

Family Courts of Jamaica
The Chief Justice's Third Quarter Statistics Report for 2022
(Corporate Area Family Court, the Trelawny Family Court and
the St. James Family Court)

	JULY – SEPT. 2022		
	<u>2022</u>	<u>2021</u>	<u>2020</u>
Gross Case Clearance Rate (%)	87.07	88.91	93.16
Net backlog rate (%)	4.99	8.99	10.30

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Executive Summary

The specialized family courts in Jamaica continued a trend of commendable output in the third quarter of 2022 and in so doing are poised to make a strong contribution towards the realization of several key quantitative targets set out by the Honourable Chief Justice as part of the objective for the Jamaican judiciary to become one of the best performing court systems in the world over the next few years. One of the primary outcomes of these strategic targets is the attainment of a net case backlog rate of less than 5% across the Jamaican judiciary. Accomplishing such a goal will pivot the court system more firmly towards inspiring public confidence and in contributing immensely to creating the environment for business, investment and broader economic buoyancy. Indeed, the overall estimated net case backlog rate in the Specialized Family Courts stands at exactly 5% at the end of the third quarter of 2022. At the current rate, the net case backlog rate in the specialized courts should fall below 3% by the end of 2022.

There were 1539 new cases filed at the three specialized family courts included in this report, namely the Corporate Area Family Court, Trelawny and the St. James Family Court. The Corporate Area Family Court accounted for the largest share with 45.22%, followed by the St. James Family Court with 45.03% and the Trelawny Family Court with 9.75%. The same rank order also applied to cases disposed in the period.

On the matter of the case clearance rate which is one of the most critical measures of court performance, from which several metrics stem, the Corporate Area Family Court was also the leader for the quarter, netting an impressive 89.94%, followed by the Trelawny Family Court with

an equally noteworthy 89.33%. The St. James Family Court with a rate of 83.69% rounds off the list.

The Family Courts as a whole continue to face challenges with delay factors such as the absenteeism of applicants and respondents for hearings as well as due to outstanding scientific and other reports, among other factors. Strengthening the case management apparatus of these courts as well as greater levels of cooperation and efficiency from external parties and stakeholders will be useful in reducing the general incidence of delays going forward.

Aggregate case flow performance estimates for the third quarter ended September 30, 2022

Family Court	Number of new cases	Gross Number of disposed cases	Gross number of Inactive cases	Weighted Average Case Clearance Rate (%)
Corporate Area Family Court	696	590	36	89.94
St. James Family Court	693	555	25	83.69
Trelawny Family Court	150	103	31	89.33
Total/Weighted Average	1539	1248	92	87.07

The above table provides a summary of aggregate case activity across the featured specialized Family Courts in the third quarter of 2022. It shows that a total of 1539 new cases were filed in these courts, while 92 became inactive and 1248 were disposed, leading to an estimated weighted case clearance rate of 87.07%. The Corporate Area Family Court recorded the highest overall weighted case clearance rate among the featured courts with 89.94%, followed by the Trelawny Family Court with 89.33%.

Introduction

In recent years, an electronic data capture system has been implemented in the specialized Family Courts of the Corporate Area, Trelawny and the Western Regional Family Courts (comprising St. James, Westmoreland and Hanover) 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 statistics report on these specialized Family Courts, detailing a range of case related activities in the third quarter of 2022. The specialized family courts are quite unique 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 wide-ranging operational logistics involving the collection of payments and pay-outs for matters such as maintenance. The specialized Family Courts also tends to a number of distinct case types/macro business units, namely criminal, civil, domestic violence, family which includes maintenance, custody, adoption, declaration of paternity, guardianship and child welfare which includes childcare and protection and uncontrollable child. The criminal division and child welfare together make up the primary activities in the Children’s Court. This report primarily focusses on open court activity for the named specialize courts. 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 explaining 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. Due to ongoing adjustments to the Judicial Case Management System (JCMS) which is currently being piloted in the most family courts, not all of these courts are represented in this report.

Structure of Report

This third quarter statistics report for 2022 is subdivided into four primary chapters, the second focussing extensively on open court operations at the Corporate Area Family Court, followed by summary measures on the three specialized family courts in the Western Region, namely St. James, Westmoreland and Hanover and also the Trelawny Family Court.

Disclaimer

The numbers that are reflected in the case activity summary in the annual report may vary slightly from those quoted in the individual quarterly reports throughout the year due to occasional constraints with timely access to all records and other mitigating factors. Methodological adjustments may also result in slight variations in comparative figures across periods.

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 court and the Supreme Court jurisdictions. At the parish courts, a data capture system for criminal matters, called the CISS (Case Information Statistical System) has been operational in several courts for the past 5 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 Statistical Officer 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 data validation mechanism is in place to periodically sample case files in all parish courts and the Divisions of the Supreme Court. 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 websites of the Supreme Court and the Parish Courts; however, interim data required by stakeholders may be requested through the Office of the Chief Justice.

Chapter One: Case Activity in the Criminal Section (Corporate Area Family Court)

Case Activity in the Criminal Division (A Division of the Children’s Court)

Section 1.0: An analysis of Criminal Case Activity in the Family Courts in the third quarter of 2022

This Chapter of the document will examine a range of output and performance measurements for criminal matters in the Family Court for the quarter ended September 30, 2022. 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 metrics.

Table 1.0a: Sampling distribution of the status of charges handled at the Corporate Area Family Court in the third quarter ended September 30, 2022

Number of charges handled	Number of active charges	Number of disposed charges	Number of inactive charges
392	311	67	14

The above table shows a sampling distribution of 392 criminal charges that were handled at the Corporate Area Family Court in the third quarter of 2022. An increase of 165 charges or 72.69% when compared to the 227 charges recorded in the third quarter of 2021. At the end of the quarter, 311 matters or 79.34% were still active. A matter is considered inactive when no future court date is set, as is typically the case with warrant matters. A total of 14 or 3.57% of these charges originating were inactive at the end of the third quarter, while 67 or 17.09% were disposed.

Table 1.0b: Sampling distribution of the status of cases handled at the Corporate Area Family in the third quarter ended September 30, 2022

Number of individual cases filed	Number of active cases	Number of cases disposed	Number of cases inactive
189	148	34	7

The above table provides a sampling distribution of the case activity corresponding to the charges in the previous table. A sample of 189 criminal cases handled at the Corporate Area Family Court in the third quarter of 2022 is shown, 74 or 64.35% above the 115 cases recorded in the third quarter of 2021. Of the 189 new cases handled, 148 were still active at the end of the quarter, 34 were disposed and 7 were inactive. There was a ratio of one case to 2.07 charges handled in the third quarter of 2022. In other words, for every 100 cases handled, there were 207 charges. There was a ratio of 1 case to 1.66 charges recorded in the third quarter of 2021.

Table 1.0c: Distribution of cases statuses for criminal cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2022

Number of new cases filed	Number of active cases	Number of inactive cases	Number of disposed cases	Case disposal rate (%)	Case clearance rate (%)
52	44	0	8	15.38	78.85

The above table provides a summary of the distribution of case statuses for criminal cases filed at the Corporate Area Family Court in the third quarter of 2022. Of the 52 new criminal cases filed at this court, 44 were still active at the end of the quarter, while 8 cases were disposed. This resulted in a case disposal rate of 15.38% for criminal cases filed, a 3.54 percentage points decline when compared to the 18.92% recorded in the third quarter of 2021. A more robust measurement of the productivity of cases handled in any court is the case clearance rate, which provides a ratio of all cases disposed to the new cases filed in a given period. The data presented

in table 1.0b suggests that a total of 41 criminal cases were either disposed or became inactive in the quarter, resulting in a clearance rate of 78.85%, which is a 50.88 percentage point decline when compared to the third quarter of 2021. The Corporate Area Family Court has been employing the use of special 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 to other courts as it has yielded moderate success so far.

Table 2.0: Sampling distribution of case types for criminal charges filed at the Corporate Area Family Court for the third quarter ended September 30, 2022

Case Type	Frequency	Percentage (%)
Committal Proceedings	21	37.50
Indictments	15	26.79
Summary	13	23.21
Petty session	7	12.50
Total	56	100

The above table shows that the largest proportion of the sample of 56 criminal charges filed at the Corporate Area Family Court in the third quarter of 2022. Of these, 21 or 37.50% were committal proceedings, 15 or 26.79% were summary matters and 13 or 23.21% were Indictments. Petty sessions with 7 or 12.50% accounted for the lowest proportion of the sample of criminal charges in the quarter.

Table 3.0: Sampling distribution of the top five reasons for adjournment/continuance for the third quarter ended September 30, 2022

Reason for adjournment/continuance	Frequency	Percentage (%)
Social enquiry report requested	30	10.87
Sentencing	5	1.81
Medical report outstanding	4	1.45
Other	237	85.87
Total	276	100.0

The above data highlights the sampling distribution of the five leading reasons for adjournment/continuance for criminal cases heard during the third quarter ended September 30, 2022 at the Corporate Area Family Court. Aside from the category ‘other methods’, it is seen that social enquiry reported requested accounted for 30 or 10.87% of the sample. Sentencing with 5 or 1.81% rank next among the causes of delay in the progression of criminal of cases at this court, followed by medical report outstanding with 4 or 1.45%. The reason for adjournment provides critical insights into the range of both external and internal factors which explain delay in case progression. They therefore constitute an important part of computing the hearing trial date certainty rates, which are central measure of court.

Table 4.0: Sampling distribution of mention court frequency for the third quarter ended September 30, 2022

Descriptive Statistics (months)

Number of observations	388
Mean	5.19
Std. Error of Mean	.158
Median	4.00
Mode	3
Std. Deviation	3.113
Skewness	1.006
Std. Error of Skewness	.124
Range	17
Minimum	1
Maximum	18

The above table displays the descriptive statistics on mention court frequency for criminal matters at the Corporate Area Family Court in the third quarter of 2022. It is seen that the average number of mentions per case is 5.19, an indication that for every 10 cases there were roughly 52 mentions. The median number of mentions was 4, the mode value was 3. The maximum number of mentions per matter in the quarter was 18 mentions, while the minimum was 1 mention. The moderate standard deviation is an indication that there was some amount of variations in the mention court frequency of individual cases around the average incidence. The positive skewness is an indication that a larger proportion of the scores in the data set fell below the average mention court frequency. The result is above the prescribed maximum rate 5 mentions per case, based on international best practices.

Table 5.0: Sampling distribution of methods of disposition for the third quarter ended September 30, 2022

Method of Disposition	Frequency	Percentage (%)
Transferred	17	25.76
Guilty	16	24.04
Granted	6	9.09
Other	27	40.91
Total	66	100.0

The above table summarizes the methods of disposition for a sample of 66 criminal charges disposed within the third quarter of 2022. Aside from methods of disposition pooled under the category “other methods”, it is seen that matters transferred to another court with 17 or 25.76% accounts for the largest of disposition in the quarter. Guilty verdicts with 16 or 24.04% and applications granted with 6 or 9.09% of the sample completes the list.

Table 7.0: Sampling distribution of the types of sentencing/orders made in the third quarter ended September 30, 2022

Type of Order/Sentencing	Frequency	Percentage (%)
Probation Order	20	83.33
Other	4	16.67
Total	24	100.00

It is seen in the table above that from the sample of 24 orders made in the third quarter of 2022, the majority were probation orders with 20 or 83.33%, while the remaining 4 or 16.67% was accounted for by the category “other”.

Table 8.0: Sampling distribution of times to disposition for the quarter ended September 30, 2022

Descriptive statistics (in days)

Number of observations	61
Mean	276.21
Std. Error of Mean	35.661
Median	125.00
Mode	125
Std. Deviation	278.521
Skewness	1.735
Std. Error of Skewness	.306
Range	1331
Minimum	3
Maximum	1334

The above descriptive statistics provide a summary of the time taken to dispose of a sample of 61 matters resolved in the third quarter of 2022. It is seen that the average time taken to dispose of these cases was roughly 276 days or 9.2 months, while the median time and the most frequently occurring time to disposition in the quarter (mode) were both 125 days. The standard deviation suggests that there is a wide variation in the individual times, while the positive skewness suggests that a significant portion of the times to disposition in the data set fell below the overall average time to disposition. The maximum time taken to dispose of these cases was roughly 1334 days or 3.7 years and the minimum was 3 days.

Case Demographics

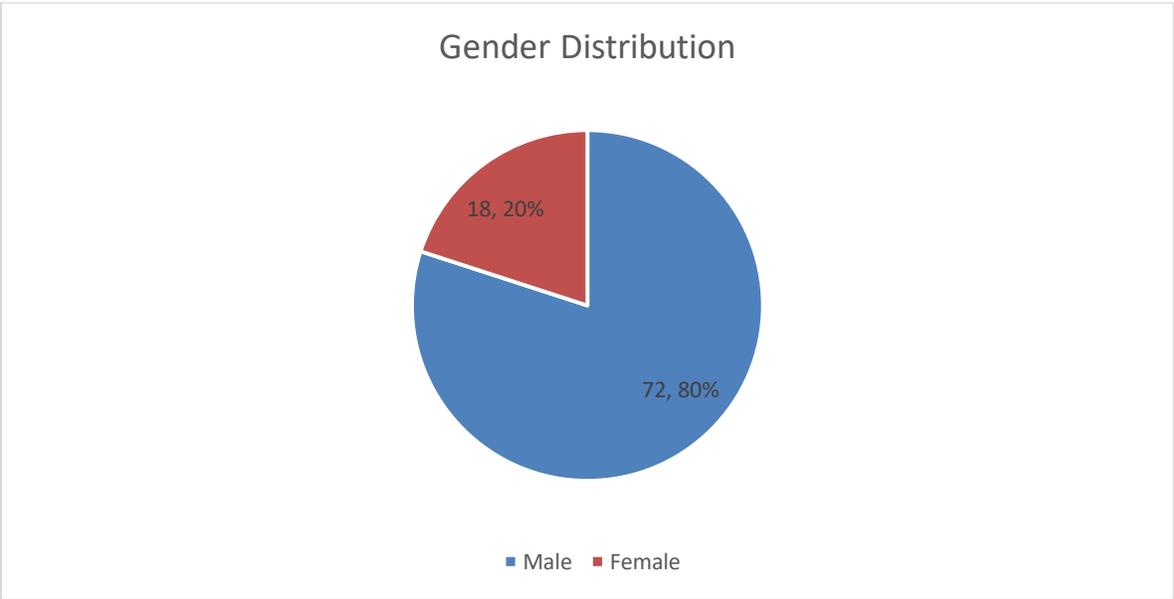
Table 1.0: Sampling distribution of the leading offences filed at the Corporate Area Family Court in the third quarter ended September 30, 2022

Type of offence	Frequency	Percentage (%)
Grievous sexual assault	8	9.20
Assault occasioning bodily harm	7	8.05
Unlawful wounding	6	6.90
Indecent assault	5	5.75
No insurance coverage	5	5.75
Offensive Weapon	5	5.75
Sub-total	36	41.38

Sample of offences filed in the third quarter of 2022 is 87

The above table provides a summary of the most frequently occurring charges filed in the third quarter of 2022 at the Corporate Area Family Court. Of a sample of 87 offences filed in the third quarter, it is seen that 8 or 9.20% were matters of grievous sexual assault. This was followed by assault occasioning bodily harm with 7 or 8.05% and unlawful wounding with 6 or 6.90% of the sample. Indecent assault, no insurance coverage and offensive weapon each recorded 5 or 5.75% of the sample. Of the leading charges listed in the table above, unlawful wounding and no insurance coverage had the highest proportion of male offenders with 100% each, while grievous sexual assault had the highest proportion of female offenders with 50% of the sample.

Chart 1.0: Distribution of offences by gender for the third quarter ended September 30, 2022



The above chart shows the distribution of offences filed by gender, using a sample of 90 matters. Males account for the overwhelming proportion of matters with 80%, while females accounted for the remaining 20% of matters filed. When compared to the third quarter of 2021, 61.25% of the sample was accounted for by males, while the remaining 38.75% was accounted for by females.

Table 2.0: Breakdown of leading charges by gender in the third quarter ended September 30, 2022

Charge	Male		Female		Total
	Count	%	Count	%	
Assault occasioning bodily harm	7	77.78	2	22.22	9
Unlawful wounding	6	100.00	0	0.00	6
No insurance coverage	5	100.00	0	0.00	5
Grievous sexual assault	4	50.00	4	50.00	8
No driver's license	4	100.00	0	0.00	4
Offensive Weapon	4	80.00	1	20.00	5
Buggery	3	100.00	0	0.00	3
Unlicensed vehicle	3	100.00	0	0.00	3
Assault at common law	2	100.00	0	0.00	2
Illegal possession of firearm	2	100.00	0	0.00	2

The above tables summarize the distribution of the leading charges filed by gender in the third quarter of 2022. Males are especially dominant with the charges of buggery with 100%, unlawful wounding (100%), unlicensed vehicle (100%), assault at common law (100%), illegal possession of firearm (100%) and no insurance coverage (100%). As it relates to females charged, the charge with the highest frequency was grievous sexual assault 4 or 50% of the total sample.

Table 3.0: Descriptive statistics on the age of offenders for the third quarter ended September 30, 2022

Descriptive statistics (in years)

Number of observations	55
Mean	16.13
Std. Error of Mean	.806
Median	16.00
Mode	16
Std. Deviation	5.979
Skewness	5.513
Std. Error of Skewness	.322
Range	44
Minimum	11
Maximum	55

The above descriptive statistics provide a statistical summary of the ages of persons charged in a sample of 55 criminal matters handled in the third quarter of 2022. It is seen that the overall average age is roughly 16.13 years. The oldest person charged was 55 years and the youngest 11. The median age and modal age were both 16 years old. The low standard deviation is an indication that the ages of persons charged did not vary widely from the overall mean age and the positive skewness is an indication that there most scores in the data set are below the series mean.

Table 4.0: Courtroom/outstation distribution for new matters heard in the third quarter ended September 30, 2022

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	90	100
Total	90	100

It is shown in the above table that all criminal cases heard at the Corporate Area Family Court in the third quarter of 2022 took place in the Children’s court.

Section 2.0: Case Activity in the Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Corporate Area Family Court in the third quarter of 2022. Matters classified under the general case type category classified as child welfare includes uncontrollable child and childcare and protection.

Table 1.0: Distribution of Child Welfare matters handled at the Corporate Area Family Court in the third quarter ended September 30, 2022

Number of matters handled	Matters active	Matters disposed	Inactive matters
96	40	56	0

The above table details the outcome of 96 Child Welfare matters, which were handled by the Family Court in the Corporate Area in the third quarter of 2022, an increase of 20 charges or 26.32% when compared to the 76 charges recorded in the third quarter of 2021. At the end of the quarter, 40 matters were still active, and 56 were disposed.

Table 2.0a: Distribution of new Child Welfare cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2022

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
42	25	17	0	40.48

The above data shows a sample of 42 child welfare cases filed at the Corporate Area Family Court in the third quarter of 2022, which is 3 cases or 7.69% above the 39 cases recorded in the third quarter of 2022. Of this, 17 cases were disposed and 25 were still active at the end of the quarter. This produced a case disposal rate of 40.48% for these types of cases, which is 2.02 percentage points more than the disposal rate recorded in the corresponding third quarter of 2021.

2.0b: Clearance rate summary for the Corporate Area Family Court for the third quarter ended September 30, 2022

New Child Welfare cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
42	0	51	121.43

The above Table shows that there was an aggregate of 51 child welfare cases which were disposed of in the third quarter of 2022 at the Corporate Area Family Court. This produced a case clearance rate of 121.43%, which is above the international standard and is 36.81 percentage points more than the clearance rate recorded in the corresponding third quarter of 2021.

Table 3.0: Sampling distribution of the types of Child Welfare matters filed in the third quarter ended September 30, 2022

Types of cases	Frequency	Percentage (%)
Child Care and Protection	26	61.90
Uncontrollable Child	16	38.10
Total	42	100.00

A sample of 42 child welfare matters filed in the third quarter of 2022 revealed that the majority of cases filed were childcare and protection matters with 26 or 61.90% of the sample, while matters of uncontrollable child with 16 or 38.10% accounted for the remaining proportion.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for child welfare matters heard in the third quarter ended September 30, 2022

Reasons for adjournment	Frequency	Percentage (%)
Adjourned for psychiatric evaluation	2	9.52
Adjourned for counselling	1	4.76
Social Enquiry Report Outstanding	1	4.76
Other	17	80.95
Total	21	100.00

The above data highlights the sampling distribution of the five leading reasons for adjournment/continuance for child welfare cases heard during the third quarter ended September 30, 2022 at the Corporate Area Family Court. Aside from the category ‘other methods’, it is seen that matters adjourned for psychiatric evaluation accounted for 2 or 9.52% of the sample. Matters adjourned for counselling and Social Enquiry Report Outstanding with 1 or 4.76% each rank next among the causes of delay in the progression of criminal of cases at this court. The reason for adjournment provides critical insights into the range of both external and internal factors which explain delay in case progression. They therefore constitute an important part of computing the hearing trial date certainty rates, which are central measure of court.

Table 5.0: Sampling distribution of mention court frequency for Child Welfare matters heard in the in the third quarter ended September 30, 2022

Descriptive statistics (months)

Number of observations	52
Mean	2.0962
Std. Error of Mean	.24294
Median	1.0000
Mode	1.00
Std. Deviation	1.75186
Skewness	2.283
Std. Error of Skewness	.330
Range	8.00
Minimum	1.00
Maximum	9.00

The above table displays the descriptive statistics on mention court frequency for 52 child welfare matters at the Corporate Area Family Court in the third quarter of 2022. It is seen that the average number of mentions per case is roughly 2.1, an indication that for every 10 cases there were 21 mentions. The median number of mentions and the modal number of mentions both stood at 1. The maximum number of mentions per matter in the quarter was 9, while the minimum was 1. The standard deviation is moderate, an indication that there is some variation in the mention court frequency of individual cases. The positive skewness is an indication that the higher proportion of the scores in the data set fell below the series average. These outputs are within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 6.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2022

Method of Disposition	Frequency	Percentage (%)
Granted	47	81.03
Transferred	4	6.90
Dismissed	2	3.45
Struck out	2	3.45
Withdrawn	2	3.45
Other	1	1.72
Total	58	100.00

The above table summarizes the methods of disposition for a sample of 58 child welfare matters in the third quarter of 2022. It is seen that applications granted accounted for the majority of the sample with 47 or 81.03%. Matters transferred to another court accounted for 4 or 6.90% and matters dismissed, struck out and applications withdrawn accounted for 3.45% each of the sample.

Table 7.0: Sampling distribution of the times to disposition for Child Welfare matters for the third quarter ended September 30, 2022

Descriptive statistics (in days)

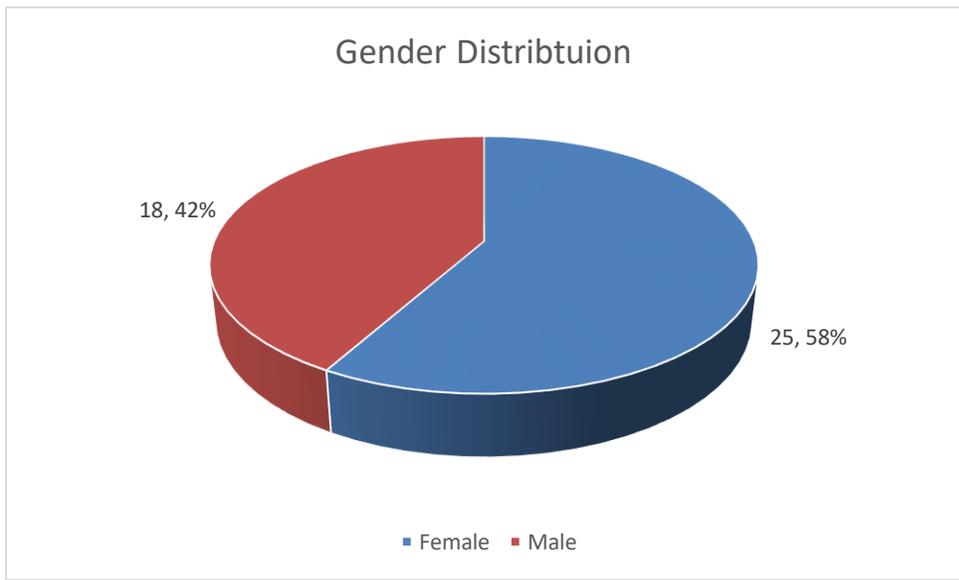
Number of observations	53
Mean	93.4906
Median	70.0000
Mode	90.00
Std. Deviation	79.84423
Skewness	3.209
Std. Error of Skewness	.327
Range	449.00
Minimum	22.00
Maximum	471.00

The above table provides a descriptive statistical summary of the times taken to dispose of child welfare cases in the third quarter of 2022. It is shown that from a sample of 53 matters disposed in the quarter, the average time to disposition was 94 days or roughly 3.1 months. The maximum time taken to dispose of the cases used in this sample was 471 days, while the lowest time taken was 22 days. The overall standard deviation of approximately 80 days was moderate, indicating there was some amount of variation in the times to disposition. The positive skewness is an indication that a larger proportion of the data points were clustered around the overall mean.

Case initiation and case demographics –Child Welfare matters in the third quarter ended September 30, 2022

In this subsection of the report, there is an examination of the case party demographics for the cases which had some activity in the third quarter of 2022.

Chart 1.0: Sampling distribution of the gender of children associated with new cases handled for the third quarter ended September 30, 2022



The above chart shows that 58% of a sample of 43 children involved in child welfare cases filed were female, with males accounting for 42% of the sample.

Table 8.0: Sampling distribution of matters by courtroom/outstation assignment for the third quarter ended September 30, 2022

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	44	100.00
Total	44	100.00

The above table shows the distribution of 44 child welfare matters filed by courtroom of assignment. It is shown that the children's court accounted for all of the cases initiated.

Section 3.0: Case Activity on Family Division (A Division of the Children's Court)

This section examines case activity for matters classified as Family Matters in the Corporate Area Family Court in the third quarter of 2022. Matters classified under the general case type category classified as family matters includes maintenance, custody and declaration of paternity matters.

Table 1.0: Distribution of family matters handled at the Corporate Area Family Court in the third quarter ended September 30, 2022

Number of matters handled	Matters active	Matters disposed	Inactive matters
1485	917	546	22

The above table details the outcome of the 1485 family matters, which were handled by the Corporate Area Family Court in the third quarter of 2022, an increase of 492 charges or 49.55% when compared to the 993 charges recorded in the third quarter of 2021. At the end of the quarter, 917 matters were still active and 546 were disposed. There remaining 22 matters were inactive at the end of the quarter.

Table 2.0a: Distribution of new family cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2022

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
457	387	67	3	15.32

The above data shows a sample of 457 new child welfare cases handled at the Corporate Area Family Court in the third quarter of 2022, 176 more cases or 62.63% above the 281 cases recorded in the third quarter of 2021. Of this, 67 cases were disposed, 3 cases became inactive and 387 were still active at the end of the quarter. This produced an estimated case disposal rate of 15.32% for these types of cases and is 11.76 percentage points more than the case disposal rate recorded in the corresponding third quarter of 2021.

2.0b: Clearance rate summary for the Family Courts for the third quarter ended September 30, 2022

New Family cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
457	18	361	82.93

The above table shows that in the third quarter of 2022 in the family division, there were 361 disposed cases and 18 cases which became inactive. This produced an estimated case clearance rate of 82.93% which meets the international standard and is 0.70 percentage points less than the case clearance rate recorded in the corresponding third quarter of 2021.

Table 3.0: Sampling distribution of the types of Family matters filed in the third quarter ended September 30, 2022

Types of cases	Frequency	Percentage (%)
Maintenance	299	46.21
Custody	200	30.91
Declaration of paternity	148	22.87
Total	647	100.00

A sample of 647 matters filed at the Corporate Area Family Court in the third quarter of 2022 revealed that the highest proportion of cases filed were maintenance matters with 299 or 46.21% of the sample. This was followed by 200 or 30.91%, which were custody matters and 148 or 22.87% which were matters of declaration of paternity.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for Family matters heard in the third quarter ended September 30, 2022

Reasons for adjournment/continuance	Frequency	Percentage (%)
Deoxyribonucleic Acid (DNA) Results Outstanding	62	22.06
Re-Issue	43	15.30
Social Enquiry Report Outstanding	22	7.83
Matter Left off the list	13	4.63
Absenteeism of Respondent	7	2.49
Sub-total	147	52.31

Sample size= 281

The above table is derived from a sample of 281 adjournments heard in the third quarter of 2022. The largest share of adjournments, 62 or 22.06% were due to Deoxyribonucleic Acid (DNA) results outstanding, followed by adjournments for re-issue with 43 or 15.40% and adjournments due to Social Enquiry Report outstanding with 22 or 7.83%. Adjournments due to matters left of court list with 13 or 4.63% and the absenteeism of respondents with 7 or 2.49% rank next.

Table 4.0b: Sampling distribution of mention court frequency for family matters heard in the third quarter ended September 30, 2022

Descriptive statistics

Number of observations	991
Mean	2.2402
Median	1.0000
Mode	1.00
Std. Deviation	2.06824
Skewness	2.614
Std. Error of Skewness	.078
Range	15.00
Minimum	1.00
Maximum	16.00

The above table displays the descriptive statistics on mention court frequency for 991 family matters at the Corporate Area Family Court in the third quarter of 2022. 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. The median number of mentions and modal number of mentions both stood at 1. The maximum number of mentions per matter in the quarter was 16, while the minimum was 1 mention. The standard deviation is high, an indication that there is a wide variation in the mention court frequency of individual cases. The positive skewness shown 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 of the methods of disposition for the third quarter ended September 30, 2022

Method of Disposition	Frequency	Percentage (%)
Granted	259	47.96
Struck out	241	44.63
Withdrawn	34	6.30
Denied	4	0.74
Other	1	0.19
Transferred	1	0.19
Total	540	100.00

The above table summarizes the methods of disposition for a sample of 540 family matters in the third quarter of 2022. It is shown in the sample that the highest proportion of matters were applications granted, accounting for 259 or 47.96% of the sample of disposed matters. This was matters struck out with 241 or 44.63% of the sample. Applications withdrawn with 34 or 6.30% and applications denied with 4 or 0.74% of the sample follow.

Table 6.0: Sampling distribution of the times to disposition for family matters for the third quarter ended September 30, 2022

Descriptive statistics (in days)

Number of observations	294
Mean	154.1259
Std. Error of Mean	9.81669
Median	108.5000
Mode	40.00 ^a
Std. Deviation	168.32121
Skewness	3.977
Std. Error of Skewness	.142
Range	1330.00
Minimum	7.00
Maximum	1337.00

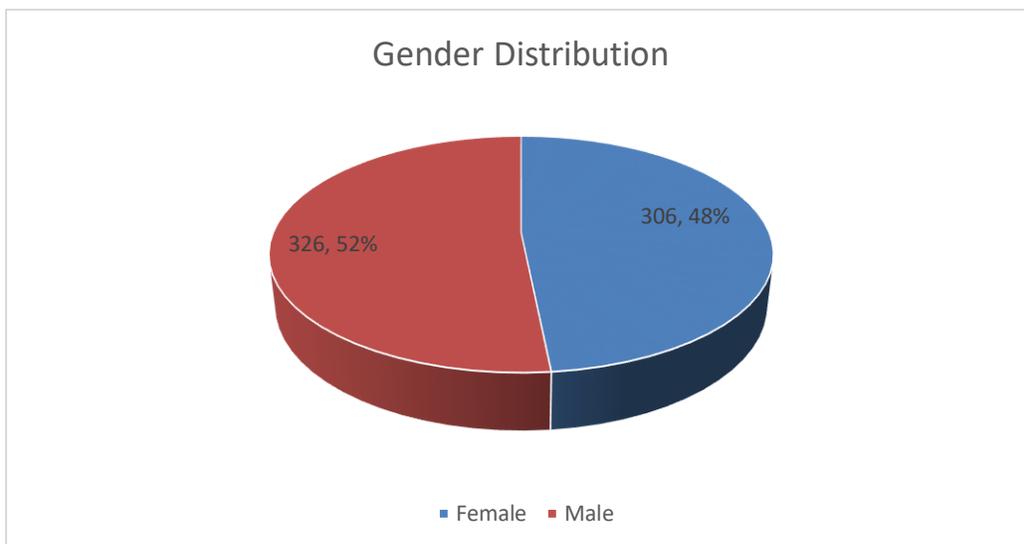
a. Multiple modes exist. The smallest value is shown

The above table provides a descriptive statistical summary of the times taken to dispose of family cases at the Family Court in the Corporate Area in the third quarter of 2022. It is shown that from a sample of 294 matters disposed in the quarter, the average time to disposition was 154 days or roughly 5.1 months. The maximum time taken to dispose of the cases used in this sample was 1337 days or 3.7 years, while the lowest time taken was 7 days. The overall standard deviation of approximately 168 days was relatively high, indicating a wide variation in the times to disposition. The positive skewness was high, an indication that a decidedly larger the proportion of the data points fell below the overall mean.

Case initiation and case demographics –Family matters in the third quarter ended September 30, 2022

In this subsection of the report, there is an examination of the case party demographics for the cases which had some activity in the third quarter of 2022, 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 gender of children associated with new cases for the third quarter ended September 30, 2022



The above chart shows that 326 or 52% of a sample of 632 children involved in family matters filed were male, with females accounting for 48% of the sample.

Table 7.0: Descriptive statistics on age distribution of parties involved in cases filed in the third quarter ended September 30, 2022

Descriptive statistics (in years)

Number of observations	636
Mean	7.4371
Std. Error of Mean	.26492
Median	6.0000
Mode	1.00
Std. Deviation	6.68109
Skewness	2.396
Std. Error of Skewness	.097
Range	51.00
Minimum	.00
Maximum	51.00

The table above shows the descriptive statistics on a sample of age of parties involved in cases for family case types for the third quarter ended September 30, 2022. It is shown from a sample of 636 matters that the average age was 7.4 years. The maximum age in this sample was 51 years, while the minimum age was less than a year. The overall standard deviation of approximately 6 years was relatively high, indicating a wide variation in the ages in the distribution. The positive skewness indicates a decisive leaning towards the lower ages in the distribution.

Table 8.0: Sampling distribution of cases by courtroom/outstation assignment for the third quarter ended September 30, 2022

Courtroom/Outstation	Frequency	Percentage (%)
Courtroom #2 (main courthouse)	297	46.19
Courtroom #3 (main courthouse)	230	35.77
Courtroom #1 (main courthouse)	116	18.04
Total	643	100.00

The above table shows the distribution of 643 family matters filed, by courtroom of assignment. It is shown that courtroom 2 at the main courthouse with 297 or 46.19% of the matters accounted for the highest proportion of the sample of initiated, with courtroom 3 at the main courthouse with 230 or 35.77% ranking next. Courtroom 1 with 116 or 18.04% of the sample rounds off the accommodations in the sample.

Section 4.0: Summary of case activity for Domestic Violence matters filed in the third quarter ended September 30, 2022

The below subsection provides a basic summary of case activity for Domestic Violence cases filed at the Family Court in the Corporate Area in the third quarter ended September 30, 2022.

Table 1.0: Summary of matters filed in the third quarter ended September 30, 2022

New matters filed	Matters active	Matters inactive	Matters disposed
171	89	1	81

The above table shows that 171 domestic violence matters were filed in the third quarter of 2022, 89 of which were still active at the end of the period. There were 81 of the matters disposed at the end of the quarter and 1 case which became inactive. 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 third quarter ended September 30, 2022

New cases filed	Active cases	Inactive cases	Disposed cases	Case Disposal Rate (%)
145	78	1	66	46.21

An equivalent number of 145 new domestic violence cases were filed in the third quarter of 2022, of which 78 were active and 66 were disposed and 1 became inactive at the end of the quarter.

This produces an estimated disposal rate of 46.21%, which is 3.79 percentage points below the disposal rate of 50% recorded for the third quarter of 2021.

Table 2.0b: Summary of gross case activity for the third quarter ended September 30, 2022

New Domestic Violence cases filed	Gross number of Inactive cases	Gross number of Disposed cases	Clearance Rate (%)
145	11	144	106.90

The data above shows that a total of 155 domestic violence cases which were either disposed or became inactive in the third quarter of 2022 at the Corporate Area Family Court. This produces an estimated case clearance rate of 106.90%, which meets the international standard and is also 8.82 percentage points above the clearance rate of 98.08% recorded for the third quarter of 2021.

Table 3.0: Sampling distribution of cases by courtroom/outstation assignment for the third quarter ended September 30, 2022

Courtroom/outstation	Frequency	Percentage
Courtroom #2 (main courthouse)	83	48.54
Courtroom #3 (main courthouse)	55	32.16
Courtroom #1 (main courthouse)	33	19.30
Total	171	100.00

The above table shows the distribution of 171 domestic violence matters filed, by courtroom of assignment. It is shown that courtroom 2 at the main courthouse with 83 or 48.54% of the matters accounted for the highest proportion of cases sampled, with courtroom 3 at the main courthouse accounting for 55 or 32.16% ranking next. Courtroom 1 with 33 or 19.30% of the sample rounds off the accommodations in the sample.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for family matters heard in the third quarter ended September 30, 2022

Adjournments/Continuances	Frequency	Percentage
Re-Issue	11	25.58
Matter left off the list	10	23.26
Other	10	23.26
No Parties, No Returns-Re-Issue Application	5	11.63
No Returns-Re-Issue Application	5	11.63
Adjourned for counselling	2	4.65
Total	43	100.00

The above table is derived from a sample of 43 adjournments heard in the third quarter of 2022.

The largest share of the sample, 11 or 25.58% were due to re-issue application, followed by matters left off the court list and adjournments pooled under the category “other” with 10 or 23.26% each of the sample.

Table 5.0: Sampling distribution of the times to disposition for domestic violence matters for the third quarter ended September 30, 2022

Descriptive Statistics (days)

Number of observations	77
Mean	113.8052
Median	92.0000
Mode	45.00
Std. Deviation	87.87986
Skewness	1.652
Std. Error of Skewness	.274
Range	490.00
Minimum	1.00
Maximum	491.00

The above table shows that the average time taken to dispose of a sample of 77 matters in the third quarter of 2022 was roughly 114 days or 3.8 months. The standard deviation of 87 days is moderate, indicating that there's some amount of dispersion of the individual times in the data set. The skewness of the data is positive, which is an indication that a decidedly larger number of the observations fell below the overall mean score. The maximum time taken to dispose of these matters was 491 days or 1.4 years, while 1 day was the lowest time.

Table 6.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2022

Method of Disposition	Frequency	Percentage (%)
Struck out	91	52.00
Granted	63	36.00
Withdrawn	20	11.43
Other	1	0.57
Total	175	100.00

The above table summarizes the methods of disposition for a sample of 175 domestic violence matters disposed of in the third quarter of 2022 at the Corporate Area Family Court. It is seen that matters struck out account for the majority of the sample with 91 or 52% of the sample. This was followed by applications granted with 63 or 36% and applications withdrawn with 20 or 11.43% of the sample.

Table 7.0: Distribution of applications for restraining orders in the third quarter ended September 30, 2022

Type of restraining order	Number of orders made	Equivalent number of cases	Percentage of total orders
Protection Order	284	277	82.08
Occupation Order	62	62	17.92
Total	346	339	100.00

Using a sample of cases filed predominantly since 2018, the above table provides a sampling distribution of applications for restraining order filed. It is seen that of an estimated 346 such orders heard predominantly in the third quarter ended September 30, 2022, the overwhelming majority were protection orders with 284 or 82.08%, while occupation orders accounted for 62 or 17.92% of the matters.

The ensuing tables summarize the relationships between the case parties involved in restraining order application heard in the third quarter ended September 30, 2022.

Table 8.0a: Distribution of the relationship between parties for protection order applications made in the third quarter ended September 30, 2022

Relationship	Frequency	Percentage
Former Partner	195	71.69
Estranged wife/husband	27	9.93
Other	23	8.46
Parent/Child	13	4.78
Members of Household	7	2.57
Spousal	7	2.57
Total	272	100.00

For the sample of applications for protection orders made over the stated primary period, the majority of the relationships between the case parties concerned was that of former partners, accounting for a notable 71.69%, followed in distant second by estranged partners with 9.93% and other relations with 8.46%, rounding off the top three.

Table 8.0b: Distribution of the relationship between parties for occupation order applications made in the third quarter ended September 30, 2022

Relationship	Frequency	Percentage
Former Partner	28	48.28
Estranged wife/husband	11	18.97
Other	8	13.79
Parent/Child	7	12.07
Members of Household	2	3.45
Spousal	2	3.45
Total	58	100.00

The largest proportion of the relations in the sample of 58 applications for occupation order was also that of former partners, accounting for 48.28% of the sample. This is followed by estranged partners with 18.97% and other relations with 13.79% of the sample. The below tables summarize the leading methods of disposition for the earlier listed types of restraining orders over the stated period.

Table 9.0a: Distribution of methods of disposition for Protection Orders made in the third quarter ended September 30, 2022

Method of Disposition	Frequency	Percentage (%)
Struck out	74	51.03
Granted	55	37.93
Withdrawn	15	10.34
Other	1	0.69
Total	145	100.00

The dominant methods of disposition for 145 protection order applications are disposals by being struck out (51.03%), applications granted (37.93%) and applications withdrawn (10.34%).

Table 9.0b: Distribution of methods of disposition for Occupation Orders made in the third quarter ended September 30, 2022

Method of Disposition	Frequency	Percentage (%)
Struck out	17	54.84
Granted	8	25.81
Withdrawn	6	19.35
Total	31	100.00

The dominant methods of disposition for 31 occupation order applications are disposals by being struck out (54.84%), applications granted (25.81%) and applications withdrawn (19.35%).

Summary of case activity for matters filed in the third quarter of 2022 at the Corporate Area Family Court

Table 1.0a: Summary of new case activity for cases in the third quarter ended September 30, 2022

Aggregate Number of new cases filed	Number of Active cases	Number of inactive cases	Number of Disposed Cases	Weighted Case Disposal Rate (%)
696	534	4	158	23.28

The above table provides a summary of total case activity cross all business lines at the Corporate Area Family Court for the third quarter of 2022. It is shown that there was a total of 696 new cases filed, of which 158 were disposed and 4 became inactive, thereby producing an estimated weighted case disposal rate of 23.28% for the quarter across all case types, 5.06 percentage points above the recorded weighted disposal rate for the corresponding third quarter of 2021. Domestic violence cases with a case disposal rate of 46.21%, family cases with a disposal rate of 15.32%, Child Welfare cases with a disposal rate of 40.48% and criminal cases with a rate of 15.38% completes the distribution of the case disposal rates across the macro case units.

Table 1.0b: Summary of case activity for cases in the third quarter ended September 30, 2022

Aggregate Number of new cases filed	Number of inactive cases	Number of Disposed cases	Number of Disposed or inactive Cases (of those originating in the quarter)	Overall Weighted Case Clearance Rate (%)	Overall Weighted Case Disposal Rate (%)
696	36	590	162	89.94	23.28

The above table shows that a grand total of 696 new cases were filed across the business lines at the Corporate Area Family Court in the third quarter of 2022, while 590 cases were disposed and 36 became inactive. This produces an estimated weighted case clearance rate of 89.94% across all the case types in the third quarter of 2022, which is 0.73 percentage points below the overall weighted case clearance rate recorded in the third quarter of 2021. Child welfare cases with 121.43% had the highest clearance rate, followed by domestic violence cases with 106.90% and family division cases with 82.93%. Criminal cases had the lowest estimated clearance rate in the quarter with 78.85%. By any measure, these are quite impressive results. As indicated, the Corporate Area Family Court also recorded an overall weighted average case disposal rate of 23.28% in the quarter, ranging from a low of 15.32% in the family Division to a high of 46.21% in the domestic violence subdivision.

Table 2.0: Sampling distribution of courtroom utilization rate for the third quarter ended September 30, 2022

Parish Court	Average overall Courtroom Utilization Rate (%)	Highest Recorded Courtroom Utilization Rate (%)	Lowest Recorded Courtroom Utilization Rate (%)	Standard Deviation of the Courtroom Utilization Rate (%)	Average Courtroom Utilization Rate for Night Court sittings (%)	Average Number of Courtroom Adjournments Per Day
Corporate Area Court-Family	67.78	212.50	5.28	39.50	-	-

The above table details the courtroom utilization rate for the Corporate Area Family Court for the third quarter of 2022. The courtroom utilization rate provides a measurement of the proportion of available hours for open court hearings in all courtrooms (including outstations) which are utilized. If the usage of any courtroom exceeds the available hours, then the utilization rate will exceed 100% and the rate will fall below 100% if less than the available hours are utilized. The prescribed international standard for the courtroom utilization rate is 100%, which means that all hours allocating for court hearings in any court, on any given day should be utilized. The overall average courtroom utilization rate for the Corporate Area Family Court in the quarter was roughly 67.78%, which is an indication that on average roughly 68% of the available hours for court hearings in the third quarter of 2022. The standard deviation of the courtroom utilization rates is moderate, suggesting that on average the rates did not vary widely from the overall mean.

The sample size of days used to compute the rates for each court were sufficiently large and representative, though not the same for all courts. The margin of error of the courtroom utilization rates is a reliable $\pm 2.5\%$.

Table 3.0: Descriptive statistics on the time to disposition for cases disposed as at the third quarter ended September 30, 2022

Family Courts	Time to disposition (days)							
	Average	Mode	Median	Standard Deviation	Skewness	Minimum	Maximum	Sample size (N)
Corporate Area Court-Child welfare	85.39	56	64	68.04	1.92	1	491	453
Corporate Area Court-Criminal	222.15	90	144	229.77	2.46	1	1758	1864
Corporate Area Court-Domestic Violence	163.86	56	101	207.97	6.61	1	3931	1431
Corporate Area Court-Family	208.01	28	125	300.72	5.68	1	4142	4519
Total/Weighted Average	196.84	57.50	108.50	201.63	4.17	1.00	2580.50	2066.75
Standard Deviation	61.54	25.37	34.49	97.46	2.33	0.00	1761.12	1738.10
Skewness	-1.16	0.35	-0.64	-1.00	0.09	0.00	-0.42	1.31

Number of matters sampled (N) = 8267

The table above shows the descriptive statistics on a sample of matters disposed at the Corporate Area Family Court as at September 30, 2022, covering at least a 132-week period. The output produces an estimated weighted average time taken to dispose of matters of approximately 197 days. The skewness of these times to disposition is -1.16, suggesting that significantly more these times were above the overall mean. For the matters disposed in the period, the child welfare division (85 days) took the lowest time on average to dispose of cases over the period. The

domestic violence division (164 days), the family division (208 days) and the criminal division (222 days) rank next. The average variation among the times to disposition across these divisions is however modest, as shown by the standard deviation (61.54). The maximum times to disposition in the sample ranged from a low of 491 days (16.4 months/1.4 years) in the child welfare division, to a high of 4142 days (138.1 months/11.5 years) in the family division, while the overall minimum time to disposition was one day. The sample size used to compute these descriptive data was a substantial and representative 8267 matters.

Chapter 2.0: The St. James Family Court (A Division of the Western Regional Family Court)

This chapter of the document will examine a summary of selected output and performance measurements for matters in the St. James Family Court for the third quarter ended September 30, 2022. Such will involve analyses of caseload, case type distribution, case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases for the third quarter ended September 30, 2022

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Committal	5	1	0	20.00
Indictments	4	6	0	150.00
Summary	9	10	0	111.11
Petty Session	2	3	0	150.00
Total/Weighted Average	20	20	0	100.00

The above table shows that the sample of 20 criminal cases filed at the St. James Family Court in the third quarter ended September 30, 2022. Of these, 9 or 45% were summary matters, 7 or 35% were committal proceedings, 4 or 20% were indictment matters and 10% were petty session matters. There was a total of 20 criminal cases disposed of during third quarter ended September 30, 2022. Of these, 10 summary cases were disposed, 6 indictment cases were disposed, 3 petty session cases were disposed and 1 committal case was disposed of during the quarter. This led to an estimated weighted clearance rate of 100% for these types of cases, which is 40 percentage points below the corresponding third quarter of 2021 weighted average case clearance rate of 140%.

Case Activity on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the St. James Family Court for the third quarter ended September 30, 2022. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the third quarter ended September 30, 2022

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Childcare and protection	38	39	4	113.16
Uncontrollable Child	20	19	1	100.00
Total Weighted Average	58	58	5	108.62

There were 58 child welfare cases filed at the St. James Family Court in the third quarter ended September 30, 2022, the majority of which were childcare and protection cases which accounted for 38 or 65.52%, while cases of uncontrollable child with 20 or 34.48% accounted for the remaining proportion. A total of 58 child welfare cases were disposed of, while 5 became inactive during the quarter. There were 39 childcare and protection cases disposed of during the quarter and 4 became inactive, while 19 uncontrollable child cases were disposed of and 1 became inactive. These results led to estimated case clearance rates of 113.16% for child care and protection cases and 100% for uncontrollable child cases, further yielding a weighted average case clearance rate of 108.62% which satisfies the international standards on this vital metric and is 6.45 percentage points above the corresponding third quarter of 2021 weighted case clearance rate of 102.17%.

Family matters case activity summary for the St. James Family Court in the third quarter ended September 30, 2022

This section examines case activity for matters classified under the broad category of family matters in the St. James Family Court for the third quarter ended September 30, 2022. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity

Table 1.0: Summary of Family case activity for cases for the third quarter ended September 30, 2022

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Maintenance	182	119	3	67.03
Custody	137	113	10	89.78
Declaration of Paternity	47	50	0	106.38
Access	25	24	0	96.00
Adoption	10	10	0	100.00
Legal Guardianship	3	6	0	200.00
Total/Weighted Average	404	322	13	82.92

The 404 new cases filed at the St. James Family Court in the third quarter ended September 30, 2022 revealed that the largest proportion were maintenance matters with 182 cases or 45.05%. This was followed by 137 or 33.91% which were custody cases and 47 or 11.63% which were cases of declaration of paternity. There were also 25 access cases, 10 adoption cases and 3 legal guardianship cases. A total of 335 cases falling under this broad family category were disposed or became inactive in the quarter. This is broken down into 119 disposed and 3 inactive maintenance cases, 113 disposed and 10 inactive custody cases, 50 disposed declaration of paternity cases and 24 disposed access cases. There were 10 disposed adoption cases and 6

disposed legal guardianship cases. This led to an overall estimated weighted average case clearance rate of 82.92% for the broad family case type, led by legal guardianship with 200%, declaration of paternity with 106.38%, adoption cases with 100%.

Summary of Case Activity for Domestic Violence Cases in the third quarter ended September 30, 2022

The below subsection provides a basic summary of case activity for Domestic Violence cases filed at the Family Court in St. James for the third quarter ended September 30, 2022.

Table 1.0: Summary of domestic violence case activity for cases for the third quarter ended September 30, 2022

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted case clearance rate (%)
Protection Order	144	99	4	71.53
Occupation Order	27	21	3	88.89
Total/Weighted Average	171	120	7	74.27

The data above shows that there was a total of 171 new domestic violence cases filed in the third quarter of 2022 at the St. James Family Court. Of this, 144 were protection order cases and 27 were occupation order cases. A total 127 Domestic Violence cases were either disposed or became inactive during the quarter. There were 99 disposed protection order cases and 4 inactive cases, while 21 occupation order cases were disposed and 3 became inactive. These results led to estimated case clearance rates of 71.53% for protection order cases and 88.89% for occupation order cases, further yielding a weighted average case clearance rate of 74.27%, which falls below the international standards on this vital metric and is 18.57 percentage points above the corresponding 2021 third quarter weighted case clearance rate of 55.70%.

Summary of case activity for civil matters at the St. James Family Court

The below subsection provides a basic summary of case activity for civil matters at the St. James Family Court in the third quarter ended September 30, 2022

Table 1.0: Summary of civil case activity for cases in the third quarter ended September 30, 2022

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
40	35	0	87.50

The data above shows that there was a total of 40 new civil cases filed in the third quarter September 30, 2022. There were also a total of 35 civil cases which were disposed of in the quarter at the St. James Family Court. This produces an estimated case clearance rate of 87.50%, which is below the international standard and is 18.38 percentage points below the corresponding third quarter of 2021 weighted case clearance rate of 105.88%.

Summary of case activity across all business lines in the third quarter of 2022 at the St. James Family Court

Table 1.0: Summary of case activity across all business lines in the third quarter ended September 30, 2022

Aggregate Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
693	555	25	83.69

The above table shows that a total of 693 new cases were filed at the St. James Family Court in the third quarter of 2022, while 555 cases were disposed, and 25 cases became inactive. This produces an estimated weighted case clearance rate of 83.69% across all the case types in the

period. Child welfare cases with 108.62% had the highest clearance rate, followed by criminal cases with 100%, civil cases with 87.50% and family division cases with 82.92%. Domestic violence cases had the lowest estimated weighted average clearance rate in the quarter with a rate of 74.27%.

Table 2.0: Sampling distribution Enforcement/Post disposal activity for the St. James Family Court for the quarter ended September 30, 2022

Post disposal activity/Enforcement	New entries	Inactive matters	Disposed matters	Case Clearance Rate
Vary Orders	72	1	68	95.83
Disobedience of Maintenance	29	13	45	200.00
Warrants of Distress	166	32	6	22.89
Warrants of Arrest	48	25	31	116.67
Total/Weighted Average	315	71	150	70.16

Apart from substantive case activity, it is important to note that a combined total of 315 cases entered the enforcement stage (by way of disobedience of maintenance matters, distress and arrest warrants) and the vary orders during the quarter. Of these, 221 were either disposed of or became inactive in the period, producing a gross case clearance rate of 70.16% on these matters.

Chapter 3.0: The Trelawny Family Court

This chapter of the document will examine a summary of selected output and performance measurements for matters in the Trelawny Family Court for the third quarter ended September 30, 2022. Such will involve analyses of caseload, case type distribution, case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases for the third quarter ended September 30, 2022

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Committal	3	5	0	166.67
Indictments	5	3	0	60.00
Summary	3	2	2	133.33
Total	11	10	2	109.09

The above table shows that the sample of 11 criminal cases filed at the Trelawny Family Court in the third quarter ended September 30, 2022. Of these, 5 or 45.45% were indictment matters, 3 or 27.27% were summary cases and 3 were summary matters. There was a total of 12 criminal cases that were disposed of or became inactive during third quarter ended September 30, 2022. This led to an estimated weighted clearance rate of 109.09% for these types of cases.

Case Activity on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Trelawny Family Court for the third quarter ended September 30, 2022. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the third quarter ended September 30, 2022

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Childcare and protection	13	20	0	153.85
Uncontrollable Child	1	5	2	700.00
Total/ Weighted Average	14	25	2	192.86

There were 14 child welfare cases filed at the Trelawny Family Court in the third quarter ended September 30, 2022, the majority of which were childcare protection cases which accounted for 13 or 92.86%, while cases of uncontrollable child with 1 or 7.14% accounted for the remaining proportion. A total of 27 child welfare cases were disposed of or became inactive during the quarter. There were 20 childcare and protection cases which were disposed of during the quarter, while 5 uncontrollable child case were disposed of and 2 became inactive. These results led to estimated case clearance rates of 153.85% for childcare and protection cases and 700% for uncontrollable child cases, further yielding a weighted average case clearance rate of 192.86%, which above the international standards on this vital metric and is 159.53 percentage points above the corresponding third quarter of 2021 weighted case clearance rate of 33.33%.

Family matters case activity summary for the Trelawny Family Court in the third quarter ended September 30, 2022

This section examines case activity for matters classified under the broad category of family matters in the Trelawny Family Court for the third quarter ended September 30, 2022. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity

Table 1.0: Summary of Family case activity for cases for the third quarter ended September 30, 2022

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Maintenance	50	26	14	80.00
Custody	18	4	2	33.33
Declaration of Paternity	16	9	3	75.00
Access	5	3	3	120.00
Legal Guardianship	1	1	0	100.00
Adoption	1	1	0	100.00
Total/Weighted Average	91	44	22	72.53

The 91 new cases filed at the Trelawny Family Court in the third quarter ended September 30, 2022 revealed that the majority were maintenance matters with 50 cases or 54.95% of the sample. This was followed by 18 or 19.78% which were custody cases and 16 or 17.58% which were cases of declaration of paternity and 5 cases or 5.49% were access cases. There was 1 legal guardianship case and 1 adoption case filed in the quarter. A total of 66 cases falling under this broad family category were disposed of or became inactive in the quarter. This is broken down into 26 disposed and 14 inactive maintenance cases, 4 disposed and 2 inactive custody cases, 9 disposed and 3 inactive declaration of paternity cases, 3 disposed and 3 inactive access cases, while adoption and legal guardianship had 1 disposed case each. This led to an overall estimated

weighted average case clearance rate of 72.53% for the broad family case type, led by access cases with 120% and adoption and legal guardianship cases with 100% each. Maintenance cases had a clearance rate of 80%, followed by declaration of paternity and custody cases with 75% and 33.33% respectively.

Summary of Case Activity for Domestic Violence Cases in the third quarter ended September 30, 2022 at the Trelawny Family Court

The below subsection provides a basic summary of case activity for Domestic Violence cases filed at the Family Court in Trelawny for the third quarter ended September 30, 2022.

Table 1.0: Summary of domestic violence case activity for cases for the third quarter ended September 30, 2022

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted case clearance rate (%)
29	23	4	93.10

The data above shows that there was a total of 29 new domestic violence cases filed in the third quarter of 2022 at the Trelawny Family Court. A total of 27 of these cases were either disposed or became inactive during the quarter which resulted in a weighted average case clearance rate of 93.10%, which is just above the international standards on this vital metric and is 18.91 percentage points above the corresponding third quarter of 2021 weighted case clearance rate of 74.19%.

Summary of case activity for civil matters at the Trelawny Family Court

The below subsection provides a basic summary of case activity for civil matters at the Trelawny Family Court in the third quarter ended September 30, 2022

Table 1.0: Summary of civil case activity for cases in the third quarter ended September 30, 2022

Number of new cases filed	Number of cases disposed	Number of inactive cases	weighted case clearance rate (%)
5	1	1	40.00

The data above shows that there was a total of 5 new civil cases filed in the third quarter ended September 30, 2022. There were also a total of 2 civil cases which were disposed of or became inactive in the quarter at the Trelawny Family Court. This produces an estimated case clearance rate of 40%, which is below the international standard and is 22.50 percentage points below the corresponding third quarter of 2021 weighted case clearance rate of 62.50%.

Summary of case activity across all business lines in the third quarter of 2022 at the Trelawny Family Court

Table 1.0: Summary of case activity across all business lines in the third quarter ended September 30, 2022

Aggregate Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
150	103	31	89.33

The above table shows that a total of 150 new cases were filed at the Trelawny Family Court in the third quarter of 2022, while 103 cases were disposed, and 31 cases became inactive. This produces an estimated weighted case clearance rate of 89.33% across all the case types in the third quarter of 2022, which is 40.18 percentage points above the corresponding third quarter of

2021 weighted case clearance rate of 49.15%. Child welfare cases with 192.86% had the highest clearance rate, followed by criminal cases with 109.09%, domestic violence cases with 93.10% and family division cases with 72.53%. Civil cases had the lowest estimated weighted average clearance rate in the quarter with a rate of 40%.

Table 2.0: Sampling distribution on Enforcement/Post disposal activity for the Trelawny Family Court for the third quarter ended September 30, 2022

Post disposal activity/Enforcement	New entries	Inactive matters	Disposed matters	Case Clearance Rate
Vary Orders	30	3	15	60.00
Disobedience of Maintenance	12	1	7	66.67
Warrants of Distress	61	0	0	0.00
Warrants of Arrest	41	0	6	14.63
Total/Weighted Average	144	4	28	22.22

Apart from substantive case activity, it is important to note that a combined total of 144 cases entered the enforcement stage (by way of disobedience of maintenance matters, distress and arrest warrants) and the vary orders during the quarter. Of these, 32 cases were either disposed of or became inactive in the period, producing a gross case clearance rate of 22.22% on these matters.

Aggregate Case Activity Summary

Aggregate case flow performance estimates for the third quarter ended September 30, 2022

Family Court	Number of new cases	Gross Number of disposed cases	Gross number of Inactive cases	Weighted Average Case Clearance Rate (%)
Corporate Area Family Court	696	590	36	89.94
St. James Family Court	693	555	25	83.69
Trelawny Family Court	150	103	31	89.33
Total/Weighted Average	1539	1248	92	87.07

The above table provides a summary of aggregate case activity across the featured specialized Family Courts in the third quarter of 2022. It shows that a total of 1539 new cases were filed in these courts, while 92 became inactive and 1248 were disposed, leading to an estimated weighted case clearance rate of 87.07%. The Corporate Area Family Court recorded the highest overall weighted case clearance rate among the featured courts with 89.94%, followed by the Trelawny Family Court with 89.33%.

Conclusion

This report featured the specialized Family Courts of Kingston and St. Andrew (Corporate Area), Trelawny and the St. James Family Courts. Together, these specialized family courts registered a commendable overall case clearance rate of 87.07%, representing a 1.84 percentage points decline when compared to the corresponding period in the previous year. The rates ranged from a high of 89.94% in the Kingston and St. Andrew Family Court to a low of 83.69% in the St. James Family Court. The Chief Justice has set a target for the Jamaican courts to achieve a mean court-wide case clearance rate of 130% over the next few years. Achieving this rate will ensure that the net case backlog rate in the court system is sustainably reduced to under 5%. Specific targeted case clearance rates have been established for the individual courts and business lines throughout the Jamaican court system, including the Family Court. The overall net backlog rate in the specialized family courts is currently below 7%. One important metric that bears a direct correlation with the case clearance rate is the courtroom utilization rate. The specialized Family Courts enjoy comparatively strong courtroom utilization which partly explains their consistently strong case clearance rates.

The specialized family courts appear to be well poised to meet the key quantitative targets set out by the Chief Justice as part of the judiciary's strategic plan for the next few years, thus contributing to positioning the Jamaican court system among the best in the region and the world.

Glossary of Terms

Sampling Distribution: A sampling distribution of a given population is the distribution of frequencies of a range of outcomes that could possibly occur for a statistic of a population. A population is the entire pool from which a statistical sample is drawn.

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%. A distinction is sometimes made between the gross and net case clearance rates. The simple difference is that the net rate completely excludes inactive cases from its computation while the gross rate does not.

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.¹

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%. A distinction is sometimes made between the gross and net case disposal rates. The simple difference is that the net rate completely excludes inactive cases from its computation while the gross rate does not.

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 case file 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 too small or too large, relative to the majority of scores/trend in a data set.

Skewness: This is a 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.

Case backlog: A case that is in the court system for more than two years without disposition. The **gross backlog rate** measures the proportion of all cases filed within a given period which remain unresolved for a period of over two years. The **net backlog rate** on the other hand measures the proportion of active cases filed in a given period which are unresolved for over two years.

Percentile Rank: This refers to the percentage of scores that are equal to or less than a given score. Percentile ranks, like percentages, fall on a continuum from 0 to 100. For example, a percentile rank of 45 indicates that 45% of the scores in a distribution of scores fall at or below the score at the 35th percentile.

Percentile ranks are useful when you want to quickly understand how a particular score compares to the other scores in a distribution of scores. For instance, knowing a court disposed 300 cases in a given period doesn't tell you much. You don't know how many case disposals were possible, and even if you did, you wouldn't know how that court's score compared to the rest of the courts. If, however, you were told that the court scored at the 80th percentile, then you would know that this court did as well or better than 80% of the courts in case disposals.

Difference between percentage and percentile changes: The difference between percentage and percentage points, the latter is strictly used to compare two percentages, for example, if the clearance rate in 2018 was 89% and the clearance rate in 2019 is 100%, then the appropriate expression to compare these would be "an 11 percentage points increase". However, if we are comparing two absolute numbers, say, 1000 cases were disposed in 2018, and 1500 in 2019, then there would be a 50% increase in cases disposed.

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.

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>

