

Ministry of Justice's

ACHIEVEMENTS

Legislation

- The Judicature (Appellate Jurisdiction) Act and Judicature (Supreme Court) Act passed by Parliament and assented to on September 12.
- Cabinet gave approval for Hon Minister to increase the # of Resident Magistrates.
- Cabinet approves the establishment of the Court Management Service [CMS], Sept. 16, 2008.

Legislation [cont'd.]

- This allows the Chief Justice complete autonomy *vis-à-vis* human resources, finance and accounting, internal audit, information technology, statistical functions, property management and security of courts.
- Implementation of CMS will be done in three phases.

Legislation (CMS)

- The Ministry is currently implementing Phase 1 of CMS which includes
- Recruiting staff-
 - Principal Executive Officer
 - Senior Director of Human Resource
 - Principal Finance Officer
 - Administrative Assistant
- Office space is being sought.

Legislation [cont.]

Joint Select Committees established to consider;

- Independent Commission of Investigations (ICI) Act 2008 to expand regime for investigating abuse by state agents. ICI to eventually replace Police Public Complaints Authority.
- The Coroner's (Amendment) Act, allowing for est. of Special Coroner's office.
- The Corruption Prevention (Special Prosecutor) Act 2008, to provide a mechanism to investigate and prosecute alleged acts of corruption, thereby strengthening the anti-corruption institutions of the country.
- The Joint Select Committee of Parliament is now considering the report of the task force for the Reform of Libel and Defamation Laws.
- Anti-crime measures

Legislation [cont'd.]

- The Regulations for the Criminal Justice Administration (Amendment) Act (Plea Bargaining) was received from the Chief Parliamentary Counsel and comments received from the Chief Justice and Office of the Director of Public Prosecution (DPP). The comments being considered by Law Officers of the Crown for finalizing the Regulations
- Jury Amendment Act allowing for the use of TRN register in selecting Jurors and the Registrar tabled in the HOR Tuesday, August 26, 2008.

The Evidence (Amendment) Act is being revised to incorporate provisions for:

- The giving of evidence and cross-examination of vulnerable witnesses.
- Use of videotaped witness statements (as for Section 31D).
- Video link for accused persons from remand centres

Legislation [cont'd.]

- Constitutional Amendments concerning Fixed Election Date and Term limits for the office of Prime Minister is advanced. The Chief Parliamentary Counsel is to provide a revised draft.
- Constitutional Amendment for the appointments to Sensitive Posts is being addressed . Draft Cabinet Submission was done and the Ministry of Justice has sought further policy direction from the Honourable Prime Minister.
- A Sexual Offences Bill is being drafted by the Chief Parliamentary Counsel, along with the appropriate amendments to the Offences Against the Person Act and the Incest Punishment Act.

Legislation [cont'd.]

- The Chief Parliamentary Counsel has received drafting instructions to develop enabling legislation on matters relating to Child Pornography. This comes after the Cabinet approval given on Monday, August 11, 2008.
- The proposed Whistleblower Legislation is also well advanced with public consultations underway. The Green Paper has been distributed to a number of key commercial, social and civic organizations. The deadline for input is September 24, 2008

Anticrime Bills

- Amendment to the Bail Act to effect the consideration of withholding of bail for up to 60 days and placing onus on the accused to show cause, why he should be granted bail, was tabled in the House of Representatives (HOR) Tuesday September 8, 2008. The amendment also contemplates giving the prosecution the right of appeal to the grant of bail
- The Jury Amendment Act allowing for a majority of no less than nine members of the Jury to be accepted in cases of murder where sentence options do not include death penalty tabled in HOR Tuesday, September 2, 2008.
- The Constabulary Force- Interim Provisions for Arrests and Detention Act, 2008- tabled in the HOR Tuesday, September, 2.
- Amendment to the Parole Act to deny the right to parole before serving ten years where persons have been sentenced to fifteen years to life for specified firearms offences
- Amendment to the Firearm Act to provide for minimum sentence of 15 years for certain convictions.

Rehabilitation and Modernization of Courthouses

Kingston and St. Andrew

- Supreme Court refurbished.
- The Installation of Real Time Transcription in Courts 1, 2, 3 & 8 at the Supreme Court.
- Office of the DPP
- The Court of Appeal
- Half-Way Tree Criminal Court
- Gordon Town RMC
- Coroner's Court

Refurbishing and Modernization [Cont'd.]

Kingston and St. Andrew [cont.]

Case Backlog Reduction

Reconfiguration of Three Caucus Rooms at Jamaica Conference Centre to temporary Civil Courts [for about one year]

- Increased Court rooms at Supreme Court
One Gun Court [Court 7]
- Two Criminal Courts [Courts 6 and 11]
- Approval given for 10 additional Crown Counsel posts at DPP. So far 7 persons have been employed.

Refurbishing and Modernization [cont'd.]

St. Catherine

- Spanish Town RMC
- Old Harbour RMC
- Linstead

Manchester

- Spaulding RMC
- Christiana RMC
- Cross Keys RMC
- Cottage

Clarendon

- May Pen RMC
- Chapleton RMC
- Lionel Town

Refurbishing and Modernization [cont'd.]

St. Elizabeth

- Santa Cruz - Construction of [Courts of Petty Sessions]
- Balaclava- New RMC in Progress
- Malvern

Hanover

- Lucea RMC
- Sandy Bay RMC

Trelawny

- Ulster Spring RMC
- Falmouth
- Duncans RMC

Refurbishing and Modernization [cont'd.]

St. Ann

- St. Ann's Bay RMC
- Claremont RMC
- Brown's Town

St. Mary

- Annotto Bay RMC
- Port Maria RMC

Westmoreland

- Savanna-la-mar Family Court.

Refurbishing and Modernization [cont'd.]

Portland

- Buff Bay RMC
- Manchioneal RMC
- New Port Antonio RM Court handed over by NCB and being fitted to become operational.

St. James

- Montego Bay RMC
- Montego Bay Family Court
- Cambridge - Construction of new RMC - completed and officially opened on November 18, 2008

Court Computerization

- Real Time Transcription has been installed in Courts 1, 2, 3 & 8 at the Supreme Court.
- All judges at the Supreme Court issued laptop computers
- A project to provide electronic versions of all forms used in the RM Courts, [usually completed manually] is currently underway.
- Duncan's RM Court and the Central Ministry have been fitted with devices that allow for convergent computer networking.

Restorative Justice and Community Justice Tribunals

- A draft National Policy on Restorative Justice completed
- Public consultations Completed
- Community Justice Tribunals mechanisms being developed.
- Cabinet submission being prepared

International Donor Support

- With support from the Canadian International Development Agency (CIDA) an assessment of the improvement needs of the Office of Director of Public Prosecutions has been completed
- UNDP support for Restorative Justice (RJ)
- 23 RJ Public consultations held island wide
- RJ Policy and cabinet submission being prepared
- UNICEF provides support for the capacity building to facilitate the introduction of the National Plan of Action for Child Justice

International Donor Support [cont'd.]

- CIDA support for capacity-building of relevant professionals, students and community members for Restorative Justice.
- CIDA assistance enables the start of the vision for the Justice Transformation Agenda Policy Framework and provision of expertise for the modernization of court processes.