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Senator the Honourable  
Mark Golding, Minister of  
Justice

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Annual Assize  
Service October 11,  
2015 Living Justly:  
Giving Hope

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East Queen Street Baptist  
Church

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## Salutations/Protocols

- The Honourable Mrs. Justice Zaila McCalla, Chief Justice of Jamaica
- Members of the Judiciary
- Members of the Clergy
- Members of the private bar
- Host Rev. Dr. Roy Henry and Mrs. Henry
- Specially invited guests
- Colleague
- Ladies and gentlemen of the congregation

A pleasant morning to everyone,

Once again we are here at the East Queen Street Baptist Church to observe the start of the Michaelmas Session of the Home Circuit Court. This church, as it has since the early 1800s, continues to attend to the spiritual needs of those who worship here and it also has a hand in helping members of the community, especially through education. This edifice, one of such great historical significance, is also one to behold.

Ladies and gentlemen, Justice Reform remains high on the agenda of this Administration. Your theme this morning, **Living Justly: Giving Hope**, is most appropriate at this time. Those among you who live justly can rest assured in the hope that the changes being made to the Justice System should inure to your safety and security. When I addressed a similar service last year, I mentioned some of the legislative changes upon which this Administration embarked to achieve a more efficient and effective justice system. The work did not end there.

We are bringing meaningful and significant reforms to the Jury System in Jamaica, to tackle the delays in trials that are often caused by difficulties in empanelling a jury.

We recognized the paltry sum being paid to jurors was far from adequate. So one of the first things we did in June this year was to introduce regulations to increase the daily stipend paid to jurors from \$500 to \$2,000 for jury duty. This is the first such increase in 15 years, so as to provide a more realistic State contribution towards jurors' daily transportation and meals during the period of trials and thereby encourage more persons to volunteer their service as jurors.

More fundamentally, the Jury (Amendment) Bill 2015, was debated in the Upper House on Friday. It pleased me to see the level of support coming from both sides, especially from the Opposition. We did not take the Bill through all its stages on Friday in order to give some time to consider some of the suggestions emanating from the debate. This should not take us beyond the next sitting of the Senate.

But essentially, we will implement a number of important reforms by significantly reducing the categories of persons who are exempt from jury duty, facilitating an automated system for compiling and transmitting lists of potential jurors using a master list derived from combining the voter's list and the TRN list, reducing the number of jurors in non-capital murder cases from twelve (12) to seven (7) jurors, reducing the number of peremptory challenges (i.e. challenges where no cause has to be shown) available to the prosecution and the defence, and allowing the defence and prosecution

to mutually agree for a trial by judge only (in cases that would otherwise be tried by jury).

Another feature of the Bill is the statutory protection of employees summoned to serve as jurors against adverse action from their employers. We want citizens to feel that they can carry out their civic duty without any cloud of uncertainty or fear at it relates to their jobs and wages.

The Evidence (Special Measures) Act 2012 and its attendant Regulations were brought into effect on July 2 this year, allowing testimony of witnesses in criminal proceedings and coroner's inquests who cannot attend in person (for example, because they are overseas, or are subject to threat of attack by criminals) to be given via a live audio-visual link, and for the evidence in chief of child victims of crime to be taken by video recording right after the event when the event is fresh in their minds. The equipment to enable the legislation to be used has been installed in our major courts in Kingston, and funding has been committed by our international development partners to enable us extend this to all major courts across Jamaica.

The Evidence (Amendment) Bill 2015, passed by Parliament and brought into operation in August this year. Members of the Jamaican Bar are already pointing to rewards these changes in the law are producing. The changes allow agreed facts and documents to be admitted into evidence in criminal trials without wasting time by having to call witnesses to prove those non-disputed facts and documents, which was an anomaly that has added to delays and cost of trials in Jamaica. The Act will also facilitate the easier admissibility of computer-generated evidence by establishing a procedure of certification as to the operability of the computer, as has been

successfully done for decades in respect of ballistics under the Firearms Act, without having to prove it by calling live expert evidence in court. The Act has also introduced a useful new process of allowing accused persons who are in custody to designate counsel to appear on their behalf at pre-trial administrative hearings such as mention dates and bail applications, rather than requiring them to be brought to court. This has worked well in other countries, and reduces costs and delays associated with moving large numbers of prisoners to court for administrative pre-trial court dates where their presence is not required.

These are only but a few of the initiatives of what has been a very busy and productive legislative in this country.

Isaiah 1 verse 17 says: Learn to do good; seek justice, reprove the ruthless. May this be your desire as we seek to make this country a more prosperous place to live.

Thank you.