

The 2019 Annual Report for the Coroner's and
Special Coroner's Courts

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Executive Summary

This report is a continuation of the expansion of the range of business lines formally reported on in the Jamaican Court system. Empirical measurements of court performance are crucial from several perspectives – among which is its use as an instrument of accountability and for informing policy and operational decisions. Such, are very important within the context of the qualitative and quantitative targets set out by the Chief Justice of Jamaica in establishing the Jamaican court system as the best in the Caribbean region within three years and among the bests in the World in six years.

This report provides vital insights into the operation of the Corporate Area Coroner's Court and the Special Coroner's Court, drawing on analysis of case activity for 2019. Among the most critical finds from the report is the relatively high case disposal rates observed for both Courts. The Coroner's Court had a case disposal rate of 59% over the period while for the Special Coroner's Court the figure was 61.43%, placing these courts among the better performing in the court system on this measure in 2019. The Coroner's Court also recorded a case clearance rate of 74.33% in 2019. 300 new cases were filed at the Corporate Area Coroner's Court in 2019, while 143 were filed in the Special Coroner's Court. The estimated average time taken to dispose of matters at the Corporate Area Coroner's Court over the period of interest was 2 months, while the figure was 22 months for the Special Coroner's Court. The most common reasons for adjournment/continuance observed for the Corporate Area Coroner's Court over the period were adjournments for hearing of applications and for jury panel to be constituted while a range of incidence of outstanding documents such as biological reports, chemical

reports, ballistic reports and other scientific reports featured prominently as causes for adjournment for the Special Coroner's Court.

In terms of basic case demographics, the average age of the deceased for matters filed at the Corporate Area Coroner's Court over the period is 53 years while the figure stood at 28 years for the Special Coroner's Court. Further, males accounted for 68% of deaths in the cases filed at the Corporate Area Coroner's Court, while accounting for 99.40% in the Special Coroner's Court. In both courts, the causes of death reported varied widely, but most centered on gun related deaths. Family members filed most of the cases originating in the Corporate Area Coroner's Court over the period while INDECOM accounted for the majority of cases filed in the Special Coroner's Court. The vast majority of deaths heard by the Special Coroners court were related to the Jamaica Constabulary Force (JCF), followed by Custodial Institutions. The parishes of Kingston and St. Andrew, St. Catherine and St. James accounted for the largest of cases filed in the Special Coroner's Court in 2019.

Introduction

The purpose of this report is to detail the vital statistics on case activity in the Corporate Area Coroners Court and the Special Coroners Courts IN 2019. The report includes a range of productivity and time lag measures of the courts as well as related resource allocation and usage and other miscellaneous measurements. Ultimately, these measures seek to tell the story of the case flow in the Coroners and Special Coroners Courts, particularly with respect to the disposals, case delay factors and other important elements of case progression management and outcomes. The Coroners Court operates in all parishes across the island, however this report is focused on the Corporate Area Coroners Court. The Coroners Court is the arm of the courts that rules on the cause of death of individuals under various circumstances. It is distinguished from the Special Coroners Court, which focuses on the cause of death of individuals at the hands of individual or institutional state actors or while being under the care of state Institutions. There is a single Special Coroners Court in the island, located in Kingston and St. Andrew, but which moves around the island and hold special sittings in all parish courts.

The Corporate Area Coroner's Court

This subsection on the Corporate Area Coroner's Court will detail information on the case activity in this court over the year ended December 31, 2019 as well as the associated measurements of productivity in the disposal of cases, time lag measures outlining the average times between important events on the case flow continuum as well as other supplementary measurements and information.

Table 1.0: Summary of time interval between date death reported and date case opened for the period January-December 31, 2019

Descriptive statistics in (days)

Number of observations	311
Mean	836.7042
Std. Error of Mean	87.54022
Median	295.0000
Mode	82.00 ^a
Std. Deviation	1543.78860
Skewness	3.656
Std. Error of Skewness	.138
Range	10290.00
Minimum	3.00
Maximum	10293.00

a Multiple modes exist. The smallest value is shown

The table above provides a descriptive summary of the time taken between the date deaths were reported and the date that the cases for investigation of causes of death were opened in court at the Corporate Area Coroners Court in 2019. It is seen that from a sample of 311 observations, the average time taken between the date deaths were reported and the date that the associated cases were opened in Corporate Area Coroner's Court was roughly 837 days or 2.3 years. The modal time taken was 82 days or 2.7 months and the median was 295 days or 9.8

months. The standard deviation stands at a high of 1544 days or 4.3 years, strongly suggesting that the distribution of the times between reporting of death and the date the case opens in the court varies widely around the mean. The high positive skewness further suggests that decisively more of the scores fall below the overall average, a result that is not surprising considering that the modal and median values are significantly below the overall mean. The maximum time shown between date deaths reported and date case opened is approximately 29 years, while the lowest is 3 days.

Table 2.0: Case Activity Summary for the year ended December 31, 2019

Number of new cases filed	Number of active cases	Number of disposed or inactive cases (from those filed in 2019)	Case disposal rate (%)
300	123	177	59

The above table provides a summary of the cases filed at the Corporate Area Coroners Court in 2019. It is shown that 300 new cases were filed over the year, 177 of which were disposed or became inactive and 123 remained active at the end of the period. These results yield a case disposal rate of 59%, which is comparatively modest, suggesting that for every 10 cases filed over the period, roughly six were disposed. This outcome will augur well for the productivity of the Coroner’s court. The case clearance rate will be examined later in this document.

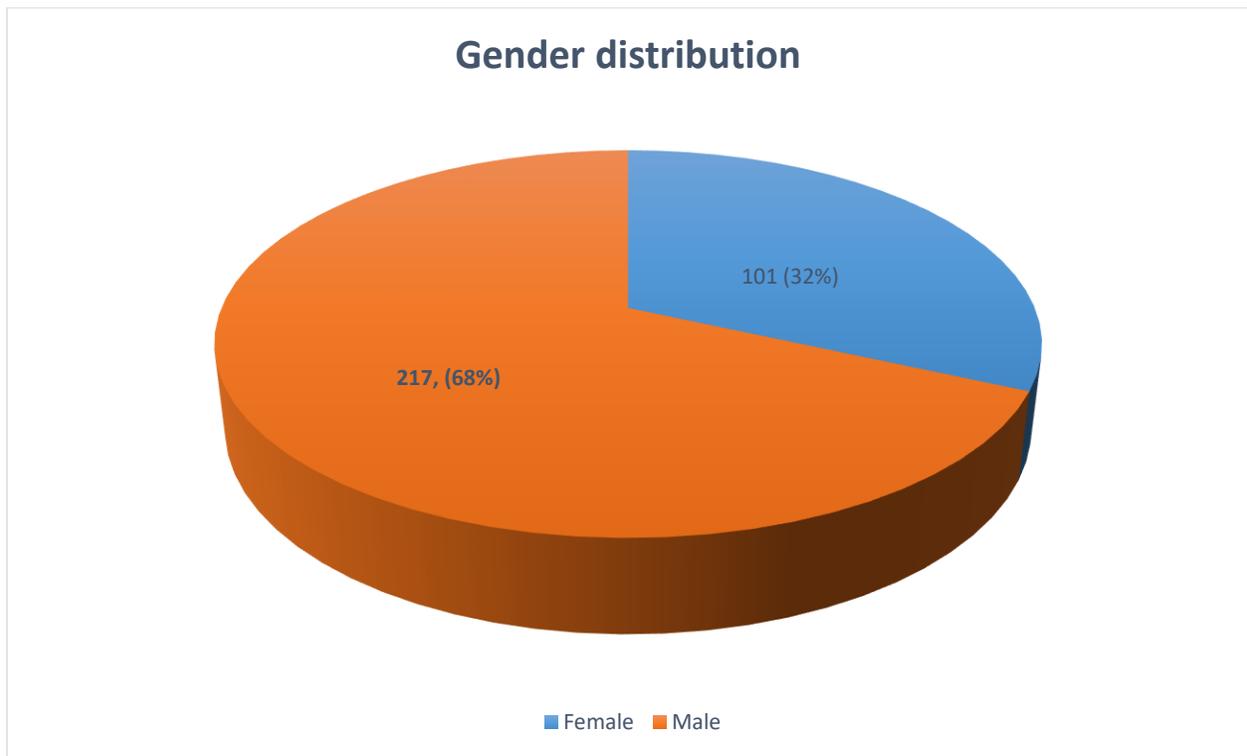
Table 3.0: Sampling distribution of deaths reported at various Police and brought before the court during the year ended December 31, 2019

Police Stations	Frequency	Percentage (%)
Denham Town Police Station	40	14.34
Papine Police Station	28	10.04
Rollington Town Police Station	20	7.17
Vineyard Town Police Station	19	6.81
Hunts Bay Police Station	18	6.45
Kingston Central Division East Queen Street	17	6.09
Elletson Road Police Station, CIB	17	6.09
Rockfort Police Station	16	5.73
Half-Way-Tree Police Station	12	4.30
Major Investigation Division Spanish Town Rd	8	2.87
Constant Spring Police C.I.B.	8	2.87
Bull Bay Police Station	8	2.87
Total	211	76

Number of observations (N)=279

The data showed a sample of 279 Coroner's Court cases reported at the different Police stations in the Corporate Area which were subsequently brought to the Corporate Area Coroner's Court. Of that number, the Denham Town police station accounted for the majority of cases filed /investigated within the period with 40 cases or 14.34%. The Papine Police station ranks next with 28 cases or 10.04%, while the Rollington Town police station rounded off the top three with 20 cases or 7.17% of the total. The top five police stations accounting for cases filed at the Corporate Area Coroner's Court was rounded off by the Vineyard Town and Hunts Bay Police stations with 19 or 6.81% and 18 or 6.45 respectively of the sample.

Chart 1.0: Distribution of gender of the deceased for new matters filed in 2019



The above chart summarizes gender distribution, using a sample of 318 deceased persons involved in the cases filed over the 2019 calendar year. It is shown that 217 or 68% of the deceased were male, followed by 101 or 32% who were female.

Table 4.0: Descriptive Statistics on the age distribution of the deceased in matters filed during the year ended December 31, 2019

Age in years

Number of observations	294
Mean	52.6759
Std. Error of Mean	1.39260
Median	51.0000
Mode	23.00 ^a
Std. Deviation	23.87805
Skewness	-.018
Std. Error of Skewness	.142
Range	99.80

Minimum	.20
Maximum	100.00

a. Multiple modes exist. The smallest value is shown

A sample of 294 ages of the deceased involved in the cases filed, revealed that the average age is roughly 53 years, while the median is 51 years and the modal value is 23 years. The standard deviation stands at a moderate value of 24 years, indicating some amount of variation of the scores around the mean, while the skewness is a low negative value, indicating that most of the scores are clustered around the mean, though slightly more may be above it. The smallest age in the data set is about 2 months, while the oldest was 100 years.

Table 5.0: Sampling distribution of the causes of death reported for matters filed over the year ended December 31, 2019

Causes of Death	Frequency	Percentage (%)
Gunshot wound of the head, neck and chest	24	7.74
Blunt Impact-Head Trauma	12	3.87
Multiple Gunshot Wounds	10	3.23
Shock and Hemorrhage, Polytrauma, Multiple blunt force wounds	5	1.61
Shock and hemorrhage, Polytrauma, Multiple gunshot wounds	5	1.61
Total	56	18

Sample size =310

The above table is computed using a sample of 310 observations of the causes of death associated with cases. It is shown that among the most common causes of death reported are death caused by Gunshot wounds to the neck chest and head with 7.74%, blunt impact- Head Trauma with 3.87% and multiple gunshot wounds 3.23%. It is important to note that there may

often be variances between the causes of death as reported and the causes of death as determined by the coroner.

Table 6.0: Summary of outcomes of Form D applications made during the year ended December 31, 2019

Outcomes	Frequency	Percentage (%)
Section 14	192	96.00
Other	7	3.50
Trial and Judge	1	0.50
Total	200	100

During the processing of a case at the Coroner’s Court, a form D application is made which the judge reviews in order to determine the direction of the case thereafter. The above table provides a summary of the outcomes of these applications over the period under examination. It is seen in the above table that the dominant outcome from the Form D application were decisions in accordance with Section 14, which means that the matter was accepted for an Inquest to be carried out by the Coroner. Section 14 accounts for 192 or 96% of the outcomes, while the generic category ‘other outcomes’ and decisions to proceed with a Trial and Judge accounted for 3.5% and approximately 1% respectively. These results are typical to the trends observed in the Coroner’s Courts Islandwide. The data was computed using a sample of 200 new cases filed in 2019.

Table 7.0: Distribution of hearings over the year ended December 31, 2019

Type of Hearing	Frequency	Percentage (%)
Chambers	297	98.02
Trial Judge and Jury	5	1.65
Trial Judge Only	1	0.33
Total	303	100.0

A sample of 303 hearings at the Corporate Area Coroners Court in 2019 reveals that roughly 98% of matters were chamber hearings, followed by 1.65% which were matters heard before a trial judge and jury. Judge alone matters accounted for 0.3% of the sample.

Table 8.0: Methods of Disposition of matters completed over the year ended December 31, 2019

Methods of Disposition	Frequency	Percentage (%)
Section 14	196	96.6
Open Court Verdict	7	3.4
Total	203	100.0

The methods of case disposition for a sample of 198 matters, which were, disposed over the year, revealed that 97% of matters were disposed by way of an Inquest under the provisions of Section 14 of the Coroner's Court Act. The remaining 3.03% of the sample were disposed by way of open court verdicts.

Table 9.0: Descriptive Statistics on the time to disposition for matters completed during the year ended December 31, 2019

Descriptive Statistics (in days)

Number of observations	234
Mean	68.2821
Std. Error of Mean	7.54957
Median	7.0000
Mode	3.00 ^a
Std. Deviation	115.48627
Skewness	2.624
Std. Error of Skewness	.159
Range	722.00
Minimum	.00
Maximum	722.00

^aMultiple modes exist. The smallest value is shown

The above data shows that the average time taken to dispose of matters during the year is 68 days or roughly 2 months. This was derived from a sample of 234 matters disposed over the year. The data also revealed that the median time taken to dispose of the matters was 7 days and the modal time was 3 days. The standard deviation however suggests that there is a wide variation in the individual scores and the high positive skewness indicates that a larger proportion of the scores fell below the overall mean. The minimum time taken was under a day, with the maximum time taken being 722 days or just over 2 years.

Table 10.0: Case clearance rate summary for the period January- December 31, 2019

Number of new cases	Number of disposed or inactive cases	Clearance rate (%)
300	223	74.33

Courts that consistently maintain an average case clearance rate of between 90%-110% long enough will at a minimum have its disposals keeping up with the number of new cases filed but may also likely make considerable strides in reducing its case backlog rate to an acceptable rate of under 10% of active cases. The Corporate Area Coroner’s Court with a case clearance rate of 74.33% for the year falls below the above-mentioned range however as shown earlier, cases which were disposed at the Corporate Area Coroner’s Court in 2019 took a relatively short time. There were 300 new cases filed over the period and 223 cases were disposed (regardless of year of origin), leading to the stated clearance rate. It suggests that for every 10 new cases filed between seven and eight cases disposed over the same period.

Chapter 2.0: The Special Coroner’s Court

As was the case above with the Corporate Area Coroner’s Court, this section provides a detailed summary of case activity and events as well as case outcomes and related factors at the Special Coroner’s Court in 2019.

Table 1.0: Case activity summary for 2019 in the Special Coroner’s Court

Number of new cases filed	Number of active cases	Number of disposed or inactive cases (of those filed in 2019)	Case disposal rate (%)
143	26	86	61.43%

The above table provides a summary of the cases filed at the Cooperate Area Special Coroner’s Court. It is shown that 140 new cases were filed over the year, 86 of which were either disposed or became inactive and 23 remained active at the end of the period. These results yield a case disposal rate of 60.14%, suggesting that for every 10 cases filed over the period, roughly 6 were disposed. This outcome will augur well for the productivity of the Special Coroner’s court.

Table 2.0: Parish of origin of matters filed during the year ended December 31, 2019

Parish of Origin	Frequency	Percentage (%)
Kingston	61	37.9
St James	30	18.6
St Catherine	24	14.9
Westmoreland	12	7.5
Clarendon	9	5.6
St Andrew	8	5.0
St Ann	5	3.1
St Elizabeth	4	2.5
Portland	3	1.9
Hanover	2	1.2
Manchester	1	0.6
St Mary	1	0.6
St Thomas	1	0.6
Total	161	100.0

As a parish court, the Special Coroners Court has a single location in Kingston but is deployed island wide to hear cases originating set in the various parishes. The above table provides a summary of the ‘parish of origin’ of cases filed in the Special Coroner’s Court. It is seen that Kingston with 37.9% of the cases filed, St. James with approximately 18.6% and St. Catherine with 14.9% accounted for the largest share of new cases heard by the Special Coroner’s Court over the 2019 calendar year.

Table 3.0: Source of matters filed over the year ended December 31, 2019

Source	Frequency	Percentage (%)
INDECOM	108	68.4
Bureau of Special Investigations	50	31.6
Total	158	100.0

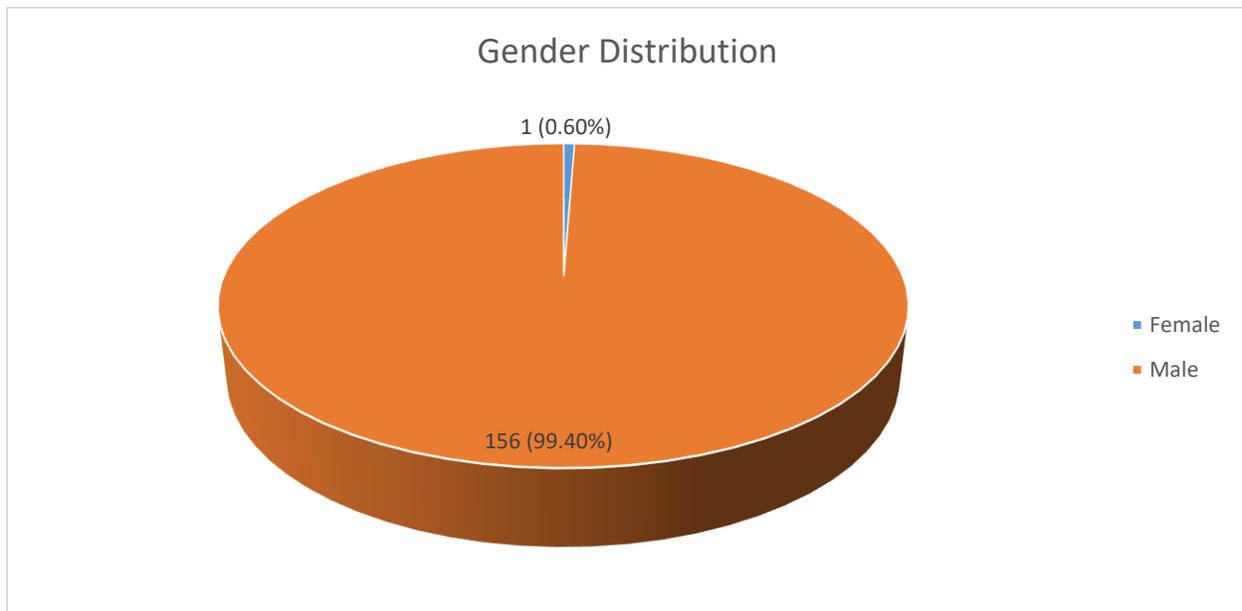
A sample of 158 matters filed at the Special Coroners Court over the year ended December 31, 2019 shows that the majority, 68.4% were filed by INDECOM and 31.6% from the Bureau of Special Investigations (BSI).

Table 4.0: Type of death – by Institution

Type of Death	Frequency	Percentage (%)
Jamaica Constabulary Force (JCF)	144	91.1
Custodial Institutions	12	7.6
Jamaica Defence Force (JDF)	2	1.3
Total	158	100.0

It is seen in the above table that the overwhelming majority of the matters filed over the 2019 calendar year were matters related to JCF deaths, accounting for 144 or 91.1%. The remaining matters were accounted for deaths relating to custodial institutions and the JDF with 12 or 7.6% and 2 or 1.3% respectively. A significant proportion of the causes of death as reported in the cases filed during the 2019 calendar year were stated as ‘multiple gunshot wounds’, accounting for 38% of the matters. Cases filed with gunshot to the head and gunshot wound to the chest and chest and abdomen also featured prominently.

Chart 1.0 Gender distribution of the deceased in cases filed over the year ended December 31, 2019



The gender distribution of the deceased involved in cases filed over the 2019 calendar year, shows that 156 or 99.4% were males, while only 1 or 0.6% was female.

Table 5.0: Descriptive Statistics on the age of the deceased in cases filed over the year ended December 31, 2019

Number of observations	153
Mean	28.29
Median	26
Mode	21
Std. Deviation	10.049
Skewness	1.606
Std. Error of Skewness	0.196
Range	59
Minimum	16
Maximum	75

The above descriptive summary on the age of the deceased involved in cases filed over the 2019 calendar year revealed that from a sample of 153 observations, the average age was roughly 28 years, while the most frequently occurring age was 21 years old. The highest age recorded was 75 years, while the lowest is 16 years old. The moderate standard deviation of roughly 10 years suggests that there was a modest variation of the individual ages from the overall mean, while the positive skewness shown is an indication that proportionately more of the scores fell below the overall mean.

Table 6.0: Types of hearings for matters filed during the year ended December 31, 2019

Types of Hearings	Frequency	Percentage (%)
Judge Only	41	47.7
Chambers	32	37.2
Judge and Jury	13	15.1
Total	86	100.0

The type of hearing held by the Special Coroner may be a product of the stage the case is at, the nature and complexity of the matter and the decision from the preliminary review of the

relevant file. It is seen in the above table that Judge only hearings with 47.7% of a sample of 86 hearings over the period and accounts for the largest share of the hearings, followed by Chamber hearings with 37.2% and matters heard by Judge and Jury with 15.1%.

Table 8.0: Sampling distribution of the reasons for adjournment for matters filed during the year ended December 31, 2019

Reasons for Adjournment/Delayed	Frequency
Burial order and/or Post-mortem outstanding	150
Other scientific reports outstanding	148
Ballistic report outstanding	97
Chemical report outstanding	81
Bio report outstanding	49
Viewer CD outstanding	48
Total	573

A sample of adjournments in the above table reveals that there were 573 over incidences of adjournments. Adjournments due to an outstanding burial order and/or post-mortem accounted for the largest incidence in the sample with 150, while other scientific reports outstanding with 148 incidences ranked next. Outstanding ballistic and chemical reports respectively also feature prominently on the list.

Table 9.0: Sampling distribution of the methods of disposition for matters filed in the Special Coroner’s Court or 2019 over the year ended December 31, 2019

Method of Disposition	Frequency	Percentage
Section 16(1)	37	45.1
Section 14	33	40.2
Section 16(2)	12	14.6
Total	82	100.0

A sample of 82 matters filed in 2019 reveals that matters disposed by way of Section 16(1) and Section 14 of the relevant Acts with 45.1% and 40.2% respectively account for the largest shares, followed by matters disposed by Section 16(2) with 14.6% of the total.

The data further shows that a significant proportion of cases were disposed with no one held criminally responsible and without a person of interest referred for prosecution.

Table 10.0: Sampling distribution on the age of cases disposed over the year ended December 31, 2019

Descriptive Statistics (in days)

Number of observations	50
Mean	164.1800
Std. Error of Mean	19.79900
Median	104.0000
Mode	41.00
Std. Deviation	140.00010
Skewness	1.205
Std. Error of Skewness	.337
Range	581.00
Minimum	8.00
Maximum	589.00

A sample of 50 cases disposed in the 2019 calendar year at the Special Coroner’s Court revealed that the mean time taken was 164 days or 5.5 months, while the most frequently occurring time to disposition was 41 days. The standard deviation is high, indicative of a wide variation of the individual scores around the mean. The positive skewness indicates that proportionately more of the scores in the data set fell below the overall mean. The minimum time taken to dispose of cases was 8 days, while the maximum time was 589 days or 1.6 years.

Concluding Note

This 2019 report on case activity at the Corporate Area Coroner's court and the Special Coroner's Court shows that both courts are making strides in contributing to the overall vision of becoming the best in the region and among the best in the world over the next few years. Despite the unique nature of these courts, the output for example reveals competitive scores in both the case disposal rates and the average times to disposition. Although there are challenges and room for improvement, these results augur well for the ability of these courts to positively impact the timely delivery of justice to the Jamaican citizenry.

Glossary of Terms

Sampling Distribution: A sampling distribution of a given population is the distribution of frequencies of a range of outcomes that could possibly occur for a statistic of a population. A population is the entire pool from which a statistical sample is drawn.

Clearance rate: The ratio on incoming to outgoing cases or of new cases filed to cases disposed, regardless of when the disposed cases originated. For example, in a given Term 100 new cases were filed and 110 were disposed (including cases originating before that Term) the clearance rate is 110/100 or 110%.

Note: The clearance rate could therefore exceed 100% but the disposal rate has a maximum value of 100%.

A persistent case clearance rate of less than 100% will eventually lead to a backlog of cases in the court system. The inferred international benchmark for case clearance rates is an average of 90%-110 annualized. This is a critical foundation to backlog prevention in the court system. ⁱ

Disposal rate: As distinct from clearance rate, the disposal rate is the proportion of new cases filed which have been disposed in a particular period. For example if 100 new cases are filed in a particular Term and 80 of those cases were disposed in said Term, then the disposal rate is 80%.

Note: A persistent case clearance rate of less than 100% will eventually lead to a backlog of cases in the court system. ⁱⁱ

Trial/hearing date certainty: This is the proportion of dates set for trial or hearing which proceed without adjournment. For example, if 100 trial dates are set in a particular Term and 40 are adjourned, then the trial certainty rate would be 60%. The international standard for this measure is between 92% and 100%.

Courtroom utilization rate: The proportion of courtrooms in full use on a daily basis or the proportion of hours utilized in a courtroom on a daily basis. The international standard for this rate is 100%.

Case congestion rate: The ratio of pending cases to cases disposed in a given period. It is an indication of how fatigued a court is, given the existing state of resources and degree of efficiency. A case congestion rate of 150% for example, is an indication that given the resources currently at a court's disposal and its degree of efficiency, it is carrying 1.5 times its capacity.

Case File Integrity Rate: Measures the proportion of time that a case file is fully ready and available in a timely manner for a matter to proceed. Hence, any adjournment, which is due to the lack of readiness of a case file or related proceedings for court at the scheduled time, impairs the case file integrity rate. The international benchmark for the case file integrity is 100%

Standard deviation: This is a measure of how widely spread the scores in a data set are **around** the average value of that data set. The higher the standard deviation, the higher the variation of the raw scores in the data set, from the average score. A low standard deviation is an indication that the scores in a data set are clustered around the average.

Outlier: An outlier is a value that is too small or too large, relative to the majority of scores/trend in a data set.

Skewness: This is measure of the distribution of scores in a data set. It gives an idea of where the larger proportion of the scores in a data set can be found. Generally, if skewness is positive as revealed by a positive value for this measure, this suggests that a greater proportion of the scores in the data set are at the lower end. If the skewness is negative as revealed by a negative value for this measure, it generally suggests that a greater proportion of the scores are at the higher end. If the skewness measure is approximately 0, then there is roughly equal distribution of scores on both the higher and lower ends of the average figure.

Range: This is a measure of the spread of values in a data set, calculated as the highest minus the lowest value. A larger range score may indicate a higher spread of values in a data set.

Case backlog: A case that is in the court system for more than two years without disposition.

Source:

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf>

ⁱ *Source:*

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf>

Weighted Average: Weighted average is a calculation that takes into account the varying degrees of significance of the groups or numbers in a data set. In calculating a weighted average for a particular variable, the individual scores or averages for each group are multiplied by the weight or number of observations in each of those groups, and summed. The outcome is then divided by the summation of the number of observations in all groups combined. For example, if we wish to calculate the weighted average clearance rate for the parish courts, the product of the clearance rate and number of cases for each court are computed, added, and then divided by the total number of cases across all the parish courts. This means that a court with a larger caseload has a greater impact on the case clearance rate than a smaller court.

A weighted average can be more accurate than a simple average in which all numbers in a data set are assigned an identical weight.

Continuance and Adjournment: In a general sense, any delay in the progression of a hearing in which a future date/time is set or anticipated for continuation is a form of adjournment. However, in order to make a strict distinction between matters which are adjourned for procedural factors and those which are generally avoidable, court statistics utilizes the terms 'continuance' and 'adjournment'. Here, 'continuance' is used strictly to describe situations in which future dates are set due to procedural reasons and 'adjournments' is used to describe the circumstances in which future dates of appearance are set due to generally avoidable reasons. For example, adjournments for another stage of hearing, say from a plea and case management hearing to a trial hearing or from the last date of trial to a sentencing date are classified as 'continuance' but delays for say, missing or incomplete files, due to outstanding medical reports or attorney absenteeism are classified as 'adjournments'. Adjournments as

defined in this document have an adverse effect on hearing date certainty rates but continuances do not.