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Executive Summary

This report was generated based on data extracts from JEMS for the two month period ended December 31, 2016. This period coincided with a pilot project aimed at optimizing the use of JEMS to capture a range of key data variables across the Departments of the Supreme Court. The report presents preliminary findings on the HCV, Matrimonial and Probate Departments as well as the Criminal Division and Gun Court. The results should not be used for the purposes of generalization as the time period of the analysis is too short, however good insights are provided into the progression of cases in the stated Departments as well as potential deficiencies, strengths and points of intervention which may be needed. This section provides a summary of some key finding from this initial report. Hereafter, a report of this nature will be produced on a monthly basis.

Among the major findings of the report is that all Departments have a case clearance rate of well under 100%, ranging from a low of 22% in the HCV Department to a high of 71% in the Gun Court. The case clearance rate provides a measure of the ratio of incoming active cases to disposed cases. The overall average clearance rate among the five stated Department's for the period is 47%, indicating a relatively high incidence of new matters entering, compared to matters disposed. The generally faster rate of incoming than outgoing cases across Departments potentially presents complexities with scheduling and resource allocation.

The report also found that most Departments have challenges with the rate of strict adherence to dates set for hearing or trial due to the generally high incidence of adjournments. The trial and hearing date certainty which computes the rate of adherence to dates set, ranges from a low of 22% in the Criminal Department to a high of 90% in the Matrimonial Department. The average date adherence for the period under examination was roughly 63%. Among the common reasons for adjournment cited across the various Departments was Judge unavailability which is apparently largely due to over-scheduling of Judges, other matters in progress or simply matters lasting longer than anticipated in a given day or period. This is an indication that the Supreme Court may need to revisit the way in which matters are scheduled relative to available resources in an effort to bolster hearing and trial date certainty. Attorney absenteeism and factors which speaks to a manifest lack of readiness of a matter for Court also featured prominently as reasons for adjournment which may be impairing trial and hearing date certainty. At the heart of the solutions related to these issues is the need for enhanced case management.

Among the other key findings from the report was that the high incidence of requisitions, the relatively slow response rate to requisitions and the interval time between the issuing and receipt of requisitions in the Civil Divisions adversely affected the speed of disposal of matters in the period under examination. With some Departments averaging more than a requisition per case file in the period, a decisive strategy may be needed to tackle this high incidence.

The report also successfully generates estimated times to disposition for matters disposed of in each of the five Departments in the period under examination. The estimated average times to disposition for such matters ranged from a low of just over 18 months in the Probate Department to a high of just over 35 months in the HCV Department. Both scores were however affected by large outlying values. The oldest matter to be disposed of in the period under examination was in the HCV Department which saw a 17.5 year old matter been disposed of in the period. Across all Departments there were matters which took as low as 3-6 months to be disposed.

Introduction

Over the past months significant efforts have been made to optimize the use of the JEMS software at the Supreme Court to ensure that data on a range of variables are adequately captured. This project has so far been successfully applied in the HCV, Matrimonial, Probate and Criminal Divisions and is supported by a vibrant data validation system. After several training exercises with the various Departments, the piloting of the systems implemented commenced in earnest on the first of November, 2016. This report represents a basic summary of some essential data extracts for the Civil Divisions; High Court Civil, Matrimonial and Probate as well as for the Criminal Division and to a lesser extent, the Gun Court. Efforts are currently underway to organize and optimize the data capture mechanism in the Gun Court and thereafter the focus will be on the Commercial and Revenue Departments. The analysis carried out in this report is based on case activity between November 01 and December 31, 2016.

High Court Civil (HCV) Department

Table 1.0: Actions Summary for the two month ended Dec. 31, 2016

| Case Status | Frequency | Percentage |
|---------------------|-----------|------------|
| Judgement Reserved | 1 | .1 |
| Defence filed | 26 | 3.3 |
| First Hearing Date | 76 | 9.7 |
| Matter Initiated | 683 | 86.8 |
| Pre-trial I Hearing | 1 | .1 |
| Total | 787 | 100.0 |

The table above provides basic summary of some key actions on cases filed in the High Court Civil Division (HCV) for the two month period ended December 31, 2016. It is shown that there

were a total of 787 case actions for the period under examination. Included in this count were 683 matters which were initiated, representing 86.8% of total case actions. 76 matters brought before the Court for their first hearing, representing 9.7% of the actions, while 26 defences were filed, representing 3.3% of the total actions. There was also a single instance of a Judgement reserved and one matter was completed prior to trial or due to pre-trial hearing.

Table 2.0: Summary of reasons for adjournment for the two month ended Dec. 31, 2016

| Reasons for adjournment | Frequency | Percentage |
|--|-----------|------------|
| Judge unavailable | 41 | 16.3 |
| Pending settlement | 41 | 16.3 |
| Claimant's attorney absent | 24 | 9.5 |
| Claimant's documents not served or short served | 16 | 6.3 |
| Claimant not available | 13 | 5.2 |
| Defendant's attorney absent | 13 | 5.2 |
| Matter left off the court list | 13 | 5.2 |
| Matter not assigned to a Judge on the court list | 12 | 4.8 |
| Wrongly listed | 11 | 4.4 |
| Claimant to settle legal representation | 10 | 4 |
| File not found | 9 | 3.6 |

| | | |
|--|------------|------------|
| Part heard | 9 | 3.6 |
| Insufficient time | 7 | 2.8 |
| Defendant not available | 6 | 2.4 |
| Medical certificate outstanding | 6 | 2.4 |
| Defendant to settle legal representation | 9 | 3.6 |
| Claimant's application/documents not in order | 3 | 1.2 |
| Defendant's documents not served or short served | 4 | 1.6 |
| Defendant's attorney needs time to take instructions | 1 | 0.4 |
| Defendant not represented | 1 | 0.4 |
| Expert witness unavailable | 1 | 0.4 |
| Claimant's Attorney need time to take instructions | 1 | 0.4 |
| Claimant not represented | 1 | 0.4 |
| Total Adjournments | 252 | 100 |

The above table summarizes the reasons for adjournment for the period ended December 31, 2016. At the top of the list are the categories - 'Pending settlements' and 'Judge unavailable' each with 41 or 16.3% of the total number of adjournments. Among the chief reasons why a Judge might be unavailable is over-scheduling on particular days. The absence of a claimant's attorney was next with 24 or 9.5% of the reasons for adjournment, claimant's documents not

served or short served with 16 or 6.3% rank next on the list. The categories of 'Claimant not available', 'Defendant's attorney absent' and 'Matter left off the court list' shared 5th place with 5.2% each of the total. Of note is the fact that there were 9 part-heard matters in the period, representing 3.6% of the total reasons for adjournment while 'insufficient time' accounted for 2.8% of the total. Aside from adjournments due to pending settlement and part-heard, the reasons for adjournment which are enumerated, seems generally avoidable with the right balance of resources and a highly efficient scheduling matrix.

Table 3.0: CMC, Pre-trial and Trial data for the two month ended Dec. 31, 2016

| Trial actions | Frequency | Percentage |
|----------------------------|------------------|-------------------|
| Case Management Conference | 241 | 46.26 |
| Pre-trial review | 122 | 23.42 |
| Court trials | 90 | 17.27 |
| Trial in Chambers | 68 | 13.05 |
| Total trials | 521 | 100 |

The above table shows the breakdown of the progression of HCV pre-trial and trial matters for the stated period. It is shown that of 521 such occurrences, Case Management Conferences dominated with 241 or 46.26% of the total. This was followed by Pre-trial reviews with 122 matters or 23.42% of the total. Court trials with 90 matters or 17.27% and trial in Chambers with 68 or 13.05% rounds off the list.

Table 4.0: Trial/hearing date certainty

| Hearing/Trial dates set | Dates adjourned (excluding part-heard and pending settlement) | Trial/hearing date certainty |
|-------------------------|---|------------------------------|
| 521 | 202 | 61.23% |

The date scheduling certainty of a Court provides a good metric of the extent to which dates which are scheduled for either hearing or trial are adhered to and therefore speaks to the reliability of the case scheduling process. Of the 521 matters scheduled for either trial or pre-trial, both in Court or in Chamber, 252 were adjourned. However, in order to get a pure measurement of scheduling certainty it is necessary to deduct those reasons for adjournment which are for some form of ‘continuance’ or settlement. Hence the counts for adjournments due to ‘part heard’ and pending settlement are subtracted. This resulting trial/hearing date certainty figure of 61.23% suggests that there is a roughly 61% probability that a date set for a matter to be heard or for trial, will proceed without adjournment for reasons other than some form of ‘continuance’ or settlement. The data suggests that this figure could be decidedly higher if some of the most pronounced reasons for adjournment which are listed in Table 1.0 such as the unavailability of a Judge, likely due to overbooking and the unavailability of a claimant’s attorney were considerably lessened. Further analysis of the data extracted also reveals that a large number of these adjournments occur during trial as well as matters set for assessment of damages and as such these areas may require special attention. The particular areas which require the most immediate intervention to bolster the efficiency in case progression will become clearer as the data time series expands in the coming months.

Table 5.0: Claim forms and fixed date claim forms for the two month ended Dec. 31, 2016

| Action | Frequency | Percentage (%) |
|-----------------------|------------|----------------|
| Fixed date claim form | 433 | 57.58 |
| Claim form | 319 | 42.42 |
| Total | 752 | 100 |

The above table enumerates the number and proportion of matters which originated either using a claim form or fixed date claim form in the two months ended December 31, 2016. Of the 752 matters originating in either of these ways, 433 or 57.58% was by way of a fixed date claim form, compared to 319 or 42.42% which originated by way of claim form.

Table 6.0: Requisitions for the two month ended Dec. 31, 2016

| Action | Frequency |
|--------------------------------------|-----------|
| Requisitions | 71 |
| Number of requisitions per case file | 1.01 |

In considering the efficiency with which Civil matters flow through the Court system, the number of requisitions and the ratio of requisitions to case files is an important metric. In the table above it is shown that there was a total of 71 requisitions for the two months ended, December 31, 2016. The ratio of case files to requisition was almost perfect parity, calculated to be 1:1.01 and which suggests that for every 100 case files there were 101 requisitions or roughly speaking an average of one requisition per HCV case file. By any measure this can be considered as a fairly high incidence of requisitions as the results indicate that the probability that a file drawn at random will have at least 1 requisition is 100%. One can further extrapolate

that this high incidence of requisitions is most certainly a cause of delays in the movement of HCV matters towards disposition.

Table 7.0: Judgements for the two month ended Dec. 31, 2016

| Judgements | Frequency | Percentage |
|---|------------------|-------------------|
| Judgements (Trial in Court/Assessment of damages) | 82 | 52.90 |
| Judgement on admission | 5 | 3.23 |
| Judgement in default of acknowledging service | 49 | 31.61 |
| Judgement in default of defence | 18 | 11.61 |
| Judgement in default | 1 | 0.65 |
| Total Judgements | 155 | 100 |

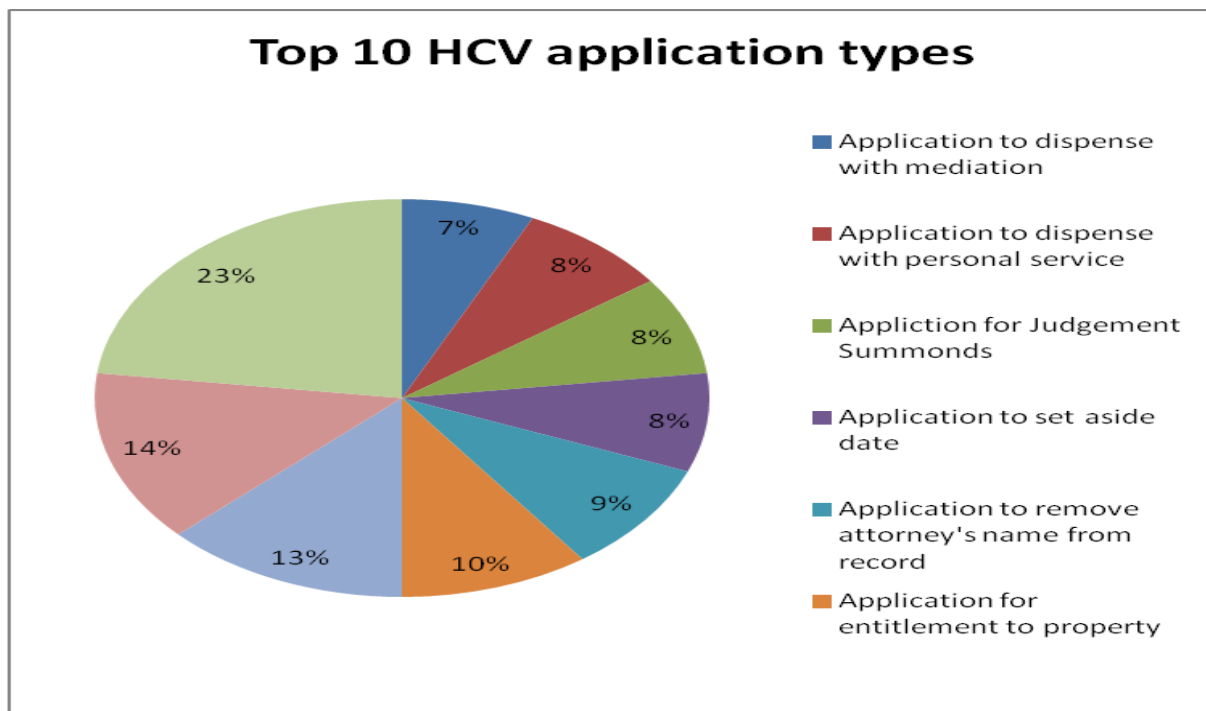
The above table provides a summary of the Judgements made during the life of HCV cases for the two months ending December 31, 2016. As seen, Judgements account for the largest proportion with 82 or 52.90% of the total. This Judgement category includes Judgements issued from trial in open Court and assessment of damages. Judgements in default of acknowledging service with 49 or 31.61% ranks next, followed by Judgement in default of defence with 18 or 11.61% of all these Judgements.

Table 8.0: Hearings for the two month ended Dec. 31, 2016

| Hearings | Frequency | Percentage (%) |
|--------------------------|------------------|-----------------------|
| Petition for winding up | 1 | 0.05 |
| Oral Examination | 5 | 0.29 |
| Motion hearing | 19 | 1.10 |
| Assessment of damages | 266 | 15.43 |
| Applications (Various) | 1379 | 80.00 |
| Judgment summons hearing | 55 | 3.19 |
| Total | 1724 | 100% |

The above table summarizes the incidence of different types of hearings for the two month ended December 31, 2016. It is seen that the total number of hearings for the period was 1,724 of which the highest proportion were general applications with 1,379 or 80% of the total number of hearings. Assessment for damages was a distant second with an incidence of 266 or 15.43% of the total number while Judgement summons hearings with 55 or 3.19% rounds off the top three occurrences. The general applications category speaks a range of various types of non-exhaustive applications which come before the HCV Department.

Chart 1.0: Top ten application types for the two months ended Dec. 31, 2016



The above chart provides a more detailed breakdown of the general ‘applications’ sub-category which was enumerated in the previous table. It is shown that the largest proportion of applications were applications for order to file annual returns with 23%, followed by unspecified or generic applications with 14%, applications to extend the validity of Claim Form

with 13% and applications for entitlement to property with 10% of total applications. The top five HCV applications in the two month period under examination were rounded off by applications to remove attorney's name from record with 9% of total number.

Table 9.0: Methods of disposition for the two month ended Dec. 31, 2016

| Disposal Method | Frequency | Percent |
|----------------------------------|------------------|----------------|
| Application Granted | 24 | 16.0 |
| Consent Judgment | 6 | 4.0 |
| Consent Order | 2 | 1.3 |
| Damages Assessed | 23 | 15.3 |
| Judgment | 12 | 8.0 |
| Matter Completed at Mediation | 3 | 2.0 |
| Matter Withdrawn | 2 | 1.3 |
| Notice of Discontinuance | 21 | 14.0 |
| Order (Chamber/Court) | 14 | 9.3 |
| Settled (Court) | 38 | 25.3 |
| Struck Out | 5 | 3.3 |
| Total | 150 | 100.0 |

An understanding of the distribution of the methods of case disposal is an essential metric to gaining insights into the efficiency of case handling in the Courts and in operational planning. It is seen that of 150 HCV disposals in the two month ended December 31, 2016, 38 or 25.3% were due to matters settled in Court, representing the largest proportion of disposals. Applications granted with 24 or 16% of all methods of disposal and damages assessed with 23 or 15.3% of the methods of disposal rank as the second and third most dominant methods of disposition for the period. The top six methods of disposal for the period are rounded off by Notices of Discontinuance with 21 or 14%, Chamber or Court orders with 14 or 9.3% and

Judgements with 12 or 8.0% of the total number of disposals. Of note is that only a small minority of the methods of disposal, 3 or 2% were completed by way of Mediation. Of similar note is that only 2 or 1.3% of the total number of disposals were as a result of matters withdrawn.

Table 10.0: Orders for the two month ended Dec. 31, 2016

| Action | Frequency | Percentage (%) |
|--|------------------|-----------------------|
| Order for payment of money out of Treasury | 15 | 2.00 |
| Order for payment out of Court | 2 | 0.27 |
| Order for seizure of good for sales | 38 | 5.07 |
| Orders (Court or Chamber) | 695 | 92.66 |
| Total | 750 | 100 |

The above table summarizes the orders made for the two month ended December 31, 2016. It is seen that of the total number of 750 orders, 695 or roughly 93% were general Court/Chamber orders, 38 or roughly 5.07% were orders for seizure of good for sale and the list is completed by orders for payment of money out of treasury and orders for payment out of Court with 2% and 0.27% respectively of the total number of orders.

**Table 11.0: Time to disposition for
the two month ended Dec. 31, 2016
(in months)**

| | |
|-----------------|----------------|
| Number | 150 |
| Mean | 35.4333 |
| Median | 29.0000 |
| Mode | 17.00 |
| Std. Deviation | 31.11106 |
| Skewness | 1.978 |
| Minimum | 5.00 |
| Maximum | 210.00 |

One of the most important metrics which can be used in assessing the efficiency of case handling is the time to disposition. An understanding of this measure is crucial to influencing both internal and external policies, necessary to bolster the timely delivery of Justice. The above table as well as **Table 10.0** provides crucial insights on the average time to disposition of matters in the HCV Division. Of the 150 disposals in the month the estimated time to disposition was 35.43 months or roughly 3 years. The oldest matter disposed in this period was 210 months old or 17.5 years old while the lowest time to disposition for matters in this period was estimated at 5 months. The most frequently occurring time to disposition in the period was 17 months or roughly a year and four months. The standard deviation of roughly 31 months or 2.58 years is indication of a wide variation of the durations to disposal around the mean and suggests that the times vary widely. The relatively modest positive skewness of 1.978 however indicates that there were slightly more disposals which took a comparatively lower time to disposition. The margin of error of these estimates is plus or minus 3 months or 0.25 years.

Table 12.0: Breakdown of time to disposition for the two month ended Dec. 31, 2016

| Months | Frequency | Percent |
|----------------|------------------|----------------|
| 0 – 12 | 26 | 17.3 |
| 13 - 24 | 47 | 31.3 |
| 25 - 36 | 21 | 14.0 |
| 37 - 47 | 14 | 9.3 |
| 48 and over | 42 | 28.0 |
| Total | 150 | 100.0 |

The above table provides a more detailed breakdown of the average time to disposition. It is seen that of the 150 matters disposed in the period, the majority, 47 or 31.3% took between 13 and 24 months to be disposed. This was closely followed by 42 matters or 28% which took 48 and over months to be disposed. Of note is that 26 or 17.3 % of the matters were disposed within a year and that cumulatively 48.6% of the total dispositions were within two years while the remaining 51.4% were disposed of in over two years. Some of the deficiencies identified earlier, including frequent adjournments and the attendant problems with date scheduling certainty as well as the reasonable high incidence of requisitions per file may be among the factors accounting for the majority of matters taking more than two years to be disposed. The margin of error of these estimates is plus or minus 3 months or 0.25 years.

Table 13.0: Clearance rate for the two months ended December 31, 2016

| Cases filed | Cases disposed | Case clearance rate |
|--------------------|-----------------------|----------------------------|
| 683 | 150 | 21.96% |

The case clearance rate is an important metric which complements the case disposal rate. It is calculated as the ratio of incoming active cases to disposed cases. A ratio of 100% is an indication that for every new case filed, a pre-existing case is also disposed. It is an important measure in placing the time to disposition of matters into context and to providing a deeper understanding the case carriage burden that is being faced by the different Departments. The ratio of 21.96% seen above for the HCV Department is an indication that for every 100 new cases filed in the period under examination, there were roughly 26 cases disposed. This could suggest that either the case disposal rate in the Department is too low to sustain a continuously increasing burden and / or that the Department's capability to handle its case load is under-resourced. The time period under examination is however too short to draw any meaningful conclusions in this respect and therefore as a time series is built up, the evidence will become more decisive.

Matrimonial Department

The ensuing analysis examines the various measures of the efficiency of case handling in the Matrimonial Department for the two month ended December 31, 2016.

Table 14.0: Petitions filed for the two months ended December 31, 2016

| Type of petition | Frequency | Percentage |
|--|------------------|-------------------|
| Amended petition for dissolution of marriage | 337 | 38.8 |
| Petition for dissolution of marriage | 533 | 61.2 |
| Total petitions filed | 870 | 100 |
| Number of amendments per petition | 0.63 | |

The above table summarizes petitions filed over the stated period. It is shown that a total of 870 petitions were filed, of which 533 or 61.25% were petitions for dissolution of marriage, compared to 337 which were amended petitions for dissolution of marriage. This suggests that the ratio of petitions to amended petitions is 0.63 or in other words for every 100 petitions for dissolution of marriage there were 63 amended petitions for dissolution of marriage in the period. This appears to be a high incidence of amendments and may constitute a source of delays in the timely and efficient delivery of dispositions. Greater public education may be necessary to stem this high incidence.

Table 15.0: Decrees Nisi and Decrees Absolute for the two month ended Dec. 31, 2016

| Case Status | Frequency |
|---|------------------|
| Decree Absolute | 869 |
| Decree Nisi for dissolution of marriage | 1104 |
| Total | 1973 |
| Ratio of Nisi to Absolute | 0.79 |

It is seen in the above table that in the two month period under study, there just over 20% more Decrees Nisi than Decrees Absolute done. In particular, for every 100 Nisi there were roughly 79 Absolutes granted. Considering the short time frame used for the analysis, this should not necessarily be read as an adverse statistic as many of the Decrees Nisi and Decrees Absolutes would have originated at various times outside of this period. Moreover, the stage of a matter at which requisitions have mostly occurred may have also impacted the production rate for both Decrees Nisi and Decrees Absolutes granted. Nevertheless the statistic provides basic insights into the relative productivity rates at different phases of the lifecycle of a matrimonial matter.

Table 16.0: Methods of Disposals for the two months ended December 31, 2016

| Disposal | | Frequency | Valid Percent |
|-----------------|--------------------------------|------------------|----------------------|
| Valid | Decrees Absolute Granted | 338 | 99.7 |
| | Notice of Discontinuance noted | 1 | .3 |
| Total | | 339 | 100.0 |

The above table highlights that nearly all matters disposed in the period, 338 or 99.7% were as a result of Decree Absolutes granted. Only one matter was terminated by way of a Notice of Discontinuance in the period. These appear to be fairly standard results.

Table 17.0: Total requisitions for the two months ended December 31, 2016

| Action | Frequency |
|---|------------------|
| Requisitions | 1857 |
| Number of requisitions per file | 1.08 |
| Number of responses to requisitions | 104 |
| Requisition response rate | 5.6% |
| Average days between Requisitions and Decree Absolute | 33 |

The incidence of requisitions is especially important in assessing the efficiency with which matrimonial matters move through the system. A total of 1857 requisitions were filed during the period under study. The analysis further suggests that the ratio of cases filed requisitions issued during this period is 1.05, suggesting that for every 100 cases filed there were 105 requisitions. The analysis further suggests that of the 1857 requisitions issued during this period there were 104 responses representing a 5.6% response rate as at December 31, 2016. A good gauge of the delays experienced in progressing with a matter as a result of outstanding requisitions, is the interval time between the issuing a requisition and the granting of a Decree Absolute. The data suggests that the average time taken in the two month period under

examination is (33) thirty three days. The time series is however too short to generalize from this measure.

Table 17.0: Court matters for the two months ended December 31, 2016

| Action | Frequency | Valid Percentage |
|------------------------|------------|------------------|
| Applications | 123 | 73.66 |
| Expedited Applications | 22 | 13.17 |
| CMC | 22 | 13.17 |
| Total | 167 | 100 |

The above table shows the distribution of the types of matters brought before the Court for the period under examination. The data shows that a total of 167 matrimonial matters were brought before the Court of which the majority, 123 or 73.66% were regular Applications followed by an equal number of Expedited Applications and Case Management Conferences with 22 or 13.17% each.

Table 18.0: Top five types of applications

| Application type | Frequency | Valid Percentage |
|---|-----------|------------------|
| Application for substituted service | 34 | 29.57 |
| Application for maintenance | 15 | 13.04 |
| Application for custody | 9 | 7.83 |
| Application to dispense with personal service | 21 | 18.26 |
| Application for Joint Custody | 4 | 3.48 |

Further analysis of the types of Application brought before the Court suggests that applications for substituted service with 34 or 29.57% accounted for the largest share. This is followed by applications to dispense with personal service with 21 or 18.26% while applications for

maintenance with 15 or 13.04% and applications for custody with 9 or 7.83% which round off the top four types of applications.

Table 19.0: Reasons for Adjournment for the two months ended December 31, 2016

| Reasons for Adjournment | Frequency | Valid Percentage |
|--|-----------|------------------|
| Judge unavailable | 4 | 25 |
| No parties appearing | 4 | 25 |
| Matter not assigned to a Judge on the Court list | 2 | 12.5 |
| Claimant's attorney absent | 2 | 12.5 |
| Matter left off | 2 | 12.5 |
| Claimant's documents not served or short served | 1 | 6.25 |
| Matter left off | 1 | 6.25 |
| Total | 16 | 100 |

As with all Divisions, an important metric of how Court efficiency is the reasons for adjournment of Court matters. The data suggests that there were sixteen adjournments in the period under examination of which the majority was due to the unavailability of a Judge and the non-appearance of parties which each accounted for 4 or 25% of the total number of adjournments. This result is similar to the findings from the analysis of HCV matters where Judge Unavailability accounted for the largest proportion of adjournments, again suggesting that there might be over-scheduling of Court rooms or simply scheduled matters lasting longer than anticipated, which causes an inevitable lack of absolute certainty in the Court's date scheduling.

Table 20.0: Trial/hearing date certainty for the two months ended December 31, 2016

| Court/Chamber dates set | Date adjourned | Date certainty |
|-------------------------|----------------|----------------|
| 167 | 16 | 90.4% |

The possible over-scheduling of Court rooms is affirmed by the above table which computes the date scheduling certainty of the Matrimonial Division. It is seen that of the 167 matters scheduled in Court, 16 were adjourned for reasons other than “continuance”. This produces a comparatively high 90.4% date scheduling certainty and suggests that for the period under examination, the Matrimonial Department did quite well with the management of its Court schedule.

Table 21.0: Time to disposition for the two months ended December 31, 2016 (in months)

| | |
|-----------------------|----------------|
| Number | 339 |
| Mean (Average) | 24.2950 |
| Median | 18.0000 |
| Mode | 18.00 |
| Std. Deviation | 19.37427 |
| Skewness | 2.071 |
| Minimum | 5.00 |
| Maximum | 114.00 |

The above table summarizes the time disposition for the two months ended December 31, 2016. It is seen that of the 339 matters disposed of in the period, the estimated average time to disposition was 24.30 months or just over 2 years. The estimate of the most frequently occurring time to disposition was however 18 months while the estimated maximum time to disposition for matters disposed of in the period under examination was 114 months or roughly 9.5 years while the estimated minimum was 5 months. The scores had a standard deviation of roughly 19 months which indicate a relatively wide variation in the distribution of the times to disposition in the period. The relatively modest positive skewness of 2.071 however indicates that there are generally more matters at the lower end of the scale of the times to disposition. The margin of error of these estimates is plus or minus 3 months or 0.25 years.

Table 22.0: Breakdown of times to disposition for the two month period ended Dec. 31, 2016

| Number of months | Frequency | Percent |
|------------------|------------|--------------|
| 0 – 12 | 71 | 20.9 |
| 13 – 24 | 150 | 44.2 |
| 25 – 36 | 60 | 17.7 |
| 37 – 47 | 25 | 7.4 |
| 48 and over | 33 | 9.7 |
| Total | 339 | 100.0 |

The above table provides a more detailed breakdown of the estimated times to disposition for Matrimonial matters in the two months ended Dec. 31, 2016. It is seen that of the 339 matters disposed of in the period, the largest proportion, 150 or 44.2% were disposed of between in a time of between 13 and 24 months. The second most disposals occurred within the time frame 0 -12 months, accounting for 71 or 20.9%. An estimated total of 118 matters or 34.81% took over two years to be disposed of, of which 58 or roughly 17% took over 3 years to be disposed of. The estimates however suggest that the larger proportion of matters which were disposed of during the period took two years or less. This category accounted for an estimated 65.19% of the total disposals. The margin of error of these estimates is plus or minus 3 months or 0.25 years.

Table 23.0: Case clearance rate for the two months ended Dec. 31, 2017

| Cases filed | Cases disposed | Case clearance rate |
|-------------|----------------|---------------------|
| 533 | 339 | 64% |

The above table shows that there were 533 cases filed in the period under examination, compared to 339 which were disposed. This produces a case clearance rate of 64%, suggesting that for every 100 new cases, 64 were disposed in the period. Although the time series used is too short to make any generalizations, this result could be indicative of a low disposal rate, relative to the new case load and possibly the incidence of a case backlog in the Department. Comparative assessments and benchmarks will be established as the time series progresses.

Probate Department

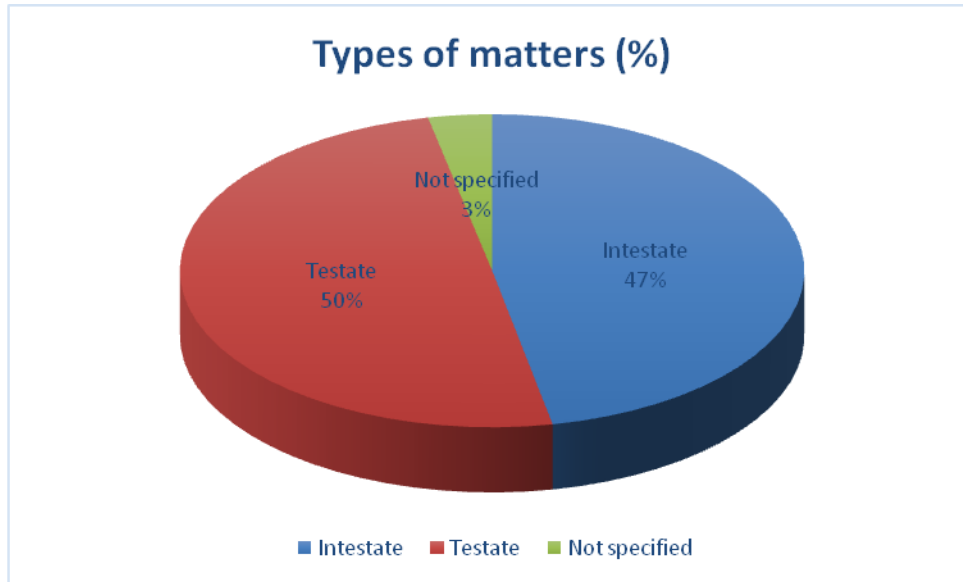
This section turns to the analysis of the progression of matters in the Probate Department for the two month period ending December 31, 2016.

Table 24.0: Oaths for the two months ended December 31, 2016

| Oaths | Frequency | Percentage (%) |
|--------------------|------------------|-----------------------|
| Supplemental Oaths | 333 | 51.30 |
| Oaths | 316 | 48.49 |
| Total Oaths | 649 | 100 |
| Ratio | 1.05 | |

The above table suggests there were a total of 649 Oaths filed in the period under examination, of which 316 or 48.49% were initial Oaths filed, compared to 333 which were supplemental Oaths. The ratio of Oaths to Supplemental Oaths is 1.05 which suggests that for every 100 Oaths there were 105 Supplemental Oaths filed in the period, a statistic which could have adverse implications for the speed of disposition of matters.

Chart 2.0: Type of matters as of the two month ended Dec. 31, 2016.



The above table provides a summary of the types of matters filed in the Probate Division as of the two months ended December 31, 2016. It is shown that there is a close to equal distribution, with 49.8% of the matters being Testate and 46.9% Intestate.

Table 25.0: Action sequence for the two months ended December 31, 2016

| Action Status | Frequency |
|--|-------------|
| Recommendations | 359 |
| Granted | 316 |
| Grant Signed | 26 |
| Ratio of Granted Application to Recommendations | 0.88 |
| Ratio of Grants Signed to Recommendations | 0.07 |

The rate at which recommendations are made based on applications and at which these recommendations are granted and signed may be affected by several variables, both exogenous and endogenous to the Courts. The measures therefore provide an important indication of the efficiency with which Probate applications are disposed of. It is shown in the

above table that during the period under examination, 359 recommendations were made, 316 of which were granted and 26 Grants were signed. The analysis therefore suggests that for every 100 recommendations made there were 7 Grants signed and 88 applications Granted. The wide disparity between the number of matters granted and grants signed is quite significant with 92% more grants signed than matters granted. This marked difference could possibly be explained by the heavy Court schedule towards the end of the term and the relatively large intake of new matters in the period. However, given the short time period under analysis, the general levels of efficiency of the flow on the continuum from recommendations to Grants signed cannot be extrapolated from these numbers. They do however provide some basic insights into the progression of matters in the Department.

Table 26.0: Requisitions for the two months ended December 31, 2016

| Action Status | Frequency |
|---|-----------|
| Requisitions Issued | 635 |
| Number of requisitions per case file | 1.03 |
| Number of responses to requisitions | 42 |
| Requisition response rate | 6.61% |
| Average days between Requisition and Grant of Probate | 24 |

The number of requisitions made, the length of time that it takes for requisitions to be returned and the time to disposition after issuing requisitions, is important to understanding the efficiency of the flow of matters in the Probate Department. It is seen that for the two month ended December 31, 2016 there was a total of 635 requisitions issued which represents a ratio of 1.03 requisitions per case file during this period. This means that for every 100 matters there were 103 requisitions. This result is comparable to that of the Matrimonial Department and insinuates that the high incidence of requisitions could be contributing adversely to the time to

disposition in the Department. Of the 635 requisitions issued during the period under examination, 42 or 6.61% were responded to. Further analysis suggests that the average time from the issuing of a disposition to the Grant of Probate was twenty four days.

Table 27.0: Methods of Disposal for the two months ended December 31, 2016

| Method of Disposition | Frequency | Percent |
|--------------------------------|------------|--------------|
| Reseal Granted | 6 | 2.75 |
| L/A Granted | 110 | 50.46 |
| Notice of Discontinuance noted | 1 | .45 |
| Probate Granted | 101 | 46.34 |
| Total | 218 | 100.0 |

The methods of disposal for the Probate Department for the two months ended December 31, 2016 are summarized in the above table. It is shown that of the 218 matters disposed of in the period, the largest proportion, 110 or 50.46% was a result of Letters of Administration. This is followed by Probates Granted with 101 or 46.34% of the total number of disposals. The minority, 6 or 2.75% of the disposals were accounted for by Resealed Grants while instrument issued and Notices of Discontinuance each accounted for 0.45% each.

Table 28.0: Reasons for adjournment of Probate matters for the two months ended December 31, 2016

| Reason | Frequency | Percentage (%) |
|--|-----------|----------------|
| File not found | 1 | 11 |
| Judge unavailable | 1 | 11 |
| Matter left off Court list | 1 | 11 |
| Matter not assigned to a Judge on the Court list | 1 | 11 |
| Claimant’s attorney absent | 1 | 11 |
| No parties appearing | 2 | 22 |
| Claimant’s application not in order | 2 | 22 |
| Total | 9 | 100 |

The reasons for adjournment for Probate matters that go to Court are summarized in the above table above. It is shown that of the nine adjournments in the period, the largest proportion was for the reasons of ‘no parties appearing,’ and ‘claimant’s application not in order,’ both accounting for 2 of 20% each of the reasons for adjournment. All other reasons for adjournment, including the unavailability of a Judge, possibly due to over-scheduling, claimant’s attorney absent and matter left off the Court list each accounted for one of the reasons for adjournment.

Table 29.0: Applications for the two months ended December 31, 2016

| Nature of Applications | Frequency | Valid Percent |
|------------------------|-----------|---------------|
| Valid Applications | 30 | 65.2 |
| Express Applications | 16 | 34.8 |
| Total | 46 | 100.0 |

The above table provides a basic summary of the types of Court applications made in the period under examination and shows that there were a total of 46 Court applications in the period, of which 30 or 65.2% were standard applications while the remaining 16 or 34.8% were express applications.

Table 30.0: Top five types of applications for the two months ended December 31, 2016

| Application | Frequency | Percentage (%) |
|--|-----------|----------------|
| Application to prove copy will | 15 | 32.6 |
| Application for directions | 5 | 10.9 |
| Application for order to prove/swear death | 2 | 4.3 |
| Application | 2 | 4.3 |

The above provides a deeper analysis of the types of applications made during the period under examination. It is shown that applications to prove copy will accounts for the largest proportion of applications with 11 or 23.9% of the total, followed by Applications for directions with 5 or 10.9% of the total number of applications. The top five types of applications are rounded off by Applications for order to prove copy will, application for order to prove/swear death and adjusted applications with 8.7%, 4.3% and 4.3% respectively.

Table 31.0: Trial/hearing date certainty for the two months ended December 31, 2016

| Court/Chamber dates set | Date adjourned | Trial/Hearing date certainty |
|--------------------------------|-----------------------|-------------------------------------|
| 46 | 9 | 80.43% |

The above table addresses the extent of adherence with dates set for Court/Chamber matters in the Probate Department for the two months ended December 31, 2016. It is shown that of 46 matters which were scheduled for Court, nine were adjourned for reasons other than ‘continuance’. This suggests a relatively strong date certainty ratio of 80.43% for the period under study.

Table 32.0: Age of matters disposed for the two months ended December 31, 2016

| Months | Frequency | Valid Percent |
|---------------|------------------|----------------------|
| Valid 0 – 12 | 118 | 53.9 |
| 13 – 24 | 59 | 26.9 |
| 25 – 36 | 13 | 5.9 |
| 37 – 47 | 12 | 5.5 |
| 48 and over | 17 | 7.8 |
| Total | 219 | 100.0 |

The above table shows that of the 219 matters disposed of in the period under examination, it is estimated that the majority, 118 or 53.9% were disposed of within 12 months, followed by 59 or 26.9% which were disposed of within a time interval of 13 to 24 months. Taken together this data suggests that an estimated 81% of Probate matters which were disposed of in the two months leading up to December 31, 2016, were disposed of within two years. 5.9% of the cases were disposed of in an estimated time frame of between 25 and 36 months while 5.5% are estimated to have been disposed of in a time frame of between 37 and 47 months. A further 7.8% took over an estimated time of over 48 months or four years to be disposed of. The margin of error of these estimates is plus or minus 3 months or 0.25 years.

**Table 33.0: Time to disposition
for Probate matters for the two
months ended December 31,
2016.**

| | |
|------------------------|----------------|
| Number | 219 |
| Mean | 18.6712 |
| Median | 6.0000 |
| Mode | 5.00 |
| Std. Deviation | 28.66337 |
| Skewness | 5.265 |
| Std. Error of Skewness | .164 |
| Minimum | 5.00 |
| Maximum | 22.5 |

The above table provides a summary measure of the overall estimated times to disposition. The estimated average time to disposition is 18.67 months or just over a year and a half. This result was however heavily skewed by the existence of some large outliers. This is affirmed by the large positive skewness of 5.265 which shows that the vast proportion of the times to disposition were below the average time. This is supported by the results for the estimated

median time to disposition of six months and the most frequently occurring time to disposition of five months. The considerably large standard deviation of 28.66 supports the deduction that there were scores which varied widely from the mean, in this case skewing the mean upwards. The margin of error of these estimates is plus or minus 3 months or 0.25 years.

Table 34.0: Case clearance rate for the two months ended December 31, 2016

| Cases filed | Cases disposed | Case clearance rate |
|--------------------|-----------------------|----------------------------|
| 316 | 218 | 69% |

Using the data on the number of cases filed and disposed of in the period under examination, a case clearance rate of 69% is derived. This suggests that for every 100 cases filed and active in the period, 69 were disposed a result which indicates that there were more files coming in than going out in the period. This is further an indication that the case carriage of the Department may have increased over the period, however the time period used in the analysis is too short to make such a generalization. This will become clearer as the time series data expands.

Criminal Division

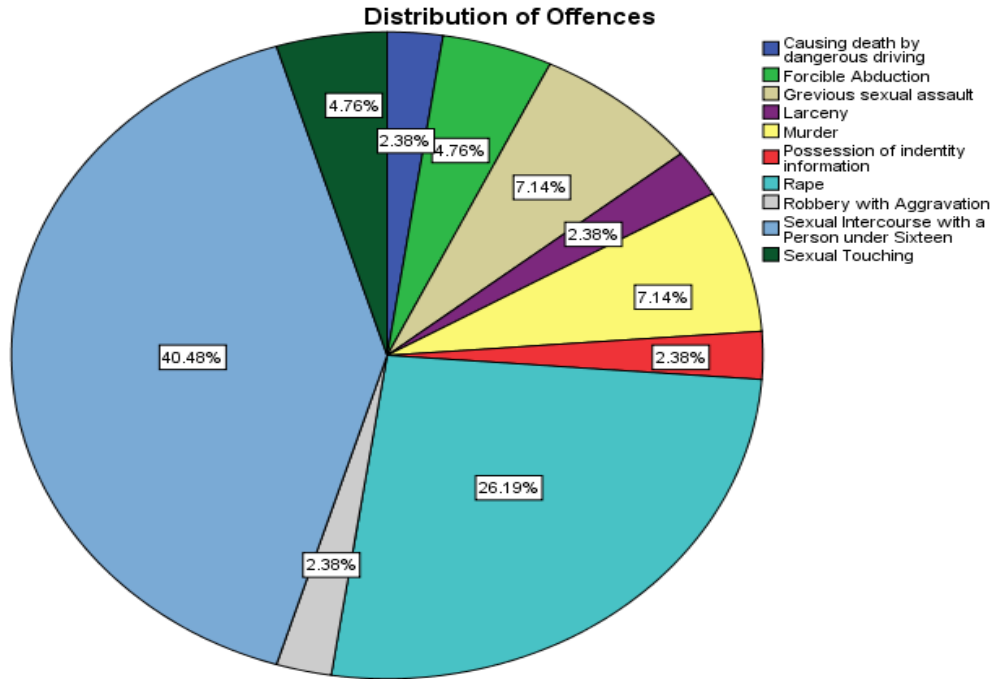
The analysis now turns to a look at the Criminal Division for the two months ended December 31, 2016.

Table 35.0: Distribution of charges for cases filed during the two month period ended December 31, 2016

| Offence Type | Frequency | Valid Percent |
|--|------------------|----------------------|
| Causing death by dangerous driving | 1 | 2.4 |
| Forcible Abduction | 2 | 4.8 |
| Grievous sexual assault | 3 | 7.1 |
| Larceny | 1 | 2.4 |
| Murder | 3 | 7.1 |
| Possession of identity information | 1 | 2.4 |
| Rape | 11 | 26.2 |
| Robbery with Aggravation | 1 | 2.4 |
| Sexual Intercourse with a Person under Sixteen | 17 | 40.5 |
| Sexual Touching | 2 | 4.8 |
| Total | 42 | 100.0 |

The above table summarizes the distribution of charges for cases filed during the two months ended December 31, 2016. It is shown that a total of 42 charges were filed during the period with the largest proportion, 17 or 40.5% representing sexual intercourse with a person under sixteen years old. This is followed by rape with 11 or 26% of the total number while the third highest proportion was shared by grievous sexual assault and murder, each with 3 or 7.1% of the total. It is of interest that of the 42 charges, 78.6% or 33 were sex related.

Chart 3.0: Distribution of charges for cases filed during the two month period ended December 31, 2016



The above chart provides a pictorial display of the findings summarized and in table 32.0 above.

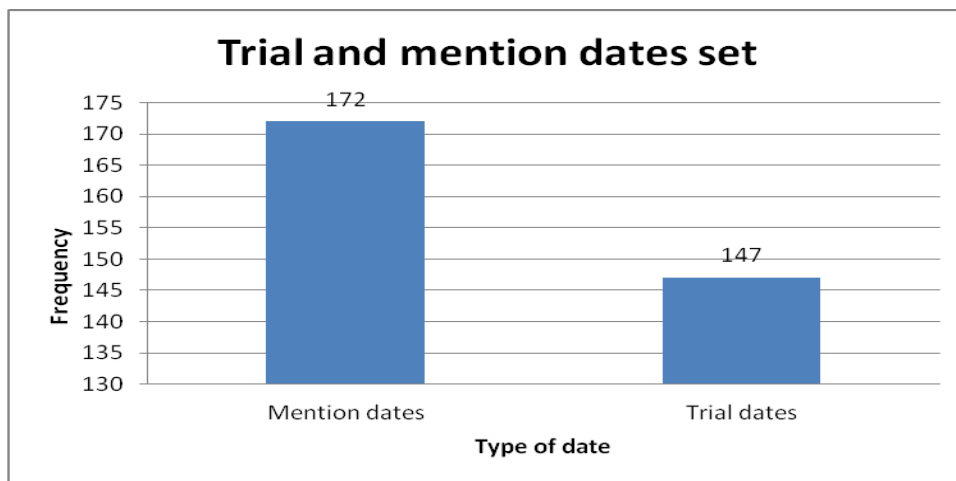
Table 36.0: Top eight reasons for adjournment for the two month ended December 31, 2016

| Reason for adjournment | Frequency | Percentage |
|---------------------------|-----------|------------|
| For trial | 149 | 37.44 |
| Defence counsel absent | 55 | 13.81 |
| Witness absent | 25 | 6.28 |
| Another trial in progress | 23 | 5.78 |
| Papers to be served | 19 | 4.78 |
| For bail application | 12 | 3.02 |
| Accused not brought | 10 | 2.51 |
| Defendant not answering | 8 | 2.01 |

N=398

The above table provides a summary of the top eight reasons for adjournment for the two month ended December 31, 2016. It is shown that there were 398 adjournments during the period under examination, the highest proportion, 149 or 37.44% were for trial. This was followed by a notable 55 or 13.81% which was due to defence counsel being absent. The absence of witnesses with 25 or 6.285 of the total adjournments was ranked third while the occurrence of another trial in progress with 23 adjournments or 5.78% of the total is fourth. This is significant as it is likely to be due to overbooking of Court rooms or underestimation of the duration of trials. The top five most common reasons for adjournment is rounded off by ‘papers to be served’ with 19 or 4.78% of all reasons for adjournment in the period.

Chart 4.0: Trial and mention dates set in the two months end Dec. 31, 2016



The above chart shows that there were a total 319 dates set for either trial or mention court in the two months ended December 31, 2016. 54% or 172 of those dates were set for mention while 46% or 147 were set for trial. This produces a ratio of 1:0.85 which suggests that for every 100 matters mentioned there were 85 trial matters or that there were 15% more mention than trial dates set in the period under examination.

Table 37.0: Trial/hearing date certainty for the two month period ended December 31, 2016

| Number of hearing/trial dates | Number of adjournments (excluding adjournments for trial) | Trial/hearing date certainty |
|-------------------------------|--|------------------------------|
| 319 | 249 | 22% |

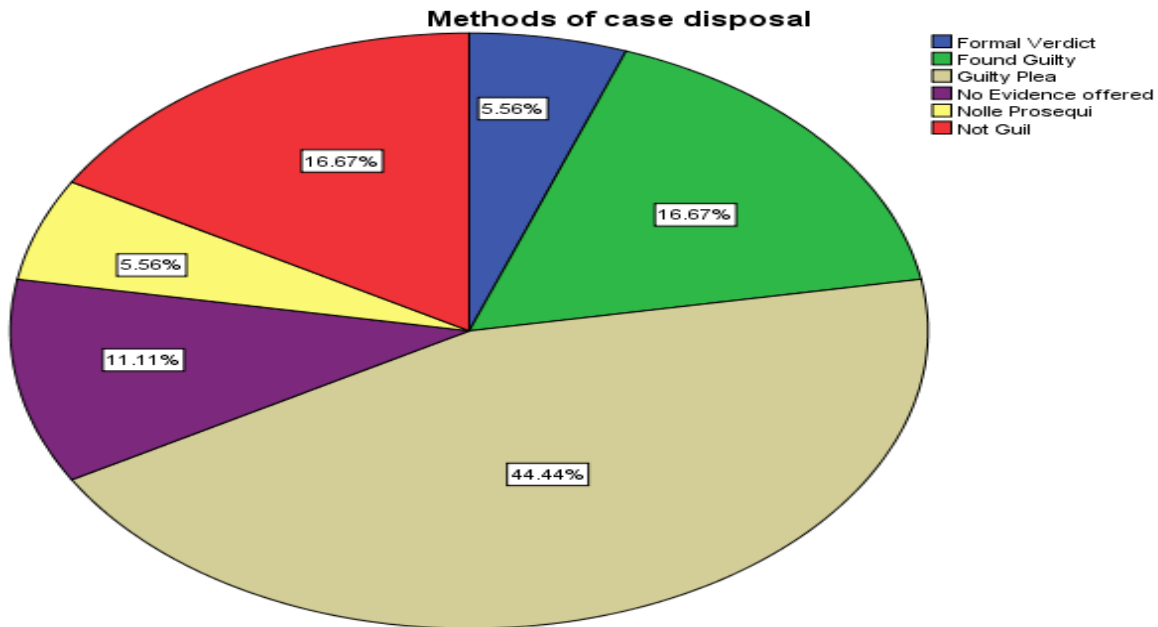
The date scheduling certainty for each Division of the Supreme Court is an important metric which examines the extent to which dates which are set for either hearing or trial are adhered to. A low result has implications for the capacity of the Court to adequately estimate the length of a matter in Court, for the capacity of Court rooms and Judges to absorb certain case loads and for the general system of scheduling. In Table 34.0 above, it is shown that of 319 Court dates scheduled in the period under study, 249 were adjourned for reasons other than continuity by way of a trial. This suggests a scheduling certainty rate of 22% which is another way of saying that for every 100 criminal matters scheduled for Court, roughly 22 are able to proceed without adjournment for reasons other than for trial or simply continuance.

Table 38.0: Case disposal methods for the two month period ending December 31, 2016

| Method of Disposal | | Frequency | Percent |
|--------------------|----------------|-----------|--------------|
| Valid | Formal Verdict | 1 | 5.0 |
| | Found Guilty | 3 | 15.0 |
| | Guilty Plea | 9 | 45.0 |
| | No Evidence | 2 | 10.0 |
| | Nolle Prosequi | 1 | 5.0 |
| | Not Guilty | 4 | 20.0 |
| | Total | 20 | 100.0 |

The above table summarizes the methods of disposal for the twenty cases disposed of during the two month period ending December 31, 2016. It is shown that guilty plea with 9 or 45.0% of the total number of disposals accounted for the largest share of disposals for the period. Accounting for the next highest proportion of total disposals were the method “found guilty” and ‘not guilty,’ each with 3 or 15% of the total. No evidence offered with an occurrence of two or 10.0% of the total number of disposals and formal verdicts and Nolle Prosequi with 5.0% each, rounds off the methods of disposal for the two month period under examination.

Chart 5.0: Distribution of charges for cases filed during the two month period ended December 31, 2016



The above chart summarizes the 2 results highlighted in **Table 35.0**.

Table 39.0: Disposal methods for individual charges for the two months ended December 31, 2016.

| Method of Disposal | | Frequency | Valid Percent |
|--------------------|--|-----------|---------------|
| Valid | Formal Verdict of Not Guilty – discharge | 1 | 2.7 |
| | Found Guilty | 7 | 18.9 |
| | Guilty Plea | 8 | 21.6 |
| | No Evidence offered | 8 | 21.6 |
| | No further evidence offered | 1 | 2.7 |
| | Nolle Prosequere | 2 | 5.4 |
| | Not Guilty – Discharged | 9 | 24.3 |
| | Plead guilty to a lesser charge | 1 | 2.7 |
| | Total | 37 | 100.0 |

Table 39.0 above provides a summary of the method of disposition for the individual charge types for the two month two month period ended December 31, 2016. Of the thirty seven charges which were disposed, the largest proportion, 9 or 24.3% were a result of a ‘not guilty’ outcome. This was followed by the reasons ‘guilty plea’ and ‘no evidence offered’ each accounting for 8 or 21.6% of the methods of disposal for the period. The method – ‘found guilty’ with 7 or 18.9% of the total disposals round of the dominant method of disposal for individual charges in the period.

Table 40.0: Charges disposed in the two month ended Dec. 31, 2016

| | Charge | Frequency | Percent |
|-------|---|------------------|----------------|
| Valid | Abduction of a child under 16 | 1 | 2.7 |
| | Buggery | 2 | 5.4 |
| | Grievous sexual assault | 1 | 2.7 |
| | Murder | 20 | 54.1 |
| | Possession of identity information | 1 | 2.7 |
| | Rape | 2 | 5.4 |
| | Sexual Intercourse with a Person under Sixteen | 6 | 16.2 |
| | Wounding with Intent | 4 | 10.8 |
| | Total | 37 | 100.0 |

The above table shows that of the thirty seven charges disposed of in the period under examination, the majority, 20 or 54.1% were murder charges. This was followed by the charge of sexual intercourse with a person under sixteen years old with 6 or 16.2% of the charges disposed. Wounding with intent with 4 or 10.8% of the charges disposed rounds off the top three. It is of note that a total of 11 or roughly 30% of the charges disposed were related to sexual offences. A large proportion of the matters originating in the period under examination were also for sexual related offences, suggesting a possible trend with respect to the distribution of criminal offences before the Courts.

Table 41.0: Methods of disposal by offence types

| | Methods of disposal | | | | | | | | Total |
|--|--|---------------------|---------------------|----------------------------------|--|---------------------|-------------------------|--------------------------------|----------------------|
| | Formal Verdict of Not Guilty (discharge) | Found Guilty | Guilty Plea | No Evidence offered (discharged) | No further evidence offered discharged | Nolle Proseque | Not Guilty (Discharged) | Plea guilty to a lesser charge | |
| Abduction of a child under 16 | 0 0.0% | 1 14.3% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 1 2.7% |
| Buggery | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 1 100.0% | 0 0.0% | 1 11.1% | 0 0.0% | 2 5.4% |
| Grievous sexual assault | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 1 11.1% | 0 0.0% | 1 2.7% |
| Murder | 1 100.0% | 3 42.9% | 2 25.0% | 8 100.0% | 0 0.0% | 2 100.0% | 4 44.4% | 0 0.0% | 20 54.1% |
| Possession of identity information | 0 0.0% | 0 0.0% | 1 12.5% | 0 0.0% | 0 0.0% | 0 0.0% | 2 0.0% | 0 0.0% | 1 2.7% |
| Rape | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 1 11.1% | 1 100.0% | 2 5.4% |
| Sexual Intercourse with a Person under Sixteen | 0 0.0% | 1 14.3% | 5 62.5% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 6 16.2% |
| Wounding with Intent | 0 0.0% | 2 28.6% | 0 0.0% | 0 0.0% | 0 0.0% | 0 0.0% | 2 22.2% | 0 0.0% | 4 10.8% |
| Total | 1 100.0% | 7 100.0% | 8 100.0% | 8 100.0% | 1 100.0% | 2 100.0% | 9 100.0% | 1 100.0% | 37 100.0% |

The above table is the result of cross-tabulating the offences committed with the attendant methods of disposal in the Criminal Division for the two months ended December 31, 2016. The

table shows the different ways in which the offences in the period were disposed. It is seen that for the disposals by way of a formal verdict, there was only one such occurrence and this was for a murder offence. For disposals by way of a guilty verdict, the results show that abduction of a child less than 16 years old accounts for 14.3% of all such outcomes, the same as abduction of a minor. Wounding with intent and murder accounted for the largest share of matters disposed of by way of guilty verdicts with 28.6% and 42.5% respectively. The data further shows that for guilty pleas, 62.5% occurred in cases of sexual intercourse with persons less than 16 years old while 25% occurred in cases of murder and the remaining 12.5% occurred for matters of identity theft. For the method of disposal captioned as no evidence offered, it is shown that all 100% of this occurrence was for murder offences. For the method of no further evidence offered, there was only one offence which is buggery while the only two matters which were disposed of by way of Nolle Prosequere were murder matters. There was only a single incidence of persons pleading guilty to a lesser charge, while most of the matters disposed of by way of a not guilty outcome were for murder matters which accounted for 44.44% of such disposals. Wounding with intent with 22.22% accounts for the next highest proportion of matters disposed of by way of a not guilty outcome while buggery, grievous sexual assault and rape rounds off this category with 11.1% each. It is interesting that murder is dominant offence for five of the seven methods of disposal. Sexual offences and wounding also account for a notable share of some of the methods of disposal. These results are in particular, an affirmation of the dominance of murder and sexual offences in the overall list of offences in the Criminal Department during the period under examination.

**Table 42.0: Time to disposition
from case file date for the two
months ended Dec. 31, 2016 (in
months)**

| | |
|------------------------|--------------------|
| Number | 37 |
| Mean | 41.2432 |
| Median | 22.0000 |
| Mode | 22.00 ^a |
| Std. Deviation | 37.92420 |
| Skewness | 1.023 |
| Std. Error of Skewness | .388 |
| Minimum | 5.00 |
| Maximum | 125.00 |

a. Multiple modes exist. The smallest value is shown

The estimated time to disposition from the date of initiation of criminal matters disposed of in the period under question, are summarized above. It is shown that the estimated average time to disposition for charges disposed of in the period, was approximately 41.24 months or just less than 3.5 years. The estimated minimum time to disposition was 5 months and estimated maximum was 125 months or almost 10.5 years. The skewness measure revealed a modest positive figure of 1.023, indicating that there are at least a few large outlying values. This is affirmed by the standard deviation of roughly 40 months, indicating the average variation of the individual scores around the mean.

Table 43.0: Breakdown of time to disposition for charges for the two months ended Dec. 31, 2016.

| Number of months | | Frequency | Valid Percent |
|------------------|--------------|-----------|---------------|
| Valid | 0 – 12 | 8 | 21.62 |
| | 13 – 24 | 14 | 37.83 |
| | 25 – 36 | 6 | 16.23 |
| | 37 – 47 | 1 | 2.70 |
| | 48 and over | 8 | 21.62 |
| | Total | 37 | 100.0 |

The above table provides a summary of the estimated time to disposition for the charges disposed of in during the two months ended Dec. 31, 2016. It is shown that 14 or 37.83% of the charges disposed in the period under examination took between 13 and 24 months while an equal proportion, 8 or 21.6% took between 0 – 12 months and 48 and over months respectively. Only one took between 37 and 47 months to be disposed while 6 or 16.23%. Cumulatively a greater proportion, 59.45% of the charges disposed in this period took 24 months or under to be disposed.

Table 44.0: Time to disposition from the time of offence for the two month ended Dec. 31, 2016 (in months)

| | |
|------------------------|----------------|
| Number | 37 |
| Mean | 57.7838 |
| Median | 72.0000 |
| Mode | 75.00 |
| Std. Deviation | 33.82154 |
| Skewness | .059 |
| Std. Error of Skewness | .388 |
| Minimum | 8.00 |
| Maximum | 132.00 |

The data summarized in the table above suggests that there is a marked contrast between the time dispositions from the case file date and the time to disposition from the time the offences were committed. It is shown that the estimated average time from the time an offence was committed to the time the matter was disposed is approximately 57.78 months or almost five years. This is over a year more than the average time from the case is filed to the date of disposition and implies that there might be deficiencies in the investigative systems which leads to charges or in the general process of transferring a file to the Supreme Court for trial. The skewness measure of 0.059 is quite moderate and indicates that the times to disposition from charge date were reasonably equally spread above and below the overall average time. The minimum time to disposition from the date of charge was estimated at eight months while the maximum is estimated at 132 months or roughly eleven years, for the period.

Table 45.0: Time to disposition for cases disposed of in the two month ended Dec. 31, 2016 (in months)

| | |
|------------------------|----------------|
| Number | 20 |
| Mean | 28.5232 |
| Median | 20.0000 |
| Mode | 13.00 |
| Std. Deviation | 27.80987 |
| Skewness | 3.743 |
| Std. Error of Skewness | .536 |
| Minimum | 9.00 |
| Maximum | 130.00 |

The above table summarizes the estimated time to disposition for cases disposed of in the two months ended December 31, 2016. It is shown that the average time to disposition for the period under examination was roughly 29 months or 2.4 years. The estimated minimum time to

disposition was 9 months while the estimated maximum was 130 months or almost 11 years. This sizeable maximum figure observed in the period contributed to the large positive skewness of 3.743, suggesting that there were large outliers which skewed the mean upwards. Both the most frequently occurring time to disposition (mode) and the median time to disposition were under two years.

Table 46.0: Breakdown of time to disposition for cases for the two months ended Dec. 31, 2016

| | Number of months | Frequency | Valid Percent |
|-------|------------------|-----------|---------------|
| Valid | 0 – 12 | 4 | 21.62 |
| | 13 – 24 | 8 | 37.83 |
| | 25 – 36 | 3 | 16.23 |
| | 37 – 47 | 1 | 2.70 |
| | 48 and over | 4 | 21.62 |
| | Total | 20 | 100.0 |

The above table provides an affirmation of the results discussed in the previous table. It is shown that the majority of cases which were disposed of in the period under examination took between 13 and 24 months, representing 8 or 37.83% of total case disposals. This was followed by 4 cases each which took between less than 12 months and 48 and over months respectively. These categories accounted for 21.62% each of total cases disposed. 16.23% of the cases disposed of took between 25 and 36 months while the remaining 2.7% took between 37 and 47 months to be disposed. It is of note that over 50% of the cases were disposed of in under 2 years.

Table 47.0: Case clearance rate for the two months ended December 31, 2016

| Cases filed | Cases disposed | Case clearance rate |
|--------------------|-----------------------|----------------------------|
| 42 | 20 | 48% |

The case clearance rate of 48% shown above is an indication that significantly more cases entered than those which were disposed in the Criminal Division in the period under examination. The result suggests a ratio of 100 new cases entered for every 48 disposed. If this ratio is indicative of the typical trend in the Department then it would suggest a potential build up of a criminal case backlog in the Supreme Court. In the context of a larger number of matters being committed from the Parish Courts to the Supreme Court due to the new committal proceedings act, this clearance rate could worsen. It must however be pointed out that the time frame under examination is too limited to make generalizations. This will however considerably improve as the time series data expand in the coming months.

Gun Court

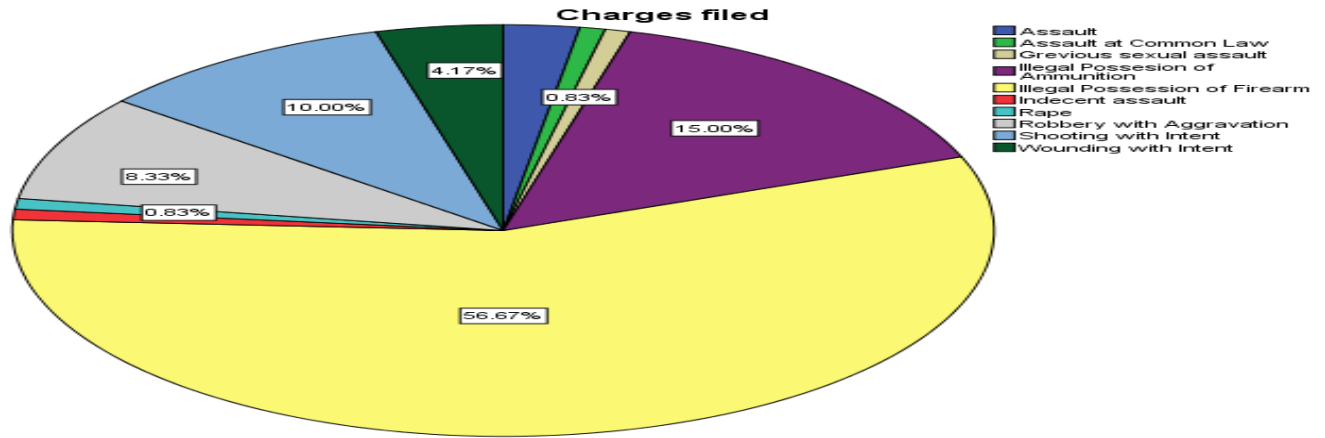
The ensuing analyses provide a limited overview of the Gun Court in the two months ended December 31, 2016. In particular, this section outlines data related to matters initiated and matters disposed in the period under examination. Intense work is currently underway to bolster the data capture capabilities of the Gun Court, to include the full range of variables which are currently extracted for the Criminal Division.

Table 48.0: Offences filed in the two month period ending December 31, 2016

| Charges | Frequency | Percent |
|-------------------------------------|-----------|---------|
| Assault | 3 | 2.5 |
| Assault at Common Law | 1 | .8 |
| Grievous sexual assault | 1 | .8 |
| Illegal Possession of Ammunition | 18 | 15.0 |
| Illegal Possession of Firearm | 68 | 56.7 |
| Indecent assault | 1 | .8 |
| Rape | 1 | .8 |
| Robbery with Aggravation | 10 | 8.3 |
| Shooting with Intent | 12 | 10.0 |
| Wounding with Intent | 5 | 4.2 |
| Total | 120 | 100.0 |

The above table provides a summary of the charges which were filed in the two month period ended December 31, 2016. It is seen that of the 120 charges filed in the period, the majority, 68 or 56.7% were for illegal possession of firearm, well ahead of the next highest ranked charge of illegal possession of ammunition with a count of 18 or 15% of the total. Shooting with intent and robbery with aggravation with 10% and 8.3% respectively, rounds off the leading charges for the period. These 120 offences, translate into 69 cases filed in the two month period under examination.

Chart 49.0: Charges filed in the two month period ended December 31, 2016



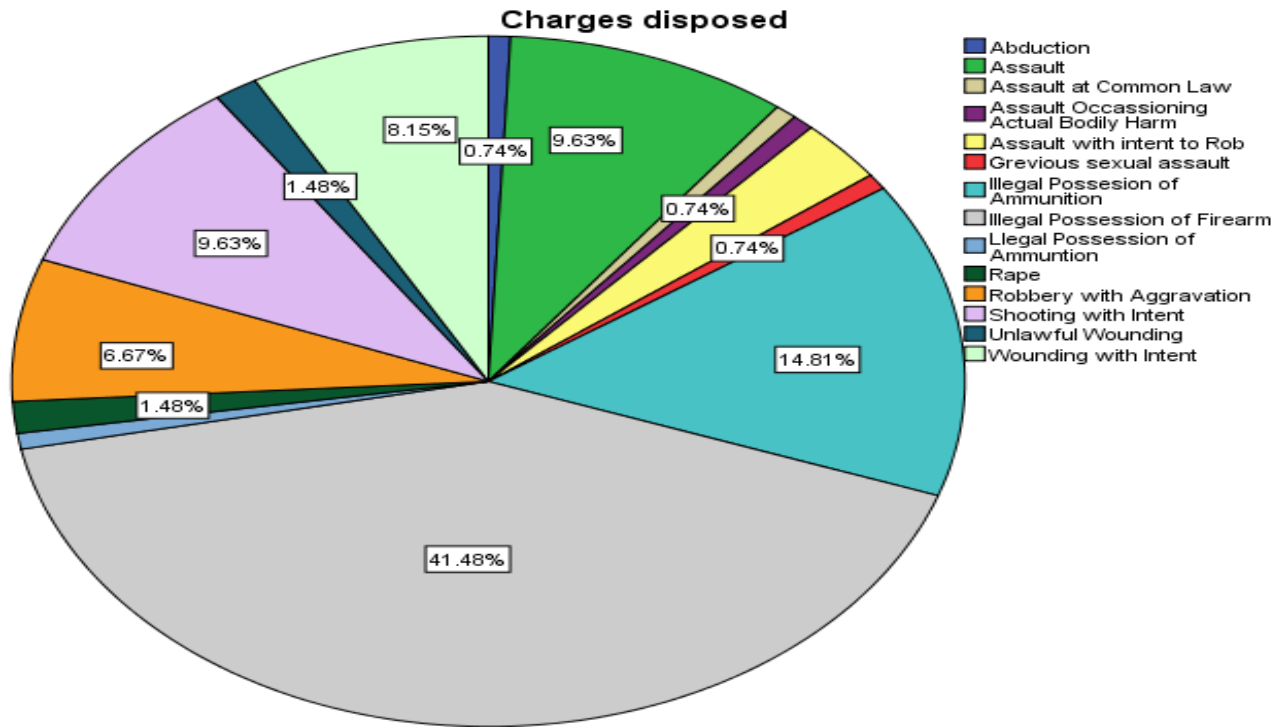
The above chart provides a pictorial representation of the data summarized in Table 42.0 above.

Table 50.0: Charges disposed of in the two month ended Dec. 31, 2016

| Charges disposed | Frequency | Percent |
|--|------------|--------------|
| Abduction | 1 | .7 |
| Assault | 13 | 9.6 |
| Assault at Common Law | 1 | .7 |
| Assault Occasioning Actual Bodily Harm | 1 | .7 |
| Assault with intent to Rob | 4 | 3.0 |
| Grievous sexual assault | 1 | .7 |
| Illegal Possession of Ammunition | 20 | 14.8 |
| Illegal Possession of Firearm | 56 | 41.5 |
| Illegal Possession of Ammunition | 1 | .7 |
| Rape | 2 | 1.5 |
| Robbery with Aggravation | 9 | 6.7 |
| Shooting with Intent | 13 | 9.6 |
| Unlawful Wounding | 2 | 1.5 |
| Wounding with Intent | 11 | 8.1 |
| Total | 135 | 100.0 |

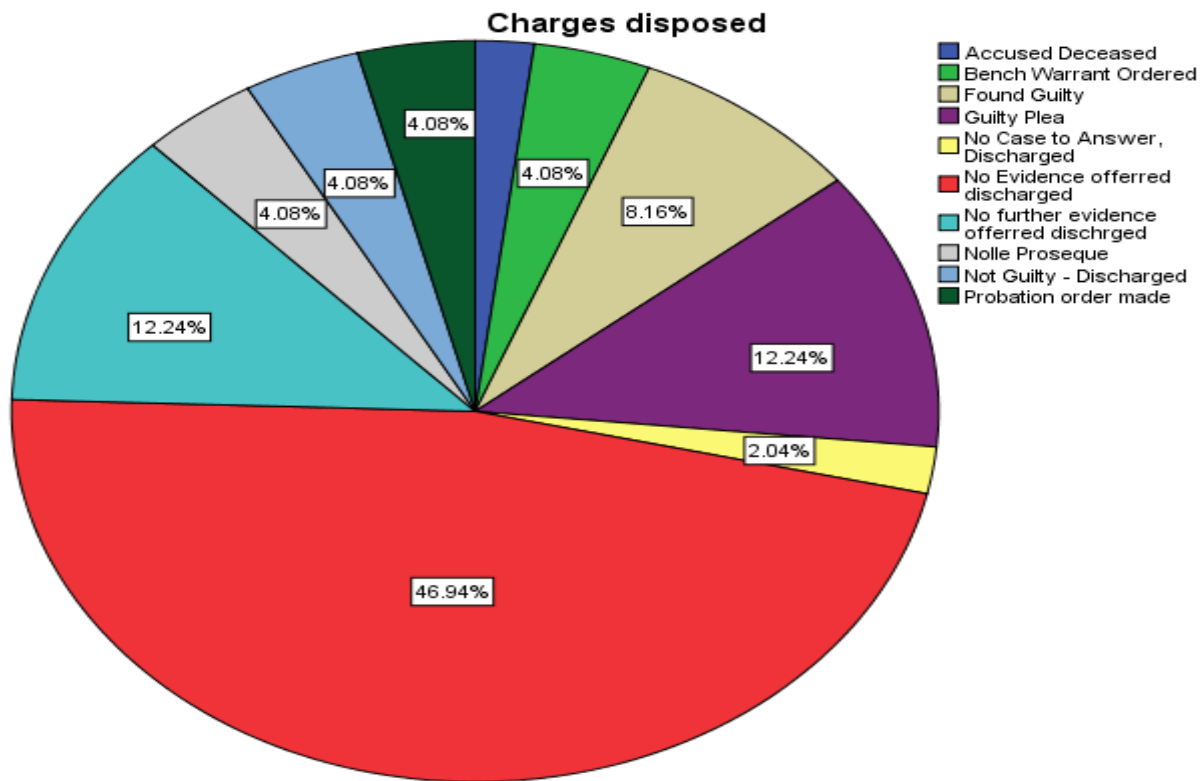
It is shown here that a total of 135 charges were disposed of in the Gun Court during the period under investigation. Of this number, the largest proportion by far for illegal possession of firearm. This accounted for a count of 56 or 41.5% of the disposed charges. In joint second are assault and shooting respectively, each with a count of 13 or 9.6% of all charges disposed. The top five charges disposed are rounded off by wounding with intent with a count of 11 or 8.1% and robbery with aggravation with a count of 9 or 6.7% of all disposals.

Chart 5.0: Distribution of charges disposed in the two month period ended Dec. 31, 2016



The above chart summarizes the results discussed for Table 43.0 above.

Chart 6.0: Methods of disposal for matters disposed in the two month period ended Dec 2016



It is shown in the above table that of the methods of disposal, 'no evidence offered' with 47% of the disposals, accounted for the largest proportion of all disposals in the period under examination. This was followed by guilty pleas with 13% and 'no evidence offered,' each of which accounts for 12 % of the total disposals. 'Found guilty' comes next 8% followed by not guilty outcomes, Nolle Proseque, probation order made and bench warrant orders, each accounting for 4% of the matters disposed in the period.

Table 51.0: Time to disposition from date charged, for charges disposed of in the two months ended Dec. 31, 2016 (in months)

| | |
|------------------------|----------------|
| Number | 135 |
| Mean | 25.1111 |
| Median | 21.0000 |
| Mode | 6.00 |
| Std. Deviation | 25.52893 |
| Skewness | 2.710 |
| Std. Error of Skewness | .209 |
| Minimum | 5.00 |
| Maximum | 150.00 |

The above table shows that there were 135 charges disposed of in the two months ended December 31, 2016. It is seen that the estimated average time to disposition from the date of charge is approximately 25.11 months of just over two years. The data set for this measure is however positively skewed, indicating that there were a greater proportion of relatively shorter than longer times to disposition in the data set. Hence, there are at least a few comparatively large times to disposal in the data set. This is affirming by the fact that the estimated maximum time to disposition for the data set is 150 months or 12.5 years. The estimated minimum time to disposition from the time an offence was filed is 5 months. The mode of six months also affirms the fact that the bulk of the times to disposition are towards the relatively lower scores.

Table 52.0: Breakdown of times to disposition of charges disposed in the two month ended December 31, 2016

| Months | Frequency | Valid Percent |
|---------------|------------------|----------------------|
| 0 -12 | 57 | 42.2 |
| 13 - 24 | 25 | 18.5 |
| 25 - 36 | 20 | 14.8 |
| 37 - 47 | 12 | 8.9 |
| 48 and over | 21 | 15.6 |
| Total | 135 | 100.0 |

The above table provides a further breakdown of the estimated time to disposition for charges disposed in the two month ended December 31, 2016. The positive skewness highlighted earlier is confirmed as it is seen that the largest proportion of charges disposed took one year or less. This accounted for a count of 57 or 42.2% of the total number of case disposals. A further 18.5% of the cases disposed took an estimated time of between 13 and 24 months while 14.8% each were disposed of in an estimated time of 25 to 36 months, 8.9% in an estimated 37 to 47 months and 15.6% in 48 and over months (4 years and over). It is of note that the majority of cases which were disposed of in the period under examination took an estimated time of two years or less. Cumulatively this accounts for 60.7% of the disposals.

Table 53.0: Time to disposition from date filed, for cases disposed of in the two months ended Dec. 31, 2016 (in months)

| | |
|------------------------|----------------|
| Number | 49 |
| Mean | 21.2449 |
| Median | 17.0000 |
| Mode | 5.00 |
| Std. Deviation | 19.42778 |
| Skewness | 1.471 |
| Std. Error of Skewness | .340 |
| Minimum | 3.00 |
| Maximum | 90.00 |

In the table above it is seen that there were 49 cases disposed of in the period under examination. The estimated average time to disposition (from file date) was roughly 21.24 months or just over one and three quarters of a year. The estimated shortest time to disposal for a case disposed of in this period was 3 months with a maximum of 90 months or 7.5 years. The distribution of the scores was moderately positively skewed, an indication that most of the estimated disposal times were comparatively low to moderate. The average was pulled upwards by a few large outlying values that exist. This result is further affirmed by the relatively high standard deviation of 19.43 months, indicating some wide variation of scores around the mean.

Table 54.0: Breakdown of times to disposition of cases disposed in the two month ended December 31, 2016

| Months | Frequency | Percent |
|---------------|------------------|----------------|
| 0 -12 | 19 | 38.78 |
| 13 - 24 | 9 | 18.37 |
| 25 - 36 | 8 | 16.33 |
| 37 - 47 | 5 | 10.20 |
| 48 and over | 8 | 16.33 |
| Total | 49 | 100.0 |

The above table provides a more detailed breakdown of the times to disposition for cases disposed of in the two months period ended December 31, 2016. As with the individual charges disposed of in the period, it is shown that the majority of cases, 19 or 38.78%, were disposed of within a year while the next highest proportion, 9 or 18.37%, took between 13 and 24 months. An equal proportion took between 25 and 36 months and 48 and over months respectively, accounting for 8 or 16.33% of the total count. The interval 37-47 months accounted for the lowest proportion with 5 or 10.20% of the total.

Table 54.0: Case clearance rate for the two months ended December 31, 2016

| Cases filed | Cases disposed | Case clearance rate |
|--------------------|-----------------------|----------------------------|
| 69 | 49 | 71% |

Sixty nine active cases were filed in the period under examination while there were 49 cases disposed, leading to a case clearance rate of 71%. This is an indication of a faster rate of

incoming than outgoing cases translating into a generalization of 71 cases disposed for every 100 new cases filed. This result is broadly consistent with the findings for the other Departments, together indicating that the Supreme Court has significantly more matters coming in than those being disposed. The below table provides a summary of the collective case clearance rate for the five Departments reviewed in this document.

Table 55.0: Gross case clearance rate for the two months ended Dec. 31, 2016

| Total cases filed | Total cases disposed | Gross Case clearance rate |
|--------------------------|-----------------------------|----------------------------------|
| 1643 | 776 | 47% |

The above table provides an aggregate summary of the clearance rates using the data from the Criminal Division, Gun Court, Matrimonial, HCV and Probate Divisions. It was seen in the earlier analysis that although there was some amount of variation in the clearances rates across the departments, in each case there was markedly greater evidence of new, active matters coming in than going out. This is affirmed by the above gross outcome which suggests that in the two month period under examination, a total of 1634 cases were filed across the five Departments studied. In the same period, 776 cases were disposed of, translating into a gross case clearance rate of 47% over the period. When mathematically generalized, this result suggests that for every 100 cases filed and active in the period there were 47 disposals. Again, it is important to point out that the time series used to conduct this enquiry is too short to make generalizations about the state of affairs in each Department and in the Supreme Court as a whole. As the time series data is continuously generated each month, the picture will become increasingly clearer.

Conclusion

This document is preliminary report based on the launch of a pilot project to significantly optimize the use of JEMS in order to facilitate the production of monthly statistical reports for all Departments of the Supreme Court. The findings of this report are preliminary and require a longer time series to support generalizations. A number of key insights can however be derived from the findings outlined above. Among these key findings are that all the Departments assessed in this report all demonstrate a markedly higher rate of incoming than disposed cases which may suggest that there is a growing case burden which may amplify problems associated with the scheduling of cases. It is also evident that the Criminal and HCV Departments in particular are adversely impacted by a high incidence of adjournments for major reasons such as attorney absenteeism, Judge Unavailability which may be due to other ongoing matters, and a host of reasons associated with the lack of readiness of a matter for Court. In the HCV, Probate and Matrimonial Departments, a high incidence of requisitions was also identified as an impediment to the rate of case disposal. Of note is also the relatively low rate of responses to requisitions in the period under examination as well as the relatively high number of amended petitions and supplemental oaths. The Matrimonial Departments should be greatly aided in this regard by the recent introduction of a system of emailing requisitions to clients while the Probate Department which already has such a system should see continuous improvements. A similar system will also be put in place in the HCV Department. The findings also provided key insights into the length of time matters take to be disposed of in each department with the overall average time to disposition trending close to 2.5 years for matters disposed of in the two month period under examination.

The extent to which these preliminary findings can be generalized will be seen in the coming months as other comparative reports are produced.