



Ministry of Justice

Balancing Rights and Responsibilities

KNOW YOUR RIGHTS #5

One People • One Spirit • One Justice



ACCESSING YOUR RIGHT TO LEGAL REPRESENTATION, PART 1

Last edition we looked at *Freedom of Movement* as a Right to each Jamaican under the Constitution. In this week's article, we look at how you can get legal representation if you are in conflict with the law. It does not matter how much money you have, Legal Aid is available to you.

LET'S GO THROUGH THE FOLLOWING:

1. *Every person, adult or child, taken into police custody is entitled to legal representation by an attorney.*

It's your right. 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. The Duty Counsel list was recently upgraded and has more than 500 Attorneys. The updated list outlines the names, contact numbers and parishes in which Attorneys have been designated to assist with representation for accused persons.

2. If you have been taken into police custody and scheduled for a Question and Answer Session you are entitled to have a lawyer advise and represent you.
3. Where the police schedules an Identification Parade for a suspect, the suspect is entitled to have an attorney present at the Identification Parade to ensure the process is fair and in accordance with the law.
4. An assigned Counsel must take full instructions from the client, inquire into client's physical well-being, if in custody, ensure all client rights are observed and advise the client.
5. The Legal Aid Council assigns an attorney from a panel of Private Lawyers to represent you in

a criminal matter from the first court date to the conclusion of the matter. A Magistrate, Judge, Director of a Legal Aid Clinic or the Legal Aid Council may grant your request/application for a lawyer.

6. All Attorneys, to whom court cases are assigned, are in private practice and are committed to represent all clients vigorously and fearlessly.

Next week we will continue to look at your right to legal representation.



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

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