

**1. Purpose**

**1.1** The Honourable House is being asked to note the Chief Justice’s Annual Statistical Report for the Parish Courts for 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 on a range of variables which chart the progression of criminal cases from initiation to disposition in the Courts.

As a consequence of the foregoing, Statistical Reports are now routinely prepared for the 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 2018 Annual Report interrogates a number of vital measures, which provides insight into the operations of the parish courts from an individual, as well as, on an aggregated basis and provides a concrete basis for placing the analysis of the judicial system into perspective.

**3. Review of Operations - Calendar year (2018)**

**3.1 Operational Review**

During the year under review, the Office of the Chief Justice continued to provide essential insights into the criminal case activity in the parish courts in pursuance of creating a data driven court system where statistics form the basis of informing operational and policy decisions.

**3.2 Key Findings**

**3.2.1 Case Clearance**

Among the key findings outlined in the Report, is that the overall criminal case clearance rate across the parish courts met the

minimum prescribed international standard of 90%-110%, netting out at 94.31% in 2018. This represents an improvement of 22.78 percentage points when compared to 2017.

Notably, nine (9) of the parish courts met the minimum international benchmark for the case clearance rates, the attainment of which is viewed as critical to the foundation for both reducing and preventing case backlog. These results provide a good anchorage for the major effort underway to eliminate the criminal case backlog in the courts within six years.

### **3.2.2 Case Congestion Rates**

Note that a court's congestion rate is a measure of how well a court is doing in managing its pending caseload, relative to its rate of disposition. As such, the higher the case congestion rates of a court, the more burdensome the caseload.

Additionally, the rarely attained prescribed benchmark case congestion rate of 100% was met by the parish courts of Westmoreland and St. Catherine for the 2018 reporting period. This is significant, as it is the first time since the commencement of this type of reporting on the Jamaican court system that any court has accomplished this feat.

### **3.2.3 Trial Date Certainty**

The overall average trial date certainty rate for criminal matters across the parish courts in 2018 was 80%, representing a one percentage point improvement when compared to 2017. The parish courts of Westmoreland and Portland, each with a trial date certainty rate of 100% across all four quarters of 2018, lead on this measure while the parish courts of St. Mary, Hanover and St. Thomas, all rank in the lowest quintile.

With this being said, there has been a general improvement in the productivity of the courts for the 2018 calendar year. This improvement can be attributed to a number of factors including the strengthening of the case management process through the proactive leadership of the Judges, the work of the case progression officers and the adoption of a data driven managerial approach.

#### **4. Highlights of Issues in the Report - Calendar year (2018)**

##### **4.1 Parish Court Statistics – New Case Activity**

The aggregate new case count in the parish courts in 2018 was 27,567 cases, with a monthly average of 2,297. When compared to the previous year, there was a noticeable decline by 14.56% or 4,699 when compared with the 2017 figure of 32,266.

For the reporting period, the Corporate Area Parish Court (Criminal Division) new case count was 5,703 or 20.69%, followed by the St. Catherine and St. James Parish Courts with 3,911 or 14.90% and 2,507 or 9.09% respectively, accounting for the three largest proportions of the new cases filed. Taken together, these three parish courts accounted for 44.68% of the new cases filed in 2018. Interestingly, these three courts also ranked first to third in terms of share of aggregate new cases filed in 2017.

In contrast, the parish courts of Trelawny with 1,058, St. Thomas with 1,032, and Hanover with 1,027, accounted for the lowest shares of the aggregate new cases filed in 2018, each with under 4% of the total caseload for the year.

##### **4.2 Parish Court Statistics – Case Disposal Rate**

The overall average disposal rate for cases originating in 2018 was 70.92%, which is an increase of 1.17 percentage points when compared to the previous year. The Westmoreland Parish Court continued to dispose of new cases the fastest with a disposal rate of 80.42%, followed by the Corporate Area Court - Criminal Division with a rate of 77.94% and the St. Catherine

Parish Court with 77.63%. It is noteworthy to mention as well, that the St. James Parish Court had a disposal rate of 76.11%.

That being said, these four courts were the only ones to exceed the 75% case disposal rate marker in 2018, placing them in line with some of the better performing courts worldwide and firmly on course to be virtually backlog free within six years, if this rate can be sustained.

In contrast, the Clarendon Parish Court with a disposal rate of 60.23% followed by the St. Ann and Trelawny Parish Courts with 56.92% and 62.10% respectively, had the lowest disposal rates for the 2018.

Court disposal rates as an indicator is important, as they measure the number of cases disposed (concluded) in a particular period, unlike clearance rates, which focuses on the number of incoming to outgoing cases (disposed cases) regardless of when the disposed cases originated.

#### **4.3 Parish Court Statistics – Backlog of Criminal Cases**

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The estimated backlog of criminal cases in the parish courts at the end of 2018 is 26,452 cases, which is close to the total number of new cases filed in said year. This represents a notable 11.30% reduction in the criminal case backlog in the parish courts, an improvement that is attributed to the significant improvements in the case clearance rate in 2018.

Note that a criminal case is considered to be in backlog if it has been in the court system for more than two years without disposal.

#### **4.4 Parish Court Statistics – Demographics**

Court demographics provide statistics on a range of key indicators including gender and age distribution as well as the distribution of the most frequently occurring charges. For instance, the overwhelming majority of offenders

across all parish courts for 2018 were male, accounting for approximately 81.22% of the total, while females accounted for approximately 18.78%.

The three most frequent criminal charges filed in the parish courts in 2018 were assault occasioning bodily harm being 11.62%, unlawful wounding, 8.63% and armed with an offensive weapon being 6.09%.

The dominant age groups of offenders across offending categories were the 20-26 and the 27-36 age groups, accounting for 26.65% and 29.81% respectively, of the total number of offences filed in 2018.

## 5. Challenges

**5.1** While it is recognised that Court performance has improved, the system is still some way off from reaching its optimal level of efficiency. For instance, there still remains a need to improve the scheduling practices in the court management process in the courts. It is also important for electronic and other monitoring mechanisms to be fully utilized in order to ensure that the probability of cases lagging in the court system and entering backlog classification are substantially lessened.

Additionally, it is imperative that external stakeholders, who are partly responsible for lengthy and frequent delays in criminal matters, be engaged, if optimal efficiency is to be realised.

The Honourable House is being asked to note the foregoing.



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Minister

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