

**Senator the Hon. Dorothy Lightbourne, Q.C.,  
Attorney-General & Minister of Justice.**

**Address to newly-sworn in JPs for Clarendon.**

**Date: Wednesday, June 11, 2008.**

**St. Gabriel's Anglican Church Hall,  
May Pen.**

Greetings Custos of Clarendon, the Hon. R. James deRoux ,  
Resident Magistrates, Representatives of the church, police officials,  
the business community, residents.

Congratulations, ladies and gentlemen, who have been sworn in this  
afternoon as Justices of the Peace for Clarendon. Your appointment  
is as much an honour for you, as for the parish itself. It is a  
recognition of the trust that members of the community -- your own  
people -- have placed in you, as honest, upstanding citizens. It is  
for you to ensure that they get quality and conscientious service, as  
you fulfill your civic obligations.

Being steeped in the history and culture of the communities in which  
you live and work, you will be called upon to perform invaluable  
service to the parish, drawing on your deep knowledge of your fellow  
citizens and their neighborhoods.

It is important to note that although a certain social status, a level of  
honour of sorts, comes with the appointment of Justice of the Peace,  
the office is purely honorary, and JPs, despite the temptations they  
may be exposed to from time to time, cannot accept payment for their  
services.

On being commissioned as Justices of the Peace you commit yourselves to serving without monetary rewards and you should never forget that.

I must quickly add however that the Jamaican Justice System Reform Task Force has recommended that reimbursement be made for travel and lunch expenses incurred by JPs while carrying out their duties. Government has not made any final decision on the matter, as the reform is ongoing.

JPs, if you are to serve your country well, you should be honest and beyond reproach. Special emphasis must be placed on a number of things when you are approached to sign documents.

You must not attest to what is known to be false. You must not sign forms or other documents to enable deportees or other persons of questionable character to obtain passports in names other than their own, or to facilitate persons to perpetrate fraud against private individuals, businesses, or the state.

Do not give recommendations to persons to enlist in the security forces when you know they are ~~bad~~ bad eggs. +Resist signing documents which enable persons convicted of serious crimes to change their names by deed poll to apply for passports, gun licences or other business transactions in new names.

As white collar crimes such as fraud and identity-theft increase, and as the need grows for stricter documentation to limit the mobility of terrorists, human traffickers and their victims, JPs have to be particularly careful, making every effort to know the persons you sign documents for, and know their background.

As the Jamaican population grows and the society becomes more complex, there is a corresponding need for Justices of the Peace to sign endless documents and attest to large numbers of legal procedures.

By performing duties, Justices of the Peace will lessen the workload on lawyers, in particular, allowing them to concentrate on more serious cases, which require persons with professional legal training and expertise.

Presently, the justice system in Jamaica has its fair share of challenges chief among them the longstanding issue of case backlogs. The call is for strengthening Justices of the Peace, giving them an expanded role in the country's legal system. In some jurisdictions, Justices of the Peace conduct traffic courts and hear bail applications and requests for remands and adjournments.

This view is shared in some measure by the Jamaican Justice System Reform Task Force that the time has come for Justices of the Peace to be given some level of legal training. In some jurisdictions, persons have to pass a qualifying examination before they are appointed Justices of the Peace and they have to commit to undergoing routine training periodically.

In addition, they are kept up-to-date by their Ministry of Justice on changes to legislation and other relevant information, usually through associations, such as your very vibrant Lay Magistrates Association.

Justices of the Peace for Clarendon, you will have to be particularly vigilant in the execution of your duties, in light of sections of this parish having become "**crime hotspots**" in recent times.

Let me focus now on the issue of **RESTORATIVE JUSTICE**, an area in which Justices of Peace will have a major role to play in implementing the reforms to the justice system.

In Jamaica, tempers tend to flare too easily, tongues can be sharp and stinging, and there are people who rush to court for the simplest of things.

In many cases these lawsuits stem from quarrels among relatives, friends and neighbours, people who have to live and work together. What this does is clog the court system and cause serious criminal cases to be adjourned week after week.

Coroners' inquests are put off, sometimes taking years to be completed, and appeal cases take longer to be heard -- giving credence to the adage -- justice delayed is justice denied -- and undermining the confidence of the ordinary Jamaican people in the country's justice system.

Currently, JPs and counsellors from the Disputes Resolution Foundation deal, with relatively minor court cases referred to them, taking a bit of the workload off the Resident Magistrates' Courts through mediation.

However, a lot more could be done to improve the island's justice system -- -- if more JPs were involved in a structured and expanded programme of **RESTORATIVE JUSTICE** as a complement to the traditional justice system.

**How RESTORATIVE JUSTICE** works is quite simple.

A typical **RESTORATIVE JUSTICE** conference would involve both the victim and the offender, together with any friends or family who may have a special interest in the matter, and who have been involved and or/ affected by the dispute

This might be a social worker or probation officer, a juvenile, perhaps a school teacher. In all of this, the role of the facilitator --- the Justice of the Peace---- is crucial.

During the meeting, each person would outline the problem and how it has affected them. The object is to identify the different aspects of harm done to each person, not only the victim, but also the friends and family of the offender. In face-to-face meetings, victim and offender may begin to see each other as individual people.

While the victim may be able to come to terms with what has happened to him or her, equally, the offender might be able to take responsibility for his or her actions, and damage and hurt caused.

Where traditional justice quantifies the degree of blame of the offender and doles out punishment in the form of fines or prison sentences, accordingly, RESTORATIVE JUSTICE allows the victims and offenders to decide how and what reparations should be made. While punishment is not excluded, it is not the main focus and might involve an apology.

A typical **RESTORATIVE JUSTICE** meeting will end with an agreement between the disputing parties.

Your appointment today as Justices of the Peace is recognition that you have been considered worthy to serve your community and your country. You must observe the integrity and fairness of your office and practice high standards of conduct. What happens in your office should not be public business.

By virtue of being at the frontline of contact between the private citizen and the government, the performance of your duties can affect

the fundamental rights and freedoms of the citizens you serve.

You should never forget the oath of office, and your conduct should be as dignified in your private and working lives as in performing your official duties.

Congratulations serve with distinction and enjoy the rest of your afternoon.

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