

# ANNUAL REPORT

*Office of the Director of*

*Public Prosecutions*

*1<sup>st</sup> April 2007 – 31<sup>st</sup> March 2008*

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# **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 Director of Public Prosecutions initiates, takes over and terminates prosecutions in all Courts of Jamaica.

In addition, the Director of Public Prosecutions conducts all appellate work flowing from those prosecutions and is directly tasked with responsibilities for actions 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.

## **EXECUTIVE SUMMARY**

The period under review April 1, 2007 to March 31, 2008 continued to present challenges for the Office of the Director of Public Prosecutions. The citizens of Jamaica continued to clamour for a timely justice system.

There was no decrease in the workload for the prosecution during the period under review. Notwithstanding this the Crown Counsel remained committed to two of the most critical objectives of the Department, to continue to present criminal cases before the courts in a timely and efficient manner and to continue to provide the citizens of Jamaica with a professional prosecution service that is fair to both victim and accused.

The major objectives pursued by the Office of the Director of Public Prosecutions during the period April 1, 2007 to March 31, 2008 were as follows:-

### **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 prosecution service that is fair and just to both victim and accused
- To continue to collaborate with law enforcement officers in facilitating the efficient collection, processing and presentation of evidence for the courts
- To continue to work with the relevant parties to fully automate the operations of the Department
- To train staff members in technological applications relevant to the automation of the Office
- To explore the possibilities of obtaining additional prosecutorial expertise to assist in mentoring junior counsel and to afford staff more time in chambers
- To continue to present an annual report on the operations of the Department after the end of the financial year.

Some of the objectives had their own challenges which were in addition to the limited number of experienced persons available to prosecute some of the more complex cases.

The reluctant witnesses and jurors also impacted on the Department's ability to provide an efficient prosecution service.

The major tasks for the Department were:-

- To continue to motivate prosecutors to perform at the highest level
- To continue to reduce the caseload for some of the crown counsel thereby allowing them more time to direct their attention to reducing the number of outstanding opinions/rulings
- To continue to provide opportunities and facilities to expose prosecutors to the necessary skills and techniques to enhance their prosecutorial capability
- To recruit Crown counsel to fill existing vacancies to ensure the presentation of cases in a timely manner
- To continue to work with the relevant parties to facilitate full automation of the office

## **ADMINISTRATION**

### **Staffing**

During the period under review the Department lost twelve **(12)** of its staff members and so it continued to operate without its full complement of prosecutorial staff. As a result the caseload for each Counsel continued at an undesirable level. Two (2) members of the

prosecutorial staff were promoted to act as Resident Magistrate two (2) proceeded on pre-retirement leave and the remaining (8) members comprising legal and administrative staff remaining opted to pursue personal interests. Three (3) persons joined the staff to act as Counsel and three (3) to perform administrative functions.

Mr. Kent Pantry, CD, QC proceeded on retirement on March 5, 2008 after serving approximately thirty (30) years at the Office of the Director of Public Prosecutions. Miss Paula Llewellyn, Senior Deputy Director of Public Prosecutions was appointed to succeed the former Director.

The new Director Miss Paula Llewellyn indicated that she wished to use the opportunity to highlight, once more, the need for an increase in the number of experienced prosecutors to handle the increased workload and also the more complex cases which are to be listed for trial.

### **Training**

In the Department's continuing quest to improve prosecutorial capability there the prosecutorial staff participated in one (1) residential seminar during the period under review.

Mr. Dirk Harrison, Acting Deputy Director of Public Prosecutions attended the Conference of the State Parties to the United Nations Convention against Corruption, in Nusa Dua, Indonesia, from the 28<sup>th</sup> January to the 1<sup>st</sup> February 2008.

The attendees were from eighty two (82) of the States who are parties to the Convention and twenty two (22) States who are signatories to the Convention.

Jamaica is among the Signatories to the Convention. Also in attendance were delegations from the European Union, United Nation bodies, the World Bank and the International Monetary Fund (IMF).

On Tuesday, the 29<sup>th</sup> January, 2008 the Jamaican delegation presented its statement to the Convention.

Some delegations provided the Convention with draft resolutions which were adopted on the review of implementation of the UN Convention against Corruption.

The delegation was requested to complete a **Questionnaire for Designated Focal Points and Obtaining Information Regarding Legal Tools and Procedures to Identify, Trace and Seize Corruption Proceeds**. Jamaica completed the questionnaire and it was returned to the

respective persons in keeping with the instructions. Among the critical points arising from the Convention was the :-

- Review of implementation of the United Nations Convention against Corruption and to facilitate this exercise the following plenary workshops were held.

One of the suggestions was, that in order to protect against corruption States Parties and Signatories ought to ensure that their laws and regulations are not overly bureaucratic as the belief is that this climate could encourage corruption. In addition it was suggested that State Parties and Signatories need to be more proactive in sharing information and technical expertise in order to strengthen the coalition against corruption.

### **Court Activities**

The activities of the various courts did not meet the Department's expectation as there was no significant decrease in the cases being traversed from one term to another. The department is mindful of the fact that most of the reasons are outside of its control. Reluctant jurors and witnesses continue to be one of the major deterrents to the disposal of a number of the cases listed for trial. The tables attached will provide details of the activities for the period under review.

### **Extradition Requests**

12 extradition requests were received. 2 persons were extradited.

### **Mutual Legal Assistance Requests**

The Department received 17 requests. 8 requests completed

### **Circuit Court Cases**

#### **Home Circuit Court**

881 cases listed and 151 were disposed of

#### **Rural Parish Circuits**

969 cases listed and 393 were disposed of

### **Gun Court**



### **Corporate Area Gun Court**

3663 files were listed and 483 cases were disposed

### **Rural Gun Court**

496 cases listed and 215 were disposed of.

### **Regional Gun Court**

365 cases were listed for trial and 173 of the cases were disposed of.

### **Files for Rulings**

487 files were received as it relates to complaints by the public against the police. 422 files were ruled on.

Paula V. Llewellyn  
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 it desirable 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 in 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 represent 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 Director of Public Prosecutions is responsible for :**

- a) Instituting prosecutions. 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 such as bail applications, change of venue, criminal appeals to the Court of Appeal of the Judicial Committee of the Privy Council.
- c) Taking over and continuing or discontinuing a particular case in any of the Courts in Jamaica
- d) Supervising all Clerks of the Courts in prosecutions in all parishes in Jamaica.

In keeping with the functions outlined above the Department committed itself to achieving the following objectives for the period April 1, 2006 to March 31, 2007.

## **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 prosecution service that is fair and just to both victim and accused
- To continue to collaborate with law enforcement officers in facilitating the efficient collection, processing and presentation of evidence for the courts
- To continue to work with the relevant parties to fully automate the operations of the Department
- To train staff members in technological applications relevant to the automation of the Office
- Explore the possibilities of obtaining additional prosecutorial expertise to assist in mentoring junior counsel and to afford staff more time in chambers
- To continue to present an annual report on the operations of the Department after the end of the financial year.

Some of the objectives had their own challenges which were in addition to the limited number of experienced persons available to prosecute some of the more complex cases. The reluctant witnesses and jurors also impacted on the Department's ability to provide an efficient prosecution service.

The major tasks for the Department were:-

- To continue to motivate prosecutors to perform at the highest level

- To continue to reduce the caseload for some of the crown counsel thereby allowing them more time to direct their attention to reducing the number of outstanding opinions/rulings
- To continue to provide opportunities and facilities to expose prosecutors to the necessary skills and techniques to enhance their prosecutorial capability
- To recruit Crown counsel to fill existing vacancies to ensure the presentation of cases in a timely manner
- To continue to work with the relevant parties to facilitate full automation of the office
- To train members of staff in computer applications relevant to the automation process in order to enhance their capability to ensure the smooth operation of the automation process.

## ADMINISTRATION

### Budget Allocation

The approved budget for the Office of the Director of Public Prosecutions for the financial year April 1<sup>st</sup> 2007 to March 31<sup>st</sup> 2008 was **\$148,001,000.00**. This was an increase of **\$9,401,000.00** or approximately **6.78%** over the previous year. The Department was unable to attract persons to fill existing senior vacant positions because of its inability to offer attractive competitive compensation packages. The largest portion of the budget was spent on employees' compensation and related Travel and Subsistence expenses.

### STAFF RELATED MATTERS

#### Staffing

The present Director of Public Prosecutions is Miss Paula V. Llewellyn. She is responsible for a staff complement of attorneys classified as Prosecutors. Listed below is a detailed classification of the staff complement.

<u>Position Title</u>		<u>No. of Posts</u>
Director, Public Prosecutions		1
Senior Deputy Director, Public Prosecutions		3
Deputy Director, of Public Prosecutions	4	
Assistant Director, Public Prosecutions	8	
Crown Counsel	14	
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	2	1
Executive Secretary 1		3
Senior Secretary		3
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

## **STAFF CHANGES**

### **Departures**

During the period under review the Department lost twelve persons, among them the Director, Mr. Kent Pantry, Q.C. and nine (9) of its more experienced prosecutors and so it continued to operate without its full complement of prosecutorial staff.

Mr. Kent Pantry, Q.C. proceeded on retirement on March 5, 2008 after serving approximately thirty (30) years at the Office of the Director of Public Prosecutions. He served as Director of Public Prosecutions for nine (9) years and three (3) months. Miss Paula Llewellyn, Senior Deputy Director of Public Prosecutions was appointed to succeed the former Director.

Two (2) of the senior prosecutors were and the seven (7) others in that category opted to pursue personal interest. One (1) administrative staff member proceeded on retirement and one (1) opted to pursue personal interest. The new Director Miss Paula Llewellyn used the opportunity to highlight the need to increase the number of experienced prosecutors to handle the more complex cases which are to be listed for trial and to improve the conditions of service in an effort to continue to motivate and to retain experienced staff prosecutors.

### **Employment**

Six (6) new persons joined the Department during the period under review. Three (3) persons were assigned to act as Crown Counsel but could not contribute to reducing the Department's workload because they were not experienced enough to handle some of the matters. They were therefore assigned to appear with senior experienced Crown Counsel to be mentored. Three (3) persons joined the Administrative group to provide secretarial and administrative support to the Department.

## **TRAINING**

### **Job Related Training (Local)**

In the Department's continuing quest to improve prosecutorial capability members of the prosecutorial staff participated in one (1) residential seminar during the period under review

### **Job Related Training (Overseas)**

Mr. Dirk Harrison, Acting Deputy Director of Public Prosecutions attended the Conference of the State Parties to the United Nations Convention against Corruption, in Nusa Dua, Indonesia, from the 28<sup>th</sup> January to the 1<sup>st</sup> February 2008.

The attendees were from eighty two (82) of the States who are parties to the Convention and twenty two (22) States who are signatories to the Convention. Jamaica is among the Signatories to the Convention. Also in attendance were delegations from the European Union, United Nation bodies, the World Bank and the International Monetary Fund (IMF).

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- Review of implementation of the United Nations Convention against Corruption and to facilitate this exercise the following plenary workshops were held.

One of the suggestions was, that in order to protect against corruption States Parties and Signatories ought to ensure that their laws and regulations are not overly bureaucratic as the belief is that this climate could encourage corruption. In addition it was suggested that State Parties and Signatories need to be more proactive in sharing information and technical expertise in order to strengthen the coalition against corruption.

### **INTERNET ACCESS**

Each staff member has now been assigned a computer. Internet access is now available so Crown Counsel can readily access information to assist them in the preparation of their cases.

## **PHOTOCOPYING FACILITIES**

The demand for photocopy documents continued to increase because of the number of cases listed for trial. The rules of disclosure make it mandatory for the defence team for each accused. The Director is using this opportunity to highlight the need for a new heavy duty photocopying machine to cope with the increasing demand for photocopy documents.

### **SUMMARY OF COURT ACTIVITIES FOR THE PERIOD APRIL 1, 2007 – MARCH 31, 2008**

#### **Extradition Requests**

12 extradition requests were received and there were 2 extraditions. 10 requests are still being processed. 8 requests were received from the United States of America. **(See Table 1 for more details)**

#### **Mutual Legal Assistance Treaties Requests**

17 requests were received during the period under review. 8 requests have been completed. 9 are still being processed. The United Kingdom made 7 of the requests and the United States of America 3. **(See Table 2).**

⋮

#### **Circuit Court Cases**

The Department continued to collaborate with the law enforcement officers to ensure that the presentation of evidence for the courts is at the highest level thereby contributing to the delivery of justice in an efficient and timely manner.



### **Rural Parish Circuits**

969 cases were listed for trial, 393 of the cases were disposed of and 576 of the cases were traversed to the next term. Murder cases accounted for 336. The parishes of St. Elizabeth (126) St. Catherine (129), Westmoreland 116 and St. Mary 103 accounted for the highest number of the cases listed for trial. **(See Table 3, 3a, 3b & 3c for more details).**

### **Home Circuit Court**

881 cases were listed for trial for the term. 151 cases were disposed of and 730 of the cases were traversed to the next term. Murder and Capital murder together accounted for 460 the highest number of cases followed by 183 sexual offences cases. **(See Table 4, 4a for details).**

## **Gun Court Cases**

### **Corporate Area Gun Court**

At the start of the review period April 1, 2007 to March 31, 2008 there were 3663 cases pending. 671 new cases were added to the list and 483 cases were disposed of. At the end of the period under review 3851 cases were traversed. **(See Table 5, 5a, 5b, 5c for more details).**

**Rural Gun Court** (Clarendon, St. Mary, St. Elizabeth, Manchester, Portland, St. Thomas and St, Ann)

496 cases were listed for trial. 215 of the cases listed were disposed of. 281 cases were traversed to the next term.

**(See Table 6).**

**Regional Gun Court** (St. James, Trelawny, Westmoreland and Hanover)

179 new cases were listed for the period. The total number of cases listed for trial was 365. 173 cases were disposed of and 192 cases were traversed to the next term. St. James with 204 cases accounted for most of the cases listed for trial. **(See Table 7).**

## **Files for Rulings**

487 files were received from the various bodies for rulings in relation to police excesses in the performance of their duties. The majority of the complaints 248 were received from the Bureau of Special Investigations. Police Public Complaints Authority with 124 was next in line. 422 rulings were made. **(See Table 8, 8a & 8b)**

*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 (as is the case in the report for this period) the statistics show that rulings for the period are in excess of the files received.*

**TABLE 1**

**Overview of Extradition Requests**

**April 1, 2007- March 31, 2008.**

<b>COUNTRY</b>	<b># OF CASES</b>	<b>EXTRA- DITED</b>	<b>BEFORE THE COURT</b>	<b>WARRANT WITH POLICE</b>	<b>OTHER</b>
<b>USA</b>	8	1	3	-	4
<i>UNITED KINGDOM</i>	1	-	-	-	1
<i>CANADA</i>	2	1	-	-	1
<b>ICELAND</b>	1	-	-	-	1
<b>TOTAL</b>	<b>12</b>	<b>2</b>	<b>3</b>	<b>-</b>	<b>7</b>

*ABLE 2*

Overview of Mutual Legal Assistance Requests

April 1, 2007 – March 31, 2008

<b>REQUESTING STATE</b>	<b># OF FILES RECEIVED</b>	<i>REQUESTS GRANTED</i>	<b>REQUESTS COMPLETED</b>	<b>AWAITING INFO</b>	<i>AWAITING RESULTS</i>
<i>United Kingdom</i>	7	7	3	2	2

	3	3	1	-	2
<i>United States</i>					
	1	1	1	-	-
<i>Canada</i>					
	1	1	1	-	-
<i>Grand Cayman</i>					
	1	1	-	1	-
<i>Bermuda</i>					
	1	1	-	1	-
<i>Guatemala</i>					
	1	1	-	-	1
<i>Netherlands</i>					
	1	1	1	-	-
<i>Curacao</i>					
	1	1	1	-	-
<i>Poland</i>					
	<b>17</b>	<b>17</b>	<b>8</b>	<b>4</b>	<b>5</b>
<i>TOTAL</i>					

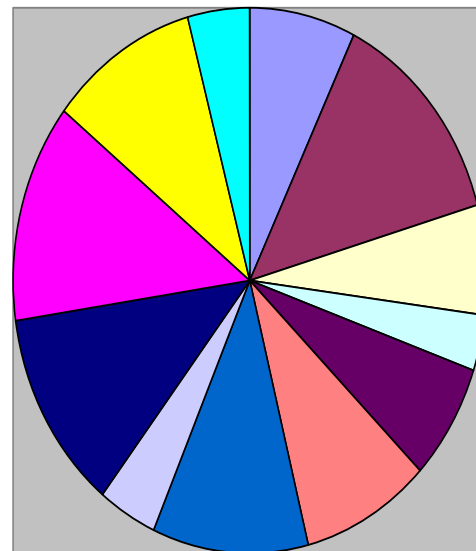
**TABLE 3**  
**Overview of Parish Circuit Court Cases**  
**April 11, 2007 - March 31, 2008**

Parishes	# Cases Listed	# Cases Dis-Posed of	# Cases Tra-Versed	Trans-Fered	Bench War-Rant	Murder	Incest	Rape	Carnal Abuse	Wounding With Intent/ Assault	Man-Slaught-er	Buggery	Other
Clarendon	70	32	38	1	3	19	2	14	17	5		1	12
St. Catherine	129	67	62	1	-	32	4	28	45	2	-	8	10
Hanover	63	27	36	-	-	18	2	6	8	15	1	-	13
Trelawny	32	14	18	1	-	14	-	5	8	1	-	-	4
St. Thomas	67	26	41	1	1	12	-	13	19	11	2	2	8
St. Ann	85	21	64	-	-	47	-	15	9	11	5	-	9
St. Mary	103	29	74	-	-	40	2	10	37	8	-	-	6
Portland	39	19	20	-	-	17	-	6	7	3	-	-	6
Westmoreland	116	55	61	1	-	34	2	25	20	15	8	-	12
St. Elizabeth	126	39	87	1	1	44	6	16	24	13	9	3	11
St. James	98	47	51	-	-	48	-	14	17	6	4	4	5
Manchester	41	17	24	-	-	11	-	2	9	3	2	-	14

TOTAL	969	393	576	6	5	336	18	154	220	82	31	18	110
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Table 3a

### Pie Chart Showing Overview of Parish Circuit Course Cases



- Clarendon
- St. Catherine
- Hanover
- Trelaw
- St. Thomas
- St. Ann
- St. Mary
- Portland
- Westmoreland
- St. Elizabeth
- St. James
- Manchester



**TABLE 3b**

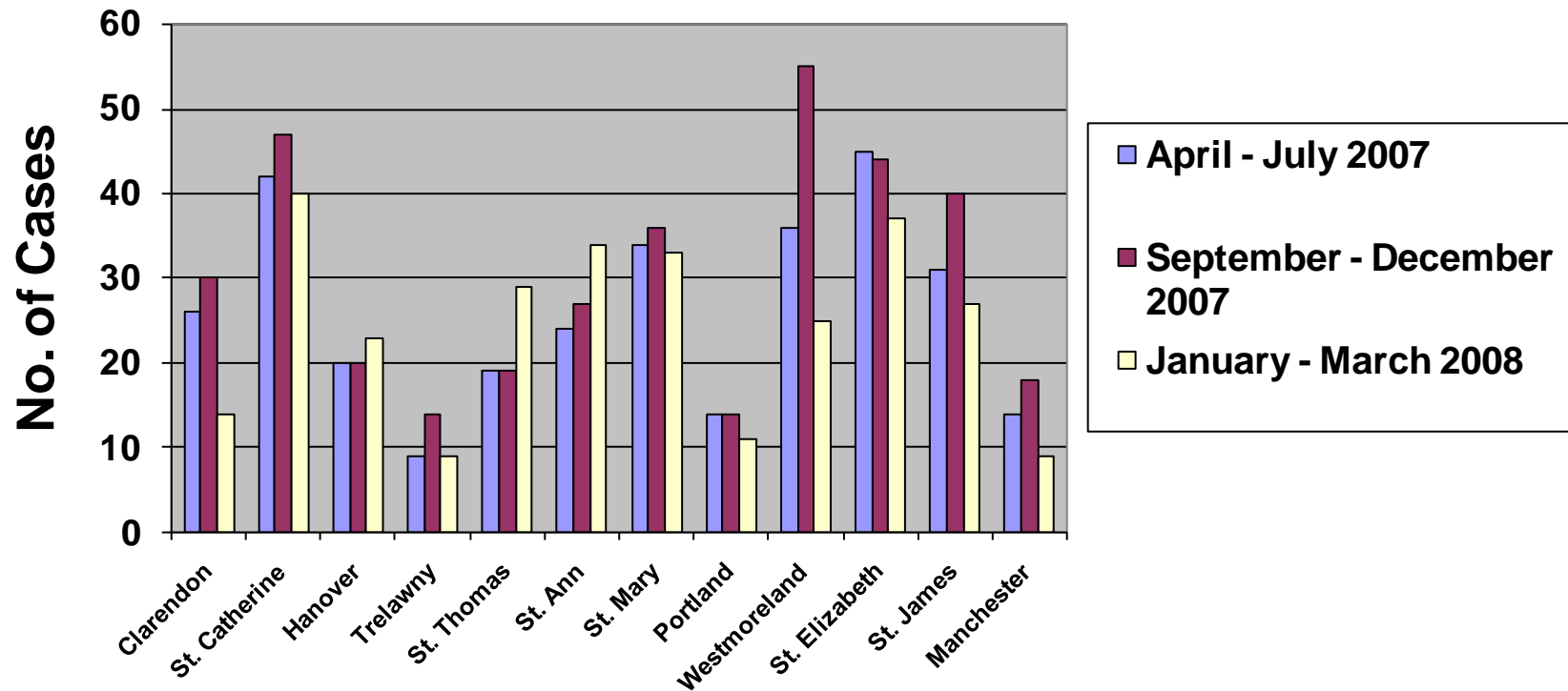
**Quarterly Summary of Parish Circuit Court Cases**

**April 11, 2007 - March 31, 2008**

Review Period	Clarendon	Saint Catherine	Hanover	Trelawny	Saint Thomas	Saint Ann	Saint Mary	Portland	West-moreland	Saint Elizabeth	Saint James	Manchester	Total
April – July '07	26	42	20	9	19	24	34	14	36	45	31	14	<b>314</b>
September - December '07	30	47	20	14	19	27	36	14	55	44	40	18	<b>364</b>
January – March '08	14	40	23	9	29	34	33	11	25	37	27	9	<b>291</b>
<b>TOTAL</b>	<b>70</b>	<b>129</b>	<b>63</b>	<b>32</b>	<b>67</b>	<b>85</b>	<b>103</b>	<b>39</b>	<b>116</b>	<b>126</b>	<b>98</b>	<b>41</b>	<b>969</b>

**TABLE 3C**

## Chart Showing Quarterly Summary of Parish Circuit Court Cases



**TABLE 4**

**Overview of Home Circuit Cases**

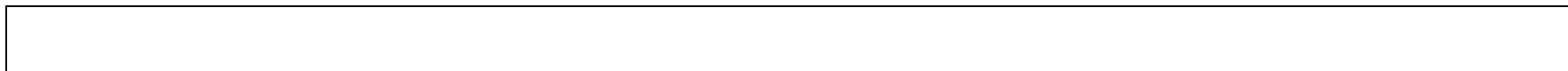
**April 11, 2007 – March 14, 2008**

<b>TOTAL CASES LISTED</b>	<b># CASES DISPOSED OF</b>	<b># OF CONVICTIONS</b>	<b># OF ACQUITTALS</b>	<b># OF NOLLE PROSEQUI</b>	<b>OTHER</b>	<b># CASES TRAVERSED</b>
<b>881</b>	<b>151</b>	<b>75</b>	<b>40</b>	<b>12</b>	<b>24</b>	<b>730</b>

**Overview of the Home Circuit Cases Traversed**

<b># Cases Traversed</b>	<b>Capital Murder &amp; Murder</b>	<b>Incest</b>	<b>Rape</b>	<b>Carnal Abuse</b>	<b>Wounding With Intent Assault</b>	<b>Causing Death by Dangerous Driving</b>	<b>Man- Slaughter</b>	<b>Human Trafficking</b>	<b>Other</b>
730	460	8	93	85	39	5	10	6	24
	63.01%	1.10%	12.74%	11.64%	5.34%	0.69%	1.37%	0.82%	3.29%

**TABLE 4a**



**Pie Chart Showing Overview of Home  
Circuit Cases**



**TABLE 5**

**Overview of Corporate Area Gun Court Cases**

April 1, 2007- March 31, 2008

	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>Sept.</b>	<b>Oct.</b>	<b>Nov.</b>	<b>Dec.</b>	<b>Jan.</b>	<b>Feb.</b>	<b>March</b>	<b>TOTAL</b>
Cases Traversed	3663	3636	3610	3633	3633	3672	3694	3700	3723	3734	3790	3833	
New Cases	44	46	67	44	70	58	39	62	36	81	71	53	<b>671</b>
Total Cases	3707	3682	3677	3677	3703	3730	3733	3762	3759	3815	3861	3886	
Cases Disposed of	71	72	44	44	31	36	33	39	25	25	28	35	<b>483</b>
Cases Pending	3636	3610	3633	3633	3672	3694	3700	3723	3734	3790	3833	3851	

TABLE 5a



**Overview of Corporate Area Gun  
Court Cases**

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**TABLE 5b**

***Breakdown of Corporate Area Gun Court Cases Disposed of***

***April 1, 2007- March 31, 2008***

	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>Sept.</b>	<b>Oct.</b>	<b>Nov.</b>	<b>Dec.</b>	<b>Jan.</b>	<b>Feb.</b>	<b>March</b>	<b>TOTAL</b>
<b>Acquittals</b>	27	18	15	14	12	21	17	18	9	14	8	17	<b>190</b>
<b>Convictions</b>	13	28	12	11	10	11	14	11	11	2	9	11	<b>143</b>
<b>Dismissed for Want Of Prosecution</b>	40	24	16	16	9	2	1	9	4	2	5	5	<b>133</b>
<b>Transferred</b>	-	-	1	1	-	1	1	-	1	1	-	1	<b>7</b>
<b>Bench Warrant</b>	-	-	-	-	-	-	-	-	-	6	6	1	<b>13</b>
<b>Nolle Prosequi</b>	1	1	-	2	-	-	-	1	-	-	-	-	<b>5</b>
<b>Deceased</b>	-	1	-	-	-	1	-	-	1	-	-	-	<b>3</b>
<b>TOTAL</b>	<b>81</b>	<b>72</b>	<b>44</b>	<b>44</b>	<b>31</b>	<b>36</b>	<b>33</b>	<b>39</b>	<b>26</b>	<b>25</b>	<b>28</b>	<b>35</b>	<b>494</b>

**TABLE 5c**

**Barchart Showing a Breakdown of Corporate Area Gun Court Cases Disposed of**

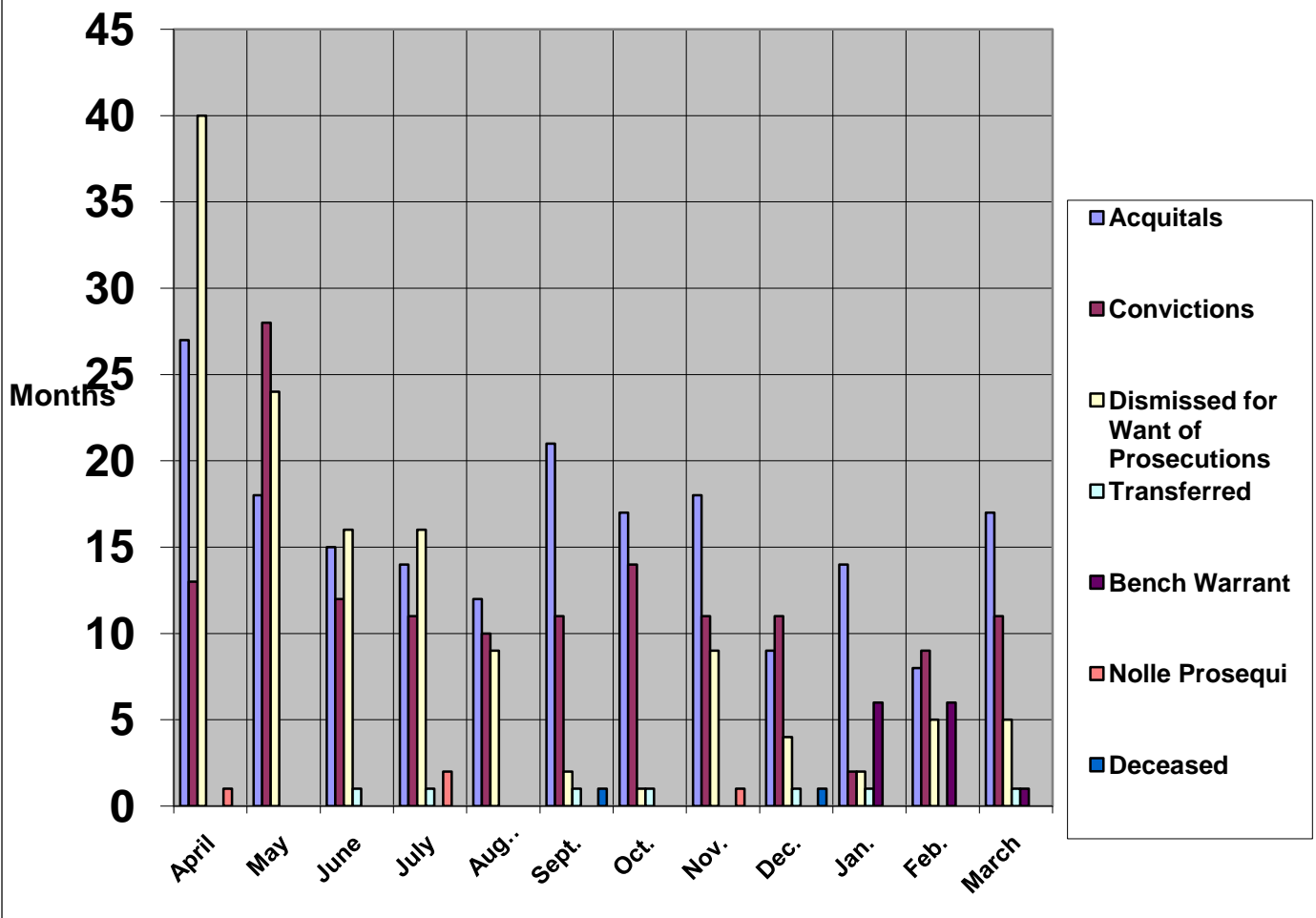




TABLE 6

**Overview of Rural Gun Court Cases**  
**April 1, 2007- March 31, 2008**

<b>PARISHES</b>	<b>TOTAL # CASES LISTED</b>	<b>TOTAL # CASES DISPOSED OF</b>	<b>TOTAL # CASES TRAVERSED</b>
Clarendon	161	83	78
St. Mary	34	12	22
St. Elizabeth	50	15	35
Manchester	84	32	52
Portland	27	12	15
St. Thomas	38	11	27
St. Ann	102	50	52
<b>TOTAL</b>	<b>496</b>	<b>215</b>	<b>281</b>

TABLE 7

## Overview of Regional Gun Court Cases

April 1, 2007 – March 31, 2008

<i>PARISHES</i>	<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	103	101	204	94	110
Trelawny	18	32	50	29	21
Westmoreland	39	29	68	34	34
Hanover	26	17	43	16	27
<b>TOTAL</b>	<b>186</b>	<b>179</b>	<b>365</b>	<b>173</b>	<b>192</b>

### SUMMATION

<i>TOTAL # CASES LISTED</i>	<i>TOTAL # CASES DISPOSED OF</i>	<i># OF CONVICTIONS</i>	<i># OF ACQUITTALS</i>	<i>OTHER</i>
365	173	53	93	27
<b>%TAGE</b>	<b>47.39%</b>	<b>30.64%</b>	<b>53.75%</b>	<b>15.61%</b>

TABLE 8

**Files for Rulings**

April 1, 2007 – March 31, 2008

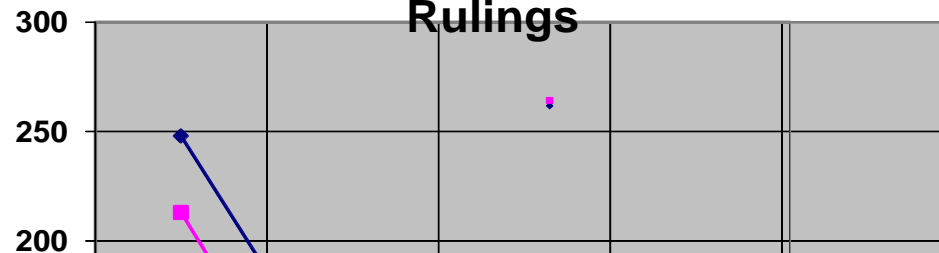
<b>INVESTIGATIVE BODY</b>	<b>COMPLAINTS RECEIVED</b>	<b>RULINGS</b>	<b>% TAGE DISPOSAL</b>
Bureau of Special Investigation	248	213	85.88%
Police Public Complaints Authority	124	86	69.35%
Professional Standards Branch	88	88	100.0%
Deputy Commissioner, CIB	13	18	
Other	14	17	
<b>TOTAL</b>	<b>487</b>	<b>422</b>	

SUMMARY

<b>TOTAL # OF RULINGS</b>	<b>CHARGE</b>	<b>CORONER</b>	<b>DEPARTMENTAL ACTION</b>	<b>NO CHARGE</b>
<b>422</b>	<b>98</b>	<b>54</b>	<b>77</b>	<b>193</b>
<b>% TAGE</b>	<b>23.22%</b>	<b>12.80%</b>	<b>18.25%</b>	<b>45.73%</b>

TABLE 8a

**Graph Showing No. of Files & No. of Rulings**





***\*\* 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 (as is the case in the report for this period) the statistics show that rulings for the period are in excess of the files received.***



## **EXECUTIVE SUMMARY**

The period under review April 1, 2007 to March 31, 2008 continued to present challenges for the Office of the Director of Public Prosecutions. The citizens of Jamaica continued to clamour for a timely justice system.

There was no decrease in the workload for the prosecution during the period under review. Notwithstanding this the Crown Counsel remained committed to two of the most critical objectives of the Department, to continue to present criminal cases before the courts in a timely and efficient manner and to continue to provide the citizens of Jamaica with a professional prosecution service that is fair to both victim and accused.

The major objectives pursued by the Office of the Director of Public Prosecutions during the period April 1, 2007 to March 31, 2008 were as follows:-

### **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 prosecution service that is fair and just to both victim and accused
- To continue to collaborate with law enforcement officers in facilitating the efficient collection, processing and presentation of evidence for the courts
- To continue to work with the relevant parties to fully automate the operations of the Department
- To train staff members in technological applications relevant to the automation of the Office
- To explore the possibilities of obtaining additional prosecutorial expertise to assist in mentoring junior counsel and to afford staff more time in chambers
- To continue to present an annual report on the operations of the Department after the end of the financial year.

Some of the objectives had their own challenges which were in addition to the limited number of experienced persons available to prosecute some of the more complex cases. The reluctant witnesses and jurors also impacted on the Department's ability to provide an efficient prosecution service.

The major tasks for the Department were:-

- To continue to motivate prosecutors to perform at the highest level
- To continue to reduce the caseload for some of the crown counsel thereby allowing them more time to direct their attention to reducing the number of outstanding opinions/rulings
- To continue to provide opportunities and facilities to expose prosecutors to the necessary skills and techniques to enhance their prosecutorial capability
- To recruit Crown counsel to fill existing vacancies to ensure the presentation of cases in a timely manner
- To continue to work with the relevant parties to facilitate full automation of the office

## **ADMINISTRATION**

### **Staffing**

During the period under review the Department lost twelve **(12)** of its staff members and so it continued to operate without its full complement of prosecutorial staff. As a result the caseload for each Counsel continued at an undesirable level. Two (2) members of the prosecutorial staff were promoted to act as Resident Magistrate two (2) proceeded on pre-retirement leave and the remaining (8) members comprising legal and administrative staff remaining opted to pursue personal interests. Three **(3)** persons joined the staff to act as Counsel and three **(3)** to perform administrative functions.

Mr. Kent Pantry, CD, QC proceeded on retirement on March 5, 2008 after serving approximately thirty (30) years at the Office of the Director of Public Prosecutions. Miss Paula Llewellyn, Senior Deputy Director of Public Prosecutions was appointed to succeed the former Director.

The new Director Miss Paula Llewellyn indicated that she wished to use the opportunity to highlight, once more, the need for an increase in the number of experienced prosecutors to handle the increased workload and also the more complex cases which are to be listed for trial.

### **Training**

In the Department's continuing quest to improve prosecutorial capability there the prosecutorial staff participated in one (1) residential seminar during the period under review.

Mr. Dirk Harrison, Acting Deputy Director of Public Prosecutions attended the Conference of the State Parties to the United Nations Convention against Corruption, in Nusa Dua, Indonesia, from the 28<sup>th</sup> January to the 1<sup>st</sup> February 2008.

The attendees were from eighty two (82) of the States who are parties to the Convention and twenty two (22) States who are signatories to the Convention.



Jamaica is among the Signatories to the Convention. Also in attendance were delegations from the European Union, United Nation bodies, the World Bank and the International Monetary Fund (IMF).

On Tuesday, the 29<sup>th</sup> January, 2008 the Jamaican delegation presented its statement to the Convention.

Some delegations provided the Convention with draft resolutions which were adopted on the review of implementation of the UN Convention against Corruption.

The delegation was requested to complete a **Questionnaire for Designated Focal Points and Obtaining Information Regarding Legal Tools and Procedures to Identify, Trace and Seize Corruption Proceeds**. Jamaica completed the questionnaire and it was returned to the respective persons in keeping with the instructions. Among the critical points arising from the Convention was the :-

- Review of implementation of the United Nations Convention against Corruption and to facilitate this exercise the following plenary workshops were held.

One of the suggestions was, that in order to protect against corruption States Parties and Signatories ought to ensure that their laws and regulations are not overly bureaucratic as the belief is that this climate could encourage corruption. In addition it was suggested that State Parties and Signatories need to be more proactive in sharing information and technical expertise in order to strengthen the coalition against corruption.

### **Court Activities**

The activities of the various courts did not meet the Department's expectation as there was no significant decrease in the cases being traversed from one term to another. The department is mindful of the fact that most of the reasons are outside of its control. Reluctant jurors and witnesses continue to be one of the major deterrents to the disposal of a number of the cases listed for trial. The tables attached will provide details of the activities for the period under review.

### **Extradition Requests**

12 extradition requests were received. 2 persons were extradited.

### **Mutual Legal Assistance Requests**

The Department received 17 requests. 8 requests completed

### **Circuit Court Cases**

#### **Home Circuit Court**

881 cases listed and 151 were disposed of

#### **Rural Parish Circuits**

969 cases listed and 393 were disposed of

### **Gun Court**

#### **Corporate Area Gun Court**

3663 files were listed and 483 cases were disposed

#### **Rural Gun Court**

496 cases listed and 215 were disposed of.

#### **Regional Gun Court**

365 cases were listed for trial and 173 of the cases were disposed of.

### **Files for Rulings**

487 files were received as it relates to complaints by the public against the police. 422 files were ruled on.

**Paula V. Llewellyn**  
**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 it desirable 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 in 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 represent 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 Director of Public Prosecutions is responsible for:**

- a) Instituting prosecutions. 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 such as bail applications change of venue, criminal appeals to the Court of Appeal of the Judicial Committee of the Privy Council.
- c) Taking over and continuing or discontinuing a particular case in any of the Courts in Jamaica
- d) Supervising all Clerks of the Courts in prosecutions in all parishes in Jamaica.

In keeping with the functions outlined above the Department committed itself to achieving the following objectives for the period April 1, 2006 to March 31, 2007.

## **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 prosecution service that is fair and just to both victim and accused
- To continue to collaborate with law enforcement officers in facilitating the efficient collection, processing and presentation of evidence for the courts
- To continue to work with the relevant parties to fully automate the operations of the Department
- To train staff members in technological applications relevant to the automation of the Office
- Explore the possibilities of obtaining additional prosecutorial expertise to assist in mentoring junior counsel and to afford staff more time in chambers
- To continue to present an annual report on the operations of the Department after the end of the financial year.

Some of the objectives had their own challenges which were in addition to the limited number of experienced persons available to prosecute some of the more complex cases. The reluctant witnesses and jurors also impacted on the Department's ability to provide an efficient prosecution service.

The major tasks for the Department were:-

- To continue to motivate prosecutors to perform at the highest level
- To continue to reduce the caseload for some of the crown counsel thereby allowing them more time to direct their attention to reducing the number of outstanding opinions/rulings

- To continue to provide opportunities and facilities to expose prosecutors to the necessary skills and techniques to enhance their prosecutorial capability
- To recruit Crown counsel to fill existing vacancies to ensure the presentation of cases in a timely manner
- To continue to work with the relevant parties to facilitate full automation of the office
- To train members of staff in computer applications relevant to the automation process in order to enhance their capability to ensure the smooth operation of the automation process.

## ADMINISTRATION

### Budget Allocation

The approved budget for the Office of the Director of Public Prosecutions for the financial year April 1<sup>st</sup> 2007 to March 31<sup>st</sup> 2008 was **\$148,001,000.00**. This was an increase of **\$9,401,000.00** or approximately **6.78%** over the previous year. The Department was unable to attract persons to fill existing senior vacant positions because of its inability to offer attractive competitive compensation packages. The largest portion of the budget was spent on employees' compensation and related Travel and Subsistence expenses.

### STAFF RELATED MATTERS

#### Staffing

The present Director of Public Prosecutions is Miss Paula V. Llewellyn. She is responsible for a staff complement of attorneys classified as Prosecutors. Listed below is a detailed classification of the staff complement.

<u>Position Title</u>	<u>No. of Posts</u>
Director, Public Prosecutions	1
Senior Deputy Director, Public Prosecutions	3
Deputy Director, of Public Prosecutions	4
Assistant Director, Public Prosecutions	8
Crown Counsel	14
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	3
Senior Secretary	3
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

## **STAFF CHANGES**

### **Departures**

During the period under review the Department lost twelve persons, among them the Director, Mr. Kent Pantry, Q.C. and nine (9) of its more experienced prosecutors and so it continued to operate without its full complement of prosecutorial staff.

Mr. Kent Pantry, Q.C. proceeded on retirement on March 5, 2008 after serving approximately thirty (30) years at the Office of the Director of Public Prosecutions. He served as Director of Public Prosecutions for nine (9) years and three (3) months. Miss Paula Llewellyn, Senior Deputy Director of Public Prosecutions was appointed to succeed the former Director.

Two (2) of the senior prosecutors were and the seven (7) others in that category opted to pursue personal interest. One (1) administrative staff member proceeded on retirement and one (1) opted to pursue personal interest. The new Director Miss Paula Llewellyn used the opportunity to highlight the need to increase the number of experienced prosecutors to handle the more complex cases which are to be listed for trial and to improve the conditions of service in an effort to continue to motivate and to retain experienced staff prosecutors.

### **Employment**

Six (6) new persons joined the Department during the period under review. Three (3) persons were assigned to act as Crown Counsel but could not contribute to reducing the Department's workload because they were not experienced enough to handle some of the matters. They were therefore assigned to appear with senior experienced Crown Counsel to be mentored. Three (3) persons joined the Administrative group to provide secretarial and administrative support to the Department.



## **TRAINING**

### **Job Related Training (Local)**

In the Department's continuing quest to improve prosecutorial capability members of the prosecutorial staff participated in one (1) residential seminar during the period under review

### **Job Related Training (Overseas)**

Mr. Dirk Harrison, Acting Deputy Director of Public Prosecutions attended the Conference of the State Parties to the United Nations Convention against Corruption, in Nusa Dua, Indonesia, from the 28<sup>th</sup> January to the 1<sup>st</sup> February 2008.

The attendees were from eighty two (82) of the States who are parties to the Convention and twenty two (22) States who are signatories to the Convention. Jamaica is among the Signatories to the Convention. Also in attendance were delegations from the European Union, United Nation bodies, the World Bank and the International Monetary Fund (IMF).

On Tuesday, the 29<sup>th</sup> January, 2008 the Jamaican delegation presented its statement to the Convention.

Some delegations provided the Convention with draft resolutions which were adopted on the review of implementation of the UN Convention against Corruption.

The delegation was requested to complete a **Questionnaire for Designated Focal Points and Obtaining Information Regarding Legal Tools and Procedures to Identify, Trace and Seize Corruption Proceeds**. Jamaica completed the questionnaire and it was returned to the respective persons in keeping with the instructions. Among the critical points arising from the Convention was the :-

- Review of implementation of the United Nations Convention against Corruption and to facilitate this exercise the following plenary workshops were held.

One of the suggestions was, that in order to protect against corruption States Parties and Signatories ought to ensure that their laws and regulations are not overly bureaucratic as the belief is that this climate could encourage corruption. In addition it was suggested that State Parties and Signatories need to be more proactive in sharing information and technical expertise in order to strengthen the coalition against corruption.

### **INTERNET ACCESS**

Each staff member has now been assigned a computer. Internet access is now available so Crown Counsel can readily access information to assist them in the preparation of their cases.

### **PHOTOCOPYING FACILITIES**

The demand for photocopy documents continued to increase because of the number of cases listed for trial. The rules of disclosure make it mandatory for the defence team for each accused. The Director is using this opportunity to highlight the need for a new heavy duty photocopying machine to cope with the increasing demand for photocopy documents.

**SUMMARY OF COURT ACTIVITIES FOR THE PERIOD**  
**APRIL 1, 2007 – MARCH 31, 2008**

**Extradition Requests**

12 extradition requests were received and there were 2 extraditions. 10 requests are still being processed. 8 requests were received from the United States of America. (See Table 1 for more details)

**Mutual Legal Assistance Treaties Requests**

17 requests were received during the period under review. 8 requests have been completed. 9 are still being processed. The United Kingdom made 7 of the requests and the United States of America 3. (See Table 2).

**Circuit Court Cases**

The Department continued to collaborate with the law enforcement officers to ensure that the presentation of evidence for the courts is at the highest level thereby contributing to the delivery of justice in an efficient and timely manner.

**Rural Parish Circuits**

969 cases were listed for trial, 393 of the cases were disposed of and 576 of the cases were traversed to the next term. Murder cases accounted for 336. The parishes of St. Elizabeth (126) St. Catherine (129), Westmoreland 116 and St. Mary 103 accounted for the highest number of the cases listed for trial. (See Table 3, 3a, 3b & 3c for more details).

**Home Circuit Court**

881 cases were listed for trial for the term. 151 cases were disposed of and 730 of the cases were traversed to the next term. Murder and Capital murder together accounted for 460 the highest number of cases followed by 183 sexual offences cases. (See Table 4, 4a for details).

## **Gun Court Cases**

### **Corporate Area Gun Court**

At the start of the review period April 1, 2007 to March 31, 2008 there were **3663** cases pending. **671** new cases were added to the list and **483** cases were disposed of. At the end of the period under review **3851** cases were traversed. **(See Table 5, 5a, 5b, 5c for more details).**

**Rural Gun Court** (Clarendon, St. Mary, St. Elizabeth, Manchester, Portland, St. Thomas and St, Ann)

**496** cases were listed for trial. **215** of the cases listed were disposed of. **281** cases were traversed to the next term.

**(See Table 6).**

**Regional Gun Court** (St. James, Trelawny, Westmoreland and Hanover)

**179** new cases were listed for the period. The total number of cases listed for trial was **365**. **173** cases were disposed of and **192** cases were traversed to the next term. St. James with **204** cases accounted for most of the cases listed for trial. **(See Table 7).**

## **Files for Rulings**

**487** files were received from the various bodies for rulings in relation to police excesses in the performance of their duties. The majority of the complaints **248** were received from the Bureau of Special Investigations. Police Public Complaints Authority with **124** was next in line. **422** rulings were made. **(See Table 8, 8a & 8b)**

***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 (as is the case in the report for this period) the statistics show that rulings for the period are in excess of the files received.***

**TABLE 1**

**Overview of Extradition Requests**

*April 1, 2007- March 31, 2008.*

<b>COUNTRY</b>	<b># OF CASES</b>	<b>EXTRA-DITED</b>	<b>BEFORE THE COURT</b>	<b>WARRANT WITH POLICE</b>	<b>OTHER</b>
<b>USA</b>	8	1	3	-	4
UNITED KINGDOM	1	-	-	-	1
CANADA	2	1	-	-	1
<b>ICELAND</b>	1	-	-	-	1
<b>TOTAL</b>	<b>12</b>	<b>2</b>	<b>3</b>	<b>-</b>	<b>7</b>

**TABLE 2**

**Overview of Mutual Legal Assistance Requests**

**April 1, 2007 – March 31, 2008**

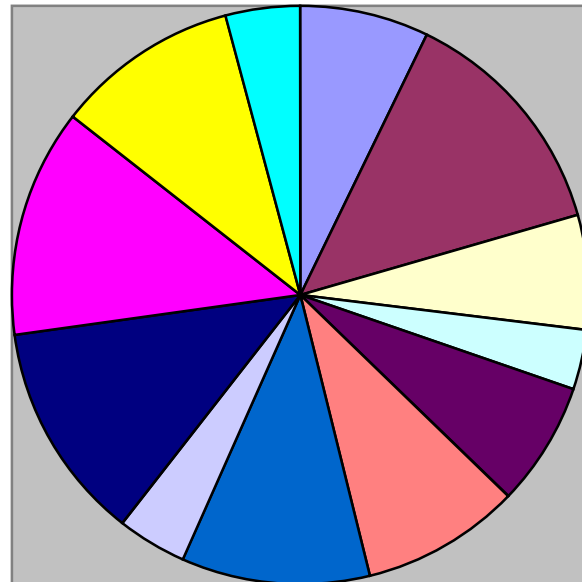
<b>REQUESTING STATE</b>	<b># OF FILES RECEIVED</b>	<b>REQUESTS GRANTED</b>	<b>REQUESTS COMPLETED</b>	<b>AWAITING INFO</b>	<b>AWAITING RESULTS</b>
United Kingdom	7	7	3	2	2
United States	3	3	1	-	2
Canada	1	1	1	-	-
Grand Cayman	1	1	1	-	-
Bermuda	1	1	-	1	-
Guatemala	1	1	-	1	-
Netherlands	1	1	-	-	1
Curacao	1	1	1	-	-
Poland	1	1	1	-	-
<b>TOTAL</b>	<b>17</b>	<b>17</b>	<b>8</b>	<b>4</b>	<b>5</b>

**TABLE 3**  
***Overview of Parish Circuit Court Cases***  
***April 11, 2007 - March 31, 2008***

Parishes	# Cases Listed	# Cases Dis-Posed of	# Cases Tra-Versed	Trans-Fered	Bench War-Rant	Murder	Incest	Rape	Carnal Abuse	Wounding With Intent/ Assault	Man-Slaught-er	Buggery	Other
Clarendon	70	32	38	1	3	19	2	14	17	5		1	12
St. Catherine	129	67	62	1	-	32	4	28	45	2	-	8	10
Hanover	63	27	36	-	-	18	2	6	8	15	1	-	13
Trelawny	32	14	18	1	-	14	-	5	8	1	-	-	4
St. Thomas	67	26	41	1	1	12	-	13	19	11	2	2	8
St. Ann	85	21	64	-	-	47	-	15	9	11	5	-	9
St. Mary	103	29	74	-	-	40	2	10	37	8	-	-	6
Portland	39	19	20	-	-	17	-	6	7	3	-	-	6
Westmoreland	116	55	61	1	-	34	2	25	20	15	8	-	12
St. Elizabeth	126	39	87	1	1	44	6	16	24	13	9	3	11
St. James	98	47	51	-	-	48	-	14	17	6	4	4	5
Manchester	41	17	24	-	-	11	-	2	9	3	2	-	14
<b>TOTAL</b>	<b>969</b>	<b>393</b>	<b>576</b>	<b>6</b>	<b>5</b>	<b>336</b>	<b>18</b>	<b>154</b>	<b>220</b>	<b>82</b>	<b>31</b>	<b>18</b>	<b>110</b>

**TABLE 3a**

**Pie Chart Showing Overview of  
Parish Circuit Course Cases**



- Clarendon
- St. Catherine
- Hanover
- Trelawny
- St. Thomas
- St. Ann
- St. Mary
- Portland
- Westmoreland
- St. Elizabeth
- St. James
- Manchester



**TABLE 3b**

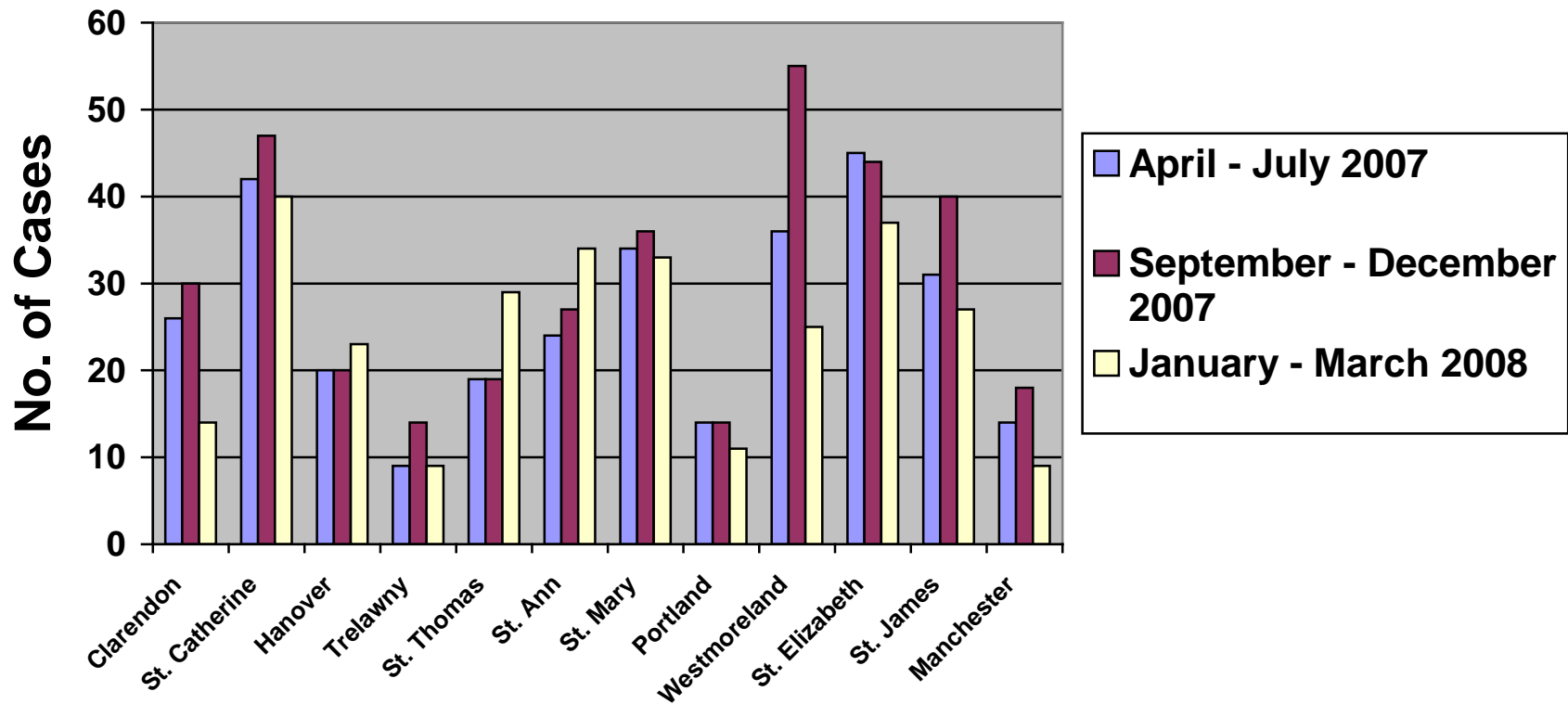
**Quarterly Summary of Parish Circuit Court Cases**

**April 11, 2007 - March 31, 2008**

Review Period	Clarendon	Saint Catherine	Hanover	Trelawny	Saint Thomas	Saint Ann	Saint Mary	Portland	West-moreland	Saint Elizabeth	Saint James	Manchester	Total
April – July '07	26	42	20	9	19	24	34	14	36	45	31	14	<b>314</b>
September - December '07	30	47	20	14	19	27	36	14	55	44	40	18	<b>364</b>
January – March '08	14	40	23	9	29	34	33	11	25	37	27	9	<b>291</b>
<b>TOTAL</b>	<b>70</b>	<b>129</b>	<b>63</b>	<b>32</b>	<b>67</b>	<b>85</b>	<b>103</b>	<b>39</b>	<b>116</b>	<b>126</b>	<b>98</b>	<b>41</b>	<b>969</b>

**TABLE 3c**

## Chart Showing Quarterly Summary of Parish Circuit Court Cases



**TABLE 4**

**Overview of Home Circuit Cases**

**April 11, 2007 – March 14, 2008**

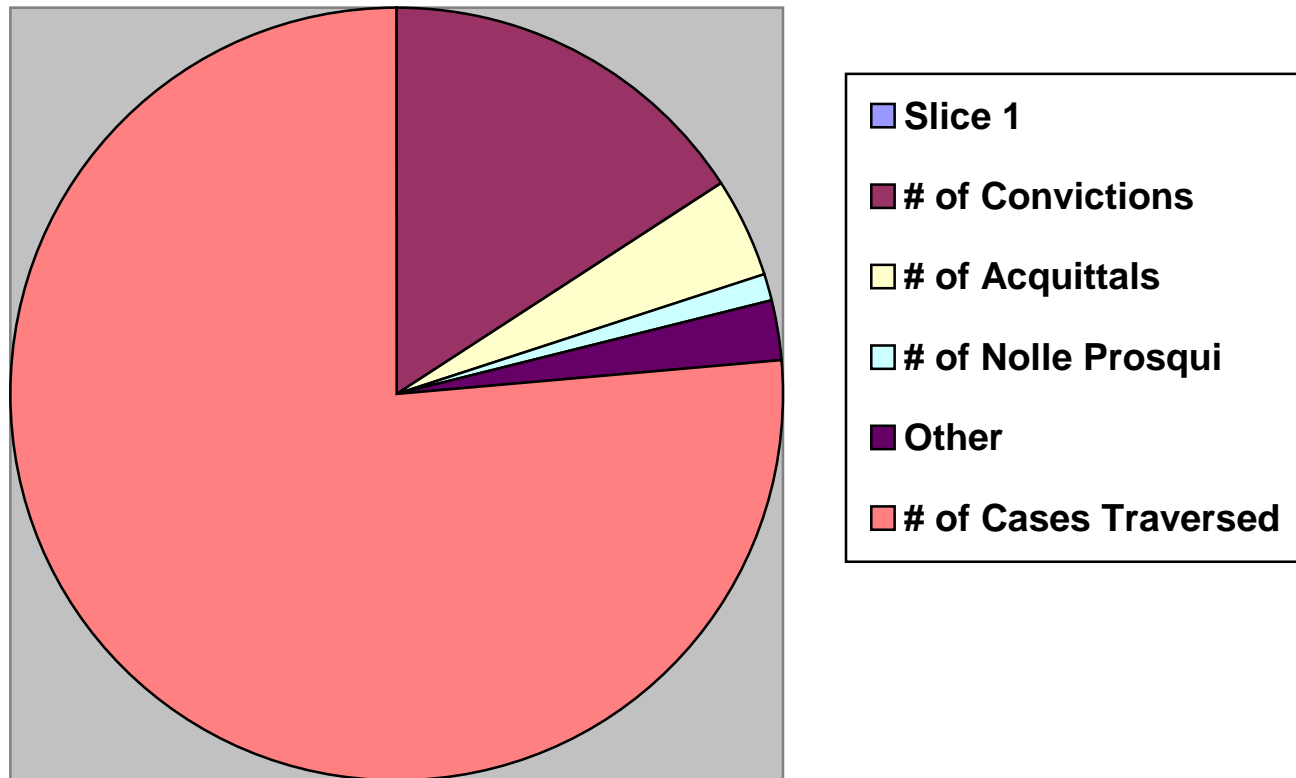
<b>TOTAL CASES LISTED</b>	<b># CASES DISPOSED OF</b>	<b># OF CONVICTIONS</b>	<b># OF ACQUITTALS</b>	<b># OF NOLLE PROSEQUI</b>	<b>OTHER</b>	<b># CASES TRAVERSED</b>
<b>881</b>	<b>151</b>	<b>75</b>	<b>40</b>	<b>12</b>	<b>24</b>	<b>730</b>

**Overview of the Home Circuit Cases Traversed**

<b># Cases Traversed</b>	<b>Capital Murder &amp; Murder</b>	<b>Incest</b>	<b>Rape</b>	<b>Carnal Abuse</b>	<b>Wounding With Intent Assault</b>	<b>Causing Death by Dangerous Driving</b>	<b>Man- Slaughter</b>	<b>Human Trafficking</b>	<b>Other</b>
<b>730</b>	<b>460</b>	<b>8</b>	<b>93</b>	<b>85</b>	<b>39</b>	<b>5</b>	<b>10</b>	<b>6</b>	<b>24</b>
	<b>63.01%</b>	<b>1.10%</b>	<b>12.74%</b>	<b>11.64%</b>	<b>5.34%</b>	<b>0.69%</b>	<b>1.37%</b>	<b>0.82%</b>	<b>3.29%</b>

**TABLE 4a**

### **Pie Chart Showing Overview of Home Circuit Cases**



**TABLE 5**

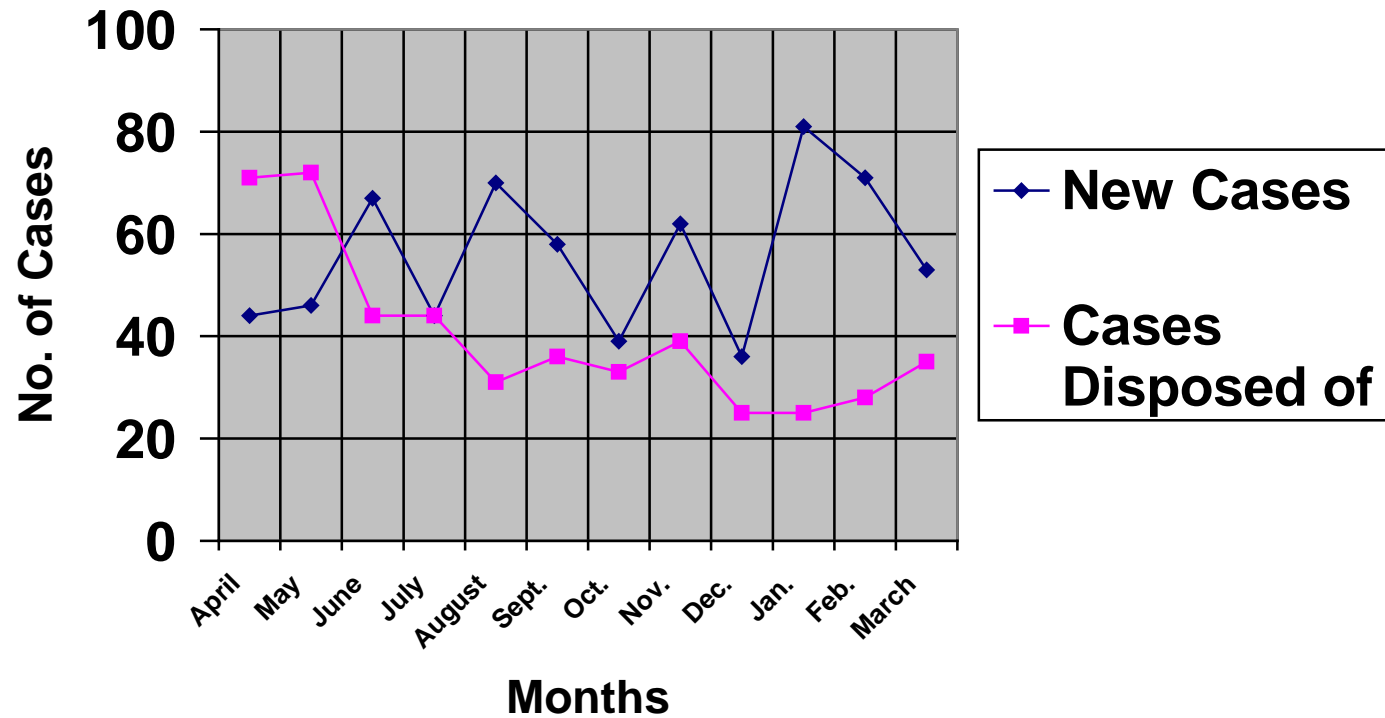
**Overview of Corporate Area Gun Court Cases**

**April 1, 2007- March 31, 2008**

	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>Sept.</b>	<b>Oct.</b>	<b>Nov.</b>	<b>Dec.</b>	<b>Jan.</b>	<b>Feb.</b>	<b>March</b>	<b>TOTAL</b>
Cases Traversed	3663	3636	3610	3633	3633	3672	3694	3700	3723	3734	3790	3833	
New Cases	44	46	67	44	70	58	39	62	36	81	71	53	<b>671</b>
Total Cases	3707	3682	3677	3677	3703	3730	3733	3762	3759	3815	3861	3886	
Cases Disposed of	71	72	44	44	31	36	33	39	25	25	28	35	<b>483</b>
Cases Pending	3636	3610	3633	3633	3672	3694	3700	3723	3734	3790	3833	3851	

**TABLE 5a**

## Overview of Corporate Area Gun Court Cases



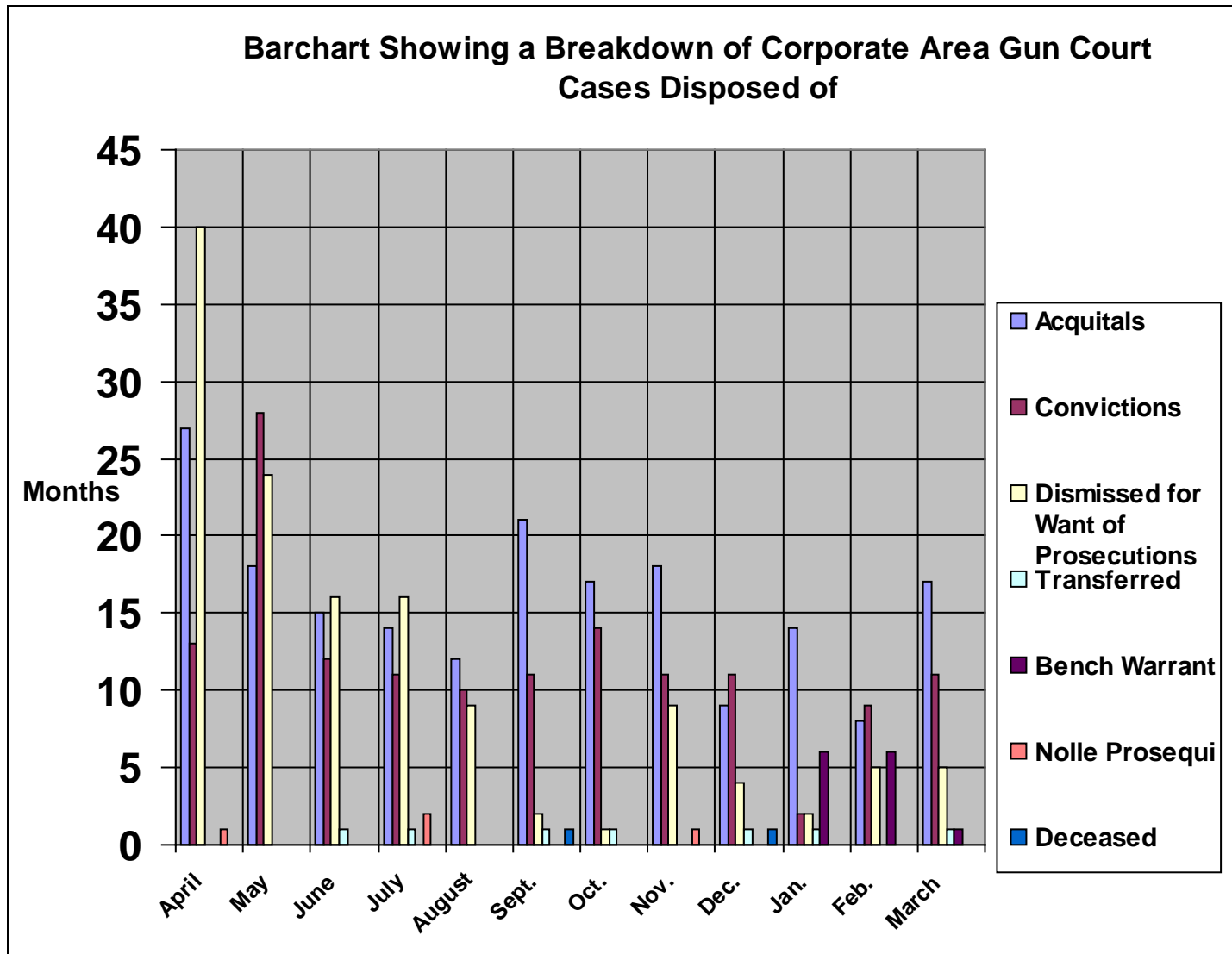
**TABLE 5b**

***Breakdown of Corporate Area Gun Court Cases Disposed of***

***April 1, 2007- March 31, 2008***

	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>Sept.</b>	<b>Oct.</b>	<b>Nov.</b>	<b>Dec.</b>	<b>Jan.</b>	<b>Feb.</b>	<b>March</b>	<b>TOTAL</b>
<b>Acquittals</b>	27	18	15	14	12	21	17	18	9	14	8	17	<b>190</b>
<b>Convictions</b>	13	28	12	11	10	11	14	11	11	2	9	11	<b>143</b>
<b>Dismissed for Want Of Prosecution</b>	40	24	16	16	9	2	1	9	4	2	5	5	<b>133</b>
<b>Transferred</b>	-	-	1	1	-	1	1	-	1	1	-	1	<b>7</b>
<b>Bench Warrant</b>	-	-	-	-	-	-	-	-	-	6	6	1	<b>13</b>
<b>Nolle Prosequi</b>	1	1	-	2	-	-	-	1	-	-	-	-	<b>5</b>
<b>Deceased</b>	-	1	-	-	-	1	-	-	1	-	-	-	<b>3</b>
<b>TOTAL</b>	<b>81</b>	<b>72</b>	<b>44</b>	<b>44</b>	<b>31</b>	<b>36</b>	<b>33</b>	<b>39</b>	<b>26</b>	<b>25</b>	<b>28</b>	<b>35</b>	<b>494</b>

**TABLE 5c**





**TABLE 6**

**Overview of Rural Gun Court Cases  
April 1, 2007- March 31, 2008**

<b>PARISHES</b>	<b>TOTAL # CASES LISTED</b>	<b>TOTAL # CASES DISPOSED OF</b>	<b>TOTAL # CASES TRAVERSED</b>
Clarendon	161	83	78
St. Mary	34	12	22
St. Elizabeth	50	15	35
Manchester	84	32	52
Portland	27	12	15
St. Thomas	38	11	27
St. Ann	102	50	52
<b>TOTAL</b>	<b>496</b>	<b>215</b>	<b>281</b>

**TABLE 7**

**Overview of Regional Gun Court Cases**

*April 1, 2007 – March 31, 2008*

<b>PARISHES</b>	<b>CASES BROUGHT FORWARD</b>	<b>NEW CASES</b>	<b>TOTAL # CASES LISTED</b>	<b>TOTAL # CASES DISPOSED OF</b>	<b>TOTAL # CASES TRAVERSED</b>
St. James	103	101	204	94	110
Trelawny	18	32	50	29	21
Westmoreland	39	29	68	34	34
Hanover	26	17	43	16	27
<b>TOTAL</b>	<b>186</b>	<b>179</b>	<b>365</b>	<b>173</b>	<b>192</b>

**SUMMATION**

<b>TOTAL # CASES LISTED</b>	<b>TOTAL # CASES DISPOSED OF</b>	<b># OF CONVICTIONS</b>	<b># OF ACQUITTALS</b>	<b>OTHER</b>
365	173	53	93	27
<b>%TAGE</b>	<b>47.39%</b>	<b>30.64%</b>	<b>53.75%</b>	<b>15.61%</b>

**TABLE 8**

**Files for Rulings**

**April 1, 2007 – March 31, 2008**

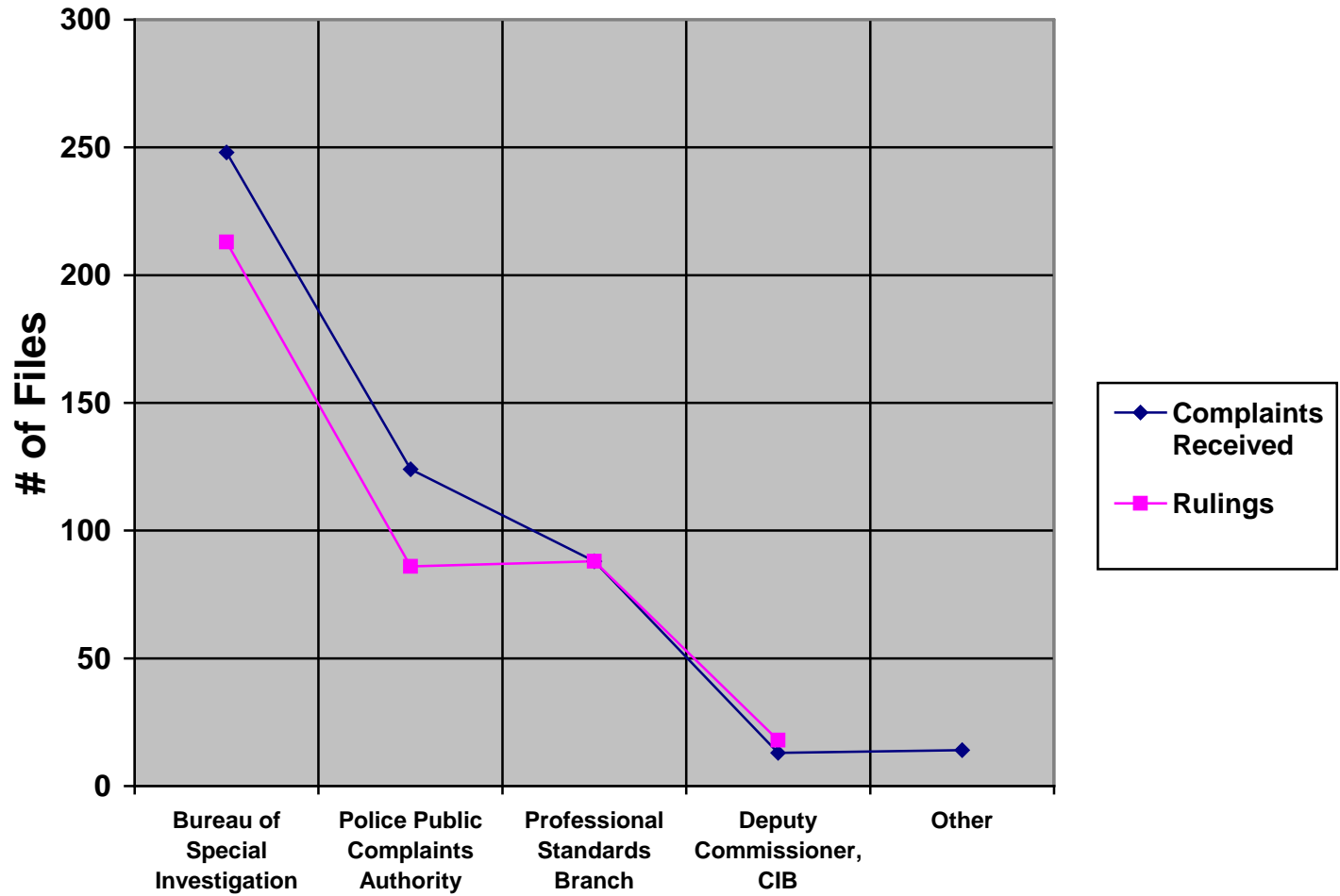
<b><i>INVESTIGATIVE BODY</i></b>	<b><i>COMPLAINTS RECEIVED</i></b>	<b><i>RULINGS</i></b>	<b><i>% TAGE DISPOSAL</i></b>
Bureau of Special Investigation	248	213	85.88%
Police Public Complaints Authority	124	86	69.35%
Professional Standards Branch	88	88	100.0%
Deputy Commissioner, CIB	13	18	
Other	14	17	
<b>TOTAL</b>	<b>487</b>	<b>422</b>	

**SUMMARY**

<b>TOTAL # OF RULINGS</b>	<b>CHARGE</b>	<b>CORONER</b>	<b>DEPARTMENTAL ACTION</b>	<b>NO CHARGE</b>
<b>422</b>	<b>98</b>	<b>54</b>	<b>77</b>	<b>193</b>
<b>% TAGE</b>	<b>23.22%</b>	<b>12.80%</b>	<b>18.25%</b>	<b>45.73%</b>

**TABLE 8**

**Graph Showing No. of Files & No. of Rulings**



***\*\* 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 (as is the case in the report for this period) the statistics show that rulings for the period are in excess of the files received.***