

General Legal Council Publishes Names Of Attorneys Licensed To Practice Privately In Jamaica



The Gleaner

- Just under 2,000 attorneys are currently licensed to have private practices in Jamaica.

The names of 1,874 attorneys who are legally entitled to practice privately were published on the General Legal Council's (GLC) website yesterday.

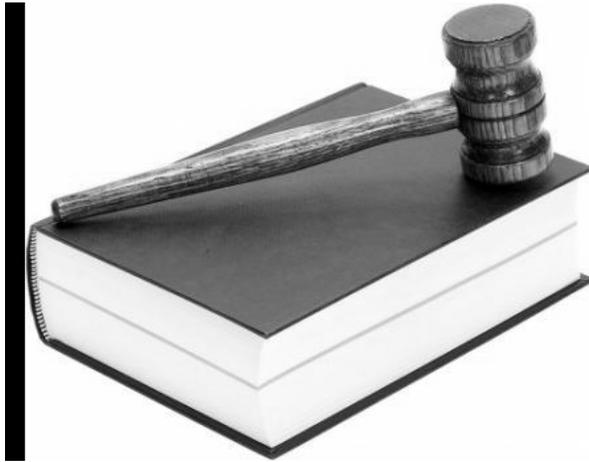
However, the GLC says attorneys who work fulltime for the government and do not have private practices are not required to have practising certificates.

Earlier this week, the GLC issued an advisory noting that those attorneys who have failed to renew their certificates do not have a right of audience before the courts.

The council also emphasised that according to the Legal Profession Act it is a criminal offence for any person to act as an attorney in any matter while not being duly qualified or entitled to do so.

The GCL has also announced an increase in renewal fees which will come into effect on May one.

Clarendon Man Detained At Court's Pleasure As A Juvenile Released After 23 Years



Jovan Johnson, Gleaner Writer

The recent release of a prisoner who was detained at the Court's pleasure for more than 20 years because he was a juvenile when he and two men murdered three persons in 1993 has highlighted the need for a system to be put in place for such cases to be reviewed periodically.

Under the Civil Procedure Rules the onus is on the detainees to take steps to bring their cases to the Supreme Court to seek their freedom.

Whyett Gordon was released from the Tower Street Adult Correctional Centre last week. But the man who was convicted with him for the triple murder was paroled before him because he was given a specific sentence.

Justice Leighton Pusey who heard the application said if Gordon were an adult offender he would be able to apply for parole after 20 years.

The judge then ordered that Gordon be released on parole for four years and on successful termination of his parole he must be released unconditionally.

Attorney-at-law Aon Stewart, who represented Gordon at the hearing for his release, says the Department of Correctional Services needs to have a system in place that brings these cases to the attention of the court.

Stewart says detainees could easily get lost in the system if they do not have someone to assist them.

He says it was Gordon's parents who came to his office seeking assistance for his release. Sydney Gordon says his son is happy to be home and was welcomed by his friends and family members.

He says he now has his life back because it had been on hold for the 23 years his son was incarcerated.

At Age 17, Gordon was charged jointly with Dwight Fletcher and Edwy Watson for the murder of Rajhni Williams, Georgia Shaw and Racquel Fearon.

On October 23, 1993 the three were abducted from a dance in Lionel Town, Clarendon and taken to Gutters in Manchester where they were fatally shot.

Gordon was arrested in 1993 for the triple murder and was convicted in 1997.

Algix Not The Enemy Of Appleton

The Gleaner

THE EDITOR, Sir:

The Jamaican Court of Appeal's recent decision to uphold the injunction against J. Wray and Nephew Limited for environmental breaches in St Elizabeth is a step in the right direction. We view the decision as a victory, not only for Algix Jamaica Limited, but also for the preservation of the environment in Jamaica.

In February and March 2015, Algix Jamaica (formerly Aquaculture Jamaica) suffered two massive fish kills that almost wiped out our entire operation. In an effort to determine the cause of the damage, we called on the National Environment and Planning Agency (NEPA) to investigate.

During this investigation, NEPA collected water samples at various points upstream of J. Wray and Nephew's facility and downstream where the Black River enters the Algix facility. Its findings concluded that the fish kill was a direct result of damaging effluent discharge into the Black River from the Appleton sugar factory operation, which vastly exceeded the legal trade-effluent standards, in some cases by as much as five times the prescribed limit.

These test results, which were presented to the court, not only came from NEPA but also independent chemists. After considering the facts presented, the court ruled that an injunction be granted to uphold compliance with established law governing the discharge of trade effluent in rivers.

The injunction in no way halts operations at J. Wray and Nephew's Appleton Estate but requires it to adhere to regulatory standards that govern trade-effluent discharges into rivers.

The report written by NEPA states: "The results show the Black River is being negatively impacted by the Appleton sugar factory effluent as marked increases were observed in the concentrations of biological oxygen demand, chemical oxygen demand and phosphate for downstream of the discharge."

In the meantime, Algix Jamaica calls on J. Wray and Nephew to take the necessary steps at its Appleton sugar factory to ensure compliance.

Algix Jamaica reiterates its commitment to assisting Appleton sugar factory in solving the problem. We have offered to bring in a team of experts at no cost to Appleton to aid in bringing discharges within the NEPA standards. These experts would endeavour to find a solution that can be implemented and completed within the shortest possible time.

MIKE VAN DRUNEN

Chief Operating Officer, Algix

mike.vandrunen@algix.com

Let's get those anti-gang legislation cases going

The Observer



Photo: Kenyon Heymans

Police Commissioner Dr Carl Williams (third right) addressing yesterday's Jamaica Observer Press Club. Flanking him (from left) are Assistant Commissioner Ealan Powell, deputy commissioners Clifford Blake, Novlette Grant, Glenmore Hinds, and George Quallo.

You have to feel some amount of empathy for the police.

Having arrested and charged more than 253 individuals under the Criminal Justice (Suppression of Criminal Organisations) Bill, popularly called the anti-gang legislation, the constabulary is growing frustrated as those cases now sit in the very long queue in the courts.

Deputy Commissioner of Police in charge of crime Glenmore Hinds told this newspaper on Tuesday that since the arrests last year none of the cases have been brought to trial.

One cannot blame Mr Hinds and his colleagues for believing that there is no real urgency to prioritise these cases. After all, no case should be made to languish in court for as long as those to which the police referred.

And, especially in an environment where criminals believe they can continue to break the law with impunity, a message needs to be sent that anyone who is so inclined will be prosecuted and convicted based on the weight of evidence.

Deputy Commissioner Hinds shares that view, as he told us on Tuesday that the police would wish to see some of these cases go to trial to “set the precedent, and recognise where there are shortcomings in the law”.

But until that happens, he correctly argued, the authorities won’t be able to determine the effectiveness of the law.

Certainly, the provisions of the law need to be tested, so too the investigative capability of the constabulary, as they must prove beyond a reasonable doubt that the allegations made against the people charged are valid.

If Jamaica is to achieve any measure of success in taking down organised crime, it is important that the justice system is fully equipped and can efficiently deal with cases brought against criminal groups.

Certainly, the law also needs to be tested in terms of the recruitment strategies used by those gangs, the enterprises in which they are engaged, the methods they use to conceal their crimes and ill-gotten gains, and, as former Police Commissioner Owen Ellington pointed out two years ago, “the facilitators they co-op such as corrupt cops, lawyers, accountants, bankers, real estate developers — all the individuals who combine efforts in one way or the other to make criminal enterprises flourish and to escape the detection of law enforcement”.

The new minister of justice, Mr Delroy Chuck, has to make the clearing up of an ineffective and clogged justice system his main priority. While it is always good to advance other causes, as Minister Chuck has already done, we cannot for long continue to have in our democracy, a justice system that is obviously hobbling.

We reiterate that every Jamaican has a vested interest in a functioning and effective justice system. And while we acknowledge and appreciate the assistance from the United States, the European Union and Canada, it is incumbent on the local authorities to get the system working like a well-oiled machine in the interest of the people of Jamaica.

Gangs and the people who facilitate them should not be allowed to flourish. They should be crushed.

\$145 Million Allocated to JSAT Project

By Latonya Linton

JIS

A sum of \$145.58 million has been allocated to the Justice, Security, Accountability and Transparency (JSAT) project in the 2016/17 Estimates of Expenditure, currently before the House of Representatives.

The project seeks to improve the standard of living and quality of life of Jamaican citizens by strengthening governance and oversight, with particular regard to the functioning of the justice system.

Of the sum, \$91.03 million will go to the Ministry of Justice for implementation, while the remaining \$54.5 million will go to the Independent Commission of Investigations (INDECOM).

Targets for this fiscal year by the Ministry of Justice include: completing an assessment of the user needs for the Case Management System; completing a needs assessment for the 18 selected Courts; and commencing procurement to equip the 18 Courts with technology.

The project also seeks to undertake capacity building and provision of equipment to INDECOM; engage staff in the legal department; and implement INDECOM's public relations strategy.

Achievements under the project include: consultancy to conduct needs assessment on the 18 selected Courts being undertaken; and the contract to commence the assessment of user needs for the Case Management System has been awarded.

The project is being funded by the European Union.

Vardy Accepts FA Charge

The Gleaner



LEICESTER, England (AP):

Leicester striker Jamie Vardy has accepted an English Football Association improper conduct charge over his reaction to being sent off against West Ham.

Vardy's standard one-match ban could now be lengthened, potentially hitting

Leicester's bid for a first Premier League title. The team is five points ahead of Tottenham with four games remaining.

Vardy tangled with Angelo Ogbonna before going down in the penalty area early in the second half on Sunday. Vardy angrily confronted referee Jon Moss after receiving his first red card of the season.

At the time, Leicester were leading through Vardy's 22nd goal of the season and went on to draw 2-2.

Leicester also tweeted that it accepted an FA charge of failing to control its players after West Ham was awarded a late penalty.

Hodgson Backs Vardy

LONDON (AP):

England coach Roy Hodgson backed Jamie Vardy on Wednesday, saying the Leicester striker did not dive in the incident that led to him being sent off last weekend and sympathising with his angry response to the referee.

Hodgson's employer, the English Football Association, charged Vardy with improper conduct over his reaction to the red card in Sunday's 2-2 draw with West Ham.

"I don't see that as a dive," Hodgson said. "I think he was unbalanced. I don't think it was a penalty either, I think he was unbalanced, running at that speed.

"I think there was a very slight sort of contact with the defender, who was trying to cover." Vardy confronted referee Jon Moss, jabbing a finger at the match official while appearing to express his anger at receiving his first red card of the season.

"I sympathise with him, I think he was very, very unlucky," Hodgson said. "But now he has had to swallow the fact that he has been made to leave the field and then, unfortunately, he has reacted like sometimes human beings react.

"He hasn't just said to the ref, 'Thanks very much, I understand' and shakes hands and 'Have a good game'. He has called him a few names, but he is a human being and that can happen."

Vardy seems certain to be in Hodgson's plans for the European Championship in June and July after leading Leicester's stunning pursuit of a first-ever top flight title.

Former BPL Player Wins Appeal

LONDON (AP):

A British court overturned the rape conviction of former Premier League player Ched Evans yesterday and ordered a new trial.

Evans, a former Sheffield United and Wales striker, was in the packed London courtroom with his girlfriend when the verdict was read out by the Court of Appeal.

Evans was convicted in April 2012 of raping a 19-year-old woman at a hotel in Rhyl, north Wales. He was released from prison last year after serving half of his five-year sentence.

The 27-year-old Evans had always maintained his innocence and took his case to the Criminal Cases Review Commission.

The End