

ANNUAL REPORT

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS



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EXECUTIVE SUMMARY

The year April 1, 2004 to March 31, 2005 was a very challenging one for the Office of the Director of Public Prosecutions. With the public's increased awareness of their rights the demand for justice has increased. In addition the figures recorded for criminal activities throughout the island during the period April 1, 2004 to March 31, 2005 were possible the highest figures recorded in the history of the country.

The number of cases for prosecution, especially gun and gun related charges exceeded the capability of the Office. The Department had to struggle with the inadequate complement of staff and the increased workload. Crown Counsel are to be commended for their dedication and to the Department's success. Notwithstanding the deficiencies, the Department remains committed to equipping prosecutors and administrative staff with the necessary tools and exposure to enable them to deliver quality service to the people of Jamaica.

Despite request for additional staff prior to the start of the period under review, there was no assignment until December 2004. Eight (8) persons were appointed to act as Crown counsel. Unfortunately the shortage of prosecutors will take some time to be alleviated, as the new prosecutors are not able to take on major assignments on their own. Since assuming duties they have not been given major assignments on their own in the early period of attachment to the office. Initially they were assigned to, and appeared with more experienced prosecutors in an effort to sharpen their prosecuting skills to better prepare them for the challenges they were likely to encounter. To add to the chronic staff shortage, the Department lost the services of eight (8) experienced staff members; two (2) went on study leave, five (5) resigned from the service and one (1) was granted no pay leave for a period of three (3) years.

For the period April 1, 2004 to March 31, 2005 the Office processed **30** Mutual Assistance requests. **31** Extradition requests were received from United States of America and the United Kingdom. The disposal of cases in the Home Circuit court

and the parishes was disappointing. Reluctant jurors and absence of witnesses contributed significantly to cases being traversed to succeeding terms.

There is a perception that nothing is being done about the murders being committed in the country. The view is that persons are not being convicted. A review of the figures for the Home Circuit Court and the rural Circuit Courts does not support that perception. During the period under review the Department led prosecutions for **75** murders and obtained **47** convictions.

(See Table 1 for details)

The “Janice Allen” case raised the concern of human rights groups. However, there is no right of appeal by the Crown in relation to an acquittal at first instance. Lawyers were unsuccessful in their challenge for Judicial review.

The Dispute Resolution Foundation was awarded the contract to conduct and conducted mediation sessions for the Director and staff. The objective was to try to restore the human relations climate to that which existed prior to July 2003. The mediation process is continuing.

There were two (2) matters, which attracted much public interest. They were the Braeton Seven and the Melaine Tapper fraud cases, which were ruled on in the previous year, but came up for trial during the period under review. There was a conviction in the Melaine Tapper fraud case. In the Braeton Seven, the policemen who were charged were acquitted. At the end of the submissions by the prosecution and the defence, the presiding judge upheld the no case submissions made by the defence attorneys.

The Judicial Committee of the Privy Council delivered its judgment in the Lambert Watson v Queen case. Their Lordships opined that the death sentence was not mandatory. They were of the view that each person convicted of murder should have the right to make submissions on sentence to the judge prior to being sentenced.

Exercising the power vested in him, under Section 94(3)(b) and Section 94 (3)(c) of the Constitution and in the interest of justice, the Director of Public Prosecutions entered a conditional nolle prosequis in several cases.

In an effort to reduce the huge backlog of Gun Court cases in the system the learned Chief Justice assigned judges to special sittings of the Gun Court during the month of August. The exercise was not as successful as anticipated because a number of the defence Attorneys were absent from Court and so several of the matters had to be adjourned.

The reasons for the backlog of cases are due to the absence of witnesses through fear or threat, the absence of jurors, the absence of attorneys, the limited number of courtrooms, judges, prosecutors and other court personnel. Given the number of murders committed in a year, the trial of 75 (See Table 1 for details for the year under review) presents a picture of persons having to wait possible three years for a trial in some cases. There is no one reason for the delays. The delays are due to several reasons.

In order to effectively deal with the volume of work and the intricacies of some of the matters, to be handled by the Department, the Director would require improvements in the staff complement, such as additional prosecutors and more experienced persons. Historically, we have been unable to retain experienced Counsel since they are promoted outside of the Department or leave for more lucrative employments and career pursuits.

Kent S. Pantry, CD, QC
Director of Public Prosecutions

THE ESTABLISHMENT

The Office of the Director of Public Prosecutions is a public office. It was created under Section 94(1) of the Constitution of Jamaica.

The Director of Public Prosecutions heads the Office of the Director of Public Prosecutions. The Governor General appoints the Director.

“A person shall not be qualified to hold or act in the Office of Director of Public Prosecutions unless he is qualified for appointment as a Judge of the Supreme Court.

The Office of the Director of Public Prosecutions is responsible for all criminal prosecutions throughout the island of Jamaica. The Director under Section 94 (3) has the power in any case, in which he considers so to do:-

- (a) to institute and undertake criminal proceedings against any person before any court other than a court-martial in respect of any offence against the law of Jamaica;
- (b) to take over and continue any such criminal proceedings that may have been instituted by any other person or authority; and
- (c) to discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by himself or any other person or authority.

The powers referred to under Section 94 (3) rests the instituting of a prosecution on the discretion of the Director of Public Prosecutions.

THE FUNCTIONS

The Director of Public Prosecutions, under Section 94 (3) of the constitution has the power initiate, take over and terminate prosecutions in all the Courts in Jamaica. Crown Counsel represents the Director in criminal cases in the Supreme Court, the Circuit Courts, and the Gun Court. They also appear in complex or technical matters in the Resident Magistrates' Courts and appear weekly in the two divisions of the Court of Appeal to deal with criminal matter appeals.

The prosecution process involves the following:

a) instituting the prosecution. This entails requesting an investigation, the receipt of Police statements and the decision to prosecute. The next stage is the presentation of the case, which involves the preparation of the case, and the presentation of the evidence in court.

b) Other matters concerning Prosecution can be introduced from time to time. The matter of bail application, change of venue, criminal appeals to the Court of Appeal of the Judicial Committee of the Privy Council. Finally the Director has the power to take over and continue or discontinue a particular case in any of the Courts in Jamaica.

In keeping with the functions outlined the following were the objectives, which the Department set itself for the period April 1, 2004 to March 31, 2005.

THE OBJECTIVES

- To continue to present criminal cases before the courts in a timely and efficient manner
- To continue to provide the citizens of Jamaica with a professional prosecutorial service that is fair and just to both victims and accused
- To recruit suitable persons to fill existing vacancies in the Department

- To collaborate with law enforcement officers in facilitating the efficient collection, processing and presentation of evidence for the courts
- To clear up outstanding legal opinions on criminal matters to the public, government agencies and Departments.

These objectives provided the Department with the major tasks for the period. Some of the objectives were very challenging because of the shortage of sufficiently experienced persons to prosecute some of the more complex cases. The shortage of trial judges and courtroom spaces also made it difficult to present cases in a timely manner. The increase in the number of reluctant witnesses and jurors also impacted on the Department's ability to provide a prosecution service, which was always both fair and timely to the victims and the accused.

Notwithstanding these challenges, the Department is justified in saying that the objectives have been satisfactorily achieved. Commendation must be given to some of the more junior Crown Counsel who succeeded in performing their duties with professionalism and integrity against seasoned defence lawyers.

ADMINISTRATION

Budget Allocation

The operating budget for the Office of the Director of Public Prosecutions for the financial year April 1st 2004 to March 31st 2005 was \$114,297,000, an increase of \$11,358,000 or 11.34% over the previous year. As was the case in the previous year, the largest portion - \$63,837,331.00 or 55.85% of the budget was spent on Compensation of employees and related Travel and Subsistence expenses.

STAFF RELATED MATTERS

Staffing

The present Director of Public Prosecutions is Mr. Kent Pantry, Q.C. He is responsible for a staff complement of attorneys classified as Senior Deputy Director of Public Prosecutions, Deputy Director of Public Prosecutions, Assistant Director of Public Prosecutions, Crown Counsel and administrative personnel.

The table below provides a breakdown of the Department's legal and administrative staff.

<u>Position Title</u>	<u>No. of Posts</u>
Director, Public Prosecutions	1
Senior Deputy Director, Public Prosecutions	2
Deputy Director, of Public Prosecutions	3
Assistant Director, Public Prosecutions	6
Senior Prosecutor	2
Crown Counsel	16
Prosecutor	4
Assistant Crown Counsel	2
Legal Officer	1
Manager, Human Resource Management & Administration	1
Administrator GMG 3	1
Administrator GMG 2	1
Executive Secretary 2	1
Executive Secretary 1	2
Senior Secretary	4

Secretary 2	2
Secretary 1	3
Senior Library Assistant	1
Records Officer 2	1
Records Officer 1	1
Telephone Operator	1
Office Attendant	1
Attendant	3
Casual (Full time)	2
Casual (Part-time)	1

The attorneys prosecute on behalf of the Director of Public Prosecutions in criminal matters in all the relevant courts in the island and the Director has the power under the constitution to take over prosecution at any time.

There were a number of changes in the staffing at the Office. During the period under review One (1) Senior Deputy Director Public Prosecutions was appointed to act as a Puisne Judge in the Supreme Court. As a result of this appointment two (2) staff members were promoted to acting positions one as Senior Deputy Director of Public Prosecutions and the other as Deputy Director of Public Prosecutions.

One (1) Assistant Director of Public Prosecutions and an Acting Assistant Director of Public Prosecutions proceeded overseas on study leave and vacation leave respectively to pursue studies leading to a Masters degree. One (1) resignation and two (2) persons proceeding on maternity leave created additional shortage. These departures contributed to the reduced number of senior prosecutors available for some of the more complex cases. The Department was forced to function without five (5) of the more senior prosecutors.

The Director had requested replacement for four (4) prosecutors at the start of the Michaelmas term. Eight (8) new Crown Counsel joined the Department in December 2004. They are not seasoned prosecutors and were therefore not able to take on any of the complex cases. Initially they were assigned to work with senior prosecutors to become familiar with some of the High Court procedures.

One Prosecutor was offered an attachment with some London based Barristers whose specialty is Financial Crimes. The Prosecutor was exposed to a broad spectrum of crimes. The areas Drug Trafficking, Money Laundering and Proceeds of Crimes were of particular interest to the Prosecutor as in recent times a number of persons in Jamaica have been questioned and charged and in some instances denied bail. It is envisioned that the skills acquired by this exposure will help to increase the efficiency of the Department's operations.

Early Retirement

One member of the administrative staff proceeded on early retirement ending approximately thirty four (34) years service with the Department.

Resignations

There were five (5) resignations during the period under review. These resignations affected the prosecutorial capabilities of the Department as each of these persons prosecutorial experience ranged from three to six years. The Director is once again highlighting the need for the employment of additional experienced staff to ensure the efficient operation of the Office.

Training of Non Legal Staff

Subsequent to the signing of the Memorandum of Understanding (MOU) between the Government and the Joint Trade Union Council, it was agreed that arrangement would be put in place for the implementation a Public Sector Summer Training Programme.

Nine (9) persons were selected from the Office of the Director of Public Prosecutions to participate in the programme. The areas of training ranged from Basic to Advanced Computer Applications e.g. Desktop Publishing to Home Management skills e.g. Drapery Making.

Mediation Process

The Dispute Resolution Foundation awarded the contract to provide mediation services. The first meeting to sensitize the staff regarding the process and its objectives was held on May 28, 2004. Five meetings were held during the period under review. The final meeting concluding the process is to be scheduled prior to the start of the Michaelmas term.

THE REGISTRY

The Registry continues to be one of the most important areas of the Department. It is responsible for receiving all correspondence arriving at the office and records all the cases of complaints received.

Steps are now being taken to computerize the Registry files so that it will be easier to provide statistical information or to locate a file and provide accurate information on the status of a file.

LIBRARY

The Library has succeeded in upgrading its research capabilities not to the level desired, but the process is continuing. The Library has obtained three (3) Acts and twelve (12) Amendments relating to Road Traffic and the Operations of Building Societies, Banks and Executive Agencies. In addition the Library now has a copy of each of the latest volume of the Jamaica Law Reports (volumes 24-34). Although there is the need for numerous other pieces of legal material, these acquisitions will improve the library's research capability thereby contributing to improvement in the delivery of justice to the citizens of Jamaica. Other important material on Money Laundering etc. is presently on order to be delivered in approximately two (2) months.

INTERNET ACCESS

Crown Counsel have now been provided with Internet Access. The availability is limited, but it is expected that they will be able to research valuable data

during work time while they prepare their cases. It is hoped that the existing internet access will be increased in the very near future.

PHOTOCOPYING FACILITIES

After months of operating without or with unreliable photocopying facilities, the Department acquired a modern photocopying machine. This acquisition helped the Department to function more efficiently as documents could be copied without much delay. The photocopying of the numerous documents for the defence Attorneys for the Braeton Seven trial and the Crawle matter did not result in the problems previously experienced by the Department.

SUMMARY OF COURT ACTIVITIES FOR THE PERIOD
1ST APRIL 2004 TO 31ST MARCH 2005

The period under review was an active one for the Department as it relates to the prosecution of major and high profile crimes.

The listing of cases for trial or mention included a number of fraud cases involving well known names in the business community, persons engaged in drug and money laundering activities and controversial shootings by the Police. The two notable police killings were the Braeton Seven and the Crawle killings, which attracted much public interest both local and international. The policemen were freed of charges in the Breaton Seven. The Crawle killings remains on the mention list as the documents are still being examined and persons are still being served summons.

The number of cases set for mention or trial, the number disposed of and the number traversed for the next term continues to cause great concern. In a majority of the traversals the crown is ready to prosecute but there are mitigating circumstances outside the control of the prosecutors e.g. witnesses not available. Justice is not being delivered on a timely basis; which is not in keeping with the Department's Mission Statement.

During the period there was a special sitting of the Gun Court during the summer in an effort to significantly reduce the backlog of cases. This initiative was not as successful as was anticipated.

Privy Council

The Director of Public Prosecutions and one of the Deputies appeared before the Judicial Committee of the Privy Council in England once during the period under review. The matter Uriah Brown v the Queen was heard in December 2004. Uriah Brown was convicted for motor manslaughter in the St. Ann Circuit Court. The law lords have not yet handed down their judgment.

The Law Lords handed down their judgment in the Lambert Watson v the Queen appeal, which was argued before them at the start of the year 2004. The Judicial Committee ruled that the death penalty was not automatic. The Privy Council in its judgment said that following a murder conviction; there should be a separate hearing by a judge to determine the appropriate sentence.

Nolle Prosequi

Consistent with the power given to the Director of Public Prosecutions under Section 94(3)(b) and Section 94(3)(c) of the Constitution **164** Nolle Prosequis were entered during the period.

(See Table 2 for details)

Extradition Cases

During the period under review a total of **31** requests were received from the United Kingdom and the United States of America. There were **3** extraditions.

(See Table 3).

Mutual Legal Assistance (Criminal Matters) Act

During the period April 1, 2004 to March 31, 2005, **30** files were received from seven (7) countries and they were all granted. The Department is awaiting additional information on five (5) files from the British High Commission. The police-Organized Crimes Investigations Division is to advise the Department whether assistance has been provided for seventeen (17) other files.

(See Table 4).

Circuit Court Cases

The number of cases being traversed each term continues to cause great concern. On a number of occasions the Crown is ready to proceed but is hindered because of the unavailability of jurors. On other occasions the defence is not ready for trial or there have been times when despite the list only an insignificant number of cases can be dealt with because of the length of time that it takes to complete the trial of some of the cases. This argument was substantiated during the Michaelmas

term, which ended December 2004. There were ten (10) cases set for trial in the Manchester circuit; only two (2) cases were heard because of the length of time it took to complete them. As a result eight (8) cases were traversed to the Hilary term.

Over the period under review the following rural parishes recorded the highest number of cases listed for trial:-

Westmoreland	111
St. Catherine	108
St. Elizabeth	102
St. Ann	89
St. Mary	87

There was reduction in the number of cases before the Courts during the period September 2004 to December 2004 but the situation changed during the period January 2005 to March 2005. There was a **31.67%** increase in the cases listed for trial.

(See Table 5, 5a & 6 for more details).

Gun Court Cases

Rural Gun Court (Clarendon, Saint Mary, Saint Elizabeth, Manchester, Portland, Saint Thomas & Saint Ann)

357 cases were listed for trial over the period. **44.81%** of the cases were disposed of and **54.34%** of the cases were traversed. **(See Table 7 for details).**

Regional Gun Court (Saint James, Hanover, Trelawny & Westmoreland)

218 cases were listed for trial during the period. **181** cases or **83.03%** of the cases were disposed of and **16.97%** of the cases were traversed. Of the **181** cases disposed of there were **74** convictions. This represents **40.88%** of the cases disposed of. **(See Table 8).**

Corporate Area Gun Court (Kingston, Saint Andrew & Saint Catherine)

The number of cases traversed and pending to date continue to cause concern. July 2004 and January 2005 saw the highest number of new cases recorded by the court, 95 and 76 respectively. There were 728 new cases during the period under review and during that same period 554 cases were disposed of. There were 205 (37.00%) acquittals and 181 (32.67%) convictions.

(See Table 9 & 9a for details).

Files for Rulings

483 files involving questionable police shootings or alleged misconduct by the police were received during the period April 1, 2004 to March 31, 2005. The rulings were arrived at based on consideration of whether the facts presented on paper would allow the prosecution to mount a credible case. The Department ruled on **356** or **73.71%** of the **483** files, which were received.

From time to time after examination of the files that are received for rulings, the Department has to request additional information. Rulings therefore, have to be deferred and this situation creates a temporary backlog of files. It follows that at a later date when these files are ruled on the statistics will show rulings in excess of the files received.

(See Table 10 for details).

TABLE 1

Overview of Murder Cases

April 1, 2004 - March 31, 2005

	# CASES TRIED	# OF CONVICTIONS	% TAGE
Home Circuit	15	9	60.00
St. Catherine	11	6	54.54
Hanover	7	5	71.43
St. James	7	4	57.14
Trelawny	7	5	71.43
St. Thomas	6	4	66.66
Westmoreland	6	6	100.00
St. Ann	5	3	60.00
Clarendon	4	2	50.00
Manchester	3	3	100.00
St. Elizabeth	3	-	0
Portland	1	-	0
St. Mary	-	-	
TOTAL	75	47	62.66

TABLE 2

Nolle Prosequi Granted

April 1, 2004 – March 31, 2005

April – July 2004	August – December 2004	January – March 2005	TOTAL
52	67	45	164

TABLE 3

Overview of Extradition Requests Cases

April 1, 2004 – March 31, 2005

COUNTRY	# OF CASES	EXTRA-DITED	BEFORE THE COURT	WARRANT WITH POLICE	OTHER
USA	25	3	10	11	1
UNITED KINGDOM	6	-	2	3	1
TOTAL	31	3	12	14	2

TABLE 4

Overview of Mutual Legal Assistance Treaties Requests

April 1, 2004 – March 31, 2005

NO. OF FILES RECEIVED	REQUESTING STATE	REQUESTS GRANTED	REQUESTS COMPLETED	AWAITING INFORMATION	AWAITING RESULTS
22	UNITED KINGDOM	22	1	4	17
1	COLUMBIA	1	-	-	1
2	ANTIGUA & BARBUDA	2	-	-	2
2	NETHERLANDS	2	1	-	1
1	CZECH REPUBLIC	1	1	-	-
1	PANAMA	1	1	-	-
1	BERMUDA	1	1	-	-
30		30	5	4	21

TABLE 5
Overview of Parish Circuit Court Cases
April 1, 2004 – March 31, 2005

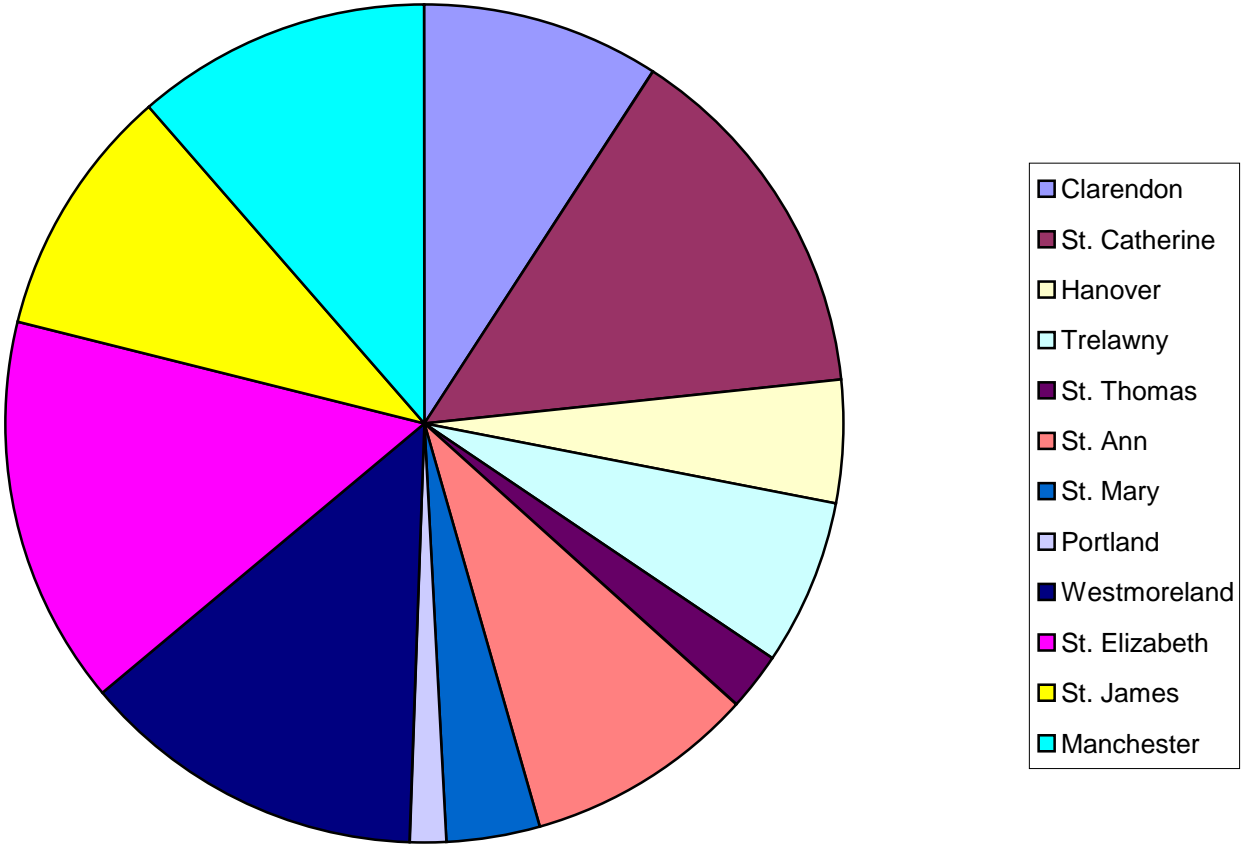
Parishes	# Cases Listed	# Cases Disposed of	# Cases Traversed	Bench Warrant	Nolle Prosequi	Transferred	Murder	Rape	Carnal Abuse	Wounding With Intent/ Assault	Man-Slaughter	Other
Clarendon	58	38	18	-	2	-	15	13	11	9	2	8
St. Catherine	108	72	35			1	35	21	26	11	11	4
Hanover	45	16	29	-	-	-	24	3	6	8	4	-
Trelawny	49	27	22	-	-	-	20	2	12	8	3	4
St. Thomas	37	18	19	-	-	-	13	5	9	8	1	1
St. Ann	89	18	70	-	-	1	39	22	12	2	10	3
St. Mary	87	23	61	2	-	1	16	22	22	13	8	6
Portland	18	9	8	-	-	1	7	2	3	5	-	1
Westmoreland	111	51	60	-	-	-	22	17	16	31	9	16
St. Elizabeth	102	38	64	-	-	-	22	16	18	24	16	6
St. James	67	34	30	-	3	-	33	14	8	5	3	4
Manchester	82	18	61	-	2	1	19	22	15	10	9	7
TOTAL	853	362	477	2	7	5	265	159	158	134	76	60

Table 5A

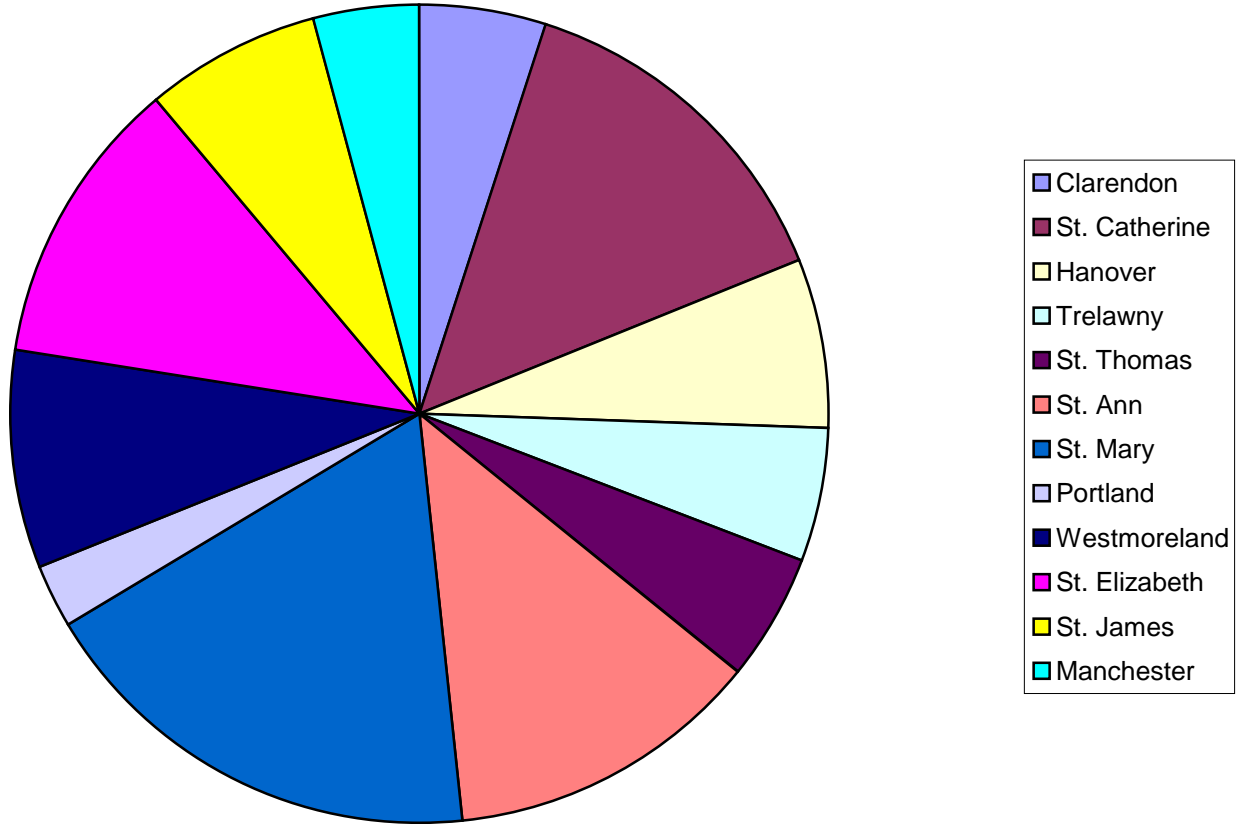
Overview of Parish Circuit Court Cases
April 1, 2004 – March 31, 2005

Review Period	Clarendon	Saint Catherine	Hanover	Trelawny	Saint Thomas	Saint Ann	Saint Mary	Portland	West-moreland	Saint Elizabeth	Saint James	Manchester	Total
April – August '04	27	42	14	19	7	26	11	4	40	44	29	34	297
September – December '04	12	33	16	13	12	30	43	6	21	27	17	10	240
January – March '05	19	33	15	17	18	33	33	8	50	31	21	38	316
TOTAL	58	108	45	49	37	89	87	18	111	102	67	82	853

Review Period April - Aug. '04



Review Period Sept. - Dec. '04



Review Period Jan. - March '05

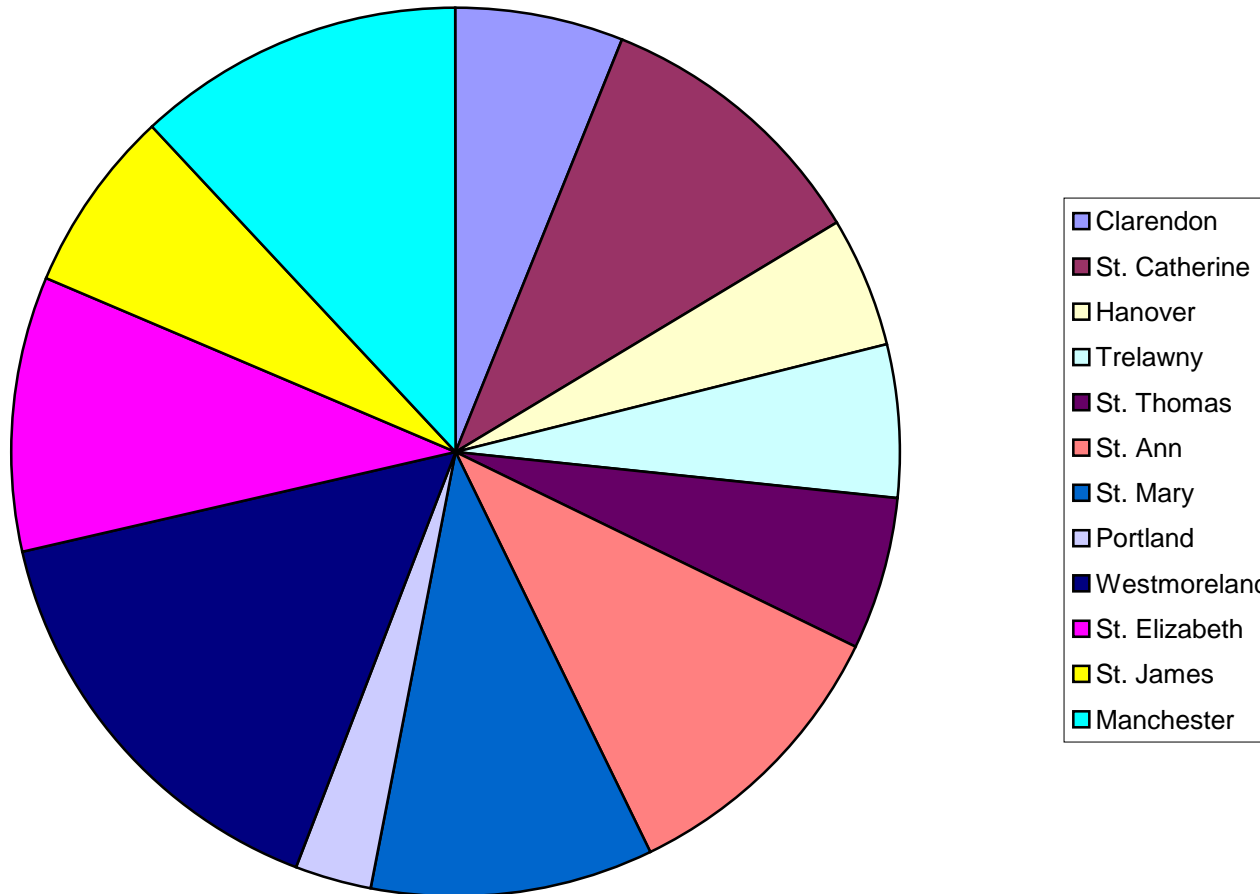


TABLE 6

Overview of Home Circuit Cases

April 1, 2004 – March 31, 2005

TOTAL CASES LISTED	# CASES DISPOSED OF	# OF CONVICTIONS	# OF ACQUITTALS	# OF NOLLE PROSEQUI	OTHER	# CASES TRAVERSED
495	131	55	52	14	10	364
	26.52%	41.98%	39.69%	10.68%	7.63%	73.48%

Overview of the Home Circuit Cases Traversed

# Cases Traversed	Murder	Incest	Rape	Carnal Abuse	Kid- Napping	Wounding With Intent/ Assault	Man- Slaughter	Buggery	Other	Capital Murder Sentencing
364	198	4	64	46	5	16	17	3	6	5
	54.40%	1.10%	17.58%	12.64%	1.37%	4.40%	4.67%	0.82%	1.65%	1.37%

TABLE 7

Overview of Rural Gun Court Cases

April 1, 2004 – March 31, 2005

<i>PARISH</i>	<i>TOTAL# CASES LISTED</i>	<i>TOTAL # CASES DISPOSED OF</i>	<i>TOTAL # CASES TRAVERSED</i>	<i>BENCH WARRANT</i>	<i>TRANS- FERRED</i>
Clarendon	112	67	44	-	1
St. Mary	21	7	13	1	-
St. Elizabeth	43	29	14	-	-
Manchester	51	15	35	-	1
Portland	19	16	3	-	-
St. Thomas	53	12	41	-	-
St. Ann	58	14	44	-	-
TOTAL	357	160	194	1	2

TABLE 8

Overview of Regional Gun Court Cases

April 1, 2004 - March 31, 2005

<u>PARISHES</u>	<i>CASES BROUGHT FORWARD</i>	<i>NEW CASES</i>	<i>TOTAL # CASES LISTED</i>	<i>TOTAL # CASES DISPOSED OF</i>	<i>TOTAL # CASES TRAVERSED</i>
St. James	12	129	141	120	21
Trelawny	0	28	28	24	4
Westmoreland	2	27	29	24	5
Hanover	0	20	20	13	7
TOTAL	14	204	218	181	37

SUMMATION

<i>NUMBER OF CONVICTIONS</i>	<i>NUMBER OF ACQUITTALS</i>	<i>NUMBER TRANSFERRED</i>	<i>PART HEARD</i>	<i>TOTAL</i>
74	96	10	1	181
40.88%	53.04%	5.53%	0.55%	

TABLE 9

Overview of Corporate Area Gun Court Cases

April 1, 2004 – March 31, 2005

	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	TOTAL
Cases Traversed	3513	3524	3572	3548	3602	3565	3557	3579	3595	3607	3659	3667	
New Cases	35	68	53	95	53	51	75	61	61	76	41	59	728
Total Cases	3548	3592	3625	3643	3655	3616	3632	3640	3656	3683	3700	3726	
Cases Disposed of	24	20	77	41	90	59	53	45	49	24	33	39	554
Cases Pending	3524	3572	3548	3602	3565	3557	3579	3595	3607	3659	3667	3687	

TABLE 9a

Summation of Corporate Area Gun Court Cases

April 1, 2004 – March 31, 2005

	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	TOTAL
Acquittals	8	9	13	15	41	29	19	13	13	18	13	14	205
Convictions	10	8	25	7	33	21	19	14	13	5	12	14	181
Dismissed for Wan Of Prosecution	4	-	38	15	13	6	10	14	10	-	4	10	124
Transferred	1	1	-	4	3	-	4	4	4	1	2	-	24
Adjourned Sine Die	-	-	1	-	-	-	-	-	-	-	-	-	1
Nolle Prosequi	-	1	-	-	-	3	1	-	9	-	1	1	16
Deceased	1	1	-	-	-	-	-	-	-	1	-	-	3
TOTAL	24	20	77	41	90	59	53	45	49	25	32	39	554

TABLE 11

Files for Rulings

April 1, 2004 – March 31, 2005

Investigating Body	# Complaints Received	Rulings	Percentage
Bureau of Special Investigations	294	185	62.92
Police Public Complaints Authority	105	87	82.85
Office of Professional Responsibility	74	69	93.24
Deputy Commissioner, CIB	2	13	*
Other	8	2	25.00
TOTAL	483	356	73.71%

* From time to time after examination of the files that are received for rulings the Department has to request additional information. Rulings therefore have to be deferred and this situation creates a temporary backlog of files. It follows therefore that at a later date when these files are ruled on the statistics show that rulings for the period under review are in excess of the files received.

MISSION STATEMENT

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

To provide the people of Jamaica with an independent and effective criminal prosecution capability which is both fair and just.

Consistent with the Constitution of Jamaica, the DPP initiates, takes over and terminates prosecutions in all courts of Jamaica.

In addition, the DPP conducts all appellate work flowing from those prosecutions and is directly responsible for action taken pursuant to the Drug Offences (Forfeiture of Proceeds) Act, the Extradition Act as well as the Mutual Assistance (Criminal Matters) Act and the Money Laundering Act.

Assistance is also provided to ministries, government departments, statutory bodies and the public in the area of legal opinion on criminal matters.

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