



# Ministry of Justice

*Balancing Rights and Responsibilities*

## KNOW YOUR RIGHTS #6

One People • One Spirit • One Justice



### ACCESSING YOUR RIGHT TO LEGAL REPRESENTATION, PART 2

**L**ast week we looked at your right to an attorney if you are in conflict with the law. Every person, adult or child, taken into police custody is entitled to legal representation by an attorney. It's your right! If arrested, ask the police to call Duty Counsel for Question and Answer, Identification Parade and Application for Station or Court Bail. The Duty Counsel programme is free.

This week, we provide you with additional information to help you if you are in conflict with the law:

1. If you're granted legal aid for a matter in Court, the Private Lawyer assigned must:

- a. Take instructions at the earliest convenience regarding the offence giving rise to the charge;
- b. Enquire about your physical well-being;
- c. Represent you vigorously and fearlessly;
- d. Ensure full disclosure by the prosecution;
- e. Apply for bail
- f. Engage in the necessary research and preparation to advance your case;

2. The Bail Act gives you the right to apply for bail. An officer who charges you with a criminal offence, must give consideration for bail within 24 hours of the charge.

3. All Criminal matters entitle an accused to legal aid for Court representation. All matters including Drug offences are provided with attorneys for Question and Answer and Identification Parades.

4. The Legal Aid Council has empanelled over 600 attorneys of which more than 300 provide representation in criminal matters. The cadre of attorneys includes five Queen's Counsel and 207 Senior Counsel. Murder trials are assigned to Senior Counsel with 10 or more years' experience.

5. A person assigned an attorney may need forensic, medical, scientific or other expert evidence to prove his case. The Legal Aid Council, where an assigned attorney so requests, undertakes the costs for such expert services as required.

6. You may apply for legal aid at the Kingston or Montego Bay Legal Aid Clinics, the Norman Manley Law School Legal Aid Clinic, and the Legal Aid Council. At Court, you may inform the judge or magistrate in your matter that you require an attorney-at-law to represent you.

*Hope you found this information useful. For further information on this or other justice related issues, you may contact the entities listed.*



### You Can Get Help

*You can get help from several entities in the Government sector.*

#### Legal Aid Council

*Have you or your relative been arrested but cannot afford legal representation?*

*Call or visit the Legal Aid Council at:*

Air Jamaica Building  
Ground Floor,

72-76 Harbour Street, Kingston.

Telephone: (876)948-6999

Email: aid.legal@moj.gov.jm

#### INDECOM

*If you or anyone you know have had your rights breached by members of the security forces or the correctional services contact the Independent Commission of Investigations at:*

1 Dumfries Road, Kingston 10,  
Toll free 1-888-935-5550 (Digicel)

1-888-991-5555 (LIME)

Email: info@indec.com.gov.jm

#### The Office of the Public Defender

*Have you suffered an injustice by a public sector entity? Contact the Office of the Public Defender at:*

22-24 Duke Street, Kingston

Telephone: 922-7089-90, 922-7109,  
922-8256

Email: enquiries@opd.gov.jm

**Ministry of Justice**  
**61 Constant Spring Road**  
**Kingston 10**  
**Telephone: (876) 908-5561**  
**www.moj.gov.jm**