



A Special Report on the Corporate Area Family Court
2019

JANUARY TO DECEMBER 2019 (Highlights)

Gross Clearance Rate (%) :	94.94
Gross Disposal Rate (%) :	61.94
Trial Certainly Rate (Criminal Matters) (%) :	88.57

TABLE OF CONTENTS

Executive Summary 3

Introduction 6

Methodology7

Chapter 1.0: Case activity in the Criminal Division9

Chapter 2.0: Case activity in the Family and Family Child Welfare Division22

Chapter 3.0:Case activity for matters of Domestic Violence30

Chapter 4.0: Summary of intake and counselling activity34

Conclusion.....35

Glossary of Terms38

Executive Summary

This report represents a continuation of expanded statistical reporting on case activity throughout the Jamaican court system. It covers the 2019 academic year and details case activity across the various types of matters heard at the Corporate Area Family Court. Expanded statistical reporting across all business lines in the Jamaican court system is particularly important, considering that all courts are striving towards meeting the quantitative targets set out as part of the strategic plan for the judiciary. Chief among these quantitative targets is the attainment a court-wide trial date certainty rate of 95% and a clearance rate of 130% over the next 4-6 years. The realization of these and other aggressive targets would place the Jamaican court system among the bests in the World.

3416 new cases were filed across the three macro business lines at the Corporate Area Family Court in 2019, while 2918 were disposed and 325 became inactive. This produced an overall weighted case clearance rate of 94.84%. Roughly 62% of the new cases filed during the year were disposed or became inactive, representing the weighted case disposal rate across the three macro business lines. The three macro business lines mentioned here are the Criminal, Family and Family Child Welfare and Domestic Violence. The Family and Family Child Welfare business line is the largest, accounting for 67.15% of the new cases filed at the Corporate Area Family Court in 2019, followed by domestic violence matters with 795 or 23.27% and criminal matters with 9.57%.

The Corporate Area Family Court satisfied the International standard on case clearance rate in 2019, ending the year with an impressive weighted figure of 94.94%, while having a less

impressive case disposal rate of 61.94%. With respect to the case clearance rate, the results reveal that roughly 95 cases were disposed in 2019, for every 100 new cases filed while roughly 60 of every 100 new cases filed were disposed.

The largest proportion of criminal matters filed at the Corporate Area Family Court was indictments with 48.03%, followed by committal proceedings with 22.98% and summary matters with 21.53%. The most common criminal charges brought before the court were matters of assault occasioning bodily harm, unlawful wounding and possession of offensive weapon. 82% of the offenders were male and 18% female while the average age of the accused persons was 16 years old. Among the more common reasons for adjournment and continuances for criminal matters heard at the Corporate Area Family Court in 2019 are those for referrals to the Dispute Resolution Foundation and for Social Enquiry Reports. The estimated average number of times that a case was mentioned in this criminal court in 2019 was 3, which is comparatively modest and is under the prescribed maximum of 5. The average time which was taken to dispose of criminal cases which were resolved in 2019 was roughly 202 days or approximately 6.8 months. The criminal business line of the Corporate Area Family Court had an estimated trial date certainty rate of 88.57%, an impressive result which suggests that between 8 and 9 of every trial date set proceeded on schedule without the date been adjourned. This business line also had the highest clearance rate in the Corporate Area Family Court, netting out at 129.36% while having a disposal rate of 52.29%. This clearance rate places this court in the upper quintile among the criminal courts island wide.

There was also fairly strong output for the family and family child welfare business line at the Corporate Area Family Court in 2019. There was an estimated case clearance rate of 95.55%,

which is in line with the international standards and an estimated case disposal rate of 60.07%. Maintenance matters accounted for the highest proportion of the new cases filed in this business line with 54.20% while custody matters with 24.30% and declaration of paternity with 14.50% ranks next. Among the popular reasons for adjournment and continuance in this business line were adjournments due to the absenteeism of the respondent and applicant respectively, adjournments for institutional reports and adjournments due to the absence of counsellors. The estimated average number of mention per case in this macro business line was roughly 2, which is commendable as it falls well within the prescribe standard of a maximum of 5 while the average time taken to dispose of cases in the family and family child welfare business line which were resolved in 2019 was 192 days or roughly 6.4 months. The most popular methods of disposition across the three macro business lines in the Corporate Area Family Court in 2019 were by withdrawal, by a grant made by the Judge and by way of being struck out.

In the Domestic Violence business line it took an average of 118 days or almost 4 months to dispose of the cases that were resolved in 2019. There was also a case clearance rate for 79% for these matters in 2019 while the case disposal rate stood at 71.32%.

Cumulatively, the Corporate Area Family Court produced results in 2019 which are comparable to that of some of the better performing parish courts and is poised to make a strong contribution to the quantitative objectives necessary to place the Jamaican court system in ranks of the most efficient judiciaries in the world within the coming 4-6 years.

Introduction

Over the past two years, an electronic data capture system has been implemented at the Corporate Area Family Court to promote efficient data collection and statistical reporting as well as improved case management practices. The system, now nearly perfected, is the foundation for the production of this second Annual Statistics Report on this court which details a range of case related activities over the course of 2019. The specialized family courts are quite special within the Jamaican court system ,carrying out an array of functions on daily basis – in many ways functioning as a ‘one-stop shop.’ Among the primary functions carried out are on site counselling, filtering matters to offsite counselling locations, extensive open court hearings and adjudication and facilitating extensive operational logistics involving the collection of payments and pay-outs for matters such as maintenance. The Family Courts also tends to a number of distinct case types, namely criminal, civil, domestic violence and family and child welfare that includes maintenance, custody, adoption, declaration of paternity, guardianship, childcare and protection and uncontrollable child. In appreciation of the peculiar operational dynamics of the Family Court, this report seeks to provide a robust representation of both open court and non-court services, which the court offers to the public. According to the Judicature Family Court Act, the primary purpose of the Family Court is to prevent the breakdown of families and where this may be unavoidable to ensure that the welfare of its members and in particular children is safeguarded. The plethora of functions, both judicial and administrative which are performed by the Family Courts are therefore not surprising. In explain the structure of the handling of family matters in the Jamaican court system, the Judicature (Family Court) Act of 1975 outlines that:

Matters concerning the family of which our statute laws take cognizance are adoption, custody, maintenance, affiliation, juveniles in need of care and attention, juvenile

offenders and divorce...the Resident Magistrate's Court (now parish courts) have jurisdiction in adoption, maintenance and affiliation. These courts along with the Supreme Court hear and determine matters relating to custody and guardianship. The law relating to juveniles in need of care and protection and to offending juveniles is principally administered by the Juvenile Courts, whilst the Supreme Court exercises exclusive jurisdiction in divorces.

The Family Courts are indeed an important part of the fabric of the justice sector and nation building and statistical reporting of this nature will contribute positively to the productivity of this court and improve the public's understanding and appreciation of its role and provisions. Together, these throughputs will redound to the benefit of the Jamaican society in both the long and short runs.

Structure of Report

This special annual report is subdivided into three primary chapters, the first focussing on open court operations for family criminal matters, the second on open court operations for family and family child welfare matters and domestic violence. Towards the end of the report there is a brief summary of intake activity and the document culminates with a short conclusion and a glossary of technical terms.

Methodology – Generating Court Statistics in Jamaica

Guaranteeing the reliability and validity of the data used to produce the periodic statistical reports for the Jamaican Courts is of utmost importance as we seek to produce a data driven enterprise for policymaking and operational decisions. As a result, a robust and verifiable system of data production has been created in both the parish courts and the Supreme Court. At the parish courts, a data capture system for criminal matters, called the CISS (Case Information Statistical System) has been operational in all courts for the past 4 years. This system captures a wide range of data on the progression of criminal cases from initiation to disposition and is manned by at least one dedicated Data Entry Officer (soon to be called Statistical Officers) in each court. These officers update the system on a daily basis so that the data produced is as close as possible to real time. The electronic data sheets for each parish court are then validated and backed-up to the network at the end of each month and the data submitted to a centralized, secure medium for processing by the Statistical Unit of the Supreme Court. A robust data validation mechanism is in place to periodically sample case files in all parish courts and the Divisions of the Supreme Court on a quarterly basis. A representative sample of case files are taken in each case and crosschecked against the electronic data to detect and eliminate errors of omission and commission.

The Court Statistics Unit at the Supreme Court produces various quarterly and annual court reports which are published on the website of the Supreme Court; however, interim data required by stakeholders may be requested through the Office of the Chief Justice.

Chapter One: Case Activity in the Criminal Section

Section 1.0: An analysis of Criminal Case Activity in the Family Courts in 2019

This Chapter of the document will examine a range of output and performance measurements for criminal matters in the Corporate Area Family Court for the year ended December 2019. Such will involve analyses of caseload, case type distribution, case clearance rates and disposal rates as well references to the case backlog rate and on-time case-processing rate among other critical metrics.

Table 1.0a: Sampling distribution of the status of charges handled at the Corporate Area Family Court as at December 31, 2019

Number of charges handled	Number of active charges	Number of disposed charges	Number of inactive charges
1023	328	613	82

The above table shows a sampling distribution of 1023 criminal charges that were handled at the Corporate Area Family Court in 2019, an increase of roughly 55% when compared to 2018. At the end of the year, 328 or 32.1% of these charges were still active. A matter is considered inactive when no future court date is set, as is typically the case with warrant matters. 82 or 8% of these charges originating were inactive at the end of the year, while 613 or 59.92% were disposed.

Table 1.0b: Sampling distribution of the status of cases handled at the Corporate Area Family Court as at December 31, 2019

Number of individual cases handled	Number of active cases	Number of cases disposed	Number of cases inactive
635	212	341	82

The above table provides a sampling distribution of the case activity corresponding to the charges in the previous table. A sample of 635 criminal cases handled at the Corporate Area Family Court in 2019, 44.98% above the 438 recorded in 2018. Of the 635 new cases handled, 212 were still active at the end of the year, 341 were disposed and 82 were inactive. There was a ratio of 1 case to 1.61 charges handled in 2019. In other words, for every 100 cases handled, there were 161 charges. There was a ratio of 1 case to 1.50 charges recorded in 2018.

Table 1.0c: Distribution of cases statuses for criminal cases filed at the Corporate Area Family Court in 2019

Number of new cases filed	Number of active cases	Number of inactive cases	Number of disposed cases	Case disposal rate (%)	Case Clearance Rate (%)
327	156	31	140	52.29	129.36%

The above table provides a summary of the distribution of case statuses for criminal cases filed at the Corporate Area Family Court in 2019. Of the 327 new criminal cases filed at this court, 156 were still active at the end of the year, while 140 were disposed and 31 were inactive. This resulted in a case disposal rate of 52.29% for criminal cases filed. The case disposal rate of 57.14% recorded in 2018 was 4.85 percentage points higher than that of 2019. A more robust measurement of the productivity in any court is the case clearance rate, which provides a ratio of all cases disposed to the new cases filed. The data presented suggests that a total of 423

criminal cases were either disposed or became inactive in 2019, resulting in an impressive case clearance rate of 129.36%. The Corporate Area Family Court has been employing the use of special disposal days throughout the course of each month, which are dedicated to bringing inactive and aged matters before open court in order to expedite disposition. This initiative is a potential model for other courts.

Table 2.0: Sampling distribution of case types for criminal charges filed at the Corporate Area Family Court for the year ended December 31, 2019.

Case Type	Frequency	Percentage (%)
Indictments	232	48.03
Committal Proceedings	111	22.98
Summary	104	21.53
Petty Sessions	36	7.45
Total	483	100

The above table shows that the largest proportion of the sample of 483 criminal charges filed at the Corporate Area Family Court in 2019. Of these, 232 or 48.03% were Indictments, 111 or 22.98% were committal proceedings and 104 or 21.53% were summary matters. Petty Sessions with 36 or 7.45% accounted for the lowest proportion of the sample of criminal charges in 2019. In 2018, Indictments also accounted for the highest proportion with 51.25% of the 640 charges filed, while 20.16% were committal proceedings and 18.59% were summary matters.

Table 3.0: Trial date certainty rate for the year ended December 31, 2019

Number of trial dates set	Number of trial dates adjourned	Trial date certainty rate (%)
35	4	88.57

The above table summarizes the trial date certainty rate for the Corporate Area Family Court for the year ended December 31, 2019. There were 35 trial dates set during the year, of which 4 were adjourned, leading to a trial date certainty rate of 88.57%, a 3.43 percentage points decline when compared to the 92% recorded in 2018. The trial certainty rate suggests that there is a roughly 89% chance that a date set for trial will proceed without adjournment. This is slightly below the international standard of 90% - 100% and approximately 6.43 percentage points short of the target of 95% set by the Chief Justice for the Judiciary over the next 5-6 years.

Table 4.0: Sampling distribution of commonly occurring reasons for adjournment/continuance for the year ended December 31, 2019

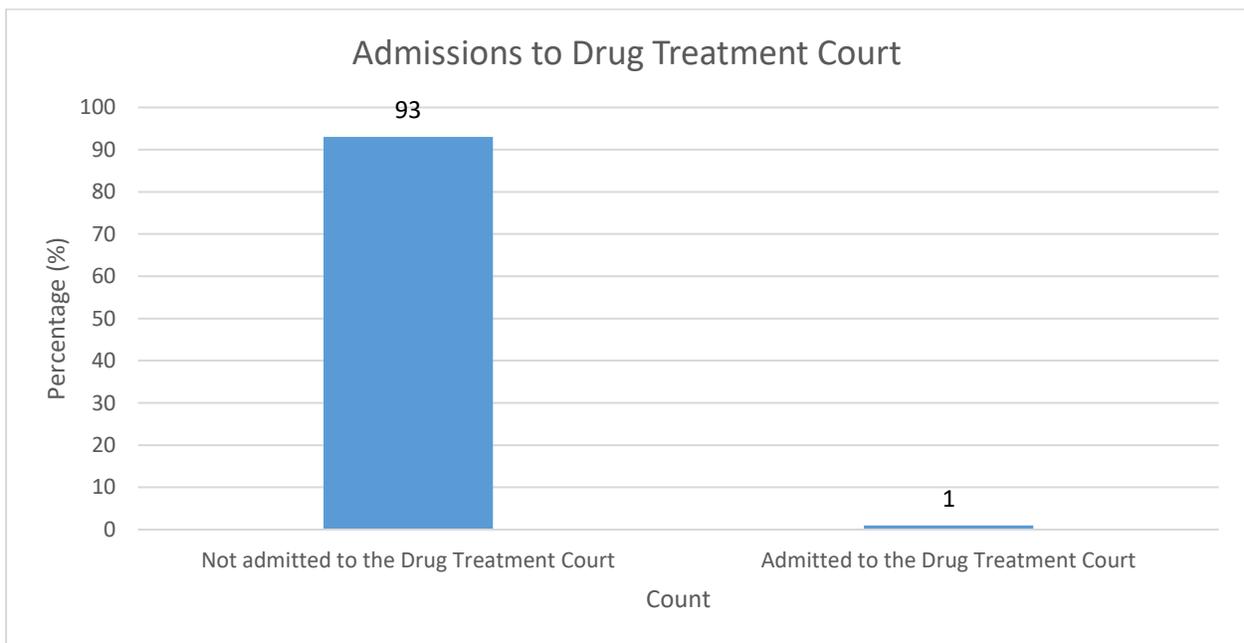
Reasons for Adjournment /Continuance	Number of Adjournments	Percentage (%)
Social enquiry reports	84	21.3
Referred to Dispute Resolution Foundation	24	6.1
Subpoena investigating officer	16	4.1
Total	124	31.47

Total number of adjournments/continuances observed (N) = 394

The above data highlights the sampling distribution of some of the leading reasons for adjournment and continuance for criminal cases heard during 2019 at the Corporate Area Family Court. From a sample of 394 adjournments/continuance, 84 or 21.3% were for Social Enquiry Reports, referrals to Dispute Resolution Foundations (DRF) accounted for 24 or 6.1% and

adjournments due to the subpoena of investigating officers with 16 or 4.1% rounds off the top three reasons for delay in the . The three reasons listed above, account for a total 31.47% of the sample of adjournments. The reasons for adjournment provide critical insights into the range of both internal and external factors, which explain delays in the court system. They therefore constitute an important part of computing the hearing and trial date certainty rates, which are a central measure of court performance.

Chart 1.0: Sampling distribution of referrals to the Drug Treatment Court



The above chart shows that from a sample of 94 children involved in matters in the Children’s Court in 2019, 93 or 98.94% were not admitted to the Drug Treatment Court, while 1 or 1.06% was admitted to this court. Similarly, in 2018, the majority of 115 matters were not admitted to drug treatment court, while only 2 were admitted. The proportion of admissions into the Drug Treatment Court provides an indication of the complexity of the dynamics involved in some cases, which in turn has implications for the times taken to dispose of some cases.

Table 5.0: Sampling distribution of mention court frequency

Number of observations	429
Mean	3.28
Std. Error of Mean	.123
Median	3.00
Mode	1
Std. Deviation	2.551
Skewness	2.272
Std. Error of Skewness	.118
Range	19
Minimum	1
Maximum	20

The above table displays the descriptive statistics on mention court frequency for criminal matters at the Corporate Area Family Court in 2019. It is seen that the average number of mentions per case is roughly 3.3, an indication that for every 10 cases there were 33 mentions. When compared to 2018, this was an increase of 1.3 up from 2.0. The median number of mentions was 3 and impressively the mode was one. The maximum number of mentions per matter in 2019 was 20, while the minimum was 1 mention. The standard deviation is relatively high, an indication that there were variations in the mention court frequency of individual cases around the average incidence. The high positive skewness is an indication that most of the scores in the data set fell below the average mention court frequency; a result that is not surprising considering that the modal number of mentions is 1. These results are within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 6.0: Sampling distribution of commonly occurring methods of disposition for the year ended December 31, 2019

Method of disposition	Frequency	Percentage (%)
Transferred	72	17.56
For Committal to Circuit	17	4.15
Dismissed for Want of Prosecution	15	3.66
Mediated settlement	15	3.66
Total	119	29.02

Total sample of dispositions (n) = 410

The above table summarizes the methods of disposition for a sample of 410 criminal charges disposed in 2019. It is seen that matters transferred accounted for the largest share with 72 or 17.56% followed by matters committed to the Circuit Court with 17 or 4.15%. Matters dismissed for want of prosecution and mediated settlements with 15 or 3.66% each rank next. The methods listed above account for 29.02% of the total sample of dispositions.

Table 7.0: Sampling distribution of the types of sentencing/orders made on 2019 matters

Type of Order/Sentencing	Frequency	Percentage (%)
Probation Order	60	80.0
Miscellaneous	4	5.33
Correctional Order	3	4.0
Admonish and Discharge	2	2.67
Suspension Order	2	2.67
Community Service Order	1	1.33
Dismissed	1	1.33
Mediation Order	1	1.33
Supervision Order	1	1.33
Total	75	100.0

It is seen in the above table that from the sample of 75 orders made in 2019, the largest proportion were probation orders with 60 or 80.0% while miscellaneous orders with 4 or 5.33% and correctional orders with 3 or 4.0% ranked next in the sample.

Table 8.0: Sampling distribution of times to disposition for the year ended December 31, 2019

Descriptive statistics (in days)

Number of observations	372
Mean	202.84
Std. Error of Mean	11.396
Median	130.50
Mode	19
Std. Deviation	219.798
Skewness	3.043
Std. Error of Skewness	.126
Range	1483
Minimum	10
Maximum	1493

The above descriptive statistics provide a summary of the time taken to dispose of a sample of 372 matters which were disposed in 2019. It is seen that the average time taken to dispose of these cases was roughly 203 days or 6.8 months, while the median time was 131 days. It took 224 days or 7.5 months to dispose of matters in 2018, which was 21 days more. The most frequently occurring time to disposition in 2019 was 19 days. The high standard deviation suggests that there is a wide variation in the individual times while the high positive skewness suggests that a significant portion of the times in the data set fall below the overall average time to disposition. The maximum time taken to dispose of these cases was roughly 1493 days or 4.1 years and the minimum was 10 days.

Case Demographics

Table 1.0: Sampling distribution of the leading charges filed at the Corporate Area Family Court in 2019

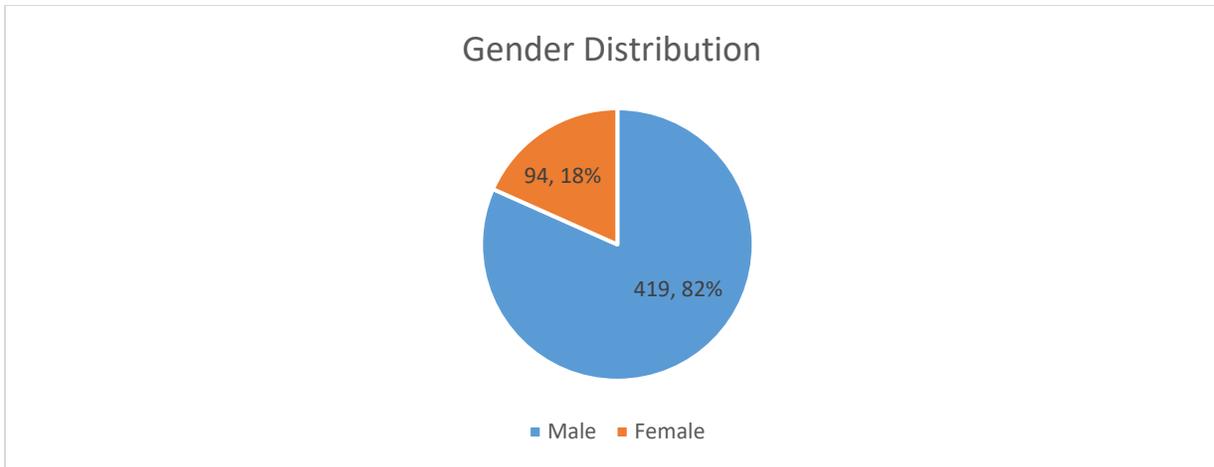
Type of Offence	Number of Offences	Percentage (%)
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Assault occasioning bodily harm	67	12.91
Unlawful wounding	60	11.56
Possession of an Offensive weapon	59	11.37
Sexual intercourse with a person under 16	38	7.32
Simple larceny	22	4.24
Total	246	47.4

Total number of offences filed in 2019 is 519

The above table provides a summary of the most frequently occurring charges in 2019 at the Corporate Area Family Court. Of a sample of 519 charges filed in 2019, it is seen that 67 or 12.91% were matters of assault occasioning bodily harm. This was followed by unlawful wounding with 60 or 11.56% and being armed with an offensive weapon with 59 or 11.37%. 80.60% of the accused persons associated with the cases filed in 2019 were male, while 19.40% were female. Of the leading offences listed in the table above, sexual intercourse with a person under 16 years old had the highest proportion of male offenders with 100%, while assault occasioning bodily harm had the highest proportion of female offenders with 39.66%.

Chart 1.0: Distribution of offences by gender for the year ended December 31, 2019



The above chart shows the distribution of charged filed by gender, using a sample of 513 matters. Males account for the overwhelming proportion of matters with 82%, 3 percentage points above the 79% recorded in 2018. Females accounted for 18% of matters filed in 2019.

Table 2.0: Breakdown of leading charges by gender in 2019

Charge	Male		Female		Total
	Count	%	Count	%	
Offensive Weapon	46	82.14	10	17.86	56
Unlawful wounding	41	74.55	14	25.45	55
Sexual intercourse with a person under 16	38	100.00	0	0.00	38
Assault occasioning bodily harm	35	60.34	23	39.66	58
Simple larceny	17	80.95	4	19.05	21
Rape	14	93.33	1	6.67	15
Malicious destruction of property	13	72.22	5	27.78	18
Larceny from the person	11	91.67	1	8.33	12
Robbery with aggravation	10	100.00	0	0.00	10
Assaulting a female	8	100.00	0	0.00	8
Unlawful possession of property	8	100.00	0	0.00	8

The above table summarizes the distribution of the leading charges filed by gender in 2019 at the Corporate Area Family Court. Males are especially dominant with the charges of sexual intercourse with a person under 16 years old, rape, larceny from a person, possession of offensive weapon and robbery accounting for over 80% of the matters. As it relates to female offenders, the charge with the highest frequency was assault occasioning bodily harm with 23 or 39.66% of the total.

Table 3.0: Descriptive statistics on the age of offenders

Descriptive statistics (in years)

Number of observations	63
Mean	15.635
Std. Error of Mean	0.165
Median	16
Mode	16
Std. Deviation	1.311
Skewness	-0.881
Std. Error of Skewness	0.302
Range	6
Minimum	12
Maximum	18

The above descriptive statistics provide a statistical summary of the ages of offenders associated with a sample of 63 new criminal matters handled in 2019. It is seen that the average age is roughly 15.64 years, similar to the 15.69 years recorded in 2018. The oldest offender was 18 years and the youngest was 12 years old. In 2018 the youngest offender was also 12 years old; however, the oldest was 35 years. Both the median and modal ages were 16 years old. The low standard deviation is an indication that the ages of offenders did not on average vary widely from the overall mean age. The negative moderate skewness is an indication that there were proportionately more scores in the data set that are above the average.

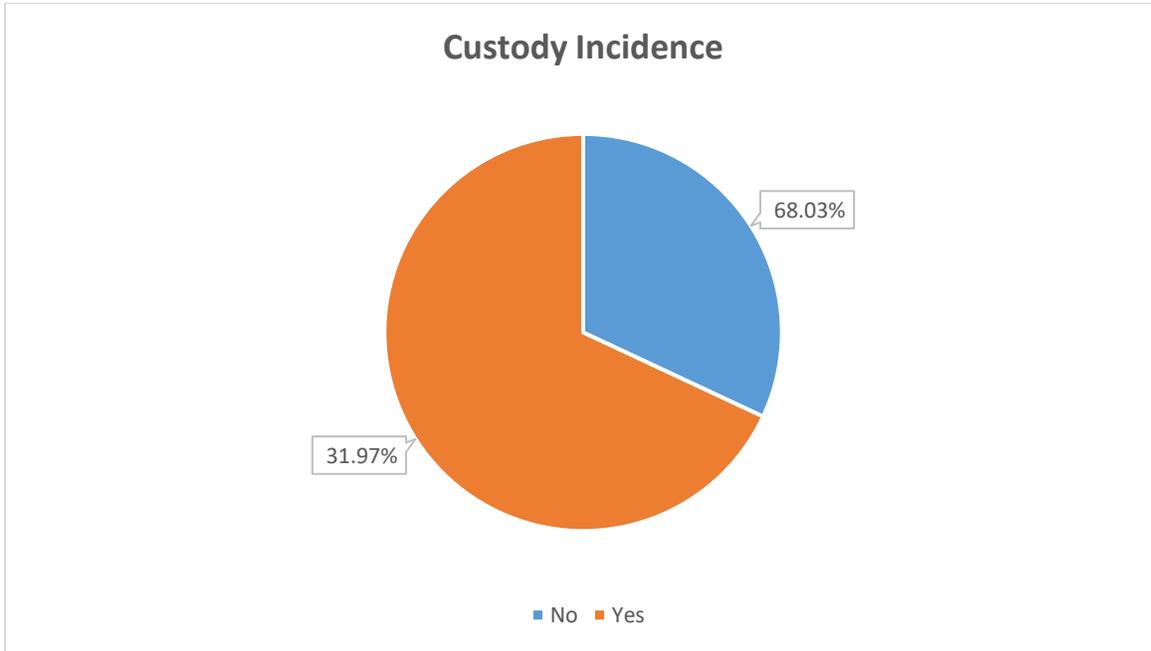
Table 4.0: Courtroom/outstation distribution for new matters heard in 2019

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	503	94.5
Courtroom #3	26	4.9
Gordon Town	2	0.4
Drug Court	1	0.2
Total	532	100.0

It is shown in the above table that the overwhelming proportion of new criminal matters heard at the Corporate Area Family Court in 2019 took place in the Children's Court, which accounted for 503 or 94.50% of the matters heard. The Children's Court also accounted for the highest proportion of the new criminal matters heard in 2018 with 590 or 89.60%. Courtroom number 3 with 26 or 4.90% of the sample ranks next, while the outstation in Gordon Town came next with 2 or 0.4%. The drug court outstation accounted for the smallest proportion with 0.2% of the sample.

Table 5.0: Custody incidence for new matters filed in 2019

Custody Status	Frequency	Percentage (%)
Yes	83	68.03
No	39	31.97
Total	122	100



A sample of 122 juveniles brought before the Corporate Area Family Court for criminal proceedings in 2019 revealed that the vast majority 83 (68.03%) were taken into custody. This is a decline of 21.14 percentage points when compared to 2018.

Chapter 2.0: Case Activity in the Family and Family Child Welfare Section

This section examines case activity for matters classified as family and family child welfare in the Corporate Area Family Court in 2019. Matters classified under the general case type category called family includes maintenance, custody, declaration of paternity and adoption, while matters classified as family child welfare includes incontrollable child and childcare and protection.

Table 1.0: Distribution of Family and Family Child Welfare matters handled at the Corporate Area Family Court in 2019

Number of matters handled	Matters active	Matters disposed	Inactive matters
3233	1291	1782	160

The above table details the outcome of the 3233 Family and Family Child Welfare matters, which were handled by the Corporate Area Family Court in 2019. At the end of the year, 1291 were still active and 1782 were disposed. There remaining 160 matters were inactive at the end of the year.

Table 2.0a: Distribution of new Family and Family Child Welfare cases filed at the Corporate Area Family Court in 2019

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
2294	916	1218	160	60.07

The above data shows that 2294 Family and Family Child Welfare cases were filed in 2019, of which 1218 were disposed, 160 inactive and 916 still active at the end of the year. This produced

a case disposal rate of 60.07% for these types of cases. This was an 8.89 percentage points decline from the disposal rate in 2018.

2.0b: Clearance rate summary for the Corporate Area Family Court for 2019

New Family and Child Welfare cases filed	Gross number of Inactive cases	Gross number of Disposed cases	Clearance Rate (%)
2294	213	1979	95.55%

The above Table shows that there was an aggregate of 1979 family and family child welfare cases disposed in 2019 at the Corporate Area Family Court while 213 cases became inactive. This produced an impressive case clearance rate of 95.55% which satisfies the international standard.

Table 3.0: Sampling distribution of the types of Family and Family Child Welfare cases filed in 2019

Types of Cases	Frequency	Percentage (%)
Maintenance	1738	54.2
Custody	778	24.3
Declaration of paternity	465	14.5
Child Care and Protection	171	5.3
Uncontrollable Child	37	1.1
Adoption	19	.6
Total	3208	100.0

A sample of 3208 matters filed at the Corporate Area Family Court in 2019 revealed that the largest proportion of cases filed were maintenance matters with 1738 or 54.2%. This was followed by 778 or 24.3%, which were custody matters and 465 or 14.5%, which were matters of declaration of paternity. Matters of childcare and protection with 171 or 5.3% come in next ahead of matters of uncontrollable child with 37 or 1.1% and adoption matters with 19 or 0.6%. These

findings follow a similar pattern to that of the 2018 calendar year where maintenance, custody and declaration of paternity accounted for the leading case types.

Table 4.0: Reasons for adjournment/continuance for Family and Family Child Welfare cases filed in 2019

Reasons for Adjournment/Continuance	Frequency	Percentage (%)
Social enquiry report outstanding	71	10.8
Absenteeism of respondent	57	8.7
Adjournment for institutional reports	55	8.4
Absenteeism of applicant	21	3.2
Adjourned for counselling	21	3.2
Adjourned for psychiatric evaluation	19	2.9
Referred to Family Court counsellor	2	.3
Referred to PACO	1	.2
Sub total	360	37.70

Sample size (n) =657

The above table is derived from a sample of 657 adjournments in 2019; the largest share, 71 or 10.80% were due to outstanding social enquiry reports followed by adjournments due to the absenteeism of respondents with 57 or 8.7% and adjournments for institutional reports with 55 or 8.4%. The listed reasons for adjournment account for 37.70% of the sample used.

Table 4.0b: Sampling distribution of mention court frequency for Family and Family Child Welfare cases for the year ended December 31, 2019

Number of observations	3539
Mean	2.2495
Std. Error of Mean	.03466
Median	1.0000
Mode	1.00
Std. Deviation	2.06184
Skewness	3.926
Std. Error of Skewness	.041
Range	30.00
Minimum	1.00
Maximum	31.00

The above table displays the descriptive statistics on mention court frequency for family and child welfare matters at the Corporate Area Family Court in 2019. It is seen that the average number of mentions per case is roughly 2.2, an indication that for every 10 cases there were 22 mentions. When compared to 2018, this was a decrease of 0.2 from 2.4. Both the median and modal number of mentions stood impressively at 1. The maximum number of mentions per matter in 2019 was 31, while the minimum was 1 mention. The standard deviation is quite high, an indication that there is a wide variation in the mention court frequency of individual cases. The large positive skewness is an indication that the vast proportion of the scores in the data set fell below the average. These outputs are within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 5.0: Sampling distribution methods of disposition for the year ended December 31, 2019

Method of Disposition	Frequency	Percentage (%)
Struck out	1062	42.0
Granted	1053	41.6
Withdrawn	247	9.8
Denied	85	3.4
Other	68	2.7
Transferred	14	.6
Matters Settled	1	.0
Total	2530	100.0

The above table summarizes the methods of disposition for a sample of 2530 family and family child welfare matters in 2019. It is shown in the sample that the largest proportion of matters was disposed by being struck out, accounting for 1062 or 42% of the sample of disposed matters. This was followed by matters disposed by way applications granted with 1053 or 41.6% of the sample. Matters withdrawn with 247 or 9.8% of the sample rounded off the top three methods

of disposition. These findings follow a similar pattern to that of the 2018 calendar year where matters struck out, applications granted and matters withdrawn accounted for the leading case types.

Table 6.0: Sampling distribution of the time to disposition for the year ended December 31, 2019

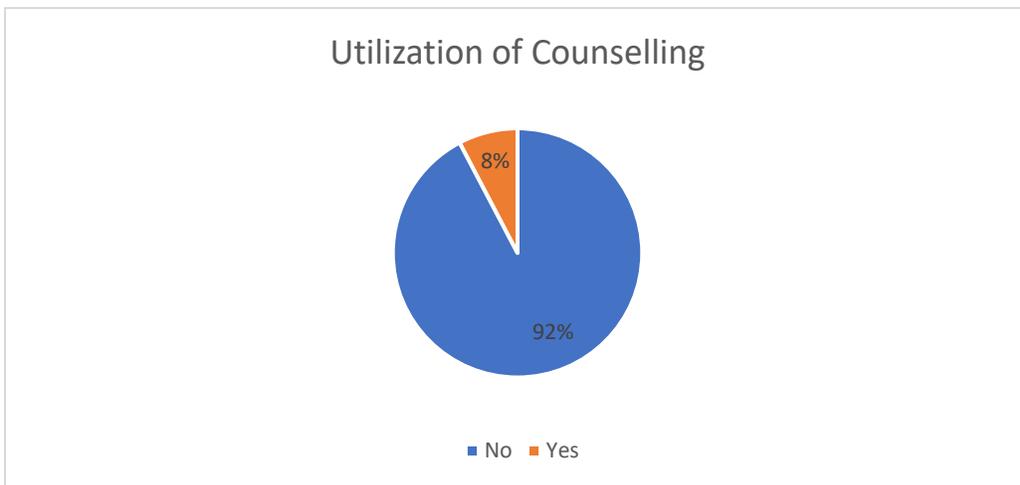
Number of observations	1135
Mean	191.761
Median	104
Mode	70
Std. Deviation	301.461
Skewness	6.262
Std. Error of Skewness	0.073
Range	3651
Minimum	1
Maximum	3652

The above table provides a descriptive statistical summary of the times taken to dispose of family and family child welfare cases at the Corporate Area Family Court in 2019. It is shown that from a sample of 1135 cases disposed in 2019, the average time to disposition was 192 days or roughly 6.4 months. It took an estimated 70 less days to dispose of matters in 2018, but there were only 147 observations. The maximum time taken to dispose of the cases used in this sample was 3652 days or 10 years, while the lowest time taken was a day. The overall standard deviation of approximately 301 days was high, indicating a wide variation in the times to disposition. This is affirmed by the acutely high positive skewness, indicating a decisive leaning towards the lower times to disposition.

Section 2.0: Case initiation and case demographics – Family and Family Child Welfare matters in 2019

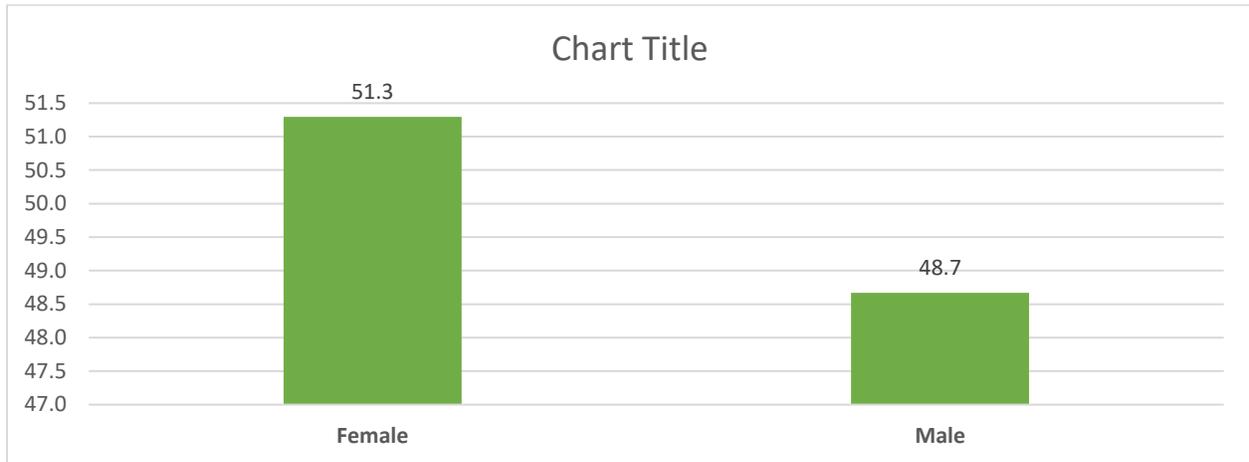
In this subsection of the report, there is an examination of the case party demographics for the cases which had some activity in 2019, as well as the utilization of the counselling option offered to case parties at the point of filing a case.

Chart 1.0: Sampling distribution of the utilization of counselling for the year ended December 31, 2019



At the point of filing some cases in the Family Court, the option is provided for counselling option to be utilized. This intervention is an important part of the diversion facilities, which are afforded by the Family Courts to resolve matters outside of open court hearings. A random sample of 169 matters filed revealed that 92% of the parties did not utilize the counselling option, while 8% utilized the option.

Chart 2.0: Sampling distribution of the gender of children associated with cases handled for the year ended December 31, 2019



The above chart shows that 51.3% of a sample of 3084 children involved in Family Court cases filed were female and 48.7% male. Similarly, in 2018, the majority of cases were females accounting for 63% of the sample.

Table 7.0: Descriptive statistics on age distribution of parties involved in cases filed in 2019

Case Type	Age Distribution (Years)							
	Average	Mode	Median	Standard Deviation	Skewness	Minimum	Maximum	Sample size (N)
Adoption	8.63	5	8	4.59	0.57	2	18	19
Child Care and Protection	9.47	0	12	5.73	-0.55	0	17	111
Custody	7.04	3	6	4.65	0.48	0	18	777
Declaration of Paternity	12.50	1	6	14.25	1.57	0	71	465
Maintenance	7.97	6	7	5.02	0.29	0	20	1650
Uncontrollable Child	14.85	14	15	1.17	0.15	13	17	27
Total/Weighted Average	8.54	-	-	6.32	0.50	-	-	508
Standard Deviation	2.99	5.04	3.69	4.39	0.69	5.21	21.66	633.48
Skewness	0.92	1.40	1.08	1.67	0.69	2.33	2.44	1.44

The table above shows the descriptive statistics on a sample of age of parties involved in cases for each family and family child welfare case subtypes type for the year ended December 31, 2019. The output produces a weighted average age of 8.54 years across the case subtypes. The average age for children involved in matters of uncontrollable child was 14.85 years, the highest among the listed case subtypes while the average age for custody matters was the lowest with roughly 8 years. The modal ages range from a high of 14 for uncontrollable child matters to a low of 1 for child care and protection. The overall weighted average standard deviation is moderately high, suggesting that there is a reasonably wide spread of the scores around the overall mean. Additionally, the overall positive skewness is moderately positive, an indication that relatively more of the scores fall below the overall average age.

Table 8.0: Distribution of cases by courtroom assignment for the year ended December 31, 2019

Courtroom	Frequency	Percentage (%)
Courtroom #3	1250	39.7
Courtroom #2	1130	35.9
Courtroom #1	442	14.0
Children's Court	206	6.5
Gordon Town Outstation	123	3.9
Total	3151	100.0

The above table shows the distribution of family and family child welfare cases filed by courtroom of assignment. It is shown that courtroom 3 with 1250 or 39.7% of the matters accounted for the highest proportion of cases heard, while courtroom 2 with 1130 or 35.9% of the cases is next. Courtroom 1 with 442 or 14% of the cases heard rounds off the top three accommodations in the sample.

Chapter 3.0: Summary of case activity for Domestic Violence matters filed in 2019

The below subsection provides a basic summary of case activity for Domestic Violence cases filed at the Corporate Area Family Court in 2019.

Table 1.0: Summary of matters filed in the year ended December 31, 2019

New matters filed	Matters active	Matters inactive	Matters disposed
1000	294	29	677

The above table shows that 1000 Domestic Violence matters were filed in 2019, 294 of which were still active at the end of the year. 677 of the matters filed were disposed and 29 were inactive at the end of the year. Table 2.0 provides further analysis of the equivalent number of domestic violence cases filed and the case disposal rates.

Table 2.0a: Summary of case activity for the year ended December 31, 2019

New cases filed	Active cases	Inactive cases	Disposed cases	Case Disposal Rate (%)
795	228	29	538	71.32

An equivalent number of 795 new domestic violence cases were filed in 2019, of which 228 were active, 29 were inactive and 538 were disposed at year end. This produces a disposal rate of 71.32%, which is a 10.63 percentage points decline from the 2018 rate.

Table 2.0b: Summary of gross case activity for the year ended December 31, 2019

New Domestic Violence cases filed	Gross number of Inactive cases	Gross number of Disposed cases	Clearance Rate (%)
795	30	598	79%

The data above shows that there were a total of 628 Domestic Violence cases which were either disposed or became inactive in 2019 at the Corporate Area Family Court. This produces a case clearance rate of 79%, which is 11 percentage points below the international standard.

Table 3.0: Sampling distribution of Domestic Violence cases disposed in 2019

Descriptive Statistics (days)

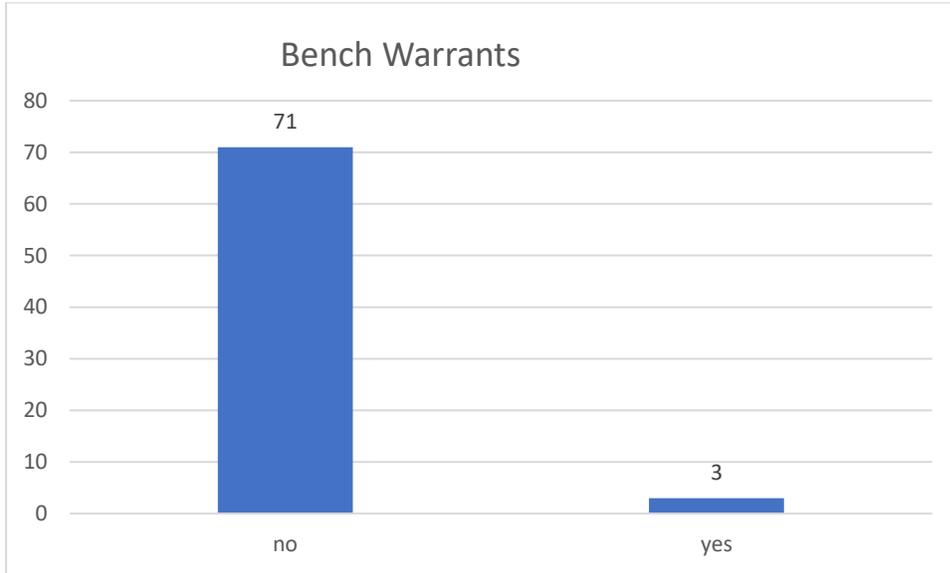
Number of observations	280
Mean	117.914
Std. Error of Mean	7.957
Median	84
Mode	28.00 ^a
Std. Deviation	133.153
Skewness	4.704
Std. Error of Skewness	0.146
Range	1388
Minimum	6
Maximum	1394

Multiple modes exist. The smallest value is shown

The above table shows that the average time taken to dispose of a sample of 280 matters in 2019 was roughly 118 days or 3.9 months. The 2018 calendar year had an average of 119 days, just a day more than that of 2019. The standard deviation of 133 days is high, indicating that there's a wide dispersion of the individual times in the data set. The skewness of the data is highly positive, which is an indication that most of the observations fell below the overall mean score. The

maximum time taken to dispose of these matters was 1394 days or 3.8 years, while 6 days was the lowest time.

Chart 1.0: Sampling distribution of bench warrants for the year ended December 31, 2019



A bench warrant is a warrant issued by a judge for the arrest of a person who has violated court rules and is in contempt of court. A random sample of 74 matters revealed bench warrants were issued in only 3 while none was issued in 71. This result indicates a relatively low probability of a bench warrant being issued in a domestic violence matter at the Corporate Area Family Court.

Table 4.0: Sampling distribution of the methods of disposition for the year ended December 31, 2019

Method of Disposition	Frequency	Percentage (%)
Struck out	401	56.6
Granted	162	22.9
Withdrawn	134	18.9
Denied	7	1.0
Miscellaneous methods	4	0.6
Total	708	100.0

The above table summarizes the methods of disposition for a sample of 708 domestic violence matters disposed in 2019 at the Corporate Area Family Court. It is seen that matters struck out account for the largest share with 401 or 56.6%. This was followed by matters granted with 162 or 22.9% and matters withdrawn with 134 or 18.9%. The top five methods of disposition are completed by grants denied with 1% and miscellaneous methods with 0.6%.

Summary of case activity for matters filed in 2019 at the Corporate Area Family Court

Table 1.0a: Summary of new case activity for 2019 cases

Aggregate new cases filed	Number of active cases	Number Inactive cases	Number of Disposed cases	Weighted Case Disposal Rate (%)
3416	1300	220	1896	61.94%

The above table provides a summary of total case activity cross all business lines at the Corporate Area Family Court for 2019. It is shown that there were a total of 3416 new cases filed, of which number 2116 were disposed or became inactive thereby producing a case disposal rate of 61.94% in 2019. Domestic Violence cases with a case disposal rate of 71.32%, family and family child welfare cases with a disposal rate of 60.07% and criminal cases with a rate of 53.29% completes the distribution of the case disposal rates across the macro case units.

Table 1.0b: Summary of aggregate case activity for 2019 cases

Aggregate New cases filed	Aggregate number of Inactive cases	Aggregate number of Disposed cases	Weighted Case Clearance Rate (%)
3416	325	2918	94.94%

The above table shows that the Corporate Area Family Court disposed of 2918 cases in 2019 while 325 cases became inactive. This produces gross clearance rate of 94.94% across all the case types in 2019. Criminal cases with 129.36% had the highest clearance rate, followed by Family and Family Child Welfare matters with 95.55% and Domestic Violence matters with 79%.

Chapter 4.0: Summary of intake and counselling activities as at Corporate Area Family Court using proxy data from the 2018 calendar year.

This short chapter of the report addresses two important areas of service, which are offered by the Family Court, namely the counselling and counselling referrals and accounting activities, primarily the processing of maintenance payments.

Table 1.0: Summary of intake matters referred to court, for the intervention of the Social Services and Family Counsellors as well as cases resolved by Family Counsellors

Entity	Number of male applicants	Number of female applicants	Total	Percentage (%)
Court	644	3090	3734	65.00
CPFSA	21	182	203	3.53
Legal aid clinic	48	226	274	4.77
Public Assistance	50	283	333	5.80
Family counsellor	217	704	921	16.03
Teenage pregnancy project	-	280	280	4.87
Total	1197	6183	7380	100

Key

CPFSA: Child Protection and Family Services Agency

Public Assistance: Programme for Advancement Through Health and Education (PATH), Ministry of Labor and Social Security (MLSS),

Passport Immigration and Citizenship Agency (PICA), Medical Services, School enrolment, Private Legal Services, Shelters, Bread and Breakfast

The above table provides a summary of the referrals emerging from intake activities at the Corporate Area Family Court in 2018. It is shown that the majority of referrals – 3090 or 65% were made for Open Court while referrals to the Family Counsellors with 921 or 16.03% ranked next and referrals for public assistance with 5.80% are third. Females accounted for the overwhelming proportion of cases referred with 83.37% of the total. Family counselling is one of the most important functions offered by the Family Courts. In 2018, the Family Counsellors successfully resolved 1635 matters, while 921 matters were referred. This produces a clearance rate of 177.52%, suggesting that for every 100 new matters referred to the Family Counsellors, 177 were successfully resolved.

Conclusion

This Annual Statistics Report for the Corporate Area Family Court is the second consecutive and represents a watershed moment for significant increase in statistical reporting across all Family Courts island wide. The results from the 2019 results from the Corporate Area Family Court suggest a range of competitive outcomes on several key performance indicators. The criminal business line recorded a case clearance rate of 129.36%, domestic violence matters had a case clearance rate of 77.90% while family and family child welfare matters recorded a clearance of 95.55%. Cumulatively the weighted case clearance rate for the Corporate Area Family Court in 2019 was 94.94% suggesting that for every 100 new cases filed in 2019, roughly 94 cases were disposed, a figure which places this court among some of the more productive parish courts for the year. It is also of note that the average times taken to dispose cases which were resolved in

2019 ranged between 4 months for domestic violence cases to 6.7 months for criminal cases while the average number of mention across the business lines ranged between 2 and 3. Although there is certainly room for improvement, these figures augur well for the potential of the Family Court to deliver timely outcomes across a range of functions. The court continues to face some roadblocks to further improving the timeliness of the disposition of cases as like other courts they contend with a large proportion of avoidable reasons for adjournment such as the absenteeism of applicants and respondents and of counsellors. The overall strong results observed for 2019 can partly be attributed to the court's hosting of "special disposal days" in which aged cases are placed on a special court list for hearing. Anecdotal evidence suggests that this initiative contributed between 7% and 9% to the cases cleared in 2019. It will be worth studying the mechanics of this initiative in greater detail to see if there are dynamics which may be adoptable by other courts and jurisdictions in the Jamaican court system.

The report details that among criminal matters, assault occasioning bodily harm, unlawful wounding and being armed with an offensive weapon are the dominant charges for 2019 while 82% of the accused were male and 18% female. Among family and family child welfare matters, maintenance and custody matters are dominant, together accounting for 78.50% of the total number of cases heard in 2019 in this macro business line. Indictments, committals proceedings and summary matters in that order account for the largest proportion of criminal cases while probation orders was the most dominant order made from a representative sample of orders taken.

As the Jamaican court system continues to expand the inventory and utilization of family courts across the islands with new specialized facilities, this type of statistical reporting forms a good foundation and will be an important facet in monitoring and evaluating the progress of these courts. The statistical reporting on all specialized family courts will be a staple item in the statistical reporting of the courts going forward. Such reports will be supplemented by data on family court matters in the non-specialized parish courts. These will be vital facets in the monitoring of the overall progress of the Jamaican court system towards achieving the key quantitative targets established in the strategic plan of the judiciary.

Glossary of Statistical Terms

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 casefile 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 either 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.

