermeasures. The Vision 2030 Jamaica Final Draft Agriculture Sector Plan is equally consistent and includes five strategic actions to prevent and reduce praedial larceny. Saint Lucia established a Praedial Larceny Unit in 2009 and enacted a Sale of Produce Act (2010). The 2008 Annual Agriculture Review of St Vincent and the Grenadines listed praedial larceny as a major constraint to agricultural production and enacted legislation in 2009. Also in 2008, two other countries, Barbados and Trinidad and Tobago made proposals to amend praedial larceny prevention legislation in order to bring greater enforcement of the law. In the case of Trinidad and Tobago several initiatives have been undertaken since 2009. St Kitts and Nevis also drafted an Agriculture Produce and Livestock (Prevention of Theft) Bill in 2010 and Grenada established a Special Police Unit to provide greater enforcement to the Praedial Larceny Prevention Act (2004). Antigua and Barbuda also initiated a process to review the Praedial Larceny Prevention Act (1954).

2.3.3 Challenges in the Implementation of CDM for praedial larceny prevention and risk reduction.

The CDM Strategy introduces the concept of risk analysis to praedial larceny prevention and reduction. This is a fairly new approach to praedial larceny risk management in the region and so far known only to have been conducted in Trinidad and Tobago. The details of the 2008 Study conducted in Trinidad and Tobago are described at Appendix 1 under the sub-heading Trinidad and Tobago.

A major challenge in the management of risk associated with praedial larceny emerges from the fact that praedial larceny is a criminal offence involving the removal of farmers produce or parts of it. In this way praedial larceny is different from the other constraints faced by agriculture as highlighted under the Jagdeo as well as the type of disasters within the ASSC/TMAC. An important aspect of praedial larceny prevention is the capacity to establish traceability systems for enforcement of praedial larceny prevention legislation. The capability of traceability systems in praedial larceny are twofolds: the capacity to trace-back to the source of the produce and the capacity to protect the integrity of the properties and characteristics of the agriculture produce whether all or parts of it have been physically removed from the farm or enterprise of the rightful owner. This is important as in many cases the proof of ownership rests with the victim's ability to identify with the produce. Traceability systems are often challenging to establish and to monitor requiring appropriate policy and legislation and other regulatory frameworks.

The Report adopts the risk management cycle proposed by the CDM Strategy; risk analysis, risk assessment, risk reduction measures and mainstreaming and coordination, but with a focus on the hazard as a crime. In line with the adoption risk analysis is the assessment of the extent, nature, levels of vulnerability, frequency and magnitude of praedial larceny. In other words, the determination of those factors which influence the likelihood of the farmers'/fishers' harvest being stolen. In line with this, risk management in praedial larceny is primarily concerned with the identification and implementation of appropriate measures to prevent or reduce the risk to a level where the business or practices of agriculture production can run successfully and profitably. However because praedial larceny is in theory preventable, in practical terms the range of measures for prevention and risk reduction are better described as countermeasures against the hazard rather than adaptations.

The mix of measures for risk analysis and risk management in praedial larceny include actions on the part of the farmers/fishers who are the owners of the produce, the policy makers who have the responsibility to create the enabling environment for implementation of legislation, and enforcement, and the application of technologies and practices that assist with the identification of the owner of the agricultural produce. Databases and information systems

that lend themselves to real -time access on ownership and the transactions and or practices associated with the stolen produce are also a part of the mix of measures.

2.4 International Context of relevance to CARICOM

Documented reports on praedial larceny tell us that this type of theft has been around for more than one hundred years. The first mention of it in the Latin America and Caribbean region was associated with acts of theft of produce from the land in Jamaica and was linked to response to freedom following the abolition of slavery and how rights were interpreted by the freed slaves as it related to food from the land. In this regard praedial larceny has been with us for a very long time.

Praedial larceny is a serious problem for many Asia, Caribbean and Pacific countries, causing massive losses and prompting some farmers to give up altogether (Spore – Agricultural theft <http://spore.cta.int/index.php>) . Interestingly the Spore article concludes that nowhere else is praedial larceny or crop theft as much of a problem as it is in the Caribbean where growing numbers of farmers are giving up as a result, and sometimes taking the law into their own hands, fuelling a dangerous spiral of violence. The article makes reference to the role of technology in offering some solutions but states that producers have also developed their own tactics for battling crime.

Praedial larceny is also prevalent in the United States and in Australia and India. Further research has confirmed incidences of praedial larceny in Central America and in parts of Australia such as New South Wales.

Specific to the fisheries subsector praedial larceny has also been described in Bangladesh, Thailand, Somalia and Zambia), primarily in small scale operations In Bangladesh fishers are targeted as victims of piracy particularly during the *Hilsha* fishing season where they may be kidnapped for a ransom, while in Somalia (2008, tuna vessels have been attacked three times, in one case resulting in the payment of a one million dollar ransom. Traditional perceptions of shared common natural resources have also led to theft or redistribution of fish from aquaculture farms.

In the livestock sub-sector the measures for prevention and risk reduction include the employment of high tech investigation technology such as implanted computer chips and DNA fingerprinting. In parts of the United States special prosecutors are appointed to deal with praedial larceny in livestock primarily beef cattle. The United States has also established an Agriculture and Livestock Theft Bureau.

Branding of animals, ear tags and the use of photographs, good management practices such as records of date of birth and breed and special marks are also common tools to prove ownership when the animals are recovered or for enforcement of the law. These tools are less costly than the application of high technology but they do come with challenges. Ear tags can be removed and the physical features of the animal can change with time. Many of these measures are common to the Caribbean, including others such as the use of armed guards, and dogs.

In the case of crop praedial larceny a common practice in the developing world is to sleep near the crop close to or during the time of harvest, the use of trained dogs or the harvesting of the crop before it is fully mature in an effort to reduce losses. These practices appear to be common among coffee and vanilla growers in parts of the Pacific. A case study on the effectiveness of policy to reduce praedial larceny among vanilla producers in Vanuatu of the Pacific appears to have been inconclusive and according to the report many producers have stopped growing the crop because of praedial larceny. <http://www.aciar.gov.au/>

In respect of the fisheries sub-sector several technological solutions are being used by commercial fishers, shipping lines and coast guards around the world to combat piracy on the high seas. Some of these measures can be utilized to deter theft and protect livelihoods. They include High Frequency Surface Wave Radar (HF SWR) to detect small boats well beyond the horizon at up to 25 km and Automatic Identification Systems, a new technology which allows ships to transmit information about their identification (ship name, registration etc), cargo, position, course and speed over a common VHF channel. (US Coast Guard) Coast guards can use this technology to monitor and identify vessels moving through their waters or they can make it a requirement that any vessel fishing in their waters must have AIS on board. Panoramic Area Surveillance System (PASS), a 360° video camera and display system for visual identification, movement detection and threat level alarms is also used as are Passive Radar Identification System (PRISM) which provides early warning of an unidentified radar carrying vessel.

Specific to praedial larceny which is the theft from the fish pots "Pop-ups" are being used as a means to conceal the buoys marking the fish trap/fish pot positions. However, due to the uncertainty of the "pop-up" and with thieves still being able to locate the traps, an increasing number of fishers are now setting traps "blindly" with GPS as locators, possibly accentuating the problem of ghost fishing. Bermudan fishers, use another in which a small balloon filled with ink is placed t on the ropes holding the fish pot or fish trap. As the pot is pulled out of the water and the rope is dragged across the side of a boat or winch, the balloon breaks covering the thieves and their vessel with ink.

Part 3

Risk Analysis in Praedial Larceny

Extent and Nature in Praedial Larceny in Member States of CARICOM.

3.1 Risk analysis: an introduction:

Risk analysis or the extent and nature of praedial larceny is an important starting point to formulate policy, strategies and plans of actions for prevention and risk reduction. The range of information which falls out of such an analysis includes the probability that farmers' produce will be at risk of being stolen and the frequency with which this could happen. Vulnerabilities or predisposing factors in the system and the magnitude or value of the loss will also fall out of the analysis. The level of risk between subsectors and within subsectors can also be determined. Other predisposing factors such as the impact of farm management practices become evident. Often the analysis reveals who are the key players in the system and how they interact. The justification for separate databases and information systems can also be determined. The process also provides baseline information for monitoring and evolution.

3.2 Regional trends in the extent and nature of praedial larceny (2010).

The information provided here was provided by contacts with more than 500 stakeholders including crop, livestock, marine and freshwater fish farmers through questionnaires and group meetings. Praedial larceny is widespread across the member states of CARICOM. Of the 475 contacts made with producers, across the region, 98% have experienced praedial larceny to varying levels of frequency. All the information received suggests that the crime impacts all types of farmers, crops, livestock, fisher folks and aquaculturists.

3.2.1 Farmer profile

The age profile of the farmers is shown below (Figure 1.) and suggests the region may be experiencing a change in the dominant age of farmers towards a younger population. This would be a positive for the kind of business approach that will be expected of farmers who are

operating in a traceability system, and who are also expected to generate higher levels of profitability to counter cost of modernization of farm practices.

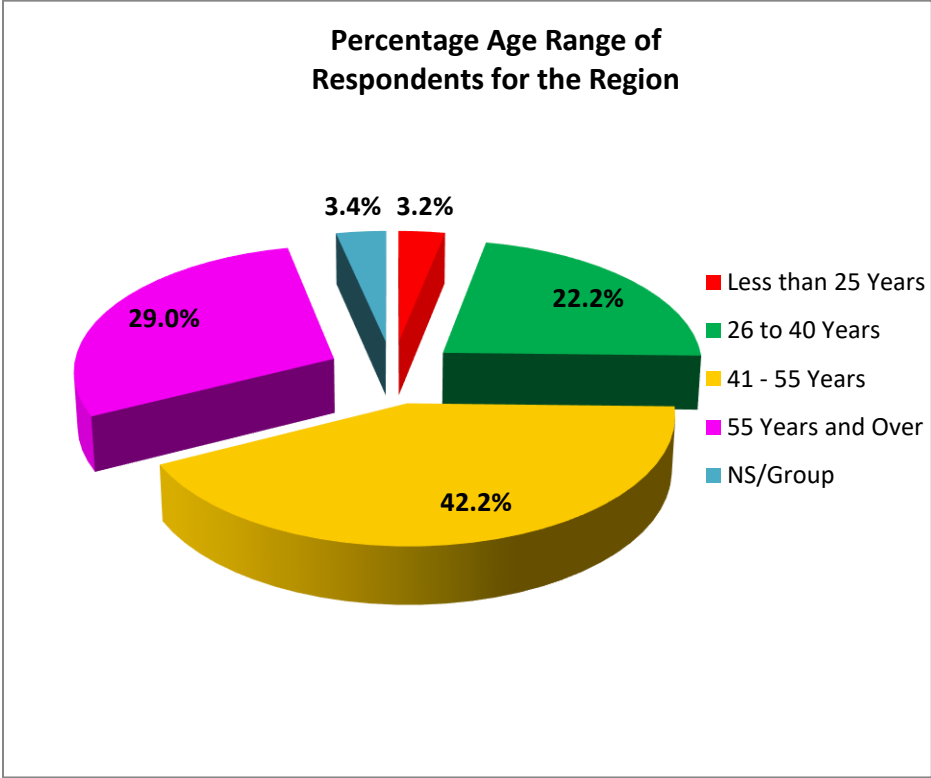


Figure 1. Age profile of farmers experiencing praedial larceny

Further information provided from the analysis of the data indicated that most of the farmers who experience praedial larceny are commercial farmers (65%). Another 22.0% are semi-commercial farmers and the remaining subsistence farmers. These suggest that the farmers most affected are those at the higher end of the level of investment in the sector.

3.2.2 Sub sector and preferred types of commodity stolen

The crop subsector is at highest risk for praedial larceny followed by livestock, marine fish and aquaculture and poultry (Figure 2). However the crop types most

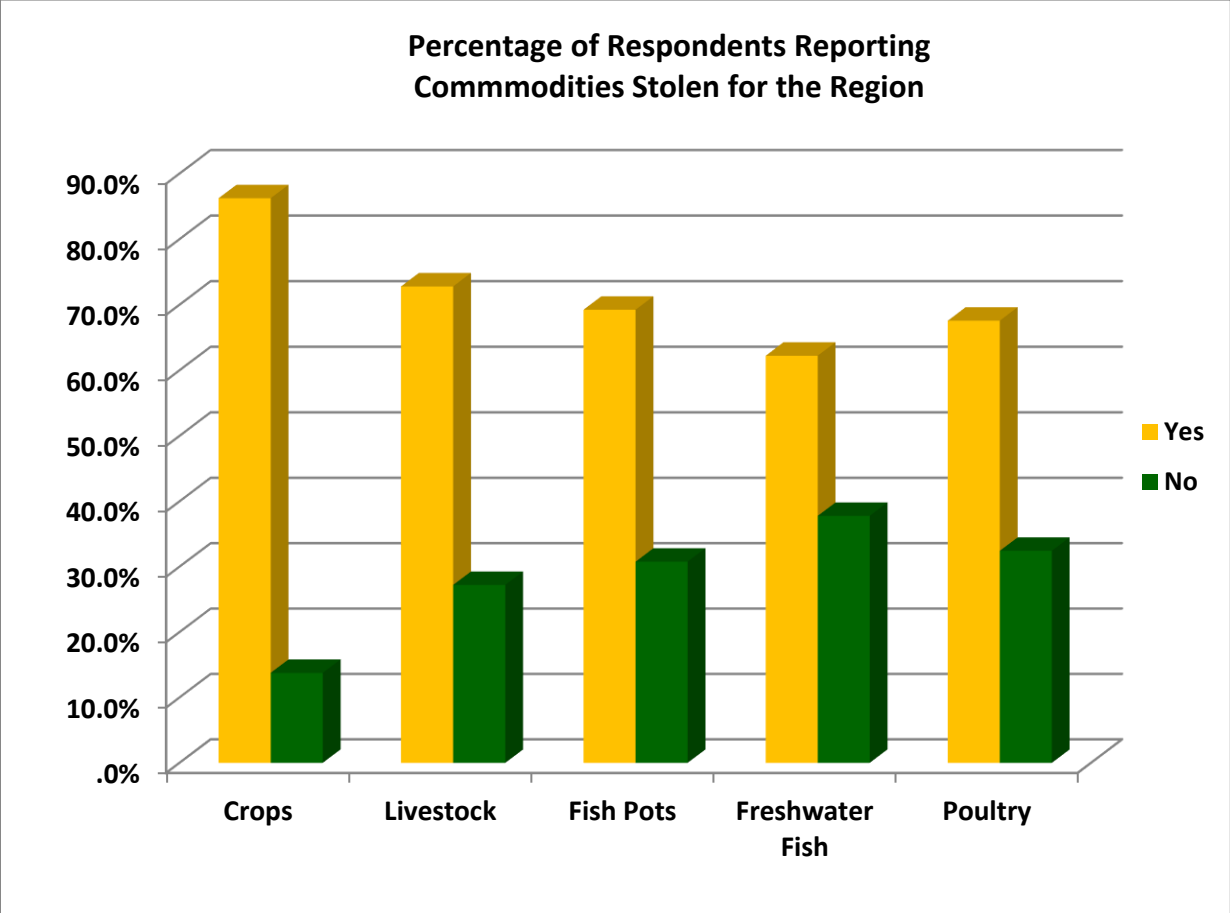


Figure 2. Level of risk to praedial larceny by sub-sectors

frequently stolen at regional level were vegetables, followed by root crops and fruits.

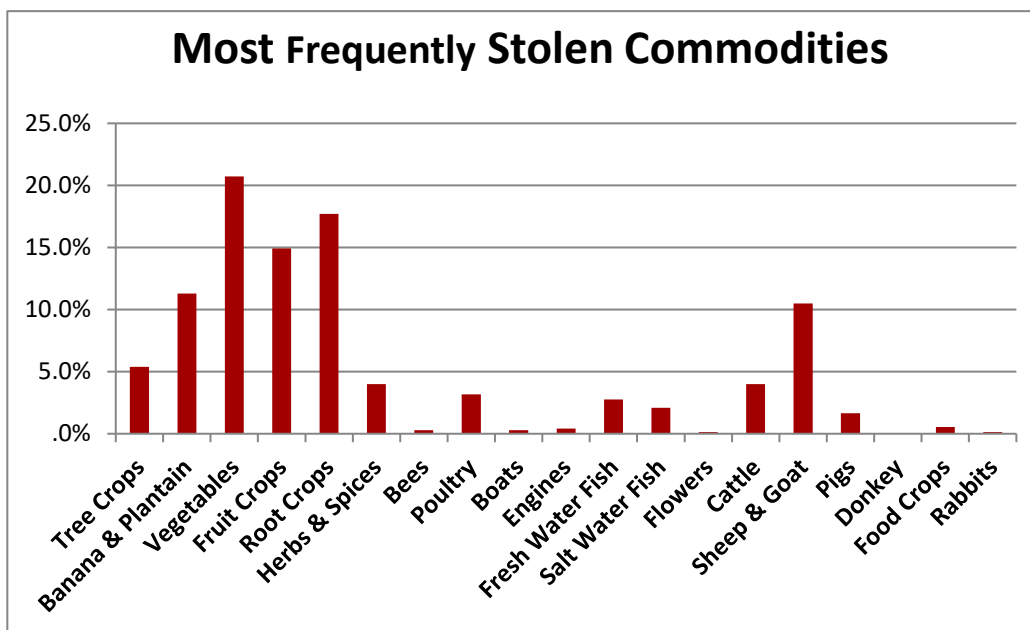


Figure 3: Frequency with which produce types are stolen at regional level

Twenty one percent of regional farmers responded that vegetables were most frequently stolen. Country specific data for selected countries confirm that vegetables are also the commodity most frequently stolen in each of the member state (Table 1 Appendix 2). A similar situation was observed in the 2008 Trinidad and Tobago Study and in both cases may be a reflection that most farmers in the region grow vegetables. The more important finding however is that a wide range of food produce is stolen, confirming that most of the farming and fishing population is at risk of experiencing praedial larceny

3.2.3 Method of disposal of stolen produce

Most respondents reported that the produce stolen was sold to higglers or to other persons vending in the village markets, but primarily to higglers (Figure 4.). However on a country specific basis the method of disposal varied. (Table 2 in Appendix 2.). In the case of Dominica the main method of disposal reported was the large wholesale /markets (42%). In Guyana the main method of disposal was the higgler trade (32.1%) and was the same for St. Kitts and Nevis (21%), Grenada (23%), and Jamaica (42%) and in Belize (35%). In the case of Saint Lucia (25.4%) and St. Vincent and the Grenadines (24.4%) Barbados (40%) and Antigua and Barbuda (33.3%) it was the village market.

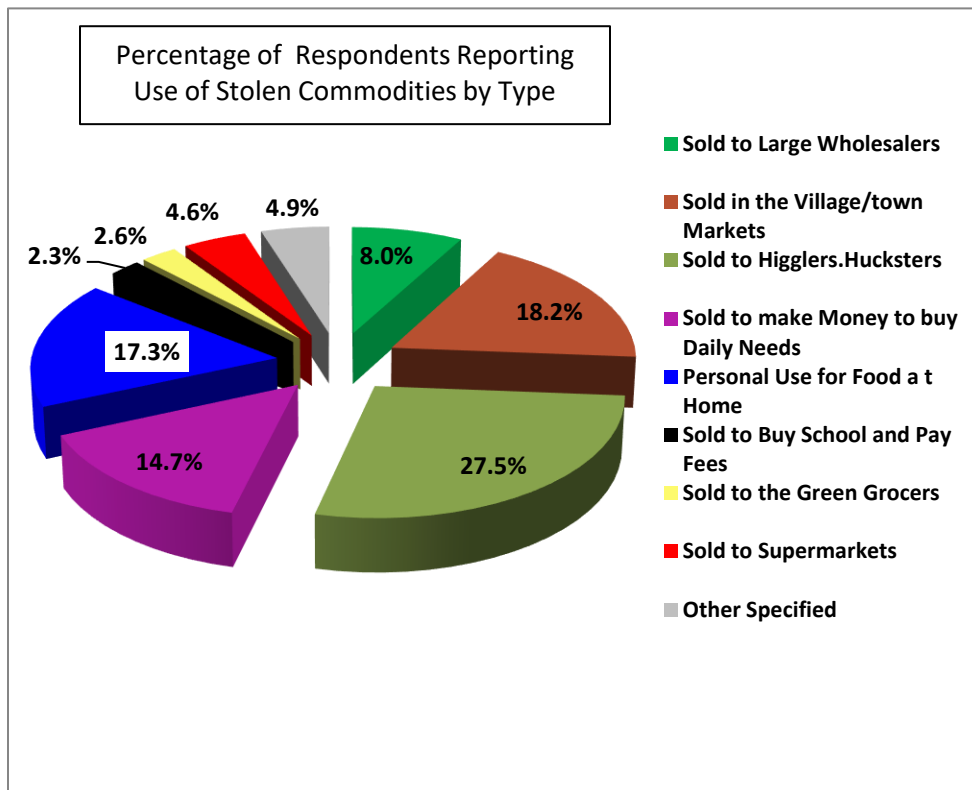


Figure 4. Farmer’s perception of how stolen produce is disposed of.

In summary on a regional basis the largest % of respondents (27%) felt that the higgler trade was the easiest market to dispose of stolen produce. When combined with those respondents who felt that the village market was where the stolen produce was being sold this could account for some 45.7% of farmers who believe that the higgler/vendor trade is providing a major loophole for praedial larceny to happen.

The case of Suriname was notably different from the rest of the region where 42% of respondents felt that produce was being stolen to satisfy household food security and another 28% felt that the produce was being stolen to be sold to meet basic household needs. It was also interesting that there were only two other categories identified by Suriname; 14.3% sold in the village markets and the same % being sold to higgler. Also noted was that 40% of respondents from Barbados felt that praedial larceny was linked to persons who stole to sell in order to meet basic household needs.

The information generated on the link between praedial larceny and the higgler/hucksters trade and the sale of stolen produce in the village markets has serious

implications for the produce vendors licensing system and how it is administered or monitored and policed. Barbados is already aware of the major loophole in the legislation governing vending in the markets but it appears that other countries need to look more carefully at how this is policed. It appears that while there is major emphasis on catching the praedial larcenists in the act of committing the offence, far more consideration and smart action need to be crafted to manage the persons involved in the marketing and distribution of domestic produce.

The foregoing also has implications for rethinking the Receipt Book System and its sufficiency to prevent or reduce praedial larceny as it seems to stop short at the vendor without any demand for further records on source of the produce being offered, in the system. The other issue which needs revisiting is the conveyance of agriculture produce as it is not feasible to believe that the Police will have the time or the resources to deal effectively with stop and search of vehicles with produce. A possible solution is that part of the plan includes the identification of arterial roads with check points as in the case of truck weighing stations where all vehicles are stopped in the kind of sting operations proposed by Jamaica. These check points would best be at the entry points into the cities and townships, and there would need to be consistency in their operations as are weighing stations.

Except for Antigua and Barbuda (60.9 %) most of the incidences of praedial larceny went unreported. In the case of Guyana 40% of the incidences were reported, Saint Lucia (48.6%), St Kitts and Nevis (43%) and Jamaica (43%). The average for the region was 45% with 54.3% giving no response. This low reporting was also reflected in the Trinidad and Tobago Study where reporting for vegetables was as low as 26%.

3.3. Praedial larceny and household food insecurity

The data did not confirm that on a regional basis household food insecurity is the most important risk to agriculture produce. However at 17.3% positive responses that at regional level persons need to steal to meet household food security there is cause for concern.

On a country specific basis, in eight of the countries between 12% and 15% of the respondents felt that food insecurity was a factor. In one country only 10% of the respondents agreed that praedial larceny was a factor. However it is interesting to note that in the case of Suriname 42% felt that food was stolen for personal use another 28.6% to meet basic household needs which would also cover an element of food security. None of the respondents from Dominica felt food was stolen for personal use. This is reflective of Dominica's unique position in the region in boasting nutrition levels as high as some of the well developed countries and

lower food import bills than many of the other countries in the region suggesting that Dominica has an edge in producing food to feed itself.

3.4. Understanding the nature of praedial larceny

The nature of praedial larceny is best understood within the context of farmers and fishers experiences at the level of member states. In order to be brief the approach taken in this Report is to select the member state that provided the most detailed information on the experiences in the praedial larceny chain and to confirm or supplement these experiences with information provided by other member states. In this regard the experiences of stakeholders in the praedial larceny chain in Jamaica will form the basis for presenting on understanding the nature of praedial larceny.

3.4.1 The devastation of praedial larceny at the individual level

The figures below present a sound argument that praedial larceny can be pervasive on the ground. While these figures describe the situation in Jamaica, there is reason to believe that it very much reflects the experiences of the farming fisher population on the ground across the region as the regional data indicated that 98% of farmers/fishers population experience praedial larceny. This speaks to the capacity of praedial larceny to enjoy success and for those who enable the system to organize a successful set of events that impact at all levels of the societies.

In this respect many graphic descriptions of individual losses were provided from interviews with crops and livestock farmers in Jamaica. A commercial vegetable and fruit farmer can lose up to 50% of the projected harvest in any one year and a small livestock farmer can lose two bulls in one night, while as many as eleven research beef animal were stolen from the Bodles Research Station in less than a two month period. These animals were slaughtered at the fence just outside the property.

Commercial farmers can lose the entire summer crop of oranges to praedial larceny and a single greenhouse farmer can lose up to 500 lbs, of sweet peppers in one night. Small scale white potato farmers operating just about a quarter of an acre lose on a regular basis up to 15% of the harvest and on larger farms the loss is often as high as 20% of the harvest. The Christiana Potato Growers Association Cooperative reports that of its 4000 active members all are losing produce as a result of praedial larceny. Coconut farmers managing commercial operations report losses of 35% of the harvest annually.

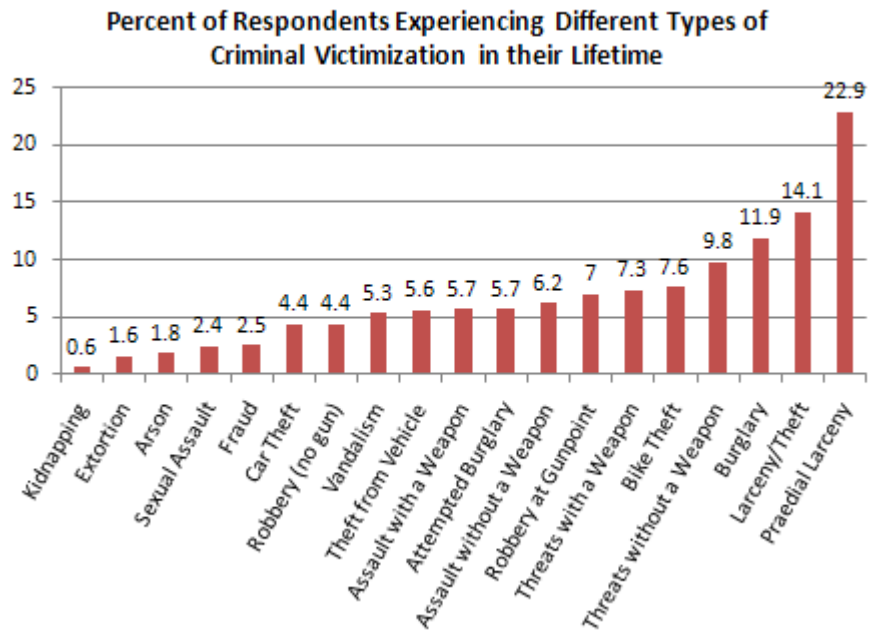


Figure 5. The extent of praedial larceny in Jamaica. (Courtesy of Paul C. Dunn, Jamaica).

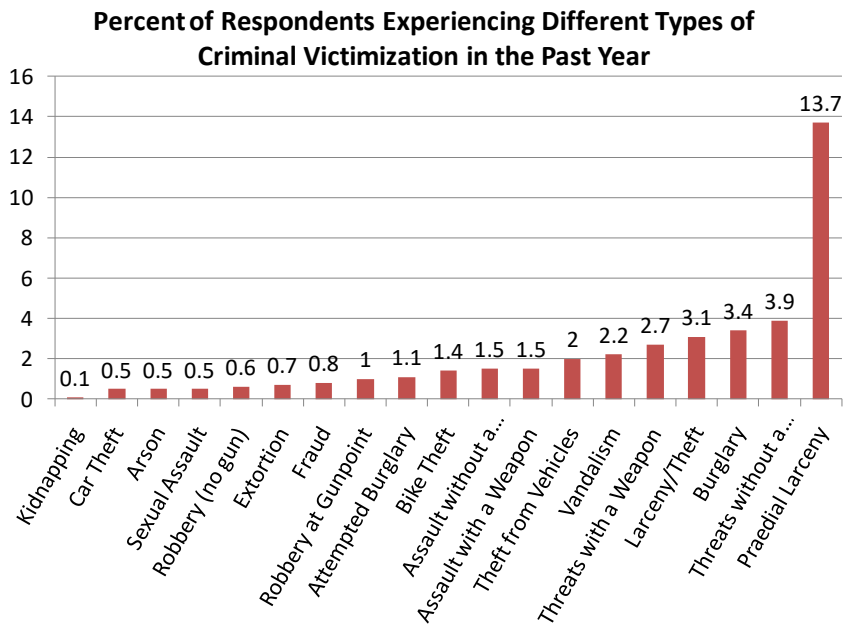


Figure 6. The extent of praedial larceny in Jamaica. (Courtesy of Paul C. Dunn, Jamaica).

The situation in terms of the frequency of farmer experience in Jamaica is similar to that in Trinidad and Tobago where a vegetable farmer can experience praedial larceny as often as once a month and a livestock farmer as often as four times in six months. In the OECS subgroup a wide range of crops are stolen in small amounts but with high levels of frequency making the cumulative loss devastating for small farmers.

Praedial larceny is not selective every type of produce has been reported stolen. Farmers and fishers equipment, machinery, boats' engines, agri-inputs and farmers work clothes are stolen. For example in Belize, the range of items stolen include water pumps, irrigation lines, connectors, vegetables, fruits, corn, papayas, red beans, coconuts, avocado, habenero peppers, sheep, pigs, cattle and goats likely to many farmers often lose the entire harvest of lettuce, melons, tomatoes, cabbage, citrus, bananas, tannia and dasheen. Of significance is the frequent experience of pineapple farmers in Antigua and Barbuda from praedial larceny.

Praedial larceny is unrelenting and persistent, and determined, making farmers and fishers at constant risk of loss. A praedial larcenist will steal a small farmer's only male goat and slaughter for meat with no consideration for the loss of future productivity for the farmer. Farmers report that *pseudo farmers* steal from other farmers and fishers. At the end of a crop cycle these thieves follow the same crop type to another harvesting region (in crops like

white potatoes, planting times vary according to soil type and rainfall pattern and other microclimatic conditions, and with this harvesting time vary) or go to an entirely new crop. The situation is the same in the fisheries sub-sector where when the lobster season is over thieves will switch to another fish species. Praedial larcenists have learnt to circumvent the pop –up systems used by marine fishers to disguise their fish pots. In the same manner praedial larcenists are able to access the necessary information to follow the freshwater pond fish cycles in individual farms to harvest time. They then move on another pond with a ready harvest.

3.4.2 Demand, supply and price in a proliferation of fresh food distribution chains

Several persons reported that praedial larceny in Jamaica is highly driven by the demand and supply in a proliferation of domestic fresh food chains. In this situation there are many opportunities for praedial larceny to build a capacity to become a profitable business with its own set of dynamics in agri-food distribution chain. Small and petty thieves, organized systems for theft and utilization of the food, and a whole chain of other persons, have become a part of the praedial larceny system. As will be seen later this leaves unexplained the destination of much of the produce stolen in large volumes.

As explained by a major exporter the decision of a business to enter into a certain purchasing arrangement is determined by reliability of delivery, quality and best price. The high food import bills of the region indicate that there is a high demand for food that is not being met by domestic supplies. Currently there is a high for fresh produce for export and for food for consumption. The case of the latter is a good example to follow how praedial larceny works.

In all the member states there is a proliferation of restaurant of one type or another on almost every street corner of cities and townships serving different populations. Already businesses in general are faced with high cost of inputs: electricity, water, labor, security and so on. For many businesses agriculture produce, is just another input cost to be carefully watched and the person offering the best price and good quality becomes the supplier. Praedial larcenists can often offer a *best price, as any price is a value-added*.

It was clear from the discussions that while some purchasers do develop a relationship with their suppliers, this is based primarily on reliability rather than knowledge of n the source of the produce or whether or not it is stolen. This is understood as currently no liability rests with the purchaser unless it can be proven that there was collusion. Furthermore after some time the buyer simply trusts his or her supplier who is a middleman or a presumed farmer to deliver on time and to offer a good price. Even in the case of a new vendor the interest is quality and price.

In the case of street food and restaurant there is handling, juicing, cooking, roasting going on from the wee hours of dawn into late into the nights. In addition increasingly Caribbean people are eating more meals on the streets than at home. However the street food/restaurant business is only one example that reflects how praedial larceny can penetrate a perfectly legitimate business where persons are not sensitized to the crime.

The agri-food business environment described for the street food/restaurant business is not significantly different from other fresh food businesses across the region. As a result there are many fresh food businesses that have provided a haven for an entire chain of persons who are making a livelihood on produce from praedial larceny. As a result many persons are unknowingly making a livelihood from praedial larceny as their business or way of livelihood is directly dependent on fresh food produce.

3.4.3 The role of social and business relationships in the nature of praedial larceny

The social and business relationships which have been developed in domestic fresh food distribution chains make it difficult to investigate where praedial larceny exists. The known distribution chains of significance are the middlemen/vendors and the higglers/husketers. It is reasonable to believe that there exists a third distribution chain that is sufficiently organized to manage the entry of large volumes of stolen crops, livestock meats and fish into the formal systems without detection. As indicated earlier and as will be confirmed later collectively all three chains have given praedial larceny a capacity to function as any other successful business built on crime.

It is ironic but only fair to say that a level of trust exists within the chain both among those who are part of the crime and those who enable it by purchasing stolen produce perhaps unknowingly. For example exporters and the big restaurants believe that the role of the middlemen is very important both in the domestic fresh food market as well as in maintaining the competitiveness in business arrangements of exporters of fresh and processed foods. Middlemen/vendors are persons who know about fresh produce quality and the importance of reliability and a good price to a fresh produce business. They also know where to go to find the best produce and this is very important to the exporter. Some middlemen are honest and can show a list of farmers from whom they purchase regularly.

There is sufficient evidence to substantiate the charge by farmers interviewed in Jamaica that the changed nature of praedial larceny involves the activities in the higgler/huskster trade. As indicated earlier there are deeply entrenched relationships in the praedial larceny chain. In this regard higglers/ husksters are undoubtedly the most revered

groups of informal fresh food traders. These are primarily rural women known for the arduous work they undertake in order to bring agriculture produce into the towns and cities each weekend to satisfy urban household food security. In Jamaica and the OECS they are a special people. There is no doubt that bringing these two groups under the microscope will be politically difficult and socially disruptive. Nonetheless it would appear that to weaken or break the nature of praedial larceny would require that these groups be accounted for in the traceability systems.

The third group of praedial larcenists and the special characteristics and capacities in business arrangements they bring to praedial larceny is not well understood and there are many challenges in designing ways to counter their operation. For example it was notable that the missions and the questionnaires did not provide any worthwhile information on the possible destination of truckloads of crops, animals and freshwater fish stolen from farmers and fishers. Furthermore in a few of the member states there were reportedly cases where stolen regulated commodities have gained entry into the regulated chain. This is a clear indication that praedial larceny prevention and risk reduction must move from the farm into the praedial larceny chain all the way up to the consumer.

The foregoing would suggest that if the Receipt Book System is to break or weaken the nature of praedial larceny there might be a need to revisit it in order to secure a higher level of accountability.

The nature of praedial larceny provides other success factors, such as the fact that it takes place primarily at nights. The act is often accompanied by violence. The high level of unreportedness means that there is limited fear from the law on the part of the praedial larcenists hence there will always be new entrants.

Praedial larceny targets opportunities in weaknesses in policy and institutions in agriculture or at the individual level of the farm. Poor land tenure systems make it difficult to prove ownership of the produce and that a theft has taken place. This is particularly so in the case of family land. There are similar difficulties when produce is stolen from public lands or from the wild as described in many member states. In addition there is the estate culture where persons in the rural communities have had access to produce on these lands. In situations where these arrangements are changed for whatever reason, it is sometimes difficult to find a common agreement that a theft has taken place. At the individual level of the farm the praedial larcenists show a preference for farms with good access as there is a means for quick escape or to use some form of vehicular transport to move the produce. Praedial larcenists also target farms with irrigation or which are located close to a river as this is an indicator of higher level of productivity.

3.4.4 Impact of the crime environment on the nature of praedial larceny

In all the member states visited the Police and the Judiciary agreed that praedial larceny as in the case of any other crime thrives in an environment where there is a high crime rate. The serious increase in the crime rate across the member states is now the preoccupation of regional leaders. In this situation, the last 5 years have seen a reporting in the media of a dramatic increase in praedial larceny, the volumes stolen and the level of violence which accompanies the act and a perception that praedial larceny is now operating across of intra-regional borders and linked to other types of serious illegal activities.

The main problem in the member states is the pressure on the Police to attend to praedial larceny calls alongside all the other criminal activities such as rapes, gun related crimes and grand larceny. This is exacerbated by the fact that both the Police and the Judiciary still view praedial larceny as a petty crime. Many are completely unaware of the magnitude of praedial larceny and of the social and economic consequences. As a result in recent years praedial larcenists have become much bolder as they do not believe that they will be brought to justice. That more than 50% of the incidences of praedial larceny go unreported is a reflection of farmers' frustration with the non-response of the police. On the other hand this level of underreporting also contributes to the increases in praedial larceny

3.5. Magnitude of loss to the region due to praedial larceny

The magnitude of the loss to the region's farming community has not been assessed. Jamaica, St Vincent and the Grenadines, Trinidad and Tobago and Belize provided estimates of losses, which have been used to calculate the loss to the farming community in the region. The Bahamas also provided annual loss to the marine fish subsector.

In the case of St. Vincent and the Grenadines the loss to the farmer community in 2008 was estimated at US\$1.0 million for crops, and US\$800,000 and US\$20,000 for poultry and US\$ 300,000 for equipment (farming, livestock, poultry) respectively. The Belize Ministry of Agriculture estimates annual loss of US\$200,000 in crops, and US\$80,000 and US\$ 25,000 for livestock and marine fish respectively due to praedial larceny.

The best assessment to date was conducted in Trinidad and Tobago provided a figure of US\$11.3 million loss to the industry within a six month period. On this basis, the annual loss to the industry was calculated in the Report as US\$22.6 million. The combined

estimate due to praedial larceny from the four countries amounts to some US\$80.20 million. However it is believed that the estimate provided by Belize is very conservative.

Based on the data collected at the regional level, on average only 45% of theft is reported. On this basis one could take a doubling of the estimate provided by the four countries and at least twice the amount across the region giving a very conservative figure of US\$320.82 million loss annually. Based on regional agriculture GDP (Table 3- Appendix2), this loss using very conservative estimates is just under 17.9 % of gross output by agriculture by the region.

3.6 Social, health and economic implications of praedial larceny

In terms of the social implications there is an estimated 322, 000 persons whose livelihoods are attached to the fisheries sector **and** many thousands more in crops and livestock whose livelihoods are directly linked to agriculture, primarily food production. These persons are affected by praedial larceny. However there are also many livelihood chains dependent on the agri-food chain and which are not accounted for in the sector. The example of the street food and restaurant chain was made earlier. The implications of correcting the agri-food chain by removing praedial larceny from the distribution system will require courage on the part of the Ministry of Agriculture and the society at large.

Praedial larceny also has health implications. The sale of uncertified meats can be a threat to people's health as well as to the health of the industry. The threats are even greater if as is assumed clean or certified meats may at times be in the same chain as the uncertified meats. The danger of a public health problem could be easily contained by quick actions on the part of the relevant authority, but regaining the confidence of consumers might take a longer time to the detriment of the industry.

Part 4

Risk Management in Praedial Larceny Prevention and Risk Reduction in Praedial Larceny and the Range of Measures Used in the Member States

4.1 Introduction

The extent and nature of praedial larceny is clear warning that primary stakeholders in the agriculture and food production sector might not be able to sustain or improve their operations at the current level of risk of losing their produce. Furthermore that all producers, both small and large are at risk from praedial larceny and that the cumulative loss from the frequency of petty theft as observed in the OECS can be as devastating as the large scale organized operations as in Jamaica. That praedial larceny crime outstrips all other crimes in Jamaica even with that country's high crime rate indicating that the vulnerabilities in praedial larceny may be equal across the countries.

Since 2005 the member states have to varying extent adopted a range of measures to prevent and reduce the risk associated with praedial larceny. Primarily these measures include strengthening policy and legislative frameworks, creation of special institutions, establishing national programs and governance structures at various levels for managing praedial larceny.

The processes undertaken in the member states vary according to their own circumstances and resources and are best described separately.

4.2. Established policy and legislative frameworks for prevention and risk reduction

4.2.1. Jamaica

Jamaica's initiatives to strengthen prevention and risk reduction system have been systematic and consistent over the last 5 years. The Agriculture Development Strategy 2005-2008 identified praedial larceny as a major deterrent to agricultural investment due to increase

risk and cost to the sector. The Vision 2030 Jamaica Final draft Agriculture Sector Plan (2009) includes five strategic areas to reduce praedial larceny that build on the program established under the 2005- 2008 Strategy and include actions to (a) Review and modernize existing legislation and develop new legislations and regulations (b) Strengthen the National Advisory Committee on Praedial Larceny and implement recommendations over time (c) Develop and implement a Praedial Larceny Action Plan and (d) Establish and expand a National Animal Identification System to undertake traceability of meats island wide.

The strategic actions proposed in the Vision 2030 are time bound and are results oriented. In this respect The Action Plan is to be completed in 6 years and the other components of the Strategy in 3 years. The strategy identifies all the stakeholders to be involved in the process and their respective roles and includes the Ministry of Agriculture Fisheries and Forestry in the lead role in partnerships with, the Ministry of National Security, Farmers Associations, Producer Marketing Organizations, the Jamaica Constabulary Force, the Island Constabulary Force, the Jamaica Coast Guard, Ministry of Justice and the Ministry of Health and Environment.

A first step for the new thrust was the amendment of the Agriculture Produce legislation to establish a Praedial Larceny Prevention Act 2009, to support enforcement and traceability in a National Anti- Praedial Larceny Programme. Specifically the Amendment paved the way for the following:

- a) The joint appointment by the Ministry of Agriculture, Forestry and Fisheries and the Ministry of National Security of a Praedial Larceny Prevention Coordinator to manage the Wardens and the appointment of a high profile Monitoring Committee representing implementation of the Anti- Praedial Larceny Prevention Program, the appointment of Agricultural the Office of the Attorney General, Ministries of National Security and Agriculture and the Jamaica Police Constabulary.
- b) Stiffer penalties for praedial larceny offences, to include, increasing fines and sentences, instituting a three strike system resulting in longer imprisonment, review of laws and penalties for individuals who accept stolen goods and implementing a mechanism for compensating farmers from fines collected.
- c) Sensitization of the Judiciary and the Police Force in order to engender awareness about the seriousness of praedial larceny and to make sure it is reflected in enforcement and sentencing
- d) Public awareness and public education to sensitize the public about laws that governs praedial larceny and to encourage reporting against praedial larceny, and to
- e) Establish traceability systems over the medium term.

The Action Plan is to be completed in 6 years and the other components of the Strategy in 3 years. The strategy identifies all the stakeholders who should be involved in the process and includes the Ministry of Agriculture, the Ministry of National Security, Farmers Associations, Producer Marketing Organization, the Jamaica Constabulary Force, Island Constabulary Force, Coast Guard, Ministry of Justice and the Ministry of Health and Environment.

4.2.2 Trinidad and Tobago

The Vision 2020 Draft Report on Agriculture took note of the fact that the Praedial Larceny Prevention Act (2000) which made provisions for the establishment of a Praedial Larceny Squad, vendor registration and a memorandum of sale of produce and powers of the police to stop and search had not served to reduce the high incidence of praedial larceny prevailing throughout agriculture the agriculture sector. A 2008 response of the Ministry of Agriculture Lands and Marine Resources (MALMR) was a comprehensive review of the extent and nature of praedial larceny through studies and consultative processes and subsequent proposals for amendments to the legislation to achieve the following:

- a) Rename and reorganize the Praedial Larceny Squad by creating a Praedial Larceny Police Unit outside of the Police Service and staffed with Praedial Larceny Rangers with powers of arrest and the right to bear arms. These Praedial Larceny Rangers to be supported by persons employed as Honorary Agricultural Rangers.
- b) Implement a public communication and education program to alert and inform the public of the effects of praedial larceny,
- c) Inter-ministerial cooperation and function sharing between the Forest Division and the Agriculture Sector in order to assist with the enforcement of monitoring throughout the country;
- d) Registration of farmers and vendors by the Ministry of Agriculture, Lands and Marine Resources;
- e) Stiffer fines and penalties and minimum penalties for praedial larceny offences, and the penalty of a fine and imprisonment instead of an alternative;
- f) The use of photographs taken as evidence within 72 hours of the seizure by the police of the produce or livestock and the use of evidence from cameras designed to observe wide areas;
- g) In special cases a sentencing option of and house arrest between the hours of sunset and sunrise;

- h) Adoption of a national traceability system that include all stakeholders in the production - consumer chain

The Praedial Larceny Unit and Agriculture Ranger Squads were established in 2009 as a law enforcement body guided by the laws of Trinidad and Tobago. The Unit covers 11 farming communities in County Caroni and the members of the Squad works very closely with the extension officers in the MALMAR.

A strategic approach by Trinidad and Tobago was the inclusion of data collection on the state of praedial larceny during the 2004 Agriculture Census. This means that Trinidad and Tobago has a sound baseline from which to plan, monitor and evaluate the state of praedial larceny and to evaluate progress at the national and local level. Trinidad and Tobago also now has a sound tool for mapping hotspots for praedial larceny and for including these in their GIS. Bearing in mind the extent of praedial larceny this is the kind of platform that many of the countries could find useful in identifying hotspots in order to targeting resources to counter praedial larceny and for mainstreaming the praedial larceny prevention and reduction system into agriculture planning.

4.2.3. Barbados

In terms of policy and legislative framework Barbados has adopted the five strategic areas emerging from the 2005 Regional Consultation on Praedial Larceny, hosted by the Ministry of Agriculture and Rural Development (MARD) in collaboration with the Barbados Agriculture Society and the FAO. These include:

- a) The provision of greater law enforcements in areas prone to theft which could serve as a deterrent to praedial larcenists;
- b) Sensitizing the public to buy only from legitimate sources such as centralized market places;
- c) Ensuring that marketers and distributors request a certificate of purchase for agricultural produce or livestock, or that farmers are able to show an identification card when in possession of agricultural produce or livestock;
- d) The promotion of call in services where farmers can report cases of theft which can then be publicized among the general public and relevant authority and
- e) Introduction of the use of photographs of stolen produce or livestock as evidence in the Courts.

The Praedial Larceny Prevention Act (1997) makes provision for (i) the licensing of vendors of agriculture produce and livestock, and persons operating a vehicle conveying

agricultural produce and livestock (ii) fines and imprisonment for offences under the Act (iii) compensation for the victim of praedial larceny (iv) the issue of a receipt or certificate of purchase to a buyer and (v) the registration of farmers.

4.2.4 St. Vincent and the Grenadines

The Agriculture Produce and Livestock (prevention of theft) Act (2010) was not available for review. However the information provided by the Ministry is that the Act provides for the registration of farmers, traffickers and livestock producers. Under the Act the sale of agricultural produce must be certified by receipt and rural constables have the power to stop and search vehicles suspected to be conveying stolen agricultural produce. The legislation also provides for stiffer penalties. The farmer registration program has begun and some rural constables identified and trained. Full implementation of the legislation is slated for 2010.

4.2.5. Saint Lucia

Saint Lucia established a Praedial Larceny Unit in 2009 under a Pilot Project funded by the European Union. Saint Lucia also enacted a Sale of Agricultural Produce Act (2010). The Act makes provisions for the licensing, regulation and control of the trade of agricultural products and for related matters. The Act covers the sale of agricultural production and products-products derived directly and indirectly from agricultural production. Although the Act states that no one may trade in agricultural products without a valid license, the information received is that its implementation has been put on hold.

On the other hand the Pilot Project has progressed well, the details of which are described in Appendix 1

4.2.6. Grenada

Grenada established a Praedial Larceny Act (2004) with a budget allocation of \$30,000 for its enforcement, and a Special Unit of the Royal Grenada Police set up to deal with praedial larceny. This Unit is providing good support to on-going activities to prevent praedial larceny for some years now but not under a structured approach.

4.2.7 Antigua and Barbuda

Antigua and Barbuda has in place a comprehensive Praedial Larceny Prevention Act (1954) with provisions for any area in Antigua and Barbuda to be declared an area for the purposes of The Act, for the constitution of Community Committees. The function of the Community Committees is to assist in securing by all lawful means the suppression and apprehension of praedial thieves including making investigations as they deem necessary in each area.

The powers of the Community Committee are wide ranging and include the power to stimulate public opinion and community action against praedial larceny, to employ persons for patrolling or guarding property in declared areas and for serving summons to witnesses. The Committee also has the power to pay reward for information leading to the detection and conviction of any person guilty of praedial larceny or of receiving the stolen produce or of being an accessory whether before or after the fact to the commission of praedial larceny. Community Committees are to be funded from the general revenue of Antigua and Barbuda to be used for carrying out of all or any other functions and responsibilities under the Act.

Under the Act these Committees have the powers of a Judge of the High Court to summon and examine witnesses under oath, including those suspected to have committed or about to commit praedial larceny, or to have received stole produce or about to; or to have conveyed away or to be about to convey away stolen produce or to be in possession of knowledge the disclosure of which would assist in the suppression of praedial larceny. Persons who willfully give false evidence in any proceedings before the Community Committee are guilty of perjury and are liable to be persecuted and punished accordingly. Furthermore all persons summoned before the Committee is bound to obey the summons served as fully in all respects as witnesses are bound to obey subpoenas issued from the High Court. Persons who disobey are liable to a fine of US\$800 or to an imprisonment for 12 months.

The Act also makes provisions for search and enter by the police when there is suspicion of praedial larceny. This covers any house, store, yard or on land or in any vessel. Persons found guilty under any charges under the Act are liable to fines of EC\$2000.00 and imprisonment of 12 months. The Court may also order that the person be placed under special police supervision for a specified in such order not exceeding one year.

This Act is currently under review by a Legal and Policing Committee a Sub-Committee of the Praedial Larceny Working Group established in 2008 as a response to the concerns voiced by farmers on the problems they were facing from theft of their agricultural produce. The Working Group comprises two other Sub-Committees- Public Awareness, and Extension. Reports are that The Legal Committee has been reviewing the Jamaica and Trinidad and Tobago legislation on Praedial Larceny, with a view to revising the Antigua and Barbuda legislation which is outdated and inadequate. It is not clear whether this is a Larceny Legislation or Praedial Larceny Prevention Act.

Part 5

Risk Management in Praedial larceny

Implementation of Policy and Legislation for Praedial Larceny Prevention and Risk Reduction.

5.1 Introduction

The period of implementation under review in this Report is 2005- 2010. However the systematic approach to praedial larceny prevention began in 2005 following the Regional Conference in Barbados. However the intensive and aggressive approach to praedial larceny prevention emerged in 2008 and focused on : (a) Amendment of the Agriculture Produce Act (2004) and enactment of praedial larceny prevention legislation in Jamaica in 2009 (b) Research and national consultations culminating in new proposals to amend legislation to amend the Trinidad and Tobago Praedial Larceny Prevention Act (2000) in 2009 (c) Review of the Barbados praedial larceny prevention (1997) in 2010 (d) Enactment of Praedial Larceny Prevention Legislation in 2009 in St.Vincent and the Grenadines (e) Enactment of a Sale of Produce Act (2009) in Saint Lucia and (f) Preparation of Praedial Larceny Prevention Bill in St Kitts in 2010.

The second area of focus was on those strategic actions designed to (a) support enforcement through traceability systems b) to establish special units for praedial larceny (c) to empower farmers and fishers through better protection systems and quick access to the police and (d) o improve public and public education on praedial larceny and (e) to improve the stakeholder consultative process and reporting among stakeholders.

The urgency to enact praedial larceny legislation was spurred by the escalation in incidences, nature and magnitude of praedial larceny which suggested that the fines and imprisonment under the law were not proving to be a deterrent to would be thieves. Furthermore there was a common perception within the sector that the Courts were very lenient towards persons found guilty of the theft of agriculture produce and materials and that there were significant delays in dealing with praedial larceny cases often times with many postponements. In this situation acts of praedial larceny had escalated in all the countries in terms of the nature, frequency and magnitude of the incidences.

In brief the praedial larceny prevention Acts focused on establishment of institutions.

The new approach to secure amendments and enactment of praedial larceny prevention laws is an indication that increasingly there is better organization in national systems to prevent and reduce the risk of praedial larceny. However the experience has been that many challenges still exist. To varying extent some of these challenges are disabling different parts of the system: the implementation of legislation, the implementation of trace-back and the objective decision of the Courts in circumstances where further mischief may be created by measures to enforce the praedial larceny law.

5.2. Implementation of legislation

5.2.1 Impact of implementation

The implementation of praedial larceny prevention legislation has not had the desired effect on prevention and risk reduction. While there are reports of arrests and jail sentences, all indications are that the crime is on the increase both in terms of the number of incidences and the magnitude of the loss and that to some extent there is insufficient attention given to the legislation. Against this background many of the member states continue to pursue measures along two fronts (a) the further amendments in the provisions and interpretations of the legislation and the effectiveness of the Justice System administered through the Courts.

5.2.2 Challenges and responses in implementation of legislation

The challenges to implementation and the measures now being pursued by most of the member states may be followed by briefly revisiting the on-going experiences in some of the member states.

5.2.2.1 Insufficient attention to the legislation

Many of the member states have admitted that insufficient attention within the Ministries of Agriculture and by the Police to the implementation of the legislation. While most of the member states have in place some kind of legislation with broad provisions for apprehension, of agriculture produce in transit, the application of this provision to police work is not the norm. The same applies where the legislation provides for mandatory farmer registration and vendors' licensing for persons selling agriculture produce. The monitoring of persons in possession of even large volumes of produce is not the norm. There are very few records of search and enter of premises holding fresh produce. In the course of conducting the missions to the member states it also became clear that many police officers are not aware of the full provisions of the praedial larceny prevention legislation and even less of the serious impact of praedial larceny on agriculture activities. Cases are weak because the charge is incorrect due to negligence. In the same way many extension officers are unaware of the praedial larceny legislation, but are totally unfamiliar with its provisions and they too provide information which do not serve to strengthen the case against the praedial larcenists. This situation is not helped by the finding that many regional farmers are not registered even when

this is mandatory due to several reasons including inefficiencies in the machinery in the Ministries of Agriculture. As the Receipt Book System is tied farmer registration the integrity of the entire system of enforcement is threatened.

5.2.2.2. Challenges posed to praedial larceny legislation by the nature of

A number of member states are facing some challenges from the several different piecewise of legislation that impinge on praedial larceny. At this time this problem specifically relates to the RM Courts but with time will involve a number of other laws dealing with Transport, Animal Disease, DNA fingerprinting and so on. However priority should be given to those amendments which will allow for important changes in the RM Courts. These include easing the pressure on the Resident Magistrates Courts to deal with the backlog of praedial larceny cases by an Act to extend the powers of the RM to deal with the serious backlog in praedial larceny cases by sending them as appropriate to the Supreme Court and also to the lower Justice of the Peace Court. This would also require amendment of the Justice of the Peace Jurisdiction Act and the necessary waiver of the Preliminary Investigation in the case of the Supreme Court. There are also other challenges in the RM Courts relevant to the level of fines and imprisonment that the sector is seeking in order to establish an environment that will deter or prevent would be praedial larcenists. This too will require amendment to the RM Court Jurisdiction and Procedure Act.

5.2.2.3 Challenges faced with poor Police records and within the Court System

Regional farmers continue to voice their dissatisfaction with the low priority given to praedial larceny cases in the Courts. To some extent there is a level of admission by the Judiciary that praedial larceny has been given a lower priority in the RM Courts as the matter is normally viewed as petty crime. Sensitization of the police and the Judiciary to the changed nature of praedial larceny and its negative impact on livelihoods and food security is changing this perception. The expectation is that the sector could expect a different attitude especially as it relates to the proper attention to reports made to the police and to a reduction in the number of delays and postponements in praedial larceny cases. However the habits of the police and the Courts have created a situation in which praedial larcenists no longer fear consequences under the praedial larceny law. Farmers have become frustrated and less than half of the incidences are now being reported. Moreover praedial larcenists look forward to bail and long delays in the Court cases sometimes extending into years. In this manner the legislation has not served to be a deterrent to praedial larceny.

5.3. Measures to support enforcement of the legislation

5.3. 1 Implementation of traceability systems:

Most of the member states have established all or parts of a traceability system under praedial larceny legislation. Other members states are applying the Sale of produce Act. In most cases compliance is mandatory. By and large these systems are new and have not been tested or evaluated. Central to the success of the traceability system is the receipt book system and a comprehensive praedial larceny database that can provide real time information.

Traceability systems are not new to the agriculture sector. Many farmers have experiences in GAPS as requirement for marketing arrangements for trading agriculture produce in the EU, as well as in intra-regional trade with countries such as Barbados. EUROGAP requirements for registration and record keeping of the management practices to satisfy certification are far more extensive and demanding, than in the case of praedial larceny the trading arrangements worked well in general. On the other hand this has not been the case in farmer registration programs for praedial larceny prevention and enforcement of the legislation. Record keeping is even more of a problem. Many challenges exist in all the countries.

Livestock farmers are also being introduced to traceability systems for selected animals, mostly cattle. Some countries are using the introduction of internal devices, branding, ear tagging. The introduction of DNA fingerprinting is also under active consideration in at least one member states. Animal identification through a number associated with the animal introduced for agriculture health purposes is also serving the purpose of trace-back in animals.

5.3.1.1 Challenges to traceability systems

Primarily there are two types of challenges. The first is associated with the timeliness in the Ministries of agriculture to put in place the infrastructure and machinery for farmers and fishers registration, including a computerized database for praedial larceny prevention. The second is the refusal of farmers to register in particularly the larger farmers and those who are members of traditional producer organizations, such as livestock, coffee, cocoa, poultry and citrus among others.

There is a good example of a computerized database in the National Marketing Information System (NAMIS-TT) in Trinidad and Tobago. The operations of this system have been shared in the Ministry of Agriculture in Jamaica and in Guyana. NAMIS-TT was developed as a quality assurance system but is well suited for traceability in praedial larceny. Of significance is that it accommodates data on farmer and produce as well the numbering of consecutive crops. This is ideal for praedial larceny traceability. This is a shared database with the Agriculture Rangers of Special Police Unit and is based on confidentiality. It has the capacity to provide real time information as well as alerts in terms of readiness of harvest and the potential of a threat of praedial larceny.

Early problems in the financing the production of the receipt books has been resolved and some Ministries of Agriculture now have in place equipment to produce their own books and farmer registration identification cards. There are major concerns with registration as well as record keeping as traditionally farmers and fishers do not comply with any of these. Some countries are proposing refusal of incentives for farmers who do not comply with requirements for registration. Record keeping remains a problem and in some countries the police have warned that poor record keeping can hamper investigations in a praedial larceny case.

5.3. 2. Establishment of Special Units to assist with enforcement

At least four member states have established Special Units to assist with enforcement of praedial larceny prevention and reduction, all with a measure of success. In one case the Unit is established under law, while the others are under administrative arrangements. Although no objective evaluations have been conducted these Units all appear to be recording success in the reduction of praedial larceny and in arrests and convictions.

In all four member states the Units work closely with the extension officers. Three of these Special Units have police attachments and also work closely with Community Groups in the farming areas. Two have established governance structures at community level to plan and execute plans for community based praedial larceny prevention and reduction. Indications are that the Units may have better success when relationships are established with the community. It was observed that the general reluctance to pass on information to the police was not evident and there was a high level of cooperation between the community and the police attached to units. All of the groups work closely with the respective Ministries of Agriculture.

Details on these Special Units are provided in the Appendix 1 under Saint Lucia, Grenada, Trinidad and Tobago and St. Vincent and the Grenadines.

5.3.3. Security systems for praedial larceny prevention

5.3.3.1 Electronic security systems of prevention and risk reduction

The use of security systems in lessening the risk associated with praedial larceny is driven primarily by the agriculture private sector. The systems vary from electronic systems to, the use of regular and electronic fences. Security measures can cross over into traceability measures as in the case of devices placed in livestock which sends off silent alarms at certain borders. Jamaica and Trinidad and Tobago are the two countries reporting the use of electronic systems, but there is reason to believe that other countries are also using electronic systems for prevention.

There is now limited experience in the use of burglar alarm systems that use photo beams and motion detectors. These have been tested in greenhouses and are working quite well after more than year. The focus has been on greenhouse as in recent times greenhouse farmers have become very vulnerable to praedial larceny firstly because of the high demand and good price for the commodity and secondly because the produce is highly concentrated in a small space. Because motion sensors are used the type of detectors are determined by the type of crop. Photo beams can also be used to create an electronic fence around the Facility, but this has to done for each greenhouse.

Currently the systems are more suitable to the farmers who operate a modernized farm as they cost could be as high as US\$1300.00 for a 60x40 greenhouse. Furthermore security firms have indicated that interest would be determined on an economically viable number of green houses in the same geographic space. Some of the systems use solar energy or can be driven by car battery which means that the unavailability of electricity on the farm is not a major constraint. Other systems offer invisible beams which if broken will send off a silent telephone alarm to as many as eight points of choice, likely points would include the owner of the operation.

The use of photographs and CT cameras has also been introduced in the protection of agriculture produce and as a means of reducing praedial larceny. However there are many stipulations governing the use of this type of evidence in the Courts and member states will have to determine the conditions under which the evidence will be admissible. Indications are that there are implications for amendment of the Evidence Act if the use of photographs and CT scans are to become a regular part of the prosecutions' case.

5.3.3.2 Traditional measures for protection against praedial larceny

Traditional measures include armed guards, trained dogs and regular perimeter fencing. The use of flood lights, static guards, dogs including pit bulls, and perimeter fencing is very popular across the region. Other farmers build housing on their field where workers live permanently or semi-permanently, while others sleep near their harvest at the time close to maturity. This latter appears to be most common with aquaculture farming. It is not unusual for farmers and aquaculturists to use a combination of security measures, because of the prevalence of praedial larceny in aquaculture.

A main consideration in the use of the security systems is the cost associated. Where static guards are used the service is usually required around harvest time and this can reduce cost. Contained operation such as greenhouse and aquaculture lend themselves to this practice but there are still incidences of praedial larceny. For example a couple of aquaculture farmers have abandoned the due to the high cost of security systems and the high incidence of praedial. As seen above greenhouse farmers have turned to electronic systems. Nevertheless farmers in Barbados have indicated good results from armed guards and tree crop farmers in Jamaica have also indicated that armed guards or rangers have served as a good deterrent to praedial larceny. None of the systems have been evaluated and it was difficult to get costs as farmers saw this as part of their business and the Security Firm interviewed was seemingly unwilling to discuss cost for infra-red surveillance system, plus other costs such as pit bull dogs and the construction of houses in the middle of the pound/paddock where the workers stay. None of these claims In addition there is the high cost of security of which could run as high as US\$17000 annually just were substantiated by records or any kind of data.

5.3. 4. Public Awareness and Public Education

Public awareness and public education programs have been identified as important to strengthen and enhance measures to prevention and reduce praedial larceny. Many of the countries have included this component in their programs with very good results. The actions include sensitization seminars, media to promote the serious nature of praedial larceny and to expose those involved in the process, consultations to identify and enact new or improved measures or actions to prevent and reduce praedial larceny including some of the underlying causes of praedial larceny. The benefits of these practices are highlighted in some of the experiences of the countries.

A good starting point would be the Regional Consultation on Praedial Larceny held in Barbados in 2005. At that consultation information on experiences were shared among the Police, the Ministries of Agriculture, The National Farmers Associations and the Regional Umbrella Farmer Association and agencies with development with an interest in Agriculture

across the region. The Consultation recommended greater law enforcement to deter praedial larceny, farmer registration, sensitization of the public and the introduction of photographs.

The extent to which these recommendations have influenced actions in the countries cannot be confirmed. However an examination of the programs developed since 2005 will find these actions in practice in a number of the countries. For example, Antigua and Barbuda, Barbados and Trinidad and Tobago are all now using photographs as evidence in Court, though with some qualifications. Another example is that Jamaica, Trinidad and Tobago, St Vincent and the Grenadines and Barbados have all amended legislation to enact Praedial Larceny Legislation or are pursuing proposal to amend legislation.

5.3.5 Institutionalization of a participatory approach to praedial larceny prevention and Risk reduction

Trinidad and Tobago has adopted a very participatory process to praedial larceny prevention commodity group's consultations and culminating in a National Consultation in which representatives presented the recommendations from the respective groups. The National Consultation brought together crops, and livestock farmers, the agencies such as ASST, NAMDEVCO, TTABA, IICA, FAO and the ADB resulting in a wide range of recommendations for reducing praedial larceny in the country. Much of these recommendations influenced the Cabinet proposals which seek to amend the Praedial Larceny Prevention Legislation (2000).

Inputs to be considered in the public awareness and education would include

- (a) Sensitization Seminars for targeted stakeholders in the praedial larceny chain
- (b) National discussions/forum on a Annual Report on the State of Praedial Larceny and the Measures of Prevention in each country;
- c) Use of the Government Information Service, television and radio to carry a structured media programme in the form of documentaries and advertisements and videos that specifically relate to praedial larceny and measures for reduction or eradication.

Part 6.

Conclusions and recommendations

Introduction:

The conclusions and recommendations emerging from the analysis are reflective of the findings that praedial larceny is a crime of enormous proportions in the member states requiring urgent and sustainable actions to create an environment in which would be offenders will be deterred from committing such acts.

In creating this environment it is imperative that first and foremost praedial larceny is no longer viewed as petty crime linked to the stealing of farmers' produce. Instead the perspective of the society must be of a crime which threatens the food security of the region and the livelihoods of more than 332,000 fisher folk families and at least three times that number of farm families. In this regard and as for all other crimes which have such social and economic consequences, the penalties awarded under the law and the manner in which the Court discharges its duties must fit the serious nature of the crime.

It is clear from the information generated in this analysis, that the fines and sentences under the law have not proved to be a deterrent and as such do not fit the crime. Furthermore that there are short comings in the choices the Courts make in the placement of praedial larceny cases in the course of prioritizing offences in the daily listings of matters that will be given attention.

Against this background, the conclusions and recommendations will give priority to those measures which can serve to reduce the numbers of farmers and fishers who fall victims to praedial larceny and the frequencies in which they experience the loss. While it is important that results be visible over the short to long term, the decision making process will not lose sight of the fact that the gains secured must be sustainable. Accordingly the conclusions and recommendations will also address those issues which will provide a sound institutional framework for longer term consolidation and management of successful measures to prevent and reduce praedial larceny.

The conclusions and recommendations are listed below.

2. Conclusions

2. 1. Praedial larceny has become a major risk to security and sustainability of the gains in primary agriculture activities in member states of CARICOM. Regional farmers and fishers are losing millions of dollars annually. Conservative estimates indicate that the region is losing over US\$ 321 million annually or 17.9 % of regional agriculture GDP, to praedial larceny (Table 3. Appendix 2).

2. 2 Praedial larceny is now one of the most pervasive and entrenched crime in business and livelihoods and in at least one member state it exceeds all other types of crimes. By this manner, the extent of the incidences and level of risk from praedial larceny is complicated by the extensive groups of individuals who have developed livelihoods and businesses from stealing agricultural produce of all types either to supplement household food security or to sustain a business activity. In addition it would appear that each group has developed its own distribution chain with its own dynamics of how to carry out the crime undetected, while maintaining a link in the normal processes of legitimate business of domestic food distribution. As a result praedial larceny appears to be the only crime at regional level that consistently trends upwards.

2.3. Praedial larceny is facilitated by a high crime environment, but is driven primarily by demand and supply and the search for best price for inputs to a business. The unique social and business arrangements of the informal fresh food markets where praedial larceny operates partially explains the challenges in targeting and apprehending the perpetrators. On the other hand there is an unknown dimension in praedial larceny in which the relationships are more fittingly described as a set of business operations with inputs into a single organizational structure. Its unique feature is large volumes and timely delivery and a level of determination that does not rule out the use of violence.

2.4. The laws that impact on praedial larceny prevention are complicated and multi-faceted in implementation and can create many challenges even in the situation where there is praedial larceny prevention legislation. There are also many situations where member states do not implement the praedial larceny prevention legislation for enforcement. Moreover even where the legislation is implemented incidences continue to rise including repeat offenders suggesting that thieves are not deterred by the penalties awarded. Bails, delays and postponements common in praedial larceny cases have not helped the situation as all of these together provide added opportunities for praedial larcenists to continue stealing farmers/fishers produce. Reportedly there are times when the entire harvest is eventually taken by the same thief while on bail.

Based on the discussions with the police and the judiciary there are laws outside of the praedial larceny prevention Act which impinges on praedial larceny. These present challenges and opportunities. Many of these laws support the praedial larceny prevention legislation as they too make provisions which can cover praedial larceny. For example Trespass Act or the Unlawful possession Act may be usefully applied in a praedial larceny case where the source of the produce is not identified in a timely manner. However these laws are underutilized due to unfamiliarity of the police with the unique nature of praedial larceny. On the other hand there could be challenges of enforcement when praedial larceny is placed under the Theft Act. Enforcement in praedial larceny and the proposals for further enforcement are already impinging on many other pieces of legislation. In this situation a reasonable conclusion already reached by some of the member states is for the necessary amendments to happen to accommodate all the provisions for praedial larceny under one Act.

2.5 . There are social dimensions to praedial larceny which were evident in the regional trends. The perception of many farmers is that household food insecurity is causing some persons to steal food to satisfy home needs. This observation was fairly consistent across the member states. Farmers also felt that in general the need to satisfy basic household needs was a factor in praedial larceny among households with weak access. Other factors include the involvement of drug addicts in praedial larceny who also steal to satisfy their cravings as their acts can be particularly devastating to small farmers.

2.6 There are many examples of good practices in special institutions and systems for praedial larceny prevention and reduction, but to date there is no one member state with a model that provides all of the capacities necessary to determine the level of risk posed by praedial larceny and to execute a risk management system with desirable results. These practices have however delivered on their respective expected outputs. Properly adopted and interfaced they could together provide all the critical elements for executing a national program for prevention and risk reduction. Central to this model are the praedial larceny units, traceability systems and a shared computerized database for praedial larceny prevention.

2.7. Almost 50% of the member states do not seem to be sufficiently sensitive to the impact of praedial larceny on current agricultural activities and on future productivity. It is also reasonable to conclude that a few member states might not know where to start to tackle the problem and have resigned themselves to dependence on the services provided by the police to reduce crime in general. Information sharing in praedial larceny is limited across the member states and except for the 2005 regional conference in Barbados there was no evidence of information sharing among member states.

2.8. Praedial larceny is multifaceted as well as multi-sectoral and requires that issues be addressed at many levels. Hence in addition to the issues relevant to the law, there are policy

issues related to land tenure and ownership of produce, the impact of drug use among youth in some of the member states on praedial larceny, as well as the weak access in rural populations and the growing link with needs arising from unemployment in urban areas through rural urban linkages.

2.9 Data collection and information systems for praedial larceny prevention planning, monitoring, and evaluation are inadequate. There was only one good example of risk analysis carried; hence there is in general no baseline data on praedial larceny and no documented plans to carry out such analysis, even in the member states where Plans of Actions for Risk Reduction have been prepared. In this regard consideration might have to be given to a phased program starting with selective databases determined by the subsector or commodity type where farmers are mostly affected. In addition there was no evidence in the MOAs of an information system to manage data and generate and share the information as was observed in the NAMDEVCO-NAMIS-TT model. The absence of these national data management and information sharing systems is a failure to create an opportunity at the regional level for regional stakeholders including policy makers and development partners to benefit from the best practices and lessons learnt at the national level.

2.10 Nearly all the member states showed awareness of the importance of knowledge building for sensitization as well as to empower farmers and fishers to build resilience against praedial larceny. However, the communication strategies need to be developed in all but one of the member state. In this regard it was noted that there was no role identified for neither the national and regional farmers and fishers organizations nor the primary school systems, in public awareness and public education or in sensitization for praedial larceny prevention.

2.11 Praedial larceny is well placed within disaster risk management in the Jagdeo and in the ASSC/TMAC. However there was no evidence of partnerships or linkages neither to the other Jagdeo constraints at the member states level nor to the disaster risk management programs of the NEMOs. For example there was no evidence of a link between the programs to address deficiencies in land tenure practices, marketing, and water management. These are three areas that impact praedial larceny prevention in terms of proof of ownership of produce, regularization in the domestic food distribution chains and domestic food supply. The FAO/UN is the lead technical organization in the ASSC/TMAC and the Jagdeo for the constraint on land and water issues. In this regard the FAO may serve a good purpose as the starting point for the ASSC/TMAC to begin the discussions on collaboration.

2.12 The role of the higgler/ huskter trade in praedial larceny emerged as an issue in praedial larceny. However the contribution of the higgler/huskter to internal and intra-regional movement of fresh produce in the region must not be undervalued. In the delivery of the praedial larceny program higgler/huskter can be facilitated to continue to carry out their important role in food distribution and to sustain their livelihoods with transparency. This is achievable by facilitating better recognition by imposing accountability of higgler and huskter through proper registration in the praedial larceny traceability chain.

13. Sustainability of praedial larceny programs will be an issue if not addressed. Most of the Special Units are under special funding arrangement. Member states report that the police are called away at peak periods such as festivals, which are also peak periods for praedial larceny. In at least one member state the farmers have reported good successes in farmer watch programs but that it is becoming burdensome. It is unreasonable to expect long term sustainability if farmers are expected to plant by day and watch the produce at nights.

15. Achieving tolerable levels of praedial larceny over the long term is highly probable but it will require commitment and the will to execute a focused and systematic program that also takes into consideration the likely impact of the disruptions in traditional livelihood chains based on praedial larceny and the social and economic measures that need to be put in place to provide alternatives and options.

14. The coordinating role and the framework for action that CDM brings to praedial larceny prevention and risk reduction is critical to the success of the programs being developed and implemented in the member states. As already indicated the influence of CDM needs to be more actively played out at the level of the member states between the NEMOs and the Ministries of Agriculture. Consideration needs to be given as to how to move the functions provided at the level of the regional ASSC/TMAC to a national level task force or within the National Praedial larceny Prevention Committee. On this note it is clear that there are some issues of governance for praedial larceny prevention at the national level which will need to be discussed and agreed upon with guidance from the ASSC/TMAC.

3. Recommendations

3.1 Introduction

The conclusions of the analysis of the state of praedial larceny in member states of CARICOM are clear indicators that a set of recommendations to prevent and reduce the associated risks need to be implemented with urgency. It is imperative that these measures be realized over the short to medium term, and are executed in a manner that will contribute to sustained tolerable levels of praedial larceny over the longer term.

For this to happen praedial larceny must be recognized under law for the serious crime that it has become in nature and in magnitude. Priority must be given to tighter measures of enforcement and appropriateness of the penalties handed out by the Court. In addition the Court system must be significantly improved in its capacity to manage praedial larceny offences in a timely manner.

The recommendations focus on short and medium term measures to prevent and reduce risk. However important longer term measures necessary for sustainability are given consideration.

Recommendation 1.

It is recommended that urgent steps be taken to strengthen the national legislative frameworks to support the work of the Police and the Judiciary for the prevention and reduction of praedial larceny. This recommendation is in three parts as follows:

1.1 Amendment of praedial larceny legislation for enforcement and stiffer penalties

The first part would be to focus on the necessary reviews to enact provisions for stiffer penalties as well as to deal with the backlog of praedial larceny cases now before the Resident Magistrate's Courts. In the case of the stiffer penalties many member states have already started the process. All the member states need to work with the respective Justice Ministry towards the necessary amendment to the different pieces of legislation. In order to address the backlog it is recommended that the Resident Magistrate's Court Act be amended for the specific purpose of extending the powers of the Resident Magistrates to move some of the backlog of cases into the High Court without going through the Preliminary Investigation. An Act to amend the Justice of the Peace Jurisdiction Act in order to allow the Resident

Magistrates to also pass some of the petty cases to the Justice of the Peace hearings is also recommended.

In the longer term member states should examine the benefits of bringing under one Act all the provisions from the different pieces of legislation that impinge praedial larceny in order to strengthen enforcement. The list of Acts is wide ranging. It is therefore recommended that the considerations include the Sale of Agriculture Produce Act, the Larceny Act, the Theft Act, Transport Act, Animal Disease Act, Fisheries Industry Act, Trespass Act, the Magistrates Courts Act, Justice of the Peace Act, Evidence Act and the Probation Act. Consideration also needs to be given to enact legislation to address Aquaculture in general and praedial larceny specifically.

1.2 Strengthen effectiveness of traceability systems

The second part of this recommendation calls for member states to establish effective traceability systems.

While the level of sophistication of the system should be decided by the special circumstances of the country, it is recommended that the minimum requirements of an effective traceability system be carefully determined so that the capability satisfies the purpose of the respective system. A good start is the certificate of purchase, farmer registration and vendors' license. The important requirement is that the system accommodates investigation to trace-back the produce in a timely manner, preferably within 48-72 hours which is the maximum time that the alleged offender can be held in jail without a charge. The intention is to avoid the person being sent back into society with the opportunity to continue stealing if he/she is in fact guilty of the offence. There is also the challenge of maintaining the integrity of the produce and its link to its source, over longer periods

1.3 Sensitization of the Police and the Judiciary

The third part of the recommendation is that immediately Sensitization Seminars be conducted in all the member states to apprise the Police and the Judiciary of the cost of praedial larceny to the region and to the respective member state. First priority should be given to the Sensitization of the Judiciary, many of whom seem to have very little knowledge about praedial larceny, beyond the fact that it is a crime. This should be followed by Sensitization of the Police, the Clerk of Courts and the public in general.

The programs should emphasize the risk that praedial larceny poses to continued investment in the sector, to health and to rural livelihoods. They should also promote

successful measures against praedial larceny along with names of persons and businesses that have been convicted of praedial larceny. Sensitization seminars should also present scenarios on praedial larceny to alert the public's awareness of when they may unknowingly be involved in the crime on a regular basis and what actions they could take. In this case the Hotline proposed in some of the countries should be activated.

Recommendation 2

It is recommended that each of the member states prepare a National Results-Based Plan of Action for Praedial Larceny Prevention and Risk Reduction. The Plan of Action should include initiatives to determine the extent and nature of praedial larceny by sub-sector or at the national level. Data collection on praedial larceny information gathering through participatory approaches at community, subsector and national levels should also be included. The plan should adopt an implementation strategy that integrates the objectives and expected results into the reporting and monitoring processes of the National Agriculture Strategy.

Decision making mechanisms for finalization and implementation monitoring of the Plan of Action would include the appointment of a National Praedial Larceny Coordinator supported by a multi-sectoral advisory body that embraces crime prevention, the NEMOs, Chairs of Praedial Larceny Prevention Committees and Sub- Committees as appropriate, but with emphasis on review of legislation, traceability systems, the critical TMACs, public awareness and sensitization and security systems.

Recommendation 3

It is recommended that friendly and practical data collection and monitoring tools be developed for risk analysis i.e. baseline for extent, nature and magnitude of praedial larceny and to establish a frame work to facilitate monitoring of the state of praedial larceny over the long term, with evaluations at least every two years.

A good example of a risk analysis model for praedial larceny is that used by Trinidad and Tobago based on mapping hotspots and collection of research data on incidences, frequencies, magnitude of loss by farmers and by produce type. Linked to this would be the predisposing physical or social factors. The work developed in Trinidad and Tobago is described in Appendix 1. This model is capable of providing good baseline data for monitoring and evaluation of the state of praedial larceny over the long term. Consideration should be given to Local Committees established to do the continuous data collection and local monitoring of

praedial larceny activities in the respective locality. The data sets will be determined by the respective member states. To ensure integration into the agriculture planning system and particularly the link with the agriculture extension program, the data should be entered into the GIS database in the Ministries.

A recommended approach for data collection is to introduce the new methodology adopted by FAO for the conduct of the agriculture census, into the risk analysis model used by Trinidad and Tobago as this will facilitate monitoring and evaluation system that accommodates selected aspects of praedial larceny, when this is desirable. Antigua and Barbuda, Saint Lucia, Barbados and Suriname are four of the countries that are familiar with the methodology.

Another important monitoring and evaluation tool recommended is the adoption and development of the proposal emerging from the 2008 National Stakeholders Consultation on Praedial Larceny Prevention held in Trinidad and Tobago for an Annual Report of Praedial Larceny and Measures of Prevention is prepared. The details of the content of this Report need to be worked out. First and foremost the Annual Report must provide information on progress in risk reduction from praedial larceny. In this regard the two tools are complementary and should both be adopted for the evaluation and review process

Recommendation 4

It is recommended that Community Strategy in praedial larceny prevention and risk reduction be examined and evaluated and documented for its adoption in all the member states. The areas recommended for examination include the determination of a mechanism to identify the best set of actions to manage prevention and risk reduction at the local level. This will require close collaboration between the communities, the Ministry and the Police including considerations for the signing of a Memorandum of Understanding (MOU) on roles and responsibilities. Public awareness and education sessions, discussions on physical measures of prevention, responsible information sharing and vulnerabilities in praedial larceny, and community policing among others should be part of the considerations. Countries and communities will also decide on the role of a cooperative approach and what would be the value-added of this approach.

Recommendation 5

It is recommended that the Receipt Book System be reviewed in all the member states in which they are in use, and that a system which allows the farmer registration ID to follow the

produce to the point of consumer purchase be instituted. For example the Farmer Registration Number on the documentation of the Vendor must be transferred to the transaction document of the exporter or greengrocer or restaurateur. Street food people and operators of corner shop restaurants who purchase agriculture produce above a prescribed limit must also be able to show evidence of purchase from a farmer or vendor. The farmer registration number must be a prerequisite for legitimacy of any transaction. It is therefore recommended that vendors be brought under the Receipt Book System and so should the higglers/husksters and middlemen. The System will either have to be renamed or be expanded. Consideration will have to be given on how to treat vendors who sell imported fresh produce in the village markets.

Recommendation 6.

It is recommended that each member state establish infrastructure for information management based on computerized data base to manage the risks associated with praedial larceny.

Primarily, consideration should be given to where these data bases will be housed, who will manage them, where the data entry points should be located, how the data will be collected and who will share in the use of the database. There will be a need to decide on what information should be made public and what information will remain confidential as part of the intelligence gathering mechanism of the Police as well as the privacy of the farmer/fisher. Another consideration will be whether to establish one master database or separate databases for the three subsectors. If the latter were to be agreed to an advantage might be that the technical officers could bring their respective competences to the development of the databases.

Recommendation 7.

It is recommended that an agreement be reached in the ASSC/TMAC for the collection and evaluation of information and documented practices in praedial larceny generated at the level of member states to be shared at the regional level.

An agreement should be reached between the ASSC/TMAC and the Government of Jamaica and the Ministry of Agriculture and Fisheries in Jamaica for the management of the information and the posting on its website. The due diligence on quality of the information will be the responsibility of the country submitting the information for posting. In order to facilitate

further interactions among the countries, consideration should be given either to country specific links or to a chat room.

Recommendation 8

It is recommended that strategic partnerships be established to design and implement options and alternatives for livelihoods and house hold food security among vulnerable populations that have found themselves entrenched in praedial larceny. There are concerns among farmers that this group be treated with leniency and a developmental approach in matters of praedial larceny. The leadership should rest with the Ministry of Agriculture, however resourcing of the mechanisms and the actions for transformation within these weak households should incorporate shared resources from among all the partners involved in the development of rural communities.

Recommendation 9.

It is recommended that strategic programs be put in place to build farmer and fisher capacity for effective participation in the praedial larceny prevention systems. In this regard a significant and well crafted role should be determined for CaFAN and for CFNO.

The recommendation embraces considerations to build resilience to reduce vulnerabilities to praedial larceny including the organization into producer and marketing organizations and their networking, increased participation in traceability systems, modernization of farm management systems including security systems and record keeping, and the promotion of successful practices in praedial larceny prevention.

Recommendation 10.

It is recommended that communication strategies and packages be developed at the level at each member state to promote praedial larceny prevention through public awareness and public education. All the mechanisms already in use at national level should be examined; hot lines; radio, music, flyers, brochures, plays, electronic and written media, town hall meetings. Furthermore that the agriculture extension system and the Training Division of the Ministry of Agriculture as well as the police and representatives of the different sub sectors and major commodity groups be involved in the development of the packages.

Recommendation 11.

It is recommended that the usefulness and sustainability of Special Praedial Larceny Units be evaluated. This also includes the establishment of Special Police Units. The basis for this recommendation is that the longer term resourcing of these Units will have to be addressed in the immediate to short term. This is to ensure the necessary institutional support to secure gains in praedial larceny prevention and risk reduction. Furthermore these gains must be managed in a manner that reinforces their contribution towards the goal of significantly reducing praedial larceny to a level where it is not a bother to farmers and fishers. The level of focus and commitment will require an understanding on firm agreements on the financing of the programs. In this regard considerations must include resource mobilization or a financing mechanism for praedial larceny prevention at national level.

Recommendation 12.

It recommended that in the medium term very careful consideration is given to compensation and incentives for victims of praedial larceny. In this regard policy makers and planners must guard against prevention and risk reduction system in which farmers/fisherfolks profitability is bolstered by incentives and compensation.

Recommendation 13.

It is recommended that consideration be given at the regional level for resource mobilization for praedial larceny prevention. This may be addressed at two levels. Firstly there are the broader strategic partnerships to be address such as how to manage piracy of marine resources and its impact on the livelihoods of fisher folks and the danger it sometimes poses to their lives and equipment. The Bahamas alone is losing an estimated US\$16 million annually to piracy and illegal fishing in its waters. Jamaica and Guyana are also finding it challenging to protect their marine resources from illegal fishing. In this regard the kind of resource mobilization might not necessarily mean financing but an agreement to share in the resources of other mechanisms in the region or internationally that can reduce the risks to the fisher folks. Cross- border business is also now evident in the praedial larceny chain for meats intertwined with other illegal activities. This is another area where it is recommended that the ASSC/TMAC would seek regional support through CARICOM. Secondly the traditional

sources for technical cooperation in areas where a regional approach can be adopted such as models for praedial larceny prevention legislation, risk analysis and information dissemination and communication strategies should be facilitated.

APPENDICES

Appendix 1. –Briefs on the state of praedial larceny in member states

1 Antigua and Barbuda

Introduction

The state of praedial larceny in Antigua and Barbuda is informed by the information gathered from 55 questionnaires to farmers. The sample is small and is not intended to provide statically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances.

Information was also provided through personal meetings and interviews with personnel of the Ministry of Agriculture, Lands, Marine Resources and Agro-industries.

A desk review of documents included the Praedial Larceny Prevention Act (1954) and a brief from the Ministry of Agriculture on praedial larceny in Antigua and Barbuda.

There is no evidence of a structured national program to prevent or reduce the incidence of praedial larceny in Antigua and Barbuda. Actions on praedial larceny prevention in the member state seem to be spearheaded by the Local Chapter of the Caribbean Agribusiness Association (CABA) in consultation with the Ministry of Agriculture and the support of the Inter-American Institute for Cooperation on Agriculture (IICA). Through this collaboration a Praedial Larceny Working Group (PLWG) was established in 2008 as a response to the concerns voiced by farmers on the problems they were facing from theft of their agricultural produce.

The PLWP comprise three sub-committees; Public Awareness, Legal and Policing. A fourth sub-committee an Extension Committee was named but was never activated. Reports are that The Legal Committee has been reviewing the Jamaica and Trinidad and Tobago legislation on Praedial Larceny, with a view to revising the Antigua and Barbuda Praedial Larceny Prevention Act (1954).

2. Extent and nature of praedial larceny

Information provided by the Ministry of Agriculture, Fisheries and Lands estimates a 25% loss to farmers due to praedial larceny. However during the three day mission to Antigua the responses on the extent, frequency and magnitude of praedial larceny varied among Ministry of Agriculture personnel and the Criminal Investigation Department (CID). In general it seems that the loss could be less than 25% but others felt that there was much under reporting. A couple of large scale farmers frequently experience praedial larceny. In the interview with the CID staff there was only one reported case of praedial larceny involving a goat, between January and July of 2010.

The general conclusion was that many incidences of praedial larceny go unreported and that there are frequent incidences of small amounts taken on a consistent basis. Among crop farmers, vegetable farmers and mango farmers are primary targets. In the case of livestock, sheep, and goats and to a lesser extent pigs are the high risk produce. The cumulative effect is considered significant as most of the farmers are small scale operators and even very small loss of a harvest can have important consequences on the welfare of the household. Extension officers did not discuss cases of high quality genetic breeds being stolen and shipped elsewhere and the potential for genetic deterioration of some of the breeds. However the police did report that such acts are taking place.

3. State of legislative framework for praedial larceny prevention

The Praedial Larceny Prevention Act (1954) has not been implemented. While it is considered outdated and in need of review, there are some interesting provisions in the Act which need to be highlighted and re-evaluated in terms of the importance given to the Community Approach in some of the member states.

The Act makes provisions for any area in Antigua and Barbuda to be declared an area for the purposes of The Act, for the constitution of Community Committees. The function of the Community Committees is to assist in securing by all lawful means the suppression and apprehension of praedial thieves including making investigations as they deem necessary in each area.

The powers of the Community Committee are wide ranging and include the power to stimulate public opinion and community action against praedial larceny, to employ persons for patrolling or guarding property in declared areas and for serving summons to witnesses. The Committee also has the power to pay reward for information leading to the detection and conviction of any person guilty of praedial larceny or of receiving the stolen produce or of being an accessory whether before or after the fact to the commission of praedial larceny. Community Committees are to be funded from the general revenue of Antigua and Barbuda to be used for carrying out of all or any other functions and responsibilities under the Act.

Under the Act these Committees have the powers of a judge of the High Court to summon and examine witnesses under oath, including those suspected to have committed or about to commit praedial larceny, or to have received stole produce or about to; or to have conveyed away or to be about to convey away stolen produce or to be in possession of knowledge the disclosure of which would assist in the suppression of praedial larceny. Persons who willfully give false evidence in any proceedings before the Community Committee are guilty of perjury and are liable to be persecuted and punished accordingly. Furthermore all persons summoned before the Committee is bound to obey the summons served as fully in all respects as witnesses are bound to obey subpoenas issued from the High Court. Persons who disobey are liable to a fine of US\$800 or to an imprisonment for 12 months.

The Act also makes provisions for search and entry by the police when there is suspicion of praedial larceny. This covers any house, store, yard or on land or in any vessel. Persons found guilty under any charges under the Act are liable to fines of US\$800.00 and imprisonment of 12 months. The Court may also order that the person be placed under special police supervision for a specified in such order not exceeding one year.

In all the discussions and several meetings with stakeholders along the production-consumer chain in Antigua there was no evidence that the Praedial Larceny Prevention Act was being implemented and ever implemented in the past. However a list of the problems currently being experienced by local producers due to praedial larceny has been prepared for the Legal Committee. Also the comments by the Praedial Larceny Working Group have also been submitted to the Legal Committee. A training module has also been developed but the purpose of the module is unclear.

4. Range of preventative measures used by farmers

Farmers use primarily fencing as a preventative measure, but this is proving not to be a deterrent. They also use bear traps and propose the use of firearms to protect their produce. Respondents claimed that crop and livestock farmers who live close to the holding or on the holding in general have no problem with praedial larceny. It was also reported that the level of risk is lower with crops than it is for livestock as in the case of the former it's usually a partial clean out of the produce, whereas in the latter it is often a complete clean out of the livestock.

Some new measures are being proposed including the creation of well functioning producer and marketing organizations and the necessary networking in order to close out stolen produce from the market. This would reduce the major challenge brought about by farmers who steal from farmers, repeatedly, even if not in large amounts. The tendency however is that in many cases the farmer steals from his/her neighbor who is growing the same crop making it difficult to agree on ownership of the produce when a report is made or when the praedial larcenist takes his produce to the market.

5 Praedial larceny in Fisheries

As typical in the agriculture sector the fisheries sub-sector reported separately on the issues related to praedial larceny in fisheries. The Fisheries Division reported a high level of incidence of praedial larceny. Fisher folks were therefore quite active in the use of various modern technologies such as GPS and the pop up system to conceal the location of fish pots. Fisher folks also avoid setting their fish pots in shallow water. Lobsters appear to be the preferred product. According to the Chief Fisheries Officer, capacity building in the use of GPS especially among the older fisher folk could serve to reduce praedial larceny.

Praedial larcenists have learnt to circumvent some of the measures of protection used. As a result some fisher folks now stay on site until the time to harvest the fish pot. The conclusion is that in many cases fish pots are harvested by colleague fishermen who by various means have learnt the location and time to harvest the fish pots.

Praedial larceny in fisheries is complicated by other illegal fishing activities, other illegal activities on the seas as well as by piracy in the EEZ. There are also many occasions when the police have been called out to a case of illegal fishing, but when examined by the Fisheries Division there is no evidence on the boat of fishing have taken place. Boats are often clean there are no signs of ropes being used to haul alongside the boat and often nets and other fishing gears are not in site. This complicates the policing of praedial larceny and illegal fishing or other activities. Illegal fishing is not considered to be praedial larceny. Hence it seems the emphasis to apprehend persons at sea is not for praedial larceny from fish pots or even fishermen bringing in their catch.

6. Perspectives of the police on praedial larceny

Charges by the sector that the police give less attention to reports of praedial larceny crimes were refuted by the representative of the CID. On the other hand the police indicated that all reports are recorded as for any other crime and that such records are available on request to the Commissioner of the Police. Furthermore, that there are not many reports of praedial larceny and that such reports are primarily theft of jelly coconuts where there is usually disputed ownership. The police believe the real problem is that there are many unreported incidences.

Many challenges exist for the police. These include determination of the value of the produce stolen, and the absence of a system to identify proof of ownership. Both require the timely input of an extension officer and this is not always forthcoming. In this sense enforcement of the law is not always easy, due to the absence of a system to determine proof of ownership. As such dispute of ownership both in crops and livestock is a major issue for the police and often a lengthy matter to resolve. On the other hand, under the law the police must charge the alleged praedial larcenists within 48 hours or otherwise release him or her. The work of the police is further exacerbated by the absence of farm records to assist with enforcement. Proof of ownership of the produce in the situation of family land is very

complicated as it is necessary to determine whether or not the alleged praedial larcenist has a legal or legitimate right to harvest the produce from the land. These lengthy proceedings in order to make the charge can work against the police as together they increase the probability of the release of the alleged perpetrator, who more often or not continues to steal.

Other challenges include the use of photographs in evidence and the cost of preparing a case. While the legislation provides for the taking of photographs of the stolen produce, the court process is generally long and drawn out for praedial larceny cases, as it is for all other types of crimes. Over this period the evidence supported by photographs can change, livestock in particular may look different. Then there is the requirement of the police to keep the animals fed if there is disputed ownership and the responsibility of compensation should the animal die (or stolen again) while in the care of the police. The cost of preparing a case is also an issue. For example the preparation of a case for the theft of one breadfruit can be a lengthy procedure and relatively costly. However the police are mandated to deal with all crimes regardless of the value of the asset stolen.

The police also gave its perspectives on concerns that the Court system was less than responsive to the efforts to reduce praedial larceny in the member state. The backlog of praedial larceny cases and the number of times the farmer may have to attend the Court are the issues. Also of concern is the granting of bail to persons charged with praedial larceny. The police explained this is all are part of how the system works and is not aimed at praedial larceny. In the case of bail, the Resident Magistrates Court is guided by the law. Hence while the Court is aware that granting bail to praedial larcenists provides the opportunity for him/her to return to stealing the entire crop in some cases, the law has to be upheld. The police do recommend against bail from time to time especially in the case of a repeated offender but it is up to the magistrate to make such a determination.

Some recommends from the police include simple measures such as farmer watch groups during the known peaks for praedial larceny, and the use of flood lights, and considerations for the creation of employment opportunities and livelihoods options in rural areas. The police further indicated that a Special Police Unit for Antigua and Barbuda was not considered necessary or sustainable by the CID. On the other hand the police would be well supported by the establishment of a traceability system that could facilitate enforcement.

Recommendations resulting from discussions

The recommendations below reflect the final discussions with the extension system on suggested areas to be given attention for risk reduction and prevention:

- a) The establishment of a national information system that enables traceability and enforcement when there is an incident. This would be achieved through a Central Data Facility supported by input from data entry terminals across Antigua and Barbuda and linking the police with the extension system. Requirements would include access to laptops, standardized forms for data collection and the necessary training of farmers/fishers and extension officers who

participate in the data collection system to address praedial larceny. It was also suggested that the national information system should take priority over the proposed regional database for information on praedial larceny.

b) In respect of praedial larceny prevention legislation, the private sector –lead CABA Praedial Larceny Working Group is already involved in a process to review the praedial larceny laws of Jamaica and Trinidad and Tobago to determine their respective usefulness in drafting process to amend the Praedial Larceny Prevention Act (1954). The Ministry of Agriculture and the Chief Parliamentary Counsel should provide the leadership in this process. Consideration should be given to the role of the 2008 Praedial Larceny Working Group and the three Sub-Committees. The amended legislation should make provisions for mandatory farmer registration, the licensing of vendors of agriculture produce, livestock and fish, vehicles conveying these same produce above a prescribed limit and a Receipt Book System. Stiffer penalties for praedial larceny offences must be a critical consideration and determined with the single purpose of providing a deterrent to praedial larceny.

c) Legislation and regulations governing permanent housing on farms/ agricultural lands. This is a direct response to the observation in Antigua and Barbuda and reportedly in other countries for example Saint Lucia and Jamaica, that farmers both large and small have been able to reduce the incidence of praedial larceny by having a permanent or semi permanent presence in some form of housing on the farm. This would require an amendment to the Land Tenure Act to make provisions for the protection of agricultural lands for agriculture and would include agriculture performance stipulations in a lease which if contravened could result in the land being taken away from the leasee. In effect this would be a performance clause to ensure that the leasee is a bona-fide farmer, who continues to function actively as a crop/livestock or fish farmer. Furthermore, that the homestead on the land is not a permanent structure, the meaning of which should be clearly defined in the legislation/regulations. In this manner the legislation would address issues of agricultural land zoning, land tenure, land use policy and a performance clause governing the type of structure which could be placed on leased agricultural land.

d) The role of incentives in order to encourage farmers/fishers to participate in a traceability system was discussed. The situation described confirms that Antigua and Barbuda already has an incentive scheme for its farmers which facilitate access to farm machinery in the case of the large scale farmers. This scheme could be expanded to include agriculture inputs in order to small farmers to participate in the farmer registration, record keeping and the receipt book system in order to facilitate a traceability system.

e) An important element of the traceability system is the training required by farmers and fishers to enable compliance with the requirements of the system, in particular record keeping. In recent years Antigua and Barbuda undertook EUROGAPS trace-back training program for the extension staff. The training modules are still available in the country and could be modified to train farmers and fishers to participate in an effective trace-back system.

f) Farmer watch groups and the contracting of private security firms by cooperatives were proposed. In the case of the latter members of the cooperatives would pay a small fee or a cess towards engaging the security firms. Farmer watch groups would be well organized with a clearly documented plan of operation and membership should be fitted with cell phones as a minimum.

g) Farmer watch groups could be enhanced by the mapping of the praedial larceny hotspots. Currently Antigua and Barbuda is engaged in the mapping of agriculture and farm land and crops and livestock resources. This exercise will be completed in 2012. It is suggested that a data collection system be designed to incorporate praedial larceny data in terms of extent, nature, frequency and magnitude into the mapping exercise. This would provide valuable information on the extent of the risk associated with praedial larceny as well as how best to use and target the resources available. The identification of hotspots and how they are managed is not far removed from the concept of the Community Committees and consideration should be given to the usefulness of retaining the constitution of these Committees in the amended legislation.

Barbados

1. Introduction

The state of praedial larceny in Barbados is informed by the information gathered from 40 questionnaires to farmers. The sample is small and is not intended to provide statically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances.

Information was also provided through personal meetings and interviews with personnel of the Ministry of Agriculture and Rural Development, a Senior member of the Royal Barbados Police Force with a legal background, the Food and Agriculture Organization, a small group of vegetable farmers and a Senior Member of the legal fraternity in Barbados.

A desk review of documents included several pieces of legislation, influencing praedial larceny prevention, newspaper articles on praedial larceny in Barbados, and the Report of the 2005 Regional Conference on Praedial Larceny held in Barbados.

The documents reviewed did not provide any evidence of work carried out in Barbados to determine the extent, nature and magnitude of praedial larceny in the country. Notwithstanding, according to the Barbados Agriculture Society (BAS) (Spore.cta.int/index) *praedial larceny is an obstacle to agriculture*. Against this background the BAS collaborated with the Ministry of Agriculture and Rural Development (MARD) and the FAO Sub-regional Office in Barbados, to host a Regional Conference on Praedial Larceny in 2005. This Conference proposed five strategies to reduce the incidence of praedial larceny. These included:

- a) The provision of greater law enforcements in areas prone to theft which could serve as a deterrent to praedial larcenists
- b) Sensitizing the public to buy only from legitimate sources such as centralized market places.
- c) Ensure that marketers and distributors request a certificate of purchase for agricultural produce or livestock, or that farmers are able to show an identification card when in possession of agricultural produce or livestock.
- d) The promotion of call in services where farmers can report cases of theft which can then be publicized among the general public and relevant authority and
- e) Introduction of the use of photographs of stolen produce or livestock as evidence in the courts.

As a follow-up to the Conference, the use of photographs in the courts was introduced but it is not very clear to what extent this is now a practice. The MARD reports that this is done only on a limited basis and that as a rule of thumb the photographs are not used as evidence in the magistrate's court. Another report received is that the Royal Barbados Police Force (RBPF) now takes photographs and entered as evidence before the court. The same applies to the use of the images of CT cameras which are now used to assist in investigations. There are stipulations such as the need for the alleged praedial larcenist accused and the presumed owner of the produce to be present at the time the photographs are taken. Furthermore the photographs must be taken within 72 hours of the estimated time of the theft. In the case of CT, the cameras must be of appropriate definition so that images are clear and the user of the equipment must prove that the camera was working properly at the time of the incident. At this stage all of the foregoing needs to be reflected in the Evidence Act or the Praedial Larceny Prevention Act.

In respect of the certificate of purchase the Ministry of Agriculture and Rural Development (MARD) reported that the implementation of the Receipt Book System was

passed on to the (BAS). Although the Ministry did print a set of books as this was considered an expensive operation for the BAS and handed over same to the BAS, the program was never implemented.

Another measure prompted by the recommendations of the 2005 Conference include discussions between the (MARD) and the major supermarkets to encourage arrangements to ensure sure that produce bought and sold is legitimate. In this respect farmers or vendors must show their farmer registration cards or vendor's license and the receipt books should be used when doing business with the supermarkets. Consumers in the public markets were also encouraged to ask vendors to show their license from time to time. The perception however is that most persons do not seem to be aware of these promptings or have no reason to care. Also there seem to be no serious attempt by the MARD or the BAS to monitor the use of receipt books, the farmer identification cards or application of vendor's license.

2. Status of praedial larceny prevention legislation

Barbados enacted a Praedial Larceny Act (1994), which makes provisions for two categories of persons who may be suspected of praedial larceny. The first category apply to persons selling agricultural produce or livestock, outside of the public market space and defined in the Market and Slaughter house Act. Such persons should have a certificate of purchase for the agriculture produce or livestock. According to the Act agricultural produce include root crops, plants, grasses, pulses, vegetables, cereals, fruits and fibers and livestock to include any animal commonly reared for the purpose of human consumption and includes milk obtained from any of these animals, poultry (fowl, chicken, turkey, duck, goose or other bird commonly reared for human consumption and the eggs).

The second category of persons identified in the Act are persons in charge of a vehicle or any other means of conveyance of agriculture produce who should be able to show a certificate of purchase or receipt as the case may be, explaining his or her possession of the produce. Where the person in charge is conveying agricultural produce or livestock for several persons, such a person is required to place the produce in such a manner as to preserve the identity of the ownership of the items belonging to each individual. A person in charge of a vehicle who fails to comply is guilty of an offense and is liable on summary conviction to a fine of US\$250, or imprisonment for a term of 6 months. In the situation where the person in charge of the vehicle or means of conveyance is supposedly the owner of the produce this person is required to present a certificate of purchase or receipt as the case may be to a constable upon request. A person who fails to give proof of ownership or lawful possession is a guilty of an offence and is liable on summary conviction to a fine of US\$2500 or to imprisonment for a term of 2 years.

It should be noted that the certificate of purchase is not required of persons operating or selling produce inside of the public markets and as such is less of a praedial larceny prevention tool and perhaps more about regulations governing the space for

marketing of agriculture produce. In this manner stolen produce can be sold in the market with no legal means for detection, thereby providing a major loophole in the apprehension and enforcement of the law.

Further provisions of the Act allow for agricultural produce or livestock to be sold by the Chief Agricultural Officer, or to be disposed of in any other manner, where the agricultural produce or livestock is likely to perish before the trial of the offence. Where the produce is sold the Chief Agricultural Officer must provide the Clerk of the Magistrate's Court with a certificate containing information on the quantity of agricultural produce or livestock received and sold, the amount realized by the sale and the date, the proceeds of the sale less any amount that is applied to satisfy the conduct of the sale. In the case of a sale the court may order that the person who appears to the magistrate to be the owner may be compensated out of and not exceeding the net realized by the sale. Furthermore in the case where the agricultural produce was otherwise disposed of, the Magistrate may order the accused if convicted to pay the informant or complaint such compensation not exceeding the net market value of the produce or livestock. In both cases the order for compensation should not be in excess of US\$2500.

Civil proceedings for damages where the net market value for the agricultural produce or livestock exceed US\$2500 may also be pursued, but any compensation awarded shall be taken into account for the purpose of awarding damages. The Act further states that where the owner of the produce cannot be ascertained, the proceeds of the sale shall be paid into the Consolidated Fund.

The Praedial Larceny Prevention Act carries penalties and imprisonment for persons found guilty of issuing a false certificate of purchase or receipt or of issuing a certificate of purchase or receipt with false information. A Chief Agricultural Officer who issues a certificate with false information is also liable of an offence.

In respect of regulations, the Minister of Agriculture may make regulations under the Act. However to date regulations made relate to the power to prescribe the value or weight of agricultural produce or livestock for which a person may be charged. The list of agricultural produce is extensive with weights ranging from 10 kg. to 25 kg. The value of the livestock varies from US\$25.00 – US\$75. 00 and include the livestock products listed earlier.

3. Status of implementation of the legislation

Most recent discussions on the implementation of the Act were lead by the MARD and the Office of the Chief Parliamentary Counsel in 2010. The discussions indicate that in general the MARD does not actively implement the Praedial Larceny Prevention Act. The records as far back as the year 2000 show no occasion of the Chief Agriculture Officer having ever been presented with produce for sale or for disposal. The regulations made under the Act are limited to the weight and value of agricultural produce and livestock for

which a person may be charged under the Praedial Larceny Prevention Act or the Larceny Act.

The MARD, the Royal Barbados Police Force (RBPF) and the Office of the CPC identify many challenges in administering the Praedial Larceny Prevention Act. For example there is general agreement that the identification of crops, livestock and poultry produced by a particular farmer is difficult to prove as there is little compliance with farmer registration and farm records to support trace-back. The MARD has plans to mandate an animal identification system for cattle, pigs, sheep and goats. It is not clear how this will be achieved. There is also no information as to when mandatory registration will extend to crop farmers and to fisher folks.

A major concern is that many of the farmers and vendors are not aware of the legal requirement for the issuance of certificates of purchase. In fact in general the technical staff of the Ministry seemed to have very little knowledge of the Act and its provisions. Hence despite the fact receipt books were printed by the Ministry and handed over to the BAS for distribution as early as 2004 at no time during this mission conducted in July 2010, did anyone acknowledge the use of the receipt books. Note should be made that the Certificate of Purchase of Agriculture Produce is very complete in the information requested and could be considered for adoption by other countries that plan to introduce such measures.

4. Proposals to amend legislation

Proposals are under way for the amendment of the Praedial Larceny Prevention Act (2004), to make full provisions for enforcement and traceability. The areas to be addressed include the several Acts which also govern the offences under praedial larceny. For example the Praedial Larceny Prevention Act does not refer to the Theft Act. Hence police records related to theft of agricultural produce and livestock are recorded elsewhere under the Theft Act and not under Praedial Larceny Prevention Act. This creates a breakdown in communication on the status of reports and by extension the necessary follow-up actions provided for under the Praedial Larceny Prevention Act may be compromised.

An important concern is that Section 11 of the Praedial Larceny Act which deals with offences, fines and imprisonment, does not reflect what is currently in the Magistrate's Jurisdiction and Procedure Act. This complicates proposals to impose to increase fines and imprisonment for praedial larceny offences, as well as for the increase the maximum compensation paid to a complaint from US\$2500 to US\$5000. The reference to the Theft Act and not the Larceny Act in the legislation as well as the loophole in the Public Market and Slaughterhouse Act cited earlier all need to be reviewed and brought under the Praedial Larceny Prevention Act.

Two other Acts cited for attention in terms of an amendment to the Praedial Larceny Prevention Act are the Evidence Act as it relates to the use of photographs as evidence in court and the Probation and offenders Act as it relates to the discretion on the Court on praedial larceny offences where the person may be placed under house arrest. There is also the matter of mandatory farmer registration, and vehicle registration for conveyance of agricultural produce and livestock, as well as the licensing of all vendors regardless of where they sell their produce.

The 2005 Conference also made suggestions to increase public awareness of praedial larceny. In this regard there are proposals for initiatives to promote the certificate of purchase on the website and to reactivate the production and distribution of the receipt books.

5. Perspective of the Police on praedial larceny

A perspective on the nature of praedial larceny in Barbados was provided through an interview with a Senior Officer of the RBPF. The perception of the Officer who has a legal background is that issues of livelihood, proof of ownership by the producer, compensation as determined by the Magistrate's Court and the absence of farmer/producer empowerment to actively prevent and mitigate acts of thefts from their property present challenges in enforcement of the legislation. Too many weaknesses and complications exist in the chain that provides the evidence for enforcement. Some of these challenges that characterize praedial larceny in Barbados are presented in brief below:

a) Characteristic of praedial larceny in Barbados is the harvesting of fruits that are growing in the wild for livelihood. The fact that these fruits are growing on private land or state land means such harvesting is a crime under the praedial larceny prevention Act as it relates to vending of agricultural as there is no proof of ownership as the producer or of issuance of a certificate of purchase. The situation is even more complicated when the land is owned by Government and when there is no attempt by the owner to fence the property.

b) The practice of *Pick your Own* is another of the challenges to the enforcement of the legislation, since as now implemented there is no way of verifying the weight of produce the vendor or vendor/farmer might have harvested from the plot. While greater vigilance and verification on the part of the farm manager could reduce the problem it has remained a concern in the enforcement of the Act.

c) The persistent refusal of farmers, whether crops or livestock to apply the provision of the legislation for easier detection by issuing certificates of purchase or use of the receipt books. The belief is that farmers/ producers do not want to use the certificate of purchase or the receipt book, as this will provide a source of evidence to be used later to impose

taxes or to remove or reduce incentives or duty free concessions. The root cause is the absence of mandatory farmer registration and records.

d) Backyard farming is an important part of food production in Barbados. Many of these persons do sell some of their produce but they do not register either as a farmer or a vendor. This places an added burden regarding ownership and source of the produce. The suggestion by the Police is backyard farmers or homeowners who also sell a part of the produce should register as a farmer first and then obtain a license to sell. Otherwise proof of ownership becomes time consuming for the police who will have to visit the backyard farm. Poor compliance with the legislation is also common among commercial farmers/producers and presents even greater challenges as these are the food producers who feed the nation.

e) Praedial larceny often go unreported, perhaps because many farmers/producers are not aware of the provisions of the legislation, for compensation in the magistrate's court as well as for civil action to receive full compensation through the civil court. This tendency of farmers not to report acts of praedial larceny creates an environment where many of the thieves believe that they will not be brought before the courts based on their past experiences.

f) Absence of networking and information sharing among farmers. Whereas the perpetrators network in order to carry out acts of praedial larceny, the farmers do not network to bring to the attention of the police or someone in authority where a suspicious situation exists. Farmers also steal from farmers, but in practice the honest farmers do not disclose the habits of suspected persons in their farming communities to the police or some other person in authority. Many praedial larcenists do not change their habits providing an opportunity for the police to follow up on a lead. Simple observations such foot marks are important; marks that provide information on the type of footwear or the absence of footwear and the marks left by the method of harvesting is the kind of information that assists the police in its investigations.

g) The reluctance to make these observations and pass information to the Police thwarts efforts to build intelligence for apprehension and arrest. Praedial larceny prevention is not benefitting from networking among producer and marketing organizations because they are either non-existent or weak. Many of the farmers are not careful or exercise caution with which they share information on the readiness of their harvest and become ready victims to unscrupulous persons pretending to be vendors. Many farmers will not ask for proof of a vendor's license before engaging with a prospective buyer even the customer may be a complete stranger to him and his farming community.

h) In Barbados praedial larceny often happens because farms are not secured. There is no fencing, no lights, and no plan to protect the harvest during vulnerable times. Often farms are left exposed without even the protection provided by the barking of dogs.

i) Information provided by the Officer provided some explanation on the perception that praedial larceny in Barbados is often unreported and also the charge that the Police do not make records of farmers' reports. The situation in Barbados is that there is no reference to the Theft Act in the Praedial Larceny Prevention. As a result theft of agricultural produce and theft of livestock is recorded under the Theft Act and not the Praedial Larceny Prevention Act. For example theft of potatoes from a supermarket and theft of potatoes from a farmer's field are both regarded as theft. On the other hand the Praedial Larceny Prevention Act (1994) makes reference to the Larceny Act and not the Theft Act. What is being proposed is that the Praedial Larceny Prevention Act be amended with the necessary provisions. An important follow-up would be the creation and establishment of a common database on praedial larceny that could be shared by the police and the Ministry Of Agriculture.

Other observations by the RBPF are that contrary to many claims by the public, there is no need for special training for the police to address praedial larceny in Barbados. The main challenge of the police is to identify the source of the produce- its ownership. In many cases this may require more active action on the part of the MARD not now evident. For example the input of an agronomist for actions such, the taking of samples from the field, and to identify and match the characteristics of the stolen produce with the farmer's field is not always timely or forthcoming. This means that the MOA has almost got to have the equivalent of a forensic operation.

The Police also contend that existing penalties are not a deterrent and the imposition of stronger penalties as recommended by the Ministry is necessary. However the Police express concerns that in the absence of implementation of these measures identified above enforcement of the law will continue to be a challenge. Against this background the proposal is that an Agreement be reached perhaps in the form of a Memorandum of Understanding (MOU) signed among the three Parties, the MARD, the RBPF and representatives of the various producer groups; crops/livestock/fisheries. This MOU would describe the role of the role of the Ministry of Agriculture, the role of the RBPF and the role of the farmer/fisher folks. The conclusion of the police is that if the Ministry of Agriculture and the farmer/producer play their part then the police will be able to do their job in the enforcement of the law.

6. Recommendations emerging from the review are that:

- a) The Praedial Larceny Prevention Act should be amended to make full provisions for enforcement and traceability, including the requirement of the vendor's license by all vendors of agriculture produce including backyard farmers who sell.
- b) The Issues related to land tenure and the treatment of agriculture crops *growing in the wild* be addressed,
- c) The practice of Pick your Own be examined in order to support compliance with the issue of Certificate of Purchase or the Receipt Book System;
- d) The proposed plans to promote and encourage the use of the Receipt books be implemented;
- e) Consideration should be given to the MOU among the chief stakeholders;
- f) Strengthening technical arm of the Ministry of Agriculture to support traceability and enforcement;
- g) Networking be encouraged through capacity building;
- h) A common praedial larceny database shared with the police;
- i) Public awareness of the legislation including the provision for compensation and;
- j) Resolve the references to a Certificate of Purchase and the Receipt Book.

Jamaica

1. Introduction

The state of praedial larceny in Jamaica is informed by the information gathered from 140 questionnaires to farmers. The sample is small and is not intended to provide statically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances. These responses were substantiated by responses received from a small group of crop and livestock farmers in Christiana, one of the major farming areas in the country.

Information was also provided through personal meetings and interviews with personnel of the Ministry of Agriculture, Forestry and Fisheries, the Office of the Chief Justice of Jamaica, the Office of the Food and Agriculture Organization, a prominent Security firm involved in praedial larceny prevention, the Christiana Potato Growers Association Cooperative and Belle Tropical's Ltd an agriculture export company.

A desk review of documents included several pieces of legislation, influencing praedial larceny prevention, sections of the Agriculture Development Strategy 2005-2008, a 2008 Study to Determine the Nature and Impact of Praedial Larceny in the Livestock Sector, the Vision 2030 Jamaica Final Draft Agriculture Sector Plan, and the Reports of a 2010 Sensitization Seminar to Train Resident Magistrate in Praedial Larceny Prevention

Collectively all of the above provided information on the extent, nature and vulnerabilities in praedial larceny, and the measures of prevention.

2. Extent, nature and magnitude of praedial larceny

Information on the extent and nature of praedial larceny suggested that this crime impacts all types of food producers, crops, livestock, fish and aquaculture and that the incidence is island wide. The most graphic descriptions were provided from the crops and livestock farmers. A commercial vegetable and fruit farmer can lose up to 50% of the produce in any one year and a small livestock farmer can lose two bulls in one night, while as many as eleven research beef animal was stolen from the Bodles Agriculture Research Station in less than two months. These animals were slaughtered at the fence just outside the property.

Another commercial farmer who lost his whole summer crop of oranges to praedial larceny, on one occasion apprehended a thief with more than 40 rice bags in his field

seventeen of which were already filled with oranges. One greenhouse farmer reports loss of 500 lbs, of sweet peppers in one night while another reports loss in excess of 200 lbs of tomato also in one night. Small scale white potato farmers operating just about a quarter of an acre on a regular basis lose up to 15% of the harvest and on larger farms the loss is 6 tons or 20 bags loss is 20% and higher. Coconut farmers lose as high as 35% of the crop on an annual basis.

The farmers report that the frequency and value of the loss increase with the age of the farmer. Farmers' vulnerability to loss is also increased by the dishonest actions of unscrupulous workers. A receipt falsified by a worker read 70, 000 instead of 70 the discovery of which resulted in a brother of the worker being charged. A better insight on the extent of loss suffered by farmers was provided by the Christiana Potato Growers Association Cooperative which reported that of its 4000 active members all are losing produce as a result of praedial larceny.

Crop farmers report that that the frequency of loss is at least once every two months but that it could be much higher. There is seasonality in the frequency of loss depending on the harvest cycle with frequency close to the end of the cycle as demand grows and prices gets higher. The incidence of praedial larceny then follows the produce to another harvesting region (in crops like white potatoes, planting times vary according to soil type and rainfall pattern and with this harvesting time vary) or to another crop.

The farmers report that while the vulnerability of the loss of produce to praedial larceny is increased by higher demand and price, every type of food that is produced is stolen. The list is long: root crops, vegetables, fruits, yams, pumpkins, white potatoes, string beans, sugarcane, sweet peppers, ackees, jelly coconuts, mangoes and livestock (sheep, goats , donkey, cattle) aquaculture products and the list goes on. Farmers say they no longer report loss to the Police due to the poor response. At this time they are reporting that not more than an estimated 33% of their numbers report praedial larceny.

In this situation many farmers have devised their own methods of countering praedial larceny. Some of these include harvesting the crop before it is fully mature ahead of the praedial larcenists. This applies primarily to crops such as potatoes, yams and in the case of fish the aquaculture ponds. Some have tried night set ups with not much success as the thieves map the field by day and have developed the art of moving quickly with stolen produce as soon as the farmer nods off or leave for his home. Farmers claim that many crop thieves are neighbors or pseudo farmers who are very familiar with the farmers' practices and with the layout of the fields. They steal in small amounts; 20- 30 sugarcanes over a period of a month. While this appears small it translates into a loss of more than J\$3,000 (US\$36.00) and for a small farmer. Additional most small farmers grow more than one crop and the cumulative loss from three or more crops can be devastating. Surprisingly many of the farmers conceded that they do have a level of accommodation for persons who steal to satisfy household food security, but that they have a real problem with *the long bag thieves*.

Despite the above the farmers admit to showing reluctance to participation in the Receipt Book System. The issue seem to be the cost of J\$500.00 for the Receipt Book and the cost of J\$350.00 for the Farmer Registration ID Card a prerequisite for being issued a Receipt Book. Receipt Books are personalized and each page must carry the ID Number of the farmer. Following a discussion and simple demonstration on how the trace-back system works, the farmers did agree that the expenditure for the registration and the receipt book was worthwhile when compared to the potential benefits.

Farmers also expressed the view that efforts to encourage and strengthen farmers organization could serve to build farmer capacity to deal with praedial larceny. They also suggested that there was a level of corruption in the system and that this along with the general crime situation in the country militated against the measures in place to prevent and reduce praedial larceny.

3. Praedial larceny in the fisheries sub-sector

The fisheries sub- sector reported on high levels of praedial larceny. This is particularly so among aquaculture farmers where theft is widespread affecting most of the farmers. The farmers believe that almost everyone who has the intention and the opportunity steals from these ponds.

Praedial larceny is particularly devastating in aquaculture as the fish is submerged and the loss is only discovered at harvest. This means that the owners will continue feeding and providing services on the basis of fishing density unaware that the fish population has been much reduced from theft. Fish from ponds are easily disposed of in the open markets and in the villages. As a result theft happens in small amounts or an entire harvest can be taken. Small amounts are often taken by workers in boots and pockets. Reportedly workers take up to 20 pounds of fish while cleaning the pond under the eyes of a supervisor. In some cases workers may pass on information about readiness of the harvest. Theft is not always the intention of the workers; many times it is just irresponsible talk during socialization. Those who steal in small amounts can take as much as a hundred pounds of fish overtime. Workers also steal feed and this is only discovered at monitoring when it is discovered that the fish is underweight. Often this is sometimes as long as two weeks into the underfeeding and by then the loss could be significant.

The Receipt Book System does not seem to work in the fisheries sector. In addition the Fisheries Industry Act dates back to 1975. Currently the Act is being revised.

However the Act does not make provisions for aquaculture and there is no provision for licensing and registration.

Praedial larceny is very difficult to manage in the marine industry. The fish archipelagic waters are too wide for any one country to police and poaching or praedial larceny can take place anywhere in the waters. Under the legislation fishing vessels must be registered and the person operating the vessel must be licensed to do so. However with fines as low as J\$5,000 (US\$ 56.00) there is really no deterrent for fishers who do not comply or for persons who steal fish. The law mandates that to set a trap the registration number of the boat must be on the trap but this is not observed by most fishers and so policing is very difficult.

In terms of measures of prevention many fish farms use guards and trained dogs but this has proven to be very costly. In addition many of the ponds are not fenced making it easy for anyone with a hook and a line to steal on a regular basis. Marine fishers use the pop up system as described by Antigua and Barbuda but persons have learnt how to circumvent these systems. Marine fishers have the added complication of boats and engine theft which in many cases are associated with other illegal activities at sea.

The Fisheries and Aquaculture Division advises that there is no adequate database on the fishing and aquaculture sub-sector, that there is need for better networking among both types of farmers and that there is need for sensitization among the farmers. Another recommendation is that the Jamaica Aquaculture Organization should be revitalized to assist with some of the measures that need to be undertaken.

Farmers contend that praedial larceny in Jamaica is highly driven by market demand in general but also by a demand in the market for produce being offered at a lower price. According to personnel in the distribution chain, there is a long chain of business persons who rely on the agriculture and food producing sector (restaurants, hotels, traders, exporters). For example there is a restaurant on almost every corner in the Kingston Metropolitan Area. This means that demand is high in many food commodities and so are prices. In this situation buyers are looking for the best prices and some may unknowingly purchase stolen produce because of the price offered. Others have become accomplices and depend on stolen produce to make their business profitable.

Detecting stolen produce is a challenge. The level of organization in praedial larceny is an art to be understood. It was noted that even in the cases where produce is highly regulated in Jamaica e.g. coffee and cotton stolen produce finds its way back into the chain.

The Ministry estimates loss of up to US\$55 million per year and based on 2007 figures an estimated 6% of total gross output of the sector. This does not include loss in future earnings to the farmer when hybrid beef and dairy animals and Nubian and Bora breeds of

goats are stolen and slaughtered. There is also a social impact on the sector that has not been counted. The Ministry of Agriculture reports there is an estimated 228,000 farm families whose livelihoods are linked to agriculture primarily food production. Among those are some 133, 000 farmers registered in the Agri-business Information System data base who provide the competitiveness and productivity in the sector and give it its economic and developmental importance. The numbers given do not include sugarcane, citrus, coffee and banana crop farmers and beef and dairy farmers who are registered with their respective associations.

Based on the foregoing it is difficult to place a dollar value on losses due to praedial larceny. Based on the 2008 Study, the Ministry of Agriculture provides estimates of annual loss to the crop and livestock sector at just under US\$55.0 million. The Beef and Dairy Producers' Association of Jamaica Ltd claims that financial losses from cattle theft alone may have been in the region of US\$667,000 in 2005 and over US\$890,000 in 2006. Also not known is the cost to manage praedial larceny. However the Beef and dairy sector claims the cost of security is high and could run as high as US\$17,000 annually just for infra-red surveillance system, plus other costs such as pit bull dogs and the construction of houses in the middle of the pound/paddock where the workers stay.

The aquaculture farmers also claim that the cost of security is high and impacts their prices. The cost of installing an alarm system in a green house was given earlier. Armed security guards are very expensive. One area of cost not often considered is the protection of evidence such as fish in a case of praedial larceny. One company lamented the cost of refrigeration of fish for more than a year while the court case dragged on.

4. Implementation of action to determine level of risk in the livestock sector

Jamaica's strategy was to gain better understanding on the extent and nature of praedial larceny by first focusing on the livestock subsector. In this respect the conclusions of a 2008 Study to determine the nature of praedial larceny in the livestock subsector was submitted to the National Advisory Committee on Praedial Larceny.

The Study confirmed the high incidence of praedial larceny in the livestock sector and also confirmed that praedial larceny among livestock farmers was being driven by a high demand for the commodity and the availability of a ready, market. Livestock farmers claimed that the praedial larceny system was highly organized and found a measure of accommodation in the general climate of high crime. Also in the blame was the perception of a view of the by the police that praedial larceny is in general a petty theft or an infringement rather than a crime thereby providing opportunities for the theft to continue.

The high level of unreported incidences and the poor recording of cases observed by the crop farmers were also confirmed by the Study. Claims by farmers in the sample showed staggering discrepancy with reported cases. For example based on data produced by the Island Special Constabulary Force (ISCF) a total of 334 animals were stolen across the 13 parishes and the Kingston and St Andrew Metropolitan over the four year period 2004 and 2008. However the same report states that based on interviews with farmers in one parish alone, up to 70 animals were lost in one night due to praedial larceny

The Study identified at least two categories of thieves; the first associated with petty theft and seems to be more common and frequent in the number of incidences, and with significant social implications. The second is associated with commercial level activity with a far lower number of incidences but with high risk to profitability at the farmer level and with the potential for high social and economic costs at the national level. Somewhere in between is a group of thieves who consistently steal to supply small scale vendors of produce such as the higglers.

The study was specific to the livestock sector and confirmed peculiarities such as the loss of genetic breeding stock which have longer term implications for sustainability and competitiveness for the livestock sector. The Study also highlighted the disruption in household livelihood, increased food insecurity and probability of health risks from consumption of food, as often stolen produce has not been properly tested and certified fit to eat.

5. Status of legislative framework

A first step for Jamaica was the amendment of the Agriculture Produce Act (2004) to make provisions for Farmer Registration and a Receipt Book System. Based on the definition provided by the Rural Agriculture Development Authority (RADA), all persons who produce crops, livestock or fish for sale or for personal must be registered. Currently there are 133, 000 farmers in the data base but many farmers who fit the criteria are not registered in the system. These include mostly farmers associated with the Commodity Boards. A farmer registration ID carries information on the name of the farmer, the location of the farm whether or not he/she is a producer as well as a vendor of produce and an expiry date of 10 years. The Receipt Book is personalized and carries the Farmer Registration number. The book of 100 receipts is numbered consecutively and may be used by that registered farmer only. The information is received is that just about 6000 farmers are registered.

A further Amendment of the legislation in 2009 established the Praedial Larceny Prevention Act (2009). This Act makes provisions to support the current measures being put in place to prevent and reduce risk from praedial larceny by placing a greater focus on enforcement and traceability for crops, livestock. Another Act the Animal Disease Act (1973) is also being amended to deal more specifically with a traceability system for animal identification

and traceability. Although the Act makes provisions primarily for risks associated with health hazards, the system foreseen could adequately serve the purpose of a traceability system for praedial larceny prevention.

6. Implementation of legislation

The amendment of the legislation in 2009 paved the way for Jamaica to proceed with the four strategic actions identified in the Vision 2030 Jamaica Final Draft Agriculture Sector Plan. These include (a) the Review and modernization of existing legislation and develop new legislation and regulations to prevent praedial larceny (b) Strengthen National Advisory Committee on Praedial Larceny and implement recommendations over time (c) Develop and implement a Praedial Larceny Action Plan and (d) Establish and expand National Animal Identification System to undertake traceability of meats island wide.

The Action Plan is to be completed in 6 years and the other components of the Strategy in 3 years. The strategy identifies all the stakeholders who should be involved in the process and includes the Ministry of Agriculture, the Ministry of National Security, Farmers Associations, Producer Marketing Organization, the Jamaica Constabulary Force, Island Constabulary Force, Coast Guard, Ministry of Justice and the Ministry of Health and Environment.

The actions initiated to date include the following

- a) The joint appointment by the Ministry of Agriculture and Fisheries and the Ministry of National Security of a Praedial Larceny Prevention Coordinator to manage the implementation of the praedial larceny program, the appointment of Agricultural Wardens and the appointment of a high profile Monitoring Committee comprised of Attorney General, Ministries of National Security and Agriculture and the Police Constabulary.
- b) Proposals for stiffer penalties to include, increasing fines and sentences, instituting a three strike system resulting in longer imprisonment, review of laws and penalties for individuals who accept stolen goods and implementing a mechanism for compensating farmers from fines collected.
- c) Sensitization of the Judiciary and the Police Force in order to engender awareness about the seriousness of praedial larceny and to make sure it is reflected in enforcement and sentencing
- d) Public education and public education to educate the public about laws that govern praedial larceny and to encourage reporting against praedial larceny, and to
- e) Establishment of traceability systems over the medium term.

6.1 Role and functions of the Praedial Larceny Prevention Coordinator

The Praedial Larceny Prevention Coordinator has the responsibility of coordinating the implementation of the PLPP and includes strategic planning of sting operations leading to the prosecution and arrest in collaboration with the Jamaica Constabulary Force. The Coordinator also arranges publicity to present praedial larceny as a deterrent to would be thieves. This Coordinator reports to a Praedial Larceny Monitoring Committee comprising high level representatives from the Ministry of Agriculture and Fisheries, Ministry of National Security, Attorney General's Chambers, Ministry of Health(Public Health Inspectors), Jamaica Agriculture Society, Crime Stop, Jamaica Defense Force (JADF Coast Guard), Jamaica Constabulary Force and Island Constabulary Force and RADA. There are two Sub- Committees providing support and advice a Legislation and Enforcement Sub-Committee and a Traceability Committee. The former has responsibility of reviewing and making recommendations for legal enforcement procedures, amendments and to Acts associated with Praedial Larceny Prevention and increased fines and prison terms for acts of praedial larceny. The latter has responsibility for identifying a traceability system to trace from produce to table.

6.2 The traceability model

The traceability model used by Jamaica makes provisions for executing a system with the participation and compliance by all the players in the producer- consumption fresh produce chain. Properly executed the system requires proof of registration by farmers/fishers, the ownership and use of a receipt book by the producer, the issuance of a receipt to purchaser, retention of a copy and retention of the third copy in the Receipt Book. Each receipt book carries 100 pages and the numbers of the book are recorded in the database against the respective farmer's registration. Monitoring of farms by the members of the Police Constabulary (ISCF) and spot checks of vehicles carrying agriculture produce are also requirements. There is mandatory registration of farmers and fisher, and mandatory registration of all haulage contractors of agricultural livestock and produce. The legislation also gives powers of inspection of abattoirs and other processing areas including restaurants and confiscation of produce deemed to be stolen property.

An Animal Identification and Traceability System is currently being designed and will include rationalization of the number of slaughter houses and abattoirs and HAACP certification. As indicated earlier the objective is traceability to manage the risks associated with health hazards, but the system will have inputs that will serve the praedial larceny prevention program. The Program is presently in the pilot stage and is receiving the support from a German consulting firm which has been engaged to make recommendations on legislation the administration required and the capabilities of the Jamaica Veterinary Services Division to establish and maintain the database and to implement the Program.

The full program will include the licensing of abattoirs, considerations for search and enter, and amendment of the Transport Act to make provisions for the Police to

stop and search vehicles when there is reasonable cause. The Program is also actively investigating the application of DNA fingerprinting to support the identification of animal caracas. This will involve taking a sample of the sliver of the ear at the time the identification tag is inserted for storage at an appropriate Facility in the event there is need to conduct a DNA investigation. A possible Facility would be CARIGEN located on the campus of the University of the West Indies, Mona. In response to a query on cost it would appear that the use of DNA testing would not be beyond the affordability of the Livestock Association.

Based on the information provided the cost for DNA finger printing for one animal is in the region of US\$60.00 and where several animals are involved then the cost can be as low as US\$45.00. The Beef and Dairy Board claim losses of up to 2,500 heads per year or just under US\$1.0 million in 2006. In this situation the cost of DNA fingerprinting for traceability could be a worthwhile investment. The ear tags referred to above send off an alarm at perimeter electronic beams should an attempt be made to move stolen animals outside of the perimeter fence. Not accounted for in these costs are the future earnings and productivity loss to the sector when highly prized breeds are slaughtered, nor the potential cost to the livestock industry and to health, should a real health problem be realized because of the sale of uncertified meat reaching the consumer through the praedial larceny chain.

A major concern is that in the case of livestock the burden of proof rests with the owner in a praedial larceny case. This means that the thief is not normally charged with charged with unlawful possession. For example in at least one case, the police seized the caracas, and monies and released the thieves without a charge on the spot. Eventually the police were forced to release the men and return the loot as the men even though the men were on the farm when they were apprehended. A major concern is that in many cases the police are not aware of the other pieces of legislation under which a praedial larceny thief could be charge. In such a case as this the Trespass Act could have been applied. However this was a good demonstration of the value of the proposed Animal Identification System that also supports traceability.

7. Public awareness and public education

In respect of the public awareness the immediate plan was for a series of Sensitization Seminars for members of the Police Force and the Judiciary. An important first undertaking was Sensitization sessions with the Chief Justice and the Director of Public Prosecution. This was followed up by a Sensitization Seminar for the Judiciary. The Seminar was held in collaboration with the Justice Training Institute. In attendance were the Chief Justice of Jamaica, the Senior Pusine Judge and Judges from the Residents Magistrates Court.

The Chief Justice felt that the Seminar provided new information on the changing nature of praedial larceny from petty thieving of the past to organized crime impacting large volumes of produce. Judges acted out several scenarios with the PLPC which provided them with a better understanding of the seriousness issues relative to praedial larceny; the organized

and often vicious nature of the crime, the threat to sustainability and competitiveness in the sector, the magnitude of the loss to the producers and to the Ministry of Agriculture. There was common agreement that the changed nature of praedial larceny justifies changes in the legislation so that charges and fines and imprisonment will suit the crime. Several laws would come into play in particular the possible Amendment to the Resident Magistrates Act to allow for higher fines and terms of imprisonment in the RM Courts.

The new view of praedial larceny by the Resident Magistrates is expected to make a profound change in the treatment of praedial larceny offences in the Courts. This kind of expectation supports a brief explanation of some of the changes foreseen. Some of these include the following:

(a) Praedial larceny cases were often postponed as they were recorded simply as praedial larceny with no explanation of the circumstances of the particular case. The normal was for praedial larceny cases to be regarded as petty and were often put back by the Courts. Indications are that as of now the Judge will take time to seek the nature of the case from the Clerk of Court before a determination on a postponement

(b) Indications are that the Ministry of Agriculture will have the support of the Chief Justice and Resident Magistrate in any future discussions on the need to revise legislation to make for stiffer penalties in the RM Courts

© A recognition of the Judiciary that while the need for appropriate penalties fitting the crime must be addressed, it will be necessary to propose possible alternatives to praedial larcenists whose circumstances are conditioned by poverty and food insecurity. In such cases the Judge may give suspended sentences with the offender's knowledge that if brought before the Courts again for the same crime of praedial larceny he/she would serve the full term as well as the new sentencing. Other creative alternatives in the type of sentences include for example application of the Community Services Order.

(d) Support for Sensitization Seminars for the Police and the Clerk of Courts. This should begin to change the situation where many police personnel are not aware of the praedial larceny prevention legislation. Many praedial larceny charges were being put in several places, creating challenges while on the other hand the charge of praedial larceny could be placed under another Act to make a better case. For example the Unlawful Possession Act could perhaps be used more frequently. And

(e) Considerations for the role of community approaches such as public education and awareness, using scenarios in television and radio advertisement to portray the seriousness of the crime of praedial larceny. This could include simple situations such as those to deal with the culture and praedial larceny. Teaching people especially in the case of livelihoods and food insecurity to ask for produce such as fruits such as mangoes, ackees and coconuts instead of exposing themselves to the law by entering a property and harvesting the fruit without

permission. The case scenarios acted out also gave the Judges the opportunity to interact with the Praedial Larceny Prevention Coordinator what type of sentences should be given and explain the reason and to discuss among themselves how they would treat the respective scenarios.

The Judiciary cautioned against how far the legislation should be taken in regard to the need for licensing of persons in possession of produce as the safeguards could impact negatively on the mischief that the Program is trying to get rid of. There was also the reminder that the higher the crime rate is the higher the tendency to carry out acts of crime, making it an imperative to establish effective measures that will serve to deter and prevent praedial larceny.

The complex nature of praedial larceny and the impact on so many different pieces of legislation was highlighted resulting in discussions that considerations might have to be given to the establishment of one Act for praedial larceny prevention that would embrace all the provisions in other piecewise of legislation. However at this time priority will be given to the review of legislation to support the stiffer penalties proposed as a deterrent to praedial larceny. Among the first revisions could be to extend the RM Act to give more powers to the Resident Magistrates allowing the Resident Magistrates to deal with the backlog of praedial larceny cases in the Supreme Court. For the same reason there would need to be an Amendment to the Justice of the Peace Jurisdiction Act to pass some of the petty cases to the Justice of the Peace hearings. Subsequent reviews would consider the DNA legislation, the Transport Act, the Animal Diseases Act and the Resident Magistrate Courts Act. All of this has implications for the involvement of the Legal Reform Department.

8. Strengthen support from police –sting operations

The PLPC and the Deputy Commissioner of Police reached an agreement that the 5 Police Area Offices will assume responsibilities for a set number of parishes. The police involvement will include both the JCF and the ISCF. It will involve stop and search of vehicles, responses to calls from farms, investigations and sting operations. The sting operations involve the targeting of praedial larceny hotspots such as ports, abattoirs, meat markets, fish sanctuaries and roads leading to these areas. According to the Ministry of Agriculture, this will be a deliberate effort to use intelligence to identify hot spots for surveillance with the hope of having high profile arrests which will be taped and broadcasted on television. The perception is that this approach could be a deterrent to those who are involved in the highly organized chain especially in the buying and storing of stolen produce, as well as in the case where other farmers and neighbors are committing the offence. In addition farmers who steal from farmers will be flagged in the shared ABIS database to serve as an alert to the police.

9. Challenges to the implementation and enforcement of legislation

9.1 Traceability Systems

Traditionally farmers do not participate in Farmer Registration Program. In 2010 only 31% of the farmers were included in the RADA/ABIS database. Reportedly some of those outside of the system include the large farmers associated with Commodity boards. The reluctance of those farmers to participate in the common database could disable the traceability system. Farmers who are not registered do not receive Receipt Books and cannot therefore issue certificates of purchase, thereby further frustrating the system.

Many farmers who are registered do not participate in the Receipt Book System. There are several reasons given for this ranging from unavailability of the Book to the cost of the book. The payment for the Book is perhaps more a show of discontent that the Books are not free as cost is only J\$350.00 for a book with 100 pages. Interestingly a discussion with a group of farmers with the support of the local FAO Office on the value of the Receipt Book System in the prevention of praedial larceny and possible recovery of stolen produce resulted in a change of heart of all the farmers present. All expressed willingness to follow-up on the efforts to get their Farmer ID Cards (only 6000 have been issued to date) and to get involved in the Receipt Book System. The farmers identified the need for sensitization on the importance of the Receipt Book System.

9.2. The non-participation of higglers in the receipt book system

Farmer/higglers and vendor/higglers are neither under the Receipt Book System nor do they register and reportedly trucks transporting higglers and produce are being stopped and searched by the police. Framers interviewed expressed the view that this is creating a major loophole in the efforts to reduce praedial larceny. It was their experience that the higgler trade is providing an easy vehicle for the disposal of buckets and bags of stolen produce often provided by farmers who steal from farmers.

10. Measures used by farmers and fishers to protect their harvest.

Traditional and new systems of protection of the farms are being practiced by crop, livestock and fisher folks. These include perimeter fencing, and the use of trained dogs and armed security guards. Other farmers sleep near the crop or simply sit up with the harvest during the night. This is very popular with aquaculture farmers though it has proven not to be fool proof. Praedial larcenists have learnt to steal the aquaculture harvest even while the farmer is around. The aquaculture farmer describes situation where workers steal fish by

packing them in their boots and pockets even as they clean the pond under the watchful eyes of a supervisor or owner.

10.1 Electronic systems of protection

A range of electronic alarms systems are being investigated for protection and prevention. Burglar alarm systems that use photo beams and motion detectors are being offered by one of the Security Firms. These have been tested in greenhouse conditions and are working quite well after more than year. The focus has been on greenhouse as in recent times greenhouse farmers have become very vulnerable to praedial larceny firstly because of the high demand and good price for the commodity and secondly because the produce is highly concentrated in a small space. Because motion sensors are used the type of detectors are determined by the type of crop. Photo beams can also be used to create an electronic fence around the Facility, but this has to be done for each greenhouse. Currently the systems are more suitable to those farmers who operate a modernized farm as the costs could run some US\$13,000 for a 60x40 greenhouse. Furthermore the security firm has indicted it would have to be guaranteed a minimum number of farmers for financial viability.

Sirens are also being investigated where phone system and electricity on available on the farm. Backyards have also been a focus where the fear of detection from the noise of panic systems will serve as a deterrent. Jamaica is known for its well managed and highly promoted Backyard garden Programs as a major component of the Food Security Program. However backyard programs are very attractive to crop thieves who are often show no fear of the household may retreat should a panic system be activated.

10.2. Traditional methods of prevention

Currently many farms use flood lights, static guards, dogs including pit bulls, and perimeter fencing. Some farmers build housing on their field where workers live permanently or semi-permanently, while others sleep near their harvest at the time close to maturity. This appears to be most common with aquaculture farming. It is not unusual for fish and crop farmers to use a combination of security measures.

11. Recommendations

The following recommendations are proposed for Jamaica

- a) A priority for Jamaica is the revisit of the Receipt Book System to guarantee accountability under law for all persons in the domestic fresh produce distribution chain.

- b) The establishment of a fully fledged Praedial Larceny Prevention Unit properly staffed and with functional linkages with the other Divisions of the Ministry of Agriculture and as appropriate with the Ministry of National Security.
- c) To ensure the adequate considerations for aquaculture in the legislation and to seek to separate praedial larceny and illegal fishing and piracy or to ensure that praedial larceny gets adequate consideration should a comprehensive approach be adopted.
- d) Determine incentives to encourage farmer and fisher registration.
- e) Conduct a proper assessment of the extent and nature of praedial larceny in order to determine the necessity to use a phased program for efficiency and effectiveness.

Saint Lucia

1. Introduction

The state of praedial larceny in Saint Lucia is informed by the data gathered from 64 questionnaires to farmers. The sample is small and is not intended to provide statistically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances. These responses were substantiated by responses received from three focus groups meetings with a mixture of farmers with the support of the National Praedial larceny Unit and the Statistician from the Ministry of Agriculture.

Information was also provided through personal meetings and interviews with personnel of the Ministry of Agriculture, Forestry and Fisheries, telephone conversation with commercial farmers, senior agriculture personnel and with a member of the Judiciary in Saint Lucia.

A desk review of documents included the Sale of Produce Act and the Reports of the Praedial Larceny Prevention Unit.

2. Extent and nature of praedial larceny

The extent and nature of praedial larceny in Saint Lucia is provided primarily from information provided by the questionnaires distributed among the farming community and from three focus groups meetings held in three districts within the Pilot Program (see later). All respondents agreed that praedial larceny is a risk to agriculture. A wide range of crops (vegetables, fruits, tomato, cabbage, lettuce, dasheen, root-crops) were identified as preferred crops by praedial larcenists while five crops- bananas, hot peppers, sweet potatoes and eggplants were stolen less frequently. Most respondents did not know the value of the crops stolen as only one farmer, a banana farmer keeps records. Annual estimates were given based on heads or roots of plants stolen, and tended to be low, between US\$50- US\$1000.00. However as these are small scale operations the impact on the producer/farmers could be high.

Based on the answers given stolen produce was disposed of by way of the higgler trade, sold in the village markets, sold to meet basic daily needs or directly to satisfy household food security. When one considers the thin line between produce sold in the village market and produce sold to the higgler, the combined proportion is 47.4%. Similarly if the combined amounts disposed of for household food security and being sold to meet daily household needs amounts to 28.9%. Some respondents reiterated that the biggest risk was posed by youth who needed money to pay for drugs (zombies). This group stole to sell to persons who were using them as foot soldiers to carry out the offence. Many of these young people would sell the harvest for a low price as their immediate need was to acquire sufficient funds to pay for the drug use habit.

3. Legislative framework

As indicated earlier there is no praedial larceny prevention legislation in Saint Lucia. The Sale of Agricultural Products Act (2010) provides for the licensing, regulation and control of the trade of agriculture products and for related matters. The Act covers the sale of agriculture production and agriculture products- products derived directly or indirectly from agriculture production. Under the Act the Minister has the power to designate any qualified public officer as a licensing officer. No one may trade in agricultural product without a valid product dealer license. A person who contravenes this requirement is liable to summary conviction to a fine or jail sentence. The information received is that the implementation of the provisions of the Sale of Produce Act has been put on hold by the Ministry of Agriculture.

4. The Praedial Larceny Prevention Unit

The main activities of the Unit include enforcement, surveillance patrols, investigations, and arrest and court activities. At the time of writing two hundred and forty two cases were reported in the pilot community after about 24 months of operation, with 54 arrests. The Unit is also involved in the recruitment and training of Special Police Constables, and the monitoring of Agricultural Wardens and Farmer Watch Groups. The intention is for the eventual ownership of the praedial larceny prevention program by the respective farming communities. In this regard there is no national program; the strategy seems to be to build resilience at community level to manage the risks associated with praedial larceny supported by the necessary legislation. Farmer Watch Groups are very active in the pilot area. The Groups are well organized and follow an Annual Plan of Action developed using a participatory approach with the farmers, the police and the Ministry. The groups have the power to apprehend crop and livestock thieves until the arrival of an arresting officer and are furnished with special "Ties "to assist in the arresting/restraining of offenders.

Other activities of the Unit include the development and establishment of a Joint Police and Ministry of Agriculture database to provide intelligence in praedial larceny prevention. The Unit also negotiates for funding for the licensing of vendors and traders and for registration of farmers to satisfy the Sale of Produce Act.

There is a Steering Committee which meets monthly. The reporting on monthly cases and arrests is quite detailed, covering the number of cases, the areas of the reported cases, the offence, agriculture produce stolen, the defendant and the virtual complaint, investigating officer and the outcome. The Farmer Watch groups are involved in many of these activities which are part of the capacity building for ownership of the program. There are also plans for public education and awareness including the use of Billboards.

5. Perspectives of farmers in the Pilot Area

The Pilot area was selected based on the outcome of a survey to determine the agriculture region with the highest incidence of praedial larceny. These farmers were experiencing serious loss of their produce from theft carried out by zombies (drug addicts) who sold the produce to satisfy their habits. The farmers are of the opinion that this had evolved into a situation where the zombies were being used or were offering their services to steal produce for vendors and other farmers. Due to the fact that the zombies do not put much value on the produce beyond their immediate need to buy drugs, it is alleged that the vendors were making relatively huge profits from produce obtained from this source.

Farmers confirmed that among their experiences is the inability to honour loan payments after a heavy loss in crops, or in the case of the consistent stealing that takes the entire crop. This is exacerbated by the frustration from the high cost of agri

inputs and time invested to bring the crop to harvest and then the crop is stolen. Even more frustrating is that the praedial larcenists places no value on the produce and will take any price offered. In most cases these produce are bought by vendors who sit by the market who then sell for top dollar. In this regard the farmers expressed the desire to see the Sale of Produce Act implemented.

A worrying revelation was that that many farmers are not convinced that they need to keep records as they are quite familiar with yields per acre or the size of the plot and have no difficulty in calculating loss per pound at harvest.

6.0 Participation of farmers in the program

Most of the farmers are very aware of the praedial larceny pilot project. One community agreed that the presence of agricultural wardens and farmer watch groups have served to reduce the incidence of praedial larceny. A few farmers claim they have never lost crops but most say they continue to lose even if it's only smaller amounts. Nearly all the farmers are registered with the Ministry of Agriculture and are also members of a farmer's organization, but it was not clear how membership in an organization enhanced capacity to prevent or reduce praedial larceny. Farmers are primarily crop farmers, but livestock farmers have also had their animals stolen. Farmers are interested in insurance against praedial larceny but most think this should be included in regular farm insurance.

7. Measures used by farmers to prevent and reduce praedial larceny

Focus group meeting with three farming communities in the Pilot Area provided some insight on vulnerabilities in praedial larceny and some of the measures used to farmers to reduce praedial larceny and the impact of praedial larceny on their farming communities. In their experience:

- a) Undisrupted access to water for irrigation is an indicator of a productive farm; hence farms with irrigation pumps or which are located close to the river experience frequent and intense visits from praedial larceny, especially during the dry season. These farmers exercise due caution at harvest time.
- b) Farmers who develop a good relationship with neighbors and with their workers reduce the risk to their operations –simple actions like sharing the rejects with neighbors and workers prevent praedial larceny
- c) Farm watch –neighborhood watch –*you watch my farm I watch yours*

- d) Membership in cooperatives is a means of providing a source of funds (cess) to assist with recovery. However farmers expressed the need for training in how to manage the funds in a sustainable manner.
- e) A personal mark on crops like melons has proved to be a deterrent
- f) Sleeping in sheds built in the center of the field during harvest time

- g) Farmers also expressed the need to become involved in discussions to enforce the Trespass Legislation and to encourage the general implementation of legislation to introduce stiffer penalties.

Grenada

1. Introduction:

The state of praedial larceny in Grenada is informed by the information gathered from 65 questionnaires to farmers and fishers. The sample is small and is not intended to provide statically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances. Information was also provided through a brief prepared by the FAO National Correspondent for Grenada.

2. Extent and nature of praedial larceny

There is no documented report on the extent and nature of praedial larceny in Grenada. However based on the information generated by the questionnaires all the farmers reported loss of crops and about 20% reported loss of livestock. Fifty three percent of produce stolen were sold through higglers and in the village markets while thirty two percent is sold for meeting basic household needs including satisfying food security.

3 Praedial Larceny Prevention Program

Grenada has in place several activities to support the development of a national praedial larceny prevention program.

3.1 Status of legislation

The Praedial Larceny Prevention Act (2004) was not available for review. However the brief received indicated that the legislation makes provision for Farmers' Registration Program and the registration of vendors of fresh food. The program is managed by the Ministry of Agriculture. Registered farmers are issued with ID cards (similar to the modern Drivers License ID). Vendors are also issued with a vendor ID card and by law are expected to be able to show his/her ID card to a purchaser in the market place should the purchaser make such a demand. These are the two tools in place to ensure that persons involved in the trade are not involved in stealing or purchasing stolen items. Grenada admits that the system is not fool proof but that it has served to curb the incidence of praedial larceny.

The Ministry has its own machine to generate the cards and there is a dedicated officer who deals exclusively with generating the cards and documenting same. This programme has been in place for some time now but it was only launched officially in 2010. An important point noted in the Grenada program is that the farmers and the Ministry of Agriculture believe that they are receiving the full support of the Courts

3.2 Special Unit for praedial larceny prevention

A Special Unit of the Royal Grenada Police was set up to deal with praedial larceny and to support the legislation. This Unit is providing good support to on-going activities to prevent praedial larceny for some years now but not under a structured approach.

The Police are involved in a very tangible way. For example a program has been developed called the Police Farm Watch where patrols are done regularly to areas of high agricultural activities. The farming community actively participates and farmers in different parts of the island work closely with the officers to carry out Farm Watch activities. However these police can be pulled off during active period such as the carnivals which is also a peak period for praedial larcenists.

Information received from the Ministry of Agriculture is that since the deployment of the Police Squad and the Farm Watch Program there has been improvements in arrests and in the Courts with there being some 86% of cases tried. Over this period the penalty for praedial larceny was increased from a maximum of US\$1,100 fine and imprisonment for 12 months to between US\$1,100 and US \$3,700 and imprisonment up to 24 months.

Guyana

1. Introduction

The state of praedial larceny in Guyana is informed by the information gathered from 55 questionnaires to farmers and a questionnaire completed by the Guyana Agriculture Producers Association (GAPA) representing over 6000 farmers. Information was also provided by the President of the Caribbean Network of Fisher folk Organization (CFNO).

2. Extent and nature of praedial larceny

The information from Guyana is limited to that generated from the questionnaires and supplemented by information provided from CFRM. As is the case for all participating member states this data was processed as part of the regional data and not country specific. In this regard the country specific information is very limited.

Farmers indicated that vegetables in particular beans, fruits, sheep and cattle were the produce most likely to be stolen and in that order. They further indicated that the main vehicle of disposal was the higgler trade and operators in the village markets, where 55% of stolen produce found its way into the distribution chain. Produce to satisfy household needs including household food security account for 35% of produce stolen and of that amount food 26% was for household food security. On average forty percent of incidences in Guyana are reported to the Police.

Praedial larceny is quite common in the marine fisheries sector. Fishers have been attacked on the open seas by armed men. Reportedly the dangers associated with such losses have led many fishers to abandon fishing as a livelihood. In some cases fishers no longer want to fish while in other cases the cost of replacing stolen engines or boats is more than they can afford.

3. Legislative framework

The legislative framework for praedial larceny prevention includes Cattle Stealing Prevention Act with provisions for registration of brands, compulsory branding of certain animals, powers of entry of police on premises where cattle is slaughtered, and powers to stop person driving or conveying cattle on the highway.

Guyana also has an amended Anti-piracy Act to make piracy a non-bail able offence. In support of this Act, reportedly the Coast Guard has also developed an Anti-Piracy Coast

Guard plan and added four more boats to their fleet with the objective of increasing surveillance and patrols thus deterring piracy. The coast guard has also invested in a modern communication system which allows fishermen to remain in contact with the coast guard officials and radio for help in the event of an attack. Radio stations have been set up in two coastal villages and fishers have been asked to purchase and wear GPS wrist watches which will be used to indicate their locations when they radio for help.

Guyana is also planning to use Vessel Monitoring Systems (VMS) which utilizes electronic transmitters to track the location of fishing vessels. The plan is to use smaller transmitters which can be embedded in the vessel and which will go unnoticed by the thieves and pirates

4. Farmer perspectives on praedial larceny

The response of the GAPA represents the outcome of consultation with its membership of 6500 crop farmers and provided through a questionnaire. It is therefore worthy of consideration as a strong reflection of the situation of farmers in Guyana. According to GAPA praedial larceny is a major risk among the membership of the organization resulting in loss of markets, abandoned acreages and change in commodities. The farmers acknowledge the existence of a Praedial Larceny Prevention Program managed by the Ministry of Agriculture but claim little involvement in the activities.

Farmers have instituted their own measures of prevention by setting up Community based policing Groups, but managing these activities have become a burden. The farmers indicated several areas that would prevent and reduce the risk from praedial larceny would include:

- a) Establishment of a traceability system for praedial larceny prevention. In this regard it should be noted that Guyana has a very good farmer/fisher and farm database which could provide the information infrastructure for a traceability system.
- b) Farmer training and empowerment to participate effectively in a traceability system
- c) Insurance and incentives to promote and encourage farmer participation
- d) In light of strong evidence of cross- border movement of stolen produce an emerging role for CaFAN.
- e) Amendment to legislation to allow farmers/ aquaculture farmers to live on their holding.
- f) That role of the Coast Guard in CARICOM should be more evident in the prevention and reduction of praedial larceny in marine fishing.

St. Kitts and Nevis

1. Introduction

The state of praedial larceny in St Kitts and Nevis is informed by the information gathered from 55 questionnaires to farmers and fishers. The sample is small and is not intended to provide statically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances. These responses were substantiated by responses received from a senior staff member in the Ministry of Agriculture through the questionnaire prepared for policymakers. Efforts to access further information through the farmers' organizations in St Kitts and Nevis were unsuccessful.

There is no dedicated praedial larceny prevention programme in St. Kitts and Nevis. Recently the Ministry of Agriculture drafted a praedial larceny prevention Bill which is still receiving comments from within the staff. It is expected that the Draft Bill will be made available to this study in due course.

2. Extent and nature of praedial larceny

Praedial larceny is a risk to crop and livestock farmers, but it is not the major concern. More farmers indicate greater concerns about the risk to their farm operations from the incidence of pests and diseases, lack of access to water for irrigation and access to credit. All farmers admit to experiencing praedial larceny and all crops and livestock are stolen, although most farmers reported that sweet potato and yams are not usually stolen. Vegetables, fruits and herbs are most frequently stolen. The responses also indicate that stolen produce is disposed of primarily through the higgler trade, used to satisfy daily household food and or sold for income to meet basic household needs and in that order. Much of the stolen produce is also sold in the village markets and supermarkets.

The reported value of produce stolen over a period of a year ranged from US\$100 to US\$2,000. This is perhaps reflective of two things, the absence of records, to determine incidences and magnitude of loss and the fact that if the perpetrators are seeking daily needs then the theft is largely small and micro scale operations. At this stage there seem

to be no evidence of organized crime in praedial larceny in St Kitts and Nevis which perhaps explains the claims by respondents that the police are not tough on praedial larcenists.

The above has strong implication for not only laws against praedial larceny but for social considerations –a multi-dimensional approach where rural employment creation through diversification of economic activities and education must be included in the measures against praedial larceny.

3. Recommendations

Praedial larceny appears to be less serious in St Kitts and Nevis hence there is a good opportunity to design a program of prevention and risk reduction that might contain the theft to tolerable levels over the short term.

- a) The enactment of the praedial larceny prevention draft bill.
- b) Undertake action to determine the state of praedial larceny and design an appropriate prevention program
- c) Public awareness and public education to empower farmers and fishers about praedial larceny and encourage their participation in prevention programs.
- d) Sensitize the public about praedial larceny and the potential impact on the agriculture activities in the member state.

Trinidad and Tobago.

1. Introduction:

The state of praedial larceny in Jamaica is informed primarily by two documents received from the Ministry of Agriculture, Lands and Marine Resources (MARD): Report of the Committee Appointed by The Minister of Agriculture, Land and Marine Resources on Praedial Larceny (2008) and Nature and Extent of Praedial Larceny in Tand T- Research Report (2008).

Information was also provided through personal meetings and interviews with personnel of the MARD including the Head of the Praedial larceny Unit and members of his team, the President of the Agriculture Society of Trinidad and Tobago, staff members of IICA and FAO and the CEO and selected staff members of the Agriculture Development Bank of Trinidad and Tobago and the CEO and Senior staff of the National Marketing Development Company (NAMDEVCO-NAMIS-TT).

Other documents reviewed included the Reports of National Consultations on Praedial larceny prevention, newspaper articles on praedial larceny and web-based information on praedial larceny in Trinidad and Tobago, primarily speeches from the Ministry of Agriculture or the outcomes of National Events on praedial larceny prevention, the Vision 2020 Draft Report on Agriculture and the Praedial Larceny Prevention Act (2000).

2. Extent and nature of praedial larceny

The Vision 2020 Draft Report indicated that the establishment of a specialized praedial larceny squad had not served to reduce the high incidence of praedial larceny prevailing throughout the agriculture sector. It further noted that the inadequacies were manifesting themselves at the farm level in direct loss of agricultural produce and income, disincentive to re-invest in agriculture and abandonment of farms and farming enterprises.

Against this background Ministry of Agriculture, Lands and Marine Resources (MALMR) reported that thieves were literally cleaning pineapple or a banana field over a very short period of time. Both the Trinidad and Tobago Agri-business Association (TTABA) and the Agriculture Development Bank (ADB) supported this position and further agreed that praedial larceny is now considered among the structural weaknesses in the member states agriculture. Both institutions are also in agreement, that there is a need for a national assessment of to the cost of praedial larceny to the agriculture sector would be fully justified. An important observation of the ADB is that a major driver of inflation in Trinidad and Tobago is food prices, and that this is influenced by high food imports and other weaknesses in the local food production system that can drive up food prices. In their opinion praedial larceny falls squarely in that category of factors that drive up food prices and is far more threatening as it is not seasonal such as hurricanes, water shortages, or pests and diseases, as it is an everyday occurrence. In this situation farmers have expressed that the risk of losing crops and livestock to praedial larceny was causing farmers to hesitate getting into large scale production.

Trinidad and Tobago adopted a focused and systematic approach to conduct an analysis of the extent and nature of praedial larceny. This analysis was based on research and a participatory approach involving all the stakeholder groups. The process involved a number of steps some of which are captured below:

2.1 Research

The first step was to review the usefulness of the Agriculture Squad established under the Praedial Larceny Prevention Act (2000). The data gathering process which was incorporated in the conduct of the Agriculture Census (2004) also provided good information on the areas where praedial larceny was concentrated in the country. With this information the MARD was able to map the hotspots for praedial larceny and to make an objective selection of in order to conduct a Study on the extent and nature of the praedial larceny. The findings of the 2008 Study titled –*Nature and Extent of Praedial Larceny in T & T- Research Report* are provided in brief below.

Briefly the findings were that praedial larceny is the most frequently cited problem experienced by farmers in Trinidad and Tobago, and that the incidence was much more concentrated in some areas. The Study revealed that a farmer could face the risk of losing his produce as frequently as six times over a six month period. Just over a third of farmers growing a mixture of crops and livestock interviewed were likely to be victims of praedial larceny and the risk was highest for crops than for livestock. Within crops there were preferred types with a preference for fruits and least interest in root crops. Poultry was high on the list of high risk animals followed by small animals and large animals. However the incidence and extent of praedial larceny is highest among vegetable since these are the largest group of farmers.

Vulnerability factors in Trinidad and Tobago were those situations were associated with road frontage to the farm, easy access to the farm and where labor was provided by non-family members. Ease of disposal and geographic location were the other factors that increased the like hood of a risk from praedial larceny.

According to the Study praedial larceny takes place primarily at nights especially in the case of animals. In general the incident goes unreported. Furthermore that the inclination to report was influenced by whether or not the praedial larceny was associated with a high value harvest and whether or not the farmer felt that the response of the police would be welcoming or in any way positive. The Study concluded that regulatory and legislative strategies need to be supported by record keeping, farmer registration and farmer education.

2. 2. Consultative process

A National Stakeholder’s Consultation on Praedial Larceny hosted in 2008 provided further insight on the extent and nature of praedial larceny and the risk to the sector, as perceived by the major subsectors and national agricultural institutions. This participatory approach gave an insight into the concerns of livestock and small ruminant farmers, pig farmers, the Trinidad and Tobago Agri-business Association and the Agriculture Society of Trinidad and Tobago.

The Livestock and Livestock Products Board cited praedial larceny as one of the critical factors affecting livestock production and productivity in the country. The subsector noted the steady decline in local production of beef and veal from 810,000 kg in 2000 to 367,000 in 2006, and the climb in imports from 605,855 kg to 4,127,000 over the same period.

Presumably, a major factor was the reluctance of farmers to invest in the subsector due to the high risk from praedial larceny.

Several weaknesses were identified in the system including the lack of a permanent animal identification system, the prevalence of backyard slaughtering of small livestock and the wide spread acceptance by consumers of uncertified meat. Among the other weaknesses identified were the general lack of enforcement of the laws by the Police, insufficient attention by the Ministry of Health to education on health hazards associated with uncertified meats, the need to modernize abattoir facilities and the lack of provision of adequate numbers of veterinary officers.

Social problems were also identified as important risk factors driving praedial larceny. Among them were problems of unemployment, poverty and lack of respect for the rights of citizens to enjoy their property.

2.2.1. The Recommendations from Stakeholders:

A wide range of conclusions and recommendations emerged from the National Consultation. First and foremost was the need for closer collaboration and the necessary actions among the Ministries of Agriculture, Health, National Security, Consumer Affairs, University of the West Indies, the Farmers Associations and agencies such as NAMDEVCO. Specific to the livestock subsector the conclusions were as follows:

- a) A public education program to increase national awareness about the levels of praedial larceny; educate farmers to use prompt action in the detection and reporting of incidences of praedial larceny. In this regard the assistance of the GIS should be brought on board to carry a structured media programme in the form of documentaries and advertisements that specifically relate to praedial larceny and measures for reduction or eradication.
- b) Promote the praedial larceny prevention legislation and greater effort to implement the legislation.
- c) Branding and tattooing of livestock and the introduction of the Receipt book system and a database on animals stolen or brought to the slaughterhouses
- d) Workshops for farmer empowerment including community discussions involving the Police and other relevant public/private sector agencies.
- e) The introduction of a Praedial Larceny Court for rapid trial and sentencing of offenders, and the publishing of the name of offenders in the media.
- f) An Annual Report on the State of Praedial Larceny and the Measures of Prevention.

The contributions of the other stakeholders on the state of praedial larceny and the measures of prevention were not very different from those of the livestock farmers. Major concerns were on the enforcement of the legislation in a manner that deter or prevent praedial larceny. In this regard the meeting agreed that more needed to be done within the stakeholder community and the policymaking bodies to assist the police to enforce the law. For example the praedial larceny prevention legislation (2000) does not provide for mandatory registration across the entire chain from producer through vendor to outlets. There was need for a common database on farmer and produce, shared by the Police and the then Praedial Larceny Squad. Bar coding and the networking of the National Farmers' Identification System with the marketing and financing would enhance the effectiveness of a traceability system.

In summary all the stakeholders agreed that the risk to agriculture posed by praedial larceny was significant. Furthermore that in order for farmers to be more positive to the level of investment that could food production and ensure or enhance national food security, changes were necessary. The changes propose include measures towards the following:

- a) The introduction of the Praedial Larceny Court, enforcement of the legislation regarding issuance of certificates or memoranda of sale and more dialogue between police and producers.
- b) Amended legislation for heavier fines and imprisonment and zero tolerance to praedial larceny.
- c) Implementation of a 2007-2008 MALMR proposal Special Praedial larceny Unit outside of the Police Service, Staffed by security officers from the MALMAR/Game Wardens and (Activated in 2009).
- d) Animal identification and the legislation regarding backyard slaughtering and the regulations governing abattoirs facilities.
- e) Provisions, incentives, loans to assist farmers to invest in security measures (fencing, perimeter laser beams, surveillance camera systems, flood lighting and means of properly securing livestock).
- f) The establishment of a Special Committee set up by the MALMR to make recommendations to help farmers who suffer severe losses from praedial larceny to crops and livestock.

3. Status of the Praedial Larceny Legislation

The MALMR has reviewed the Praedial Larceny Prevention Act (2000) and proposed amendments to achieve the following:

- a) Rename and reorganize the Praedial Larceny Squad by creating a Praedial Larceny Police Unit outside of the Police Service and staffed with Praedial Larceny Rangers with powers of arrest and the right to bear arms. These Praedial Larceny Rangers to be supported by persons employed as Honorary Agricultural Rangers.
- b) A public communication and education program to alert and inform the public of the effects of praedial larceny
- c) Inter-ministerial cooperation and function sharing between the Forest Division and the Agriculture Sector to assist with the enforcement of monitoring throughout the country and;
- d) Registration of farmers and vendors by the Ministry of Agriculture, Lands and Marine Resources.

4. Implementation of the new proposals to amend legislation

4.1. Special Praedial Larceny Police Unit

The Praedial Larceny Unit and Agriculture Ranger Squads were established in 2009 as a law enforcement body guided by the laws of Trinidad and Tobago. The Facility covers 11 farming communities in County Caroni, mainly livestock, poultry and produce. Discussions with the Unit provided some insight on the perception of the Special Police Unit on the nature of praedial larceny and some of the issues that challenge the work of the police.

- (a) Farmers do not easily cooperate with law enforcement or readily adhere to the legislation. By law the first question of an Agriculture Ranger to an individual in the course of his duty is to present proof that he or she is a farmer. Yet most farmers do not register creating a loophole for anyone to pose as a farmer.
- b) The absence of agricultural land zoning legislation results in farming happening everywhere, some are isolated, behind dumps, various barriers and ravines where their actions may be linked to other illegal activities which do not fall under the Praedial Larceny Prevention Act. Some are squatters, who do not register although they do have the opportunity to register and interesting grows a high % of the food crop and livestock and are therefore important contributors to food production. Persons farming in these challenging environments without a farmer registration complicate the work of the Rangers in the enforcement of the law as registration guides policing and conformity to the law.
- (c) The Trespass Act makes provision for a person to conduct farming business on a piece of land without permission and if the occupation exceeds six months an eviction order must be issued and the matter addressed in the Resident Magistrates' Court. Often this is too tiresome and maybe costly for the owner of the property and no course of action is taken. This makes it fairly easy to farm in such conditions without worry about registration. The reluctance to

register thrives in a general environment where farmers do not register. In fact the Unit was created primarily for agri-business community but even among these farmers there is a reluctance to register.

(d) There is a general reluctance in the society to pass on information to the Police, hence a farmer who is being robbed will call the Unit, while the robbery is taking place but will not pass on information on the license of the vehicle or the description of persons. Often the Police in general will pass on information on the vulnerabilities which exist in a farming community but not many farmers will respond or take the necessary actions to protect their property.

(e) Specific to livestock a primary concern is that cattle and other livestock are too often unprotected and unchained and continue to be easy prey especially to persons who travel in a vehicle. In general farmers do not invest in perimeter protection of the farm and do not make prompt reports. As a result upon arrival the police find that the thief is no longer in the area. Coupled with the lack of animal identification marks and the failure of farmers to carry registration cards, additional difficulties are presented in terms of proof of ownership.

Notwithstanding the above the Ranger Squad has good successes. The Squad works closely with the Extension System of the MALMAR. A regular listing prepared by the Extension Officers for the 11 districts in the Pilot Area provides information on the crops grown and the crop cycle as it relates to the readiness for harvesting and the crop/livestock type as it relates to the level of risk as candidates for praedial larceny. This assists the rangers in planning their daily patrols and readiness of alerts.

The Unit also works very closely with NAMDEVCO which also provides a list of its farmers and those who are likely to have produce or animals ready for harvest. The Unit confers with the extension officer before leaving each morning when they receive information on which farmers are likely to be harvesting, what is being harvested, the variety and type and the soil type. This kind of information is necessary as the Agriculture Rangers has the burden to prove beyond doubt that the produce was stolen.

A strong recommendation of the Unit is for more public education and awareness campaigns on policing, on improving relations between police and community. The Unit also identified the need to address public markets and wholesale under the praedial larceny prevention legislation.

4.2. Stiffer penalties to deter praedial larceny

The actions in the Cabinet proposal for amendments to the Legislation are for better enforcement and stiffer penalties. Among the new proposals for amendment of the legislation is the provision for the Resident Magistrate Courts to award minimum penalties for offence. It also provides for the penalty of a fine and imprisonment instead of an alternative-mostly fine of \$5000 (US\$900.00) and to imprisonment of up to four years. However based on the circumstances the court may choose not to impose the minimum penalty. Furthermore it

provides for the person convicted to enjoy a sentencing option and be placed under house arrest – this extends to notification of change of address and may also specify such a person convicted remain indoors between the hours of sunset and sunrise. Photographs taken within 72 hours of the seizure of the agricultural produce or livestock should also be accepted as evidence in Court. The use of scans from advanced camera systems designed specifically to combat praedial larceny is also be considered as admissible in evidence in the Court. The camera is designed to observe wide areas and is much less expensive than the use of police patrols.

5. Traceability Systems for enforcement

A well developed traceability system used by NAMDEVCO- NAMIS-TT is being considered for adoption at the national level. This system has the capability to include all agricultural producers, processors, caterers, markets and all points of sale of produce and processed foods. In this respect a centralized database with the capacity for real time information is under consideration.

6. Compensation for victims of praedial larceny

The MALMR is also considering the issue of compensation perhaps through a fund, seeds and other inputs and proceeds from fines for victims of praedial larceny.

7. Participation of National Development Partners in praedial larceny prevention

As indicated above the development agencies are on board in the implementation of measures to prevent and reduce praedial larceny.

7.1 Role of NAMIS-TT and its interaction with the Agriculture Rangers

NAMIS-TT was developed to by NAMDEVCO to help stimulate and promote investment in the agriculture sector in Trinidad and Tobago. The intention was to provide real time access to critical information needed by the sector to assist agri-entrepreneurs to make informed timely decisions. However this system has the potential to be adapted to provide information to assist with praedial larceny prevention.

The system provides easily accessible information on current production data and main crops of its registered farmers. It further provides historical trends; daily wholesale prices and production forecast data and cost of production models for main crops. It is first and foremost a quality assurance tool but has the potential to be a powerful tool to incorporate the

elaboration of the earlier findings on the frequency and value of loss by crop and crop type and to function both for traceability as well as for risk assessment. This could open the way to pilot and elaborate a data management and information system to provide information on the value of the produce at the time of loss, the level of risk the farmer faces on the investment over time based on the selection of the crop. It could also determine the allocation of resources for prevention by crop and livestock type particularly in commercial operations. A critical requirement will be compliance of the farmers with registration and record keeping and the maintenance of a shared database.

The system also has accommodation for a crop numbering for all commodities traded to include crop number, farm number using a consecutive number for each farm and crop. Already this is assisting the Agriculture rangers as the receipt provided by an exporter must carry this information. Currently NAMIS-TT has some 78,000 farmers in its system. The system guarantees full confidentiality on the information on each of its clients, not just those who sell in the farmers market and works closely with the Rangers in the 11 farming districts in the pilot area, providing information on hotspots and harvest time.

The main business of NAMDEVCO is marketing and there are some good practices which could be incorporated in a praedial larceny prevention measures. The organization works closely with the Agriculture Rangers who visit the marketing facility regularly to do interview farmers. All farmers who sell in the farmer's market must belong to the farm certificate program. Vendors are not allowed to sell in the market. NAMDEVCO field officers visit certified farmers at least once a month in order to capture production data- this system almost guarantees that the produce being sold belong to the person in possession of the produce.

7.2 Agriculture Development Bank of Trinidad and Tobago

The Agriculture Development Bank (ADB) has also identified a role for itself in the measures to prevent praedial larceny. Currently the Bank is considering the establishment of a loan portfolio to assist farmers to install security systems on their farms. In this regard the ADB is working closely with the MALMR to identify the most effective systems.

The ADB views praedial larceny as a major contributor to inflation through increasingly high food prices and is therefore an influence on its financial viability. This is due to the reluctance of farmers to access finance to invest in agriculture and by extension the impact on expansion and productivity in domestic agri-business. The strategy is to assist with modernization of the farms in the use of the best protection and security systems available

Recommendations

- a) Pursue the amendment of legislation as proposed in the Cabinet Report (2008);
- b) Complete the arrangements to establish a national traceability system for praedial larceny prevention and risk reduction;

- c) Put in place measures to prepare the Annual Report on praedial Larceny Prevention and its dissemination and promotion as the basis for Annual National Consultations on Praedial Larceny Prevention;
- d) Public awareness and public education for farmer fisher empowerment;
- e) Plan and execute a dedicated period for sensitization of the consumers to the impact of praedial larceny; and
- f) Determination of the impact of praedial larceny on the fisheries sub-sector.

St Vincent and the Grenadines

1. Introduction

The state of praedial larceny in St Vincent and the Grenadines is informed by the information gathered from 50 questionnaires to farmers. The sample is small and is not intended to provide statically sound information but to provide an insight on the extent to which a group of farmers in a well attended farmers meeting would have expressed their experiences with praedial larceny in their own circumstances. These responses were supplemented by a questionnaire completed by CaFAN. There were also many discussions with CaFAN which also provided extensive comments on the draft Analysis on the State of Praedial Larceny in the Region

A desk review of documents included the praedial larceny prevention legislation (2009) and the Annual Report of Agriculture 2009 which includes a report on the status of praedial larceny.

The questionnaire for policy makers completed by the Ministry of Agriculture as well as discussions with senior staff of that Ministry formed part of the information gathering.

2. Extent and nature

The 2008 Annual Agricultural Review lists praedial larceny as one of the major constraints to production. The main problem is with the theft of crops and livestock. Based on

the report total fields are harvested in one night and livestock are being removed from underneath houses where they are places for protection from dogs.

Most of the farmers who experience praedial larceny are commercial farmers growing a range of crops and also husbanding sheep, goat and cattle. Most of the farmers believe that the produce stolen is sold in the village markets and a slightly lesser amount to huskters. However almost 30% of respondents indicated the stolen produce was being used for satisfy household food security and to be generate monies to meet other basic house hold needs. Some was also being sold to buy illegal drugs for personal use.

Most of the farmers did not indicate that they kept records and there was no indication of any proactive efforts on the part of farmers to protect their produce from thieves and they are not sure that they have an interest in insurance for praedial larceny. However most farmers felt that there is an important role for farmers' organization in capacity building for praedial larceny prevention. They also expressed the need for the Government to implement legislation to prevent and reduce praedial larceny, to appoint agriculture wardens and to strengthen the extension system as part of the package of support to prevent praedial larceny. .

The Annual Report agrees that farmers' investment remain under threat and that the fear of praedial larceny maybe responsible for the fact that no credit was made to the livestock sector in 2008. In this regard the Ministry is focusing its efforts to develop and implement a program to significantly reduce praedial larceny. This is understandable as the Ministry estimates annual losses to farmers and fishers is in the region of US\$2.3 million in crops, livestock and poultry and fishing equipment.

3. Status of legislation

Following a series of stakeholder's consultation on the state of praedial larceny in the member states a Cabinet Memorandum aimed at providing proposals for praedial larceny prevention legislation was prepared by the Ministry of Agriculture in collaboration with the Office of the Police Commissioner. This conclusion of this process was enactment of an Agricultural Produce and Livestock (prevention of theft) Act passed in February 2007.

The legislation provides for the registration of farmers, traffickers and livestock producers. The sale of agricultural produce must be certified by receipt. There are stiffer penalties proposed for the offence. Under the legislation rural constables now have the power to stop and search vehicles suspected to be conveying stolen agriculture produce and equipment. Full implementation of the legislation is slated for 2010.

4. Recommendations

- a) Undertake an initiative to determine the extent and nature of praedial larceny perhaps using the Trinidad and Tobago approach;
- b) Prepare a National Plan of Action for Praedial Larceny Prevention and Risk Reduction;
- c) Work closely with the farmers' organizations to build capacity of farmers to participate in a traceability system for praedial larceny prevention and to provide better protection for their farms
- d) Sensitize the population on praedial larceny and its negative impact on productivity and livelihoods
- e) Prepare and implement a public education and public awareness program
- f) Pursue the measures to impose stiffer penalties in the RM Courts;
- g) Establish computerized database for praedial larceny prevention; and
- h) Review the programs on-going on the region in order to strengthen the Plan of Action.

Appendix 2.

TABLES

Table 1. % farmers' response to commodity type most frequently stolen in six selected member states

Type of commodity	Guyana	Saint Lucia	St Kitts and Nevis	Grenada	Jamaica	Suriname
Tree crops	2.9	11.3	2.8	3.3	3.5	0
Banana	3.8	1.6	3.8	14.2	7.7	0
Vegetables	14.4	25.8	19.8	20.8	24.5	33.3
Fruits	16.7	14.5	27.4	14.2	6.3	25.0
Root crops	7.7	25.8	1.9	27.5	16.8	12.5
Herbs	0	0	15.1	0	0.7	8.3
Spice	1.0	0	0	1.7	1.4	0
Bees	0	0	0	0	3.5	0
Poultry	9.6	16	1.9	1.7	0	12.5
Fresh water fish	1.9	0	0	1.7	0	0
Shell fish	0	0	0	2.5	11.9	0
Flowers	0	0	0.9	0	0	0
Cattle	12.5	0	0	0	0	0
Sheep	15.4	1.6	0	0	4.2	0
Goats	6.7	1.6	4.7	0.8	0.7	4.2
Pigs	0	3.2	8.5	1.7	8.4	0
Donkeys	0	0	5.7	2.5	1.4	4.2
Food crops	1.0	0	0.9	4.2	0	0
Plantains	7	12.9	0	0	0	0
Rabbits	0	0	0	0	7.7	0
Marine fish	0	0	0	0	0.7	0
Peanuts	0	0	6.6	0	0	0

Table 2. -% respondents answers on disposal of stolen produce by method and by member state -

Member state	Disposal of Stolen Commodities by Method and Member States- % respondents answers								
	Wholesalers	Village market	Higglers/ husksters	Sold to buy daily needs	Home use	Pay school fees	Greengrocers	Supermarkets	Other
Guyana	5.7	22.6	32.1	9.4	26.4	1.9	0	1.9	0
Saint Lucia	3.4	25.4	22.0	15.3	13.6	1.7	3.4	1.7	13.6
St Kitts and Nevis	11.5	11.5	21.9	10.4	15.6	3.1	5.2	13.5	7.3
St Vincent and the Grenadines	9.8	24.4	19.5	14.6	14.6	7.3	2.4	2.4	4.9
Antigua&Barbuda	6.1	33.3	24.2	12.1	12.1	0	3.0	3.0	6.1
Grenada	7.3	22.7	23.6	11.8	19.1	1.8	1.8	7.3	4.5
Jamaica	5.6	11.2	42.7	16.8	15.4	2.8	2.8	2.1	0.7
Barbados	10.0	0	30.0	40.0	10.0	0	0	0	10.0
Belize	10.0	10.0	35.0	10.0	15.0	0	5.0	0	15.0
Dominica	42.1	21.1	5.3	26.3	0	0	0	0	5.3
Suriname	0	14.3	14.3	28.6	42.9	0	0	0	0

Table 3. Agriculture GDP by Member State

Member state	GDP US\$(current)	% agriculture GDP	Agriculture GDP US\$(current prices)
Antigua&Barbuda	1,217,059,259	4	48,682,000
Barbados	3,681,500,000	4	14,726,000
Bahamas	7,233,949,011	0.06	4,000,000
Belize	1,358,700,000	10	135,870,000
Dominica	357,388,889	15	53,608,320
Grenada	637,999,989	7	44,660,000
Guyana	1,155,325,527	31	358,150,900
Haiti	7,204,509,099	n.a.	n.a
Jamaica	14,614,273,088	5	750,613,850
Suriname	3,033,096,756	5%	150,000,000
Saint Lucia	996,436,926	7	69,750,583
St. Kitts&Nevis	543,345,889	3.78	20,538,471
St. Vincent and the Grenadines	597,937,037	10	59,793,703
Trinidad and Tobago	24,145,269,844	0.5	120,500,000
Total Agriculture GDP			1,788,728,830

Source World Bank Indicators 2008

<http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<http://data.worldbank.org/indicator/NV.AGR.TOTAL.ZS>

Personal communication with member states

CDEMA/FAO STUDY

ON

ANALYSIS OF THE STATE OF PRAEDIAL LARCENY IN MEMBER STATES OF CARICOM

INTERVIEWS TO BE ARRANGED WITH KEY PARTNERS IN THE PRAEDIAL LARCENY PREVENTION CHAIN

These interviews will be between half and one hour depending on the willingness of the person being interviewed to remain engaged in the discussions. Six countries are targeted. These include the four countries programmed for missions (Trinidad and Tobago, Jamaica, Barbados, and Antigua and Barbuda) a telephone interview with Grenada National Marketing and Import Board, and face to face meeting in Saint Lucia with persons from the four categories below.

A profile for the format of the interviews is given below:

THE FRESH PRODUCE MARKET

Persons/institutions to be interviewed

CEOs of Marketing Boards

Purchasing Managers of Supermarket Chains

Purchasing Managers in the Hospitality Sector (restaurants, and hotels).

Higglers

The topics will include:

- Level of awareness and knowledge of praedial larceny in the respective country and the CARICOM sub-region
- Riskiness of business arrangements between fresh food suppliers and the market posed by the impact of praedial larceny in the domestic fresh food market.
- Impact of praedial larceny on the choice of commodity
- Impact on the quality of the fresh produce in particularly freshness, and taste (maturity).
- Impact on seasonality of reliability
- Levels of observed vulnerability of the supplier (-small farmers/producers/fishers versus large operators).
- Number of producers/fisherfolks in the chain
- Number of business arrangements discontinued or modified due to praedial larceny , since 2006
- Number of female/male and observations made on the differences experiences with male/female suppliers.
- Value and volume of produce purchased weekly/monthly and peak periods
- Potential for expanding business

- Criteria for expanding business arrangements including consideration influenced by praedial larceny.
- Willingness to actively participate in monitoring system for praedial larceny prevention
- Support for legislation that include receipt book system, entry and search of business, information sharing of the records of the purchaser
- Profiling of dedicated cadre of fresh food suppliers.
- Preference for marketing organizations or centralized marketing vis a vis individual farmer as a safety net against praedial larceny.

POLICE AND JUDICIARY

Persons/institutions to be interviewed

Personnel from Police Unit involved in the praedial larceny prevention programme

A magistrate

Personnel from the AGs Office

Profile of the format of the interview

- Awareness and knowledge of praedial larceny prevention legislation
- Involvement of the police-appreciation for the effect of praedial larceny on the business of agriculture and on livelihoods
- How is praedial larceny treated/ranked among other crimes in the Larceny Legislation (Act).
- How much resource available to the Police and its sufficiency.
- Should there be a special Unit and how should this Unit interface with the Ministry of Agriculture
- How a record on praedial larceny treated is classified, can it be discussed/ released to the MOA for input into the master data base while the case is pending.
- Is there need for special training for personnel in a Special Unit
- Can the police afford the human resources at this time and if not what is the solution.
- How to address the concerns about bail to perpetrators and the opportunities provided to continue acts of theft against the person sometimes through the entire harvest.
- How to address concerns with the number of times the farmer/producer/fisher folk may have to attend court.
- How to address the concern about loss of the produce and income as the evidence has to remain with the police.
- What is the assessed value of produce (crop, livestock, poultry, and fish) confiscated in the last 6 months or on a monthly basis.
- Is there a common data base in the police system that could provide information that maps acts of praedial larceny and the origin of the thief?
- Should there be special courts with summary sentences if found guilty.

3. FINANCIAL AND CREDIT INSTITUTIONS

Persons/institutions to be interviewed

Rural financial institutions (credit unions, NGOs)
Agriculture Credit Banks
Development Banks
Commercial Banks with Agriculture Loan Portfolio

CEOs or Agriculture Loan Officers will be targeted.

The profile of the format of the interview is shown below:

- Awareness of praedial larceny prevention – the legislation, program and impact on farmers /fisherfolks in the country
- The level of risk attached to prevalence of praedial larceny in the country when considering agriculture financing
- Loss of business and bad debts suffered by the institution
- Criteria for lending and where praedial larceny falls
- Commodity preferences in making loans and relevance to praedial larceny including piracy against fishers
- Willingness to provide resources/incentives/ technical assistance to help address praedial larceny especially in the area of risk mitigation.
- Is the loan portfolio sufficiently important to justify such considerations.

Adverse effect of loans to agriculture

CDEMA/FAO STUDY

ON

ANALYSIS OF THE STATE OF PRAEDIAL LARCENY IN

CARICOM MEMBER STATES

QUESTIONNAIRE FOR LEAD POLICY PERSONNEL OR COORDINATOR OF THE NATIONAL
PRAEDIAL LARCENY PREVENTION PROGRAM

Tick all that **Apply** and **Write** on the appropriate line

In the questionnaire producers/farmers mean crop, livestock and poultry farmers. Fishers mean marine fishers and aquaculturists.

1. Country:

2. Government Ministry:

3. Department/Division/Agency:

4. Contact Information: 1. e-mail

2. cell phone

3. work phone:

5. Is praedial larceny posing a serious risk to growth and development of agriculture in your country?

1. Very serious 2. Fairly serious

3. Very little 4. None

6. On a scale of 1-10, with 10 being the highest, please rank how the factors listed below influence the degree of concern you have selected at **Q5** above.

1. Assessed annual losses to fishers and producers (-----).

2. Negative Impact on food security (.....)

3. Loss of livelihoods in rural communities (.....)

4. Numbers /% of farmers/fishers/.aquaculturists affected (.....)
5. Degree of social disruption created in the farming/fishing communities
6. Number of abandoned acreages farming/aquaculture and fishing enterprises since 2006 (.....)
7. Disincentive to investment (.....)
8. Piracy at sea against fishers (.....)

7. Can you provide any estimates of accrued annual loss to fishers/ producers in US \$ and % fishers/producers affected due to praedial larceny of fish or produce and equipment including fishing equipment in the four year period **2006 – 2009** using the list below.

	Annual loss in US\$	Percentage producers/fishers affected
1. crops	US \$	%----- .
2. livestock	US\$.....	%.....
3. marine fish	US\$..... ..	%.....
4. freshwater fish	US \$	%.....
5. poultry	US \$..... ..	%.....
6. Equipment (farming/aquaculture/fishing/boat engines)		
	US\$.....	%.....

8. Tick the number of the instrument (s) that the country has in place to help reduce praedial larceny:

1. Documented policy
2. Documented program/strategic plan
3. Praedial larceny prevention Act
4. Sale of Produce Act
5. Larceny Act that covers praedial larceny
6. Larceny Act that covers piracy against fishers
7. Other relevant legislation (if yes describe)

9. Is any of the above at **Q8** accessible in electronic form?.

1. Yes 1 2 3 4 5 6 7

2. No 1 2 3 4 5 6 7

10. If YES and if convenient please mail copies to sarah.lionel@cdema.org

11. What are the main provisions of the praedial larceny prevention Act (please indicate if there is a provision specific to piracy against

fishers.....
.....
.....
.....
.....

12. Is there a Praedial Larceny Prevention Implementation Institution (Unit, Department, and Agency)?
If your answer is Yes where is it housed?

1. Yes 2. No

Housed?

13. If YES to **Q12** is piracy at sea given attention within this Institution

1. Yes 2. No

14. If Yes to **Q13** are you satisfied that the Unit is adequately staffed?

Yes 2. No

15. Is the staff in the Unit on established posts in the Ministry of Agriculture or from elsewhere in the public sector?

1. Yes 2. No

16. Is there a dedicated budget for the praedial larceny prevention program and do you consider the allocation adequate?

Dedicated budget. 1. Yes 2. No

Adequacy of budget . 1. Yes 2. No

What was the 2009 budget allocation? (optional) US\$.....

7. Would you please state the overall and or specific objectives of the praedial larceny prevention program. Please be specific when piracy against fisheries is included in your response.

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

18. Circle the numbers below that most closely describe the implementation strategy of the praedial larceny prevention program.

- 1. documented implementation plan
- 2. results –based- management
- 3. dedicated personnel on establishment
- 4. dedicated personnel temporary
- 5. well managed centralized/decentralized computerized data management system
- 6. paper based data collection and management system
- 7. program monitoring and evaluation system in place
- 8. intelligence gathering mechanism
- 9. regular program reviews
- 10. accountability to the highest level (Minister/PS)

19. Would you agree that the measures against praedial larceny put in place by the government, have intensified in your country since 2006?

- 1. Yes
- 2. No
- 3. Don t Know

20. Considered on its own would agree that the measures against piracy against fishers at sea have intensified since 2006?

- 1. Yes
- 2. No
- 3. Don't know

21. If you answered yes to **Q 19 and or 20** please briefly describe the actions taken since 2006, starting with the most important?

.....
.....

.....
.....
22. Has the incidence of praedial larceny declined or increased since 2006 and by how much?

1. Declined 2. Increased 3. No Change 4. Don't know

%..... %.....

23. Has the incidence of piracy at sea against fishers increased or declined since 2006 and by how much?

1. Declined 2. Increased 3. No change 4. Don't know

%..... %.....

24. Please state where the praedial larceny prevention data collection server is housed.

.....

25. Please state where the decentralized data entry terminals for data collection system are housed?

26. Please describe how data collected on praedial larceny by associated personnel (police, agricultural wardens, extension, other) gets into the data management system.

27. Is your data management system capable of providing real time information for trace-back?

1. Yes 2. No

28. Based on the information generated to date are there any indication of seasonality in terms of the frequency and the intensity of acts of praedial larceny?

1. Yes 2. No

Frequency

Intensity

29. If the answer to Q28 is YES what time of year is praedial larceny most serious in your country ?

30. Based on the data you have collected to date, please list the commodity (ies) experiencing the greatest threat from praedial larceny within each of the subsectors shown below.

SUBSECTOR	Commodity	Commodity	Commodity	Commodity	Commodity
Marine					
Freshwater					
Livestock					
Crop					
Poultry					

31. The list below covers the commodities selected under the Regional Transformation Programme for Agriculture. Based on data you have collected can you indicate the three most threatened type e.g goat/red beans, in each group **starting with the most risky**.

Small ruminants	Hot Peppers	Sweet potatoes	Cereals	Grain legumes	Fruits	Vegetables	Coconuts

32. If you have established a trace-back system in your country please circle the numbers corresponding to the components listed below that form a part of the system.

1. Farmer registration
2. Fisher registration
3. Farmer identification
4. Record keeping
5. Fisher identification
6. Sales of produce Act
7. Farmer receipt book
8. Entry and search of wholesale/retail establishment and records (supermarket, green grocery, abattoirs, cold storage)
9. Mandatory license of abattoirs
10. Famer registration license plates
11. Stop and search of vehicles carrying fresh produce and fish
12. IDs for stop and search personnel
13. Police/judiciary education/reeducation on praedial larceny
14. Real time access to farmer production and planning records
15. Real time access to marine/freshwater fisher records
16. Praedial larceny prevention data management system incorporated into master database for agricultural producers and fishers.
15. Regular discussion forum for producer/fishers and the marketers/purchasers

33 . Is there a public education and public awareness program to support praedial larceny prevention?

1. Yes 2. No.

34. If yes what is the target group for the public awareness and education programme?

35. Do you believe there should be an incentives program for fishers/producers who take special measures against praedial larceny?

1. Yes 2. No

36 Please write your suggestions as to the forms of incentive in the space below.

37. Do you believe that the Court system fully appreciates the magnitude of praedial larceny and its effect on the victims of praedial larceny?

1. Yes 2. No

38 . If your answer to **Q37** is No. please list some of the changes that you would like to see happen.

39. Do you agree that measures such as fishers’/farmers’ markets, and stronger networking among cooperatives and producer organizations could reduce the incidence of praedial larceny and the ease of disposal of stolen items?

- 1.** Yes **2.** No

40. If Yes to **Q39** do you think there are benefits to capacity building to empower farmers/ fishers to be participate more fully and effectively in praedial larceny prevention?

- 1.** Yes **2.** No

41. Do you agree that there are subsectors or commodities within subsectors that have already met the criteria for insurance eligibility against praedial larceny?

1. Yes 2. No

41. If you answered Yes to **Q41**, please list the subsectors and or the commodities within the subsector (s)

3. Do you believe that effective implementation of agricultural land zoning could contribute to reduced incidence of praedial larceny?.

- 1. Yes
- 2. No
- 3. Not sure

44. Is there a best practice in praedial larceny prevention that you would like to briefly describe below?

COMMENTS/SUGGESTIONS:.....
.....
.....
.....

CDEMA/FAO STUDY

**FARMER/PRODUCER/FISHER/AQUACULTURIST QUESTIONNAIRE FOR ASSESSING
STATE OF PRAEDIAL LARCENY IN CARICOM MEMBER STATES**

Circle the correct response(s) and **Write** on the appropriate line

1. Country _____
2. Parish/District where farm is located/ fishing/aquaculture activity is conducted

3. Community where farm is located/ fishing/aquaculture activity is conducted

4. Name of respondent (optional) _____
5. Gender: 1. Male 2. Female
6. What is your age group? 1. 25 and below 2. 26-40
 3. 41 -55 4. 55 and over
7. What is the size of the area you have under production? _____ acres
8. How long have you been in production?
 1. Less than 1 year 2. 1-5 years 3. 6-10 years
 4. 10 – 20 years 5. Over 20 years

9. Circle one of the numbers below to describe the type of producer you are.

1. Commercial (send most or all to the market)

2. Semi-commercial (send about half to market)

3. Subsistence (produce chiefly for home and family, may sell a small amount to Neighbors sometimes)

10. Have you heard of the term/word PRAEDIAL LARCENY?

1. Yes

2. No

3. Don't know

11. If YES to **Question 10** above what do you understand by the term/word?

12. What type of producer are you?

Crops

1. Yes

2. No

Livestock

1. Yes

2. No

Marine Fish

1. Yes

2. No

Freshwater Fish

1. Yes

2. No

Poultry 1. Yes 2. No

13. Have you ever had your produce stolen? (crops/livestock/fish/poultry)

Crops. 1. Yes 2. No

Livestock. 1. Yes 2. No

Marine Fish 1. Yes 2. No

Freshwater Fish. 1. Yes 2. No

Poultry. 1. Yes 2. No

14. From the same list of produce name the type of food most frequently stolen?

Crops

Livestock _____

Marine Fish _____

Freshwater Fish _____

Poultry _____

15. Based on your own experience name the type of food that is less frequently stolen?

Crops _____

Livestock _____

Marine Fish _____

Freshwater Fish _____

Poultry _____

16. Circle the number below which describes how you think produce stolen from you is used?

1. Sold to large wholesalers

2. Sold in the village/town markets

3. Sold to higglers/husksters

4. Sold to make money to buy daily needs

5. Personal use for food at home.

6. Sold to buy school books and pay fees.

7. Sold to the green grocers

8. Sold to supermarkets

9. Other (specify)

17. Have you had equipment and materials stolen?

Materials (fertilizer, seeds, chemicals) 1.Yes 2. No

Equipment (tools, machinery, fishing gear, etc) 1.Yes 2. No

18. Were the items stored in a shed, locker or some other holding? 1. Yes 2. No

19. Did you record the value of the items stolen? 1. Yes 2. No

20. Did you make an official report to someone? 1. Yes 2. No

21. Who did you report to? 1. Police 2. Extension Officer

3. Other (Specify) _____

22. What would be the \$ value of the produce/material/equipment stolen in the 12 months period?

1. 2007

2. 2008

3. 2009

Produce _____ _____ _____

Materials _____ _____ _____

Equipment _____ _____ _____

23. Is the value calculated based on your records? 1. Yes 2. No

24. If the answer to **Question 23** is **NO** how did you calculate the value?

Produce _____

Material _____

Equipment _____

25. Do you have proof of the value? **1. Yes** **2. No**

26. Was there an opportunity cost to your business due to items stolen and can you describe it?

27. Is praedial larceny the biggest problem to your business? **1. Yes** **2. No**

28. In the Table below praedial larceny has been given a ranking of **7** on a scale of 1-10. How would you rank the other problems listed ?

Problem	1	2	3	4	5	6	7	8	9	10
Praedial larceny							**			
Poor markets										
Low prices										
Drought/lack of water										
Pests and diseases										
Access to credit										

29. Are you currently operating a smaller acreage or changed the commodity or commodities that you produce because of praedial larceny? **1. Yes** **2. No**

30. Would you consider expanding your farm operations should praedial larceny be reduced and by what % would you expand?

	1. Yes %	2. No	3. Don't know
Crops:	_____	_____	_____
Livestock:	_____	_____	_____
Fish:	_____	_____	_____
Poultry:	_____	_____	_____

31. If the answer to any of the options in **Question 30** is yes, then, do you have access to resources (land, money or labour) to expand your operations?

- 1. Yes** **2. No** **3. Don't know**

32. Are you aware of any programs by the Government to help producers fight praedial larceny?

1. Yes 2. No (If **NO** go to Question 35)

33. Circle the number of the government praedial larceny programs you have in your country from the list below.

- | | |
|---|---|
| 1. Dedicated agriculture/fisheries extension officers | 2. Sale of produce receipts/Receipt Books |
| 3. Agricultural wardens | 4. Dedicated police officers |
| 5. Praedial larceny legislation | 6. Farmer registration |
| 7. Produce trader registration | 8. Farmers markets |
| 9. Record keeping | 10. Other (Specify) |

34. From the list at **Question 33** above select the **5** that have benefitted you, starting with the most important one.

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

35. Are you a member of any farmer/producer/fisher/aquaculture organization which has its own program to reduce praedial larceny?

Farmer's Organization. 1. Yes 2. No

Producer's Organization. 1. Yes 2. No

Marketing Organization 1. Yes 2. No

Farmer Cooperative 1. Yes 2. No

Fishers'/Aquaculture Cooperative **1. Yes** **2. No**

Fishers'/Aquaculture Organization **1 Yes** **2. No**

36. Circle the number that describes how long you been participating and write in the % reduction in losses or increase in losses you believe you have experienced.

Months in program	% Level of reduction	% level of increase
1. 6-12 months	_____	_____
2. 13- 24 months	_____	_____
3. More than 24 months	_____	_____

37.If your response to **Question 32** was **NO**, then, Do you have any comments on how any of the programs in **Question 33** could be useful in your country?

38. Do you think farmers/ producers/fishers/aquaculturists should meet regularly (monthly) to discuss measures to reduce praedial larceny?

1. Yes 2. No

39. Would you attend sessions on cooperatives, marketing or producer organizations as a means of forming stronger farmer/fisher/aquaculture groupings/alliances and networks to protect your produce?

1. Yes 2. No

40. Would you be willing to give information on praedial larcenists, buyers or transporters?.

1. Yes 2. No 3. Don't know

41. Do you think that you should be rewarded for giving information on praedial larceny?

1. Yes 2. No 3. Don't know

42. Is the frequency or the value of your loss sufficient for you to consider insurance against praedial larceny?

1. Yes 2. No 3. Don't know

43. Do you think that this insurance should be a part of regular disaster insurance for producers?

1. Yes 2. No 3. Don't know

44. Are you registered with the Ministry of Agriculture/Fisheries Division as a /farmer/producer/fisher/aquaculturist?

1. Yes 2. No

NOTE: In the case of fishers, if you have been a victim of piracy, this can be recorded under Comments/Remarks, along with information on the number of incidences, general location, catch and materials/equipment lost and their value.

COMMENTS/REMARKS _____

CDEMA/FAO STUDY

**ANALYSIS OF THE STATE OF PRAEDIAL LARCENY IN THE MEMBER STATES
OF CARICOM**

**A QUESTIONNAIRE FOR CEOs OF FRESH FOOD PRODUCER ORGANIZATIONS
(INCLUDING FISHERFOLKS)**

This questionnaire is designed for use by Chief Executive Officers of commodity, national, and regional fresh food producer organizations (crop, livestock, marine fish, aquaculture, and poultry). Please respond as appropriate to your specific organization.

PLEASE **TICK/CIRCLE** ALL THAT APPLY AND **WRITE** ON THE APPROPRIATE LINE.

COUNTRY:

1. NAME OF ORGANIZATION:

2. TYPE OF ORGANIZATION: 1. LIVESTOCK

2. CROP.

3. MARINE FISH

4. AQUACULTURE 5. POULTRY

3. COMMODITY/TYPE: (IF APPROPRIATE):

4. NAME OF CEO/PRESIDENT:

5. CONTACT INFORMATION: 1. E-MAIL:

2. CELL PHONE: 3. WORK PHONE:

6. IN WHAT YEAR WAS THE ORGANIZATION STARTED?.....

7. WHAT IS THE MEMBERSHIP?

8. HOW MANY OF THE MEMBERS ARE FEMALE.....MALE.....

9. WHAT IS THE LARGEST AGE GROUP OF YOUR MEMBERSHIP?

18-25 26--- 40 41- 55 OVER 55

10. IS PRAEDIAL LARRCENY A MAJOR RISK/CONCERN AMONG THE MEMBERSHIP OF YOUR ORGANIZATION?

1. YES 2.NO 3. DON'T KNOW

11. FOR MARINE FISHER ORGANIZATION PLEASE INDICATE IF PIRACY AT SEA IS A MAJOR CONCERN/RISK TO MARINE FISHERS.

1. YES 2. NO 3. DON'T KNOW

12. IF YOU ANSWRED YES TO Q10 /Q11 HAS THE MEMBERSHIP OF THE ORGANIZATION EXEPERIENCED ANY OF THE FOLLOWING AS A RESULT OF PRAEDIAL LARCENY:

1. LOSS OF A MARKET 1. YES 2. NO

2. ABANDONED ACREAGES/PONDS/FISHING OPERATIONS/POULTRY OR LIVESTOCK ENTERPRISE?

1. YES 2. NO

3. CHANGED COMMODITY (IES) 1. YES 2.NO

4. CHALLENGES IN REPAYING LOANS: 1. YES 2.NO

5. DECLINE IN MEMBERSHIP: 1. YES 2.NO

13. CAN YOU PLACE A **US\$**VALUE ON THE ANNUAL LOSSES BY THE MEMBERSHIP SINCE 2006.
1. YES 2.NO

IF YOU ANSWERED YES, PLEASE WRITE IN THE AMONUTS BELOW

2006...US\$.....

2007...US\$.....

2008 US\$.....

2009 US\$.....

14. DOES YOUR ORGANIZATION AND ITS MEMBERSHIP ACTIVELY PARTICIPATE IN A GOVERNMENT/MINISTRY OF AGRICULTURE PRAEDIAL LARCENY PREVENTION PROGRAM?

1. YES

2. NO

3. DON'T KNOW

15. IS YOUR ORGANIZATION SATISFIED WITH THE PROGRESS IN THE GOVERNMENT LEAD PRAEDIAL LARCENY PREVENTION PROGRAM IN THE COUNTRY?

1. YES

2. NO

3.HAVE NO KNOWLEDGE

16. ARE YOU SATISFIED THAT THE PROGRAM IS INTERACTING SUFFICIENTLY WELL WITH ALL PRODUCERS/FISHERFOLK ORGANIZATIONS?

1. YES

2. NO

3. DON'T KNOW

17. DO YOU KNOW THE OBJECTIVES OR THE COMPONENTS OF THE PRAEDIAL LARCENY PREVENTION PROGRAMME?

1. YES 2. NO. 3. NOT SURE

18. IF YOU ANSWERED YES TO **Q17**, CAN YOU LIST THE COMPONENTS/OBJECTIVES OF THE PRAEDIAL LARCENY PREVENTION PROGRAM IN THE ORDER IN WHICH YOU CONSIDER THEM MOST USEFUL TO YOUR ORGANIZATION?

1. 2.
3..... 4.....
5. 6.

19. IS THERE AN AREA NOT INCLUDED IN THE PRAEDIAL LARCENY PREVENTION PROGRAM THAT YOU WOULD LIKE TO SEE COVERED?

1. YES 2. NO 3. NOT SURE

IF YES BRIEFLY DESCRIBE IN THE SPACE PROVIDED

20. HAS YOUR ORGANIZATION INITIATED ADDITIONAL MEASURES TO ENHANCE THE BENEFITS TO YOUR MEMBERSHIP FROM THE PRAEDIAL LARCENY PREVENTION PROGRAM OF THE GOVERNMENT/MINISTRY OF AGRICULTURE?

1. YES 2. NO

21. IF YES PLEASE BRIEFLY DESCRIBE THE ACTIONS TAKEN AND THE SOURCE OF THE RESOURCES USED.

.....

22 DO YOU CONSIDER THE COST OF A PRAEDIAL LARCENY PREVENTION PROGRAM TOO MUCH OF A BURDEN FOR YOUR ORGANIZATION?

1. YES 2. NO 3. DONT KNOW

23. BASED ON THE DATA YOU HAVE COLLECTED WITHIN YOUR MEMBERSHIP CAN YOU NAME THE FOUR COMMODITIES THAT FACE THE GREATEST THREAT/RISK FROM PRAEDIAL LARCENY STARTING **WITH THE MOST THREATENED?**

- 1.....
- 2.....
- 3.....
- 4.....

24. DOES YOUR DATA COLLECTION SYSTEM HAS THE CAPACITY TO SERVE AS A DATA ENTRY TERMINAL FOR A NATIONAL OR REGIONAL DATA COLLECTION SYSTEM FOR PRAEDIAL LARCENY PREVENTION? 1. YES
2. NO

25. IF YOUR ANSWER TO Q 24 IS YES PLEASE BRIEFLY DESCRIBE THE SYSTEM AND ITS HUMAN RESOURCE CAPACITY

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26. WHAT ROLE IF ANY DO YOU BELIEVE THAT CARIBBEAN FARMERS NETWORK (CAFAN) SHOULD PLAY IN A REGIONAL DATA COLLECTION AND MANAGEMENT SYSTEM FOR PRAEDIAL LARCENY PREVENTION?

27. WHAT ROLE IF ANY DO YOU BELIEVE CARIBBEAN NETWORK OF FISHERFOLKS ORGANIZATIONS (CFNO) COULD PLAY IN NATIONAL OR REGIONAL DATA COLLECTION AND MANAGEMENT SYSTEM FOR PRAEDIAL LARCENY PREVENTION?

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28. DO YOU FORSEE ADDED BENEFITS TO THE PRODUCER/FISHERFOLK COMMUNITY WERE CAFAN AND CFNO TO BECOME INVOLVED IN NATIONAL OR REGIONAL DATA COLLECTION AND MANAGEMNT?

- 1. YES
- 2.NO

29. IF YOUR ANSWER IS YES PLEASE LIST SOME OF THESE BENEFITS BELOW.

1.....

2.....

3.....

30. DO YOU AGREE THAT YOUR ORGANIZATION WOULD NEED TO BE STRENGTHENED TO COLLECT DATA, PLAN, AND IMPLEMENT AND MONITOR PROGRAMS IN PRAEDIAL LARCENY PREVENTION WITHIN YOUR MEMBERSHIP?

1. YES 2. NO 3. DON'T KNOW

31. DO YOU AGREE THAT A TRACEABILITY SYSTEM IN PRAEDIAL LARCENY PREVENTION REQUIRES TRAINING AND CONSISTENCY IN ADHERENCE TO THE DEMANDS OF A MONITORING SYSTEM THAT TAKE THE MEMBERS OF YOUR ORGANIZATION OUT OF THEIR NORMAL ROUTINE AND CAPABILITY?

1. YES 2. NO 3. NOT SURE

32. IF YOU ANSWERED YES TO Q31 ABOVE DO YOU AGREE THAT YOUR ORGANIZATION WOULD BENEFIT FROM ADVOCACY FOR SPECIAL SUPPORT PROGRAMS TO EMPOWER YOUR MEMBERSHIP TO PARTICIPATE EFFECTIVELY IN TRACEABILITY PROGRAMS?

1. YES 2. NO 3. NOT SURE

33. DO YOU AGREE THAT ORGANIZATIONS SUCH AS YOURS SHOULD ADVOCATE FOR INSURANCE AGAINST PRAEDIAL LARCENY TO BE COVERED UNDER REGULAR INSURANCE AGAINST DISASTERS?

1. YES 2. NO 3. NOT SURE

34. DO YOU BELIEVE THAT THERE IS A ROLE FOR INCENTIVES IN ENCOURAGING EFFECTIVE PARTICIPATION OF YOUR MEMBERSHIP IN PRAEDIAL LARCENY PREVENTION PROGRAMS?

1. YES 2. NO 3. NOT SURE

IF YOU ANSWERED YES, PLEASE SUGGEST AT LEAST TWO TYPES OF INCENTIVES YOU WOULD WANT TO PUT FORWARD.

- 1
-
- 2.....
-
- 3.....
-

35. DO YOU BELIEVE THAT THERE IS A POTENTIALLY IMPORTANT ROLE FOR CAFAN IN LIGHT OF STRONG EVIDENCE OF CROSS BORDER MOVEMENT OF STOLEN PRODUCE?

- 1. YES
- 2. NO
- 3. DON'T KNOW

36. IF YES TO QUESTION 35 COULD YOU BRIEFLY DESCRIBE THIS ROLE?

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37. DO YOU BELIEVE THERE IS A ROLE FOR CNFO IN THE EFFORTS TO REDUCE PIRACY AT SEA?

- 1.YES
- 2. NO
- 3. NOT SURE

38. IF YES TO Q37 WOULD YOU BRIEFLY DESCRIBE THIS ROLE?

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39. DO YOU BELIEVE THAT ENACTMENT OF LEGISLATION ON AGRICULTURAL LAND ZONING WOULD ENHANCE OPPORTUNITIES TO APPREHEND THEIVES INVOLVED IN PRAEDIAL LARCENY?

- 1. YES
- 2. NO
- 3. DON'T KNOW

40. DO YOU AGREE THAT THERE COULD BE BENEFITS TO ENACTING OR AMENDING LEGISLATION TO MAKE PROVISIONS FOR PRODUCERS/AQUACULTURISTS TO LIVE ON THEIR FARMS AS A DETERENT TO THIEVES?

1. YES 2. NO. 3. DON'T KNOW

41 DO YOU BELIEVE THAT THERE IS A STRONG NEED TO INVOLVE THE COAST GUARD IN PRAEDIAL LARCENY PREVENTION?.

1. YES 2. NO 3. DON'T KNOW

42. IS THIS A MATTER AT NATIONAL LEVEL OR IS IT A MATTER FOR THE CARICOM RSS ?

1. NATIONAL 2. CARICOM 3. BOTH

43.. WHAT FUTHER WORK IN TERMS OF INFORMATION GATHERING DO YOU THINK NEED TO BE DONE IN ORDER TO JUSTIFY TH E ALLOCERS OF THE RESOURCES OF THE NATIONAL COAST GUARD OR THE CARICOM RSS TO PRAEDIAL LARCENY.

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COMMENTS/SUGGETSIONS.....
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