

## **1. Purpose**

The Honourable House is asked to note the Chief Justice's Statistical Report for the Easter Term of the Calendar year 2018.

## **2. Background**

**2.1** In 2016, the Statistician hired to the Supreme Court commenced work to improve the Statistics and data collection capacity in the Courts.

As a consequence of the foregoing, statistical Reports are now routinely prepared for the Supreme Court and Parish Courts for tabling in Parliament. In addition to being tabled in Parliament, the Reports are also posted on the website of the Supreme Court in order to increase transparency in the operations and output of the Courts.

This Statistical Report for the Easter Term provides extensive insights into case activity and performance of the Divisions of the Supreme Court.

## **3. Highlights of the Issues in the Report - Easter Term**

### **3.1 Case Activity across Courts**

A total of 4,274 new cases entered the Supreme Court across all Divisions in the Easter Term while 3,337 cases were disposed. The High Court Civil (HCV) and Matrimonial Divisions with 1,571 and 1,366 respectively, of the total number of new cases, accounted for the largest share, while the Home Circuit Court with 148 new cases and the Revenue Division with 3 cases had the lowest count.

The Probate and Matrimonial Divisions continue to account for a large proportion of the cases disposed. Together, the Divisions accounted for

roughly 68% of all disposed matters in the Supreme Court for the Easter Term, representing 10 percentage points more than the previous Term. On the other hand, the Revenue Division and the Home Circuit Court account for the lowest number of disposed cases, although the Home Circuit Court disposed significantly more cases than the previous Term.

When all Divisions are accounted for, the total number of new cases filed was 23.71% more than the Hilary Term of 2018. The number of cases disposed also rose significantly, with a leap of 10.94% when compared to the previous Term.

### **3.2 Case Clearance Rate across Courts**

The average clearance rate across the four Divisions was roughly 78%, an increase of over 30 percentage points when compared to both the Hilary Term of 2018 and the annualised results from 2017. This average of 78% across the Divisions suggests that for every 100 new cases entered in the period, roughly 78 were also disposed (not necessarily from the new cases entered).

The case clearance rates for the Easter Term ranged from a low of 38.76% in the HCV Division to a high of 111.39% in the Gun Court. The results are quite instructive, as four of the seven Divisions met the International standard by exceeding the 90% mark, with the Matrimonial and Probate Divisions and the Gun Court exceeding 100% and the Home Circuit Court exceeding the 90% for the first time in at least two and a half years.

The Home Circuit Court was the most improved Division with an increase of roughly 57 percentage points when compared to the previous Term. The overall statistics on the case clearance rate gives profound insights into potential case flow and backlog across the Divisions of the Supreme Court.

## **4. Challenges**

### **4.1 Hearing Date Certainty**

While there has been some marginal improvement in the Easter Term overall, most Divisions of the Supreme Court continue to encounter severe challenges with the rate of strict adherence to dates set for hearing or trial due to the high incidence of adjournments. The trial and hearing date certainty, which computes the rate of adherence to date scheduled, ranges from an approximate low of roughly 55.93% in the Home Circuit Court to an approximate high of 91.73% in the Commercial Division for the Easter Term.

The average date adherence across the Divisions for the period under examination was roughly 72%, an increase of 6 percentage points when compared to the Hilary Term of 2018 and 3 percentage points when compared to 2017.

This result for the Term is an indication that there is a 72% probability that a matter scheduled for a hearing or trial date will go ahead without adjournment.

## **5. Target**

**5.1** The Chief Justice has established a court-wide target of a 95% trial and hearing date certainty over the next six years. In furtherance of realising this target, a range of operational initiatives have commenced across the Divisions of the Supreme Court in an effort to improve hearing and trial date certainty.

If the targets set out by the Chief Justice for both the case clearance and trial and hearing date certainty rates are sustainably achieved over the next six years, the Jamaican judiciary would become poised to be in the top quintile of the most efficient and productive in the Caribbean and Latin American

region. Undoubtedly, this would contribute to the foundation for sustainable economic growth and development and a more productive society.

The Honourable House is asked to note the foregoing.

A handwritten signature in cursive script, appearing to read "Delroy Chuck".

Delroy Chuck, QC, MP

Minister

November 20, 2018