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# Help for American Victims of Crime in Barbados

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[Please click on this link to read the Department of State's brochure for victims of crime.](#)

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Being the victim of a crime in a foreign country can be a devastating and traumatic experience. While no one can undo the emotional trauma, physical injury, or financial loss you may have experienced, the U.S. Embassy in Bridgetown is ready to help. We are very concerned about violent crimes committed against U.S. citizens in Barbados. We will assist you in managing the practical consequences of being a crime victim and provide you with information about accessing the local criminal justice system, as well as other resources for crime victims abroad and the United States. This office can assist you to find appropriate medical care, contact family or friends on your behalf, and explain how funds can be transferred. We can also help you to better understand the criminal justice system in Barbados, which is different from the system in the United States.

The information included in this guide relating to the legal requirements in Barbados is provided for general information purposes only. The information may not be accurate or relevant to a particular case. Questions involving interpretation of Barbados laws should be addressed to legal counsel licensed to practice law in Barbados. The investigation and prosecution of the crime are solely the responsibility of local authorities. The Federal Bureau of Investigation (FBI) may assist local authorities in certain cases of kidnapping, hostage-taking, and terrorism.

**REPORTING CRIMES:** In Barbados, victims of crime should report crimes committed against them to the police station nearest to where the crime occurred. All visitors should familiarize themselves with the closest police station to their hotel or residence; throughout the island, the emergency number is 211. All calls to this number are recorded and the operators will seek to find out exactly where the crime was committed and transfer the call or the report to that respective station for action.

The Royal Barbados Police Force Tourism Liaison Officer can be contacted by cell phone at 246-231-9797. Usually when he is unavailable an alternate officer can be contacted at the same number.

Police reports must be filled out by the victim of the crime unless the victim is seriously injured. In the event the crime victim is seriously injured, a witness to the crime can report the matter to the police until the victim is capable of providing a statement with regard to the crime. There is no time limit on reporting a crime; however, the Barbados Royal Police Force encourages victims of crime to report the crime as soon as possible after it has been committed. Victims of crime will be provided with a copy of their statement upon their request.

Crimes may be reported by a victim once that victim has left Barbados by contacting the Royal Barbados Police Force Tourism Liaison Officer. However it is strongly recommended that a victim of crime report the offense before leaving the country. Crimes can also be reported in the victim's country of residence, but must be recorded at a police station and the report submitted to the Barbados

Commissioner of Police or to an INTERPOL (International Criminal Police Organization) office for transmittal to the Commissioner of Police.

If you have difficulty filing your police report, please contact the U.S. Embassy or Consulate immediately. You may need a police report to file for crime victim compensation or insurance reimbursement. If you do decide to file a report, please send a copy to us, along with your address and phone number in the event we need to communicate with you. While we are not authorized to act as your legal representative, prosecutor, or investigator, our office can help you track the progress of your case and advise you of any developments.

**INVESTIGATIONS:** Unfortunately, many crime investigations in Barbados (as in the United States) do not result in the arrest of a suspect. The police are responsible for investigating all crimes committed on the island and if forensic evidence needs to be collected, the police are trained in the collection and examination of such evidence. Upon filing a police report, the victim can contact the investigating officer or the police station at which the report was filed for an update on the progress of the investigation. The victim can also contact the U.S. Embassy Regional Security Office for assistance. Any threats which might constitute a criminal offense should be reported to local police and also to the Embassy. Depending on the severity of the case, crime cases in Barbados tend to remain open for investigation, however, some cases are closed after all investigative leads are considered exhausted.

**ARRESTS:** Depending on the nature of the crime, persons arrested may not be detained if the crime is a misdemeanor. Should the crime committed be determined to be a High Court matter, the arrested person may be detained pending a trial. This decision is made by the Magistrate's Court. Victims of crime may be requested to identify the suspect in person or from a police lineup.

**PRETRIAL PERIOD:** Barbadian Law distinguishes between misdemeanors and felonies, however, it is the investigating police officer who will decide which charges will be filed. On completion of the investigation, if there is sufficient evidence to level a criminal charge against the suspect, the matter is lodged in the law courts and heard before a Magistrate. If the crime is a felony, the preliminary hearing is heard before the Magistrate and subsequently referred to the High Court. The Police have prosecutors in the Magistrate's Courts; matters considered to be of a more serious nature are often prosecuted by the Office of the Director of Public Prosecutions.

**TRIAL:** There is no set time frame for how long trials normally last in Barbados. Depending on the nature of the offence, trials can take up to one week for misdemeanors and many months for High Court matters. In felony cases, the police usually coordinate with the Director of Public Prosecutions to have the matter heard in the Magistrate's Court near the period for High Court sittings and arrange for the victim's travel to Barbados and accommodations during their stay. The victim's statement must be recorded by a police officer or in the presence of a police officer. In the Magistrate's Court, members of the media, the general public, and consular officers may be present, however, if the case is a High Court matter, the general public is asked to leave during the preliminary hearing. In the High Court, the media and consular officers may be present. The Police or Director of Prosecutions will provide a translator should the victim/ witnesses not be fluent in English. A jury will be present for all High Court matters. There will be no jury in the Magistrate Court. Victims and witnesses must dress in business attire when attending court. No jeans, strapless dresses, slippers, or other inappropriate attire will be allowed in the court. In Magistrate's Court, the Magistrate may be addressed as Sir or Madam. In High Court "Your Lordship" is the appropriate way to address the Judge. In both High Court and Magistrate's Court it is customary for all parties present to rise when the Magistrate enters the courtroom.

**SENTENCING:** Sentencing will usually take place at the same time the matter is adjudicated, however, if there is a need for a probation or evaluation report, the sentencing will take place after that report has been reviewed. The victim does not customarily have input at the sentencing. Sentencing is based

upon the laws of Barbados and is determined by the Magistrate or the Judge. There is no procedure in place for the victim to be notified when a perpetrator is released.

**APPEALS:** All matters heard before a Magistrate or Judge can be appealed by the accused. Depending on the nature of the matter, appeals are typically heard in the High Court and can be a lengthy process. In most cases the accused person is held in custody pending the appeal hearing. Appeals heard in the High Court are usually attended by only the Prosecutor, the accused, and the attorney representing the accused. Victims are not usually called to testify since the appeals are made in reference to laws/procedure and not the victim's statement.

**ATTORNEYS:** You may want to consider hiring a local attorney to secure appropriate legal guidance. Local legal procedures differ from those in the United States. Although the Public Prosecutor is responsible for prosecuting your case, an attorney you hire can promote your interests with the police and the court. While our office cannot recommend specific attorneys, we can provide you with a list of attorneys who have expressed interest in representing U.S. citizens. This list is available on the Internet at [http://barbados.usembassy.gov/attorneys\\_list.html](http://barbados.usembassy.gov/attorneys_list.html).

**VICTIM COMPENSATION IN BARBADOS:** The Royal Barbados Police Force has a victim support unit that is sponsored by the Government of Barbados, however, its resources are limited. The Government of Barbados does not provide monetary compensation to crime victims; the Court can order the victim be paid restitution depending on the nature and degree of their injury or loss.

**EMBASSY LOCATION:** Americans residing or traveling in Barbados are encouraged to register with the U.S. Embassy through the [State Department's travel registration website](#) so that they can obtain updated information on travel and security within Barbados. Americans without Internet access may register directly with the nearest U.S. Embassy or Consulate. By registering, U.S. citizens make it easier for the Embassy or Consulate to contact them in case of emergency. The U.S. Embassy in Barbados is located at Wildey Business Park, Wildey, in St. Michael. The consular section phone number is (246) 227-4399. The fax number is (246) 431-0179. Our Embassy website is <http://barbados.usembassy.gov/>.

**SPECIAL INFORMATION FOR CASES OF SEXUAL ASSAULT AND RAPE:** Physical evidence is very important in sexual assault cases and can deteriorate as time passes. Victims should not change clothes, avoid bathing if possible, and have a medical exam at the first opportunity. You should take these steps even if you are unsure about whether to report the crime to police. If you decide to pursue a prosecution at a later time, these steps preserve evidence that will assist the prosecutor. A consular officer or after-hours duty officer from the U.S. Embassy may be able to accompany victims of sexual assault for the medical exam.

In Barbados, sexual assault and rape are defined by the type of assault that has taken place. Police authorize forensic sexual assault exams in Barbados, which are done in almost all cases that are determined to be sexual assault. A police doctor assigned to sexual assault crimes performs all exams. A forensic sexual assault exam typically involves a pelvic exam, swabs, pubic hair samples, and sometimes fingernail scrapings, as well as saliva and blood samples. The victim is welcome to have a support person present during the exam. The exam is paid for by the police. It is the victim's choice not to be examined, and while rape/sexual assault charges can be filed without an examination, local police caution that this diminishes the credibility of the victim's case. Furthermore, you should get medical attention to determine if you have been injured in any way and to discuss treatment and prevention options for pregnancy and sexually transmitted diseases. Emergency contraception (the morning-after pill) is available in Barbados at Queen Elizabeth Hospital.

Rape/sexual assault victims are interviewed by the police. A female officer will be available upon request. Acquaintance rape (date rape), spousal rape, and male rape are all considered crimes under

Barbados law and are treated as serious matters by local police. While there are no specific laws protecting the identity of sexual assault victims, media attendance will be limited during the trial. There is no rape crisis hotline in Barbados.

**SPECIAL INFORMATION FOR CASES OF DOMESTIC VIOLENCE:** Domestic violence is considered a crime in Barbados. Victims may obtain a restraining order by applying to the Magistrate Court. Restraining orders are enforced by the Magistrate and local police. The Barbados police have been publicly criticized, however, for their general unwillingness to become involved in domestic violence cases. Victims of domestic violence in Barbados may contact the Bureau of Women's Affairs at (246) 431-0851 or email [genderbureau@caribsurf.com](mailto:genderbureau@caribsurf.com). Alternatively they may contact the Crisis Centre of Barbados at (246) 435-8222, email: [wendyking@caribsurf.com](mailto:wendyking@caribsurf.com).

**SPECIAL INFORMATION FOR CASES OF CHILD ABUSE:** The Barbados Child Care Board is the government authority responsible for the protection of children in Barbados. Suspected child abuse can be reported to the Child Care Board or local police. Local police investigate all child abuse complaints. If an U.S. citizen child is removed from a home for suspected child abuse, the Child Care Board will take responsibility for the child, who would likely be placed in a government home. The Child Care Board has child counselors and the local police have a youth program. While the Court will make any accommodation possible to minimize the trauma of having to testify, children in Barbados are expected to testify if the abuser is charged with a crime, and will be prepared for the trial by the Child Care Board and police. The Child Care Board can be reached by telephone at (246) 426-2577, or by e-mail at [ChildCareBoard@sunbeach.net](mailto:ChildCareBoard@sunbeach.net).

**SPECIAL INFORMATION FOR CASES OF KIDNAPPING:** Kidnapping of foreigners is very rare in Barbados. If a kidnapping does occur, local police will investigate it, and handle any negotiation, ransom, and rescue attempts.

**SPECIAL INFORMATION FOR CASES OF HOMICIDE:** In the event of a homicide in Barbados an autopsy will be required. Surviving family members do not participate in the prosecution unless they are witnesses to the crime.



