



The Bermuda Judiciary

Annual Report 2017



The Bermuda Judiciary Annual Report 2018



The Judiciary acknowledges with gratitude the contributions made to this report by the individuals and organizations who gave us the benefit of their views, expertise, and experience.

Bermuda Judiciary Annual Report: 2017

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Contents



**Foreword by the
Chief Justice** 7

**Report from the
Registrar and Taxing Master** 13

**Senior Magistrate
Commentary** 42

Overview of the Judiciary 50



COURT OF APPEAL AND SUPREME COURT

Overview of the Judiciary 50

Snapshot of 2017 Legal Year 52

COURT OF APPEAL

Composition & Sitting Dates 53

Year in Review 57

2018 Goals 59

SUPREME COURT

CIVIL and COMMERCIAL & APPELLATE DIVISION

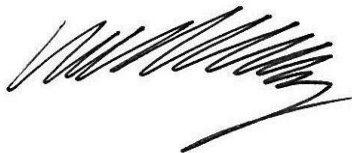
Year in Review 61

Outputs 65



Foreword

By The Hon. Chief
Justice of Bermuda
Ian Kawaley



6

Remarks made by Chief Justice Ian RC Kawaley at the Special Sitting of the Supreme Court to Celebrate the Opening of the 2018 Legal Year (26 January 2018 at 3.00pm, Sessions House, Hamilton, Bermuda)

Good afternoon one and all and welcome to this Special Sitting to commemorate the opening of the Legal Year to His Excellency the Governor, the Deputy Governor, the US Consul General, Honourable Attorney-General and Shadow Attorney-General, DPP, Madam Ombudsman, Honourable Deputy-Speaker, Members of Parliament, and other distinguished guests and members of the nuclear and extended Legal Family. Special thanks are extended once again to the Bermuda National Museum for bringing the Admiralty Oar or Mace which was made for Bermuda's courts as far back as 1697.

General Acknowledgments

The Judiciary's work crucially depends on collaborating with other agencies whose assistance I acknowledge, notably Bermuda Bar Council, the Bermuda Police Service, Court Services, Corrections, the DPP's Office and Ministry of Legal Affairs. I would also like to thank the judicial officers, Registrar, Acting Assistant Registrar (and former Acting Assistant Registrar Rachael Barritt), Managers (at the Supreme Court level Mrs Dee Nelson-Stovell) and Staff (Frank Vazquez and Brian Mello IT, Avita O'Connor and her GAB Superstars) for their diligent efforts in 2017. The Judicial Department appears to have been a magnet for administrative staff with a strong work ethic and who display high degrees of dedication to their work.

His Excellency the Governor and the Judicial and Legal Services Committee also play a pivotal oversight role in dealing with judicial appointments and judicial complaints. The Governor's support as a fellow lawyer is much appreciated. The JLSC is chaired by Sir Scott Baker, President of the Court of Appeal. Other ex officio members of the JLSC are the Chief Justice and

7

President of the Bermuda Bar Association, while the nominated members are Sir David Baragwanath, Ms Arlene Brock, Ms Martha Dismont and Mr David Jenkins. The Secretary is the Government House Executive Officer, currently Mr Barry Bobin-Martin. I thank them all for their entirely voluntary support for the Judiciary.

Farewells

Three senior staff members will be retiring this year. At the end of February, Mr Carlton Fraser retires after 10 years' service. His official post has been as a Court Attendant, but as a former Prison Officer he brought discipline and integrity to everything he has done and served as an important mentor and father and/or big brother figure for younger administrative staff. He will be missed. At the end of March, Ms Joann Lynch leaves the stage. Currently a Manager in the Criminal Division of the Court, her hands have touched other areas such as Probate over the years. Ms Lynch has been an important engine for the Judicial Department humming quietly but steadily in the background. Her service with the Courts amounts to 42 years in two stints (1972-1981 and 1985-2018). She has been a combination of a mother and big sister to younger members of staff for many years. She will be missed. At the end of July, Ms Roberta Walker will be retiring after 18 years' service, the last 9 of which were in the Judicial Department. She was initially Administrative Assistant to former Chief Justice Richard Ground, then me and most recently Justice Hellman as well. In addition to that, she has seamlessly handled other important functions as well, notably Mental Health Act matters, judicial leave applications and posting judgments on the website. In September, Listing Officer Gail Symonds retires after 10 years' consistent and diligent service. In terms of judicial farewells, and putting aside my own mid-July exit from the stage, Justice Stephen Hellman earlier this week informed me that he will be returning to England at the end of June this year. Hellman J has failed to live up to his name. He has not given us hell but has instead made a heavenly contribution to Bermuda's jurisprudence over the last six years, mainly in the Civil and Commercial Division. He will also be missed.

2017 Annual Report

I commend you to read the 2017 Annual Report. The theme of the current Report is "embracing change". The Report should now be available online at www.gov.bm/supreme-court.

You will find reviews of the main highlights of the last legal year. You will also find statistics and short commentaries on the various courts and their respective jurisdictions.

Special mention must be made of the way in which the Registrar, Mrs Shade Subair Williams, has led change in the Judicial Department at various levels. Her elegant initial response to the hasty and undignified retreat from the mould-infested Front Street premises has been

consolidated over the last year. The fledgling civil and commercial, family and criminal sub-registries have been consolidated. The Front Street premises have been substantially restored and refreshed and now serve as a dedicated Court of Appeal building, with a new and enlarged Bench and improved Chambers space for the Justices of Appeal. The former Court 2 in this building has been relinquished to the Senate, and this Floor of Sessions House redesigned to house the Criminal sub-registry. The jury room has been relocated and much enlarged, occupying space previously used for Judges' Chambers. This is a major improvement both in terms of the integrity and dignity of the jury, and the needs of the present and future have rightly been given precedence over respect for the way things were organised in the past.

The invaluable support provided by the Ministry of Public Works (in particular the Estates Department) for improvements at 113 Front Street and Sessions House is deeply appreciated as well.

Other more subtle changes have been introduced, such as an electronic diary for judges and new listing forms for the different jurisdictions, which have increased administrative efficiency.

Macro-challenges remain unresolved and must at some point be confronted. I will briefly touch upon the main ones.

The Judiciary and the Constitution

Part V of the Constitution remains unaltered since 1968. Amendments are required, in particular, to provide a constitutional basis for the JLSC and to bring the Magistracy into the Judiciary with full security of tenure. The normal retirement age should be elevated to 70. The Constitution should expressly require the Cabinet and the Legislature to provide adequate funds to support the Judiciary. In modernity terms, Bermuda's judicial constitutional framework ranks not just behind most developed Commonwealth countries, not just behind all other British Overseas Territories, but behind most of the Commonwealth as a whole. In constitutional terms Bermuda is bottom of the Overseas Territories 'League'. That is, for my part, unacceptable. Suggested draft amendments have been forwarded to three different Attorney-General's over the last 5 years. In terms of a response, the silence has been deafening.

The Judiciary and the Executive

Judicial independence has been consistently undermined in multiple and often minuscule ways because an antiquated approach to judicial administration. Between 1968 and 1998, Cabinet

Office was in practice responsible for the Judiciary. Between 1998 and 2018, the Attorney-General has been in practice responsible for the Judiciary which is administratively treated as a sub-Department of the Ministry of Legal Affairs. Each position has been constitutionally nonsensical. However the arrangements may have worked in the past, the current position is practically dysfunctional and is primarily responsible for an incoherent approach to the administrative needs of the Judiciary. The inadequacies of these arrangements were perhaps masked by the largely sustained period of prosperity between 1968 and 2008, but the gaping sore has been laid bare by the recession which has created a public funding crisis while the role of the Judiciary has both expanded and become more complex. What seems most unforgivable is that even ‘cost-free’ law reform proposals (including some which would save public expense) from the Judiciary have been studiously ignored or disgracefully delayed.

Let me give just one example. In the autumn of 2012, the Ministry of National Security complained about the legal impediments to arraigning prisoners via video-link. In late December 2012 I forwarded legislative proposals for video-link evidence to the Attorney-General. Over the next five years I chased the proposals (one of which was a “quick-fix” amendment which would have involved deleting 11 words from section 13A of the Indictable Offences Act) in an increasingly impatient chain of emails. In the autumn of 2017, an officer in the Ministry of Security Development, unaware of the identical request having been made 5 years earlier, again enquired whether it was not possible in order to save security costs to arrange arraignments by video-link hearings. It is only fair to acknowledge that by early summer last year the principle of expanding the scope of video-link evidence in criminal and civil cases was politically agreed, but due to the passage of time the content of the proposed legislation needed to be further refined. I now fully understand why my normally placid mother, irritated by my childhood tomfoolery, would ultimately exclaim: “*patience is a virtue!*”

While the position which confronts the Judiciary may be inexcusable it is understandable. The A-G’s proper constitutional role is to advise the Government and advance its legislative agenda. It is only natural that addressing the needs of the Judiciary should be regarded as an irritating distraction from the main task at hand. That said, there have recently been encouraging signs of enhanced support on the legislative front. Nevertheless, the Judiciary perhaps needs its own Minister charged with upholding the rule of law, judicial independence and responsible for providing administrative support, modelled on the ancient England & Wales office of Lord Chancellor. At a minimum, administrative autonomy consistent with the independent constitutional status of the Judiciary is required. Simple cost-free administrative adjustments like creating a Judicial Service Management Committee have been suggested but either ignored or tacitly rejected in favour of maintaining what is from the Judiciary’s perspective an unsatisfactory *status quo*.

What Type of Judiciary?

What type of Judiciary does Bermuda need and deserve? The answer to this question depends to some extent on how one defines the mission of the Judiciary. The least controversial way of defining the Judiciary's modern mission is by reference to the judicial oath: to do right to all manner of persons according to the laws and usages of Bermuda, having particular regard to all of the prohibited grounds of discrimination under both section 12 of the Bermuda Constitution and the Human Rights Act 1981. That requires a diverse, effective and motivated Judiciary at all Court levels.

However, for those who find that mission statement too abstract, it is important to remember this. Embedded in that definition of the Judiciary's modern mission is the very concrete role the Judiciary plays in supporting the main pillars of Bermuda's economy. The ability of the Courts to support not just the adjudication of commercial disputes but, more generally, to uphold the rule of law as a whole is an important aspect of making Bermuda an attractive business and tourist domicile.

The present terms and conditions of service undermine creating and sustaining such a Judiciary in the following most obvious ways:

- Despite Bermuda claiming developed country status and having a high-end cost of living, Supreme Court judges have classical developing country style packages with modest (comparable to private sector pay levels) pensionable income supplemented by non-pensionable living allowances. In developed countries pensionable income is typically provided without non-pensionable living allowances;
- Magistrates have modest pensionable salaries and most unfairly have been deprived of the living allowances given to fellow judicial officers just before the Global Financial Crisis;
- Due to a lack of funding, the Assistant Justice scheme (designed to encourage Bermudians in private practice to join the Bench) is largely limited to active practitioners in commercial practice willing to receive an honorarium rather than proper sitting fees. The scheme privileges commercial law over other practice areas. It further undermines the dignity of the Judiciary to be dependent on charity rather than paying appropriate sitting fees for part-time judges as is done in all other jurisdictions, great and small;

- The grading and post system for administrative staff needs to be redesigned to more appropriately reward those who have qualified as paralegals or otherwise gained invaluable specialist experience and generally to create clearer pathways for promotion within the Judicial Department for staff members who have acquired valuable skills and experience in order to boost staff retention levels.

Recruitment and retention is a challenge at the judicial level as well. We appear to be moving toward a hybrid system of career judges and post-retirement judges, which may well be the best option. This ought not to be an excuse for ignoring the material needs- and dignity- of the career judges, however.

The present dispensation for the Judiciary requires it to administer justice to the public applying modern notions of justice while judges are themselves working in an institutional framework which is outdated. Despite the exemplary efforts of our existing judges, the quality of justice will in the long-term be at risk if the Executive (by which I mean the political arm of the Executive, not the Governor) does not do right by the Judiciary.

Do I, sitting in this seat for the last time in this capacity, think the Executive will do right by the Judiciary? The simple answer is that I do not. This view may seem unduly cynical and pessimistic, but it is also a very clear illustration of why the time is ripe for the Judiciary to be led a 'fresh horse', brimming with not only energy, but optimism as well. For posterity I extend this 'dare' to the Executive: prove me wrong. In one important respect I remain optimistic, however. The quality of service delivery across the various legal practice areas by the Bermuda Judiciary is in my admittedly partisan view admirably high, despite our administrative shortcomings. That is in large part a reflection of the quality of advocacy at the Bar. I am therefore confident that Bermuda courts will continue to serve local and international court users in the years ahead in an exemplary manner.

And finally I would like to thank everyone who has attended and conclude by formally declaring the 2018 Legal Year to be formally open!

Report from the Registrar and Taxing Master



OVERVIEW:

Change is Constant

African proverb: *'When the drummers change their beat, the dancers must also change their steps'*.

After 15 years of epic and unflawed judicial service as a learned puisne judge and the Chief Justice, we are faced with the unstoppable and heavy reality of the pending retirement of our Honourable Chief Justice, Dr. Ian Kawaley. With much sadness, we will also bid our farewell and best wishes to our Mr. Justice Stephen Hellman who has graced the judiciary with dedication, integrity and a learnedness to be marvelled at.

Retirement, with all the fear and excitement that it may offer, will circle again to collect from us our most valued and knowledgeable Joann Lynch (after 42 years of service); Roberta Walker (after 18 years of service); Carlton Fraiser (after 9½ years of service); Ednagail Symonds (after 8 years of service); Harold Beckles (after 4 years of service); and Shirlene Bailey (after 3 years of service).

What are these legendary members of our judicial family leaving behind? Rain! Yet, after the rain, new flowers will blossom. We open our arms, as we must, to the birth of a new era, ripe for millennial modernization which brings the necessary hands of change.

The Bermuda Courts will need to modernize exponentially in its provision of justice for all. While we proudly showcase our historic features, we must recognize that we are marching into the new generation where forward thinking is simply a must.

2017 ACHIEVEMENTS:

Restructuring and Modernizing the Court Buildings:

- (i) The Court of Appeal has relocated from its previous location in Sessions House to 113 Front Street which is now the designated new Court of Appeal building where all appeals are to be listed for hearing.
- (ii) Sessions House is now the designated location for the Criminal Registry where all criminal filings should be made. A new jury suite has been designed and completed for the improved comfort and deliberations of selected juries. The former library has also been majorly remodelled and updated for improved access and comfort for users.
- (iii) All Court buildings (save Sessions House thus far) are now wired with Wi-fi access which may be used by litigants and attorneys appearing in Court for listed matters.

Expanding the use of the Registrar's Judicial Powers:

Order 32 Rule 11 of the Rules of the Supreme Court generally empowers the Registrar to *'transact all such business and exercise all such authority and jurisdiction as under the Act or these rules may be transacted and exercised by a judge in chambers'* subject to few exceptions.

This year, as Registrar, I have regularly heard Chambers matters on the weekly Thursday Chambers list and adjudicated civil interlocutory applications including strike-out applications; applications to set aside judgment obtained in default; applications for summary judgment; disputed applications to amend pleadings; and costs applications. (See *Gauderault v Sousa [2017] SC (Bda) 37 Civ (9 May 2017)*; *Bda Life Insurance Co. v Robinson et al [2017] SC (Bda) 44 Civ (1 June 2017)*; *Glenn Robinson v Tanya Simmons [2017] SC (Bda) 46 Civ (6 June 2017)*;

Additionally, 32 examinations of civil debtors were heard and 23 taxation hearings by either myself or an Acting Registrar. Untraditionally, reserved rulings have been published where principles of law arose. (See *D Warren v T Harvey [2017] SC (Bda) 17 Civ (20 February 2017)*; *Tinee Harvey and Dennika Warren [2017] CA (Bda) 1 Civ, 20 February 2017*; *Colonial Insurance Company Ltd and Thomson et al [2017] CA (Bda) 2 Civ, 20 February 2017*; and *Capital Partners Securities Co. Ltd v Sturgeon Central Asia Balanced Fund Ltd [2017] SC (Bda) 32 Com (1 May 2017)*).

An administrative case management regime has also been engaged by the Registrar under the direction of the Chief Justice to address previous backlogs in the listing of appeals from the Magistrates' Court to the Supreme Court. Such matters are listed on a weekly to bi-weekly basis on the regular Thursday Chambers list.

By Circular No.12 of 2017 the President of the Court of Appeal empowered the Registrar to conduct case management hearings for criminal appeals and to determine leave applications in respect of conviction and sentence. Bi-weekly hearings are thus fixed before the Registrar for all pending criminal appeals. (See *R v Eston Joell v The Queen [2016] CA (Bda) 10 Crim, 6 November 2017*)

There were 20 civil appeals listed before the Registrar in 2017 for settling the record prior to appeal. Reserved rulings have been published in respect of contested applications on security for costs pending appeal. (See *Ayo Kimathi and David Tucker v The Att-Gen et al [2017] SC (Bda) 87 Civ (24 October 2017)* and *Capital Partners Securities v Sturgeon Central Asia Balanced Fund [2018] SC (Bda) 5 Com (16 January 2018)*).

Multiple chambers appearances were listed before the Registrar or Acting Registrar in respect of 26 applications for ancillary relief. Additionally, the Registrar's judicial role in matrimonial ancillary relief applications was outlined in my ruling in *C.I.C. v K.L.C [2017] SC (Bda) 104 Div (1 December 2017)* and in respect of Rule 77(4) disputes I published *B v B [2017] SC (Bda) 23 Div (21 March 2017)*

Introduction of Electronic Case Management Software:

I applaud and thank the Director of Public Prosecutions, Larry Mussenden, who is owed the real credit for having effectively put in the skilful and ongoing groundwork for the introduction of the ProLaw electronic case management system now part-owned by the Judiciary. This has included training measures and an organized structure for achievement of identifiable and realistic goals.

While there is still much work ahead, the Judiciary has leaped in its preparation towards electronic court records and an electronic filing system.

Improving data for Statistic Reporting and Performance Measures:

A sincere expression of gratitude is owed to Hilary Ryan of the Foreign & Commonwealth Office for her guidance and participation in respect of the judiciary's need to improve on its data compilation for statistic reporting and the surveillance of performance measures.

A maintained and modern electronic database will be key for the sustainability of such measures. However, very special thank you is to be given to Erica Simmons who tirelessly assisted me in obtaining and consolidating detailed data on criminal indictable matters. (See Registrar's Report on January 2016-January 2018 Indictments). Additional appreciation is expressed towards Joann Lynch and Audley Quallo for their most valuable assistance in this regard.

Court Filing Forms for Civil and Commercial listings:

By Circular No. 31 of 2017, Form 27As were updated by the introduction of new filing Forms (Forms 31D (to be filed for request to list hearing of dispute or trial); 31P (to be filed for an order to be made on the 'papers'); 31TC (to be filed for a request to be heard in the weekly Thursday Chambers Session); and 31U (to be filed in respect of urgent listings)).

I am grateful to the practising members of the Bar who provided helpful feedback which has contributed to a new system designed to better track listing statistics. The new set of Form 31s will also safeguard against listing errors which might typically be made by newer members of Registry staff.

OBJECTIVES:

The Assistant Registrar

I am most grateful to the Honourable Attorney General, Sen. Kathy Lightbourne-Simmons for her expressed support behind our efforts to transform the role of the Assistant Registrar to judicial post and for supporting, in principle, the creation of an additional Assistant Registrar post.

I thank Rachael Barritt for her valued service in the role of Assistant Registrar. I also welcome Alex Wheatley who has recently taken over from Ms. Barritt with exuberance and visible innovation.

It is hoped that the post(s) of Assistant Registrar will be made judicial in 2018 so that more support is available to the Registrar's increasing judicial remit.

Electronic Modernization of the Judiciary

It is hoped that full use of the ProLaw electronic software will be achieved by the Supreme Court in 2018 and introduced to the Magistrates' Court in 2019.

Acknowledgment of Thanks

I am compelled to highlight my true appreciation of the Department Managers Dee Nelson-Stovell and Andrea Daniels for the daily and challenging pursuits in their wide and demanding roles. Patrice Rawlings and Corey Furbert are the unsung heroes in the Magistrates' Court who steadily work beyond the lines of their responsibility.

Frank Vazquez and Brian Mello are to be acknowledged for their limitless efforts and commitment to the technological maintenance and modernisation of the Judiciary.

Ashley Smith of the Magistrates' Court is recognized for her elegant performance in the role of Shop Steward during times where the personnel were most frustrated and for her role as Enforcement Officer. Sharon Swan, who left us in December 2017 for her inevitable advancement, is recipient to my gratitude for her professional and impressive discharge of duty on the matrimonial team.

Avita O'Connor and the Supreme Court civil and commercial litigation team have continuously exceeded all expectations in the largest area of litigation.

Audley Quallo is to be recognized for his most impressive participation in the reform of Court of Appeal administration, particularly with the standardized format of Registrar's Reports to the President. Mr. Quallo is doubly-thanked for his dynamic role in the remodelling of the Court of Appeal building.

The Magistrates' Court Bailiffs, namely Michael Brangman and Harold Beckles, Donville Yarde, and Renee Foggo are to be specially thanked for their persistent and quiet efforts during times where the demands on their shoulders were overly burdensome. I recognize Jermaine Thomas, the Magistrates' Records Supervisor, who has worked most consistently through unfair staff shortages and Deniese Lightbourne, the Head Cashier in the Magistrates' Court who has been instrumental in the integrity of the Court's largest portion of revenue. I also thank Sandra Williams for her transition into the crucial role of telephone receptionist for all Court buildings. Rose Wickham, who will be sorely missed after her retirement in December 2017, will always be remembered for her dedication and commitment to the Supreme Court.

For the individuals who have not been specified by name, only out of the need for brevity, I thank every staff member of those in the Magistrates' Court, Supreme Court and Court of Appeal.

Most specially, I am indebted to the Chief Justice, Ian Kawaley, and the President of the Court of Appeal, Sir Scott Baker, for their tremendous support and guidance, which can never fully be revealed by the expression of words.

REGISTRAR

SHADE SUBAIR WILLIAMS

SUPREME COURT OF BERMUDA

REGISTRAR'S REPORT

JANUARY 2016 - JANUARY 2018 CRIMINAL INDICTMENTS



2016 COURT TRIALS AND HEARINGS

#	INDICTMENT NUMBER + CASE NAME + NATURE OF CHARGES	FIRST APPEARANCE IN SCT	REGISTRAR'S CASE MANAGEMENT FORMS FILED	START OF TRIAL/ GUILTY PLEA(S) ENTERED	CONVICTION+ SENTENCE REPORT ORDERED	ACQUITTAL/ NO CASE TO ANSWER/ MISTRIAL	SENTENCE REPORT(S) FILED	SENTENCE DATE	TRIAL/ SENTENCING JUDGE + COUNSEL
1.	2016/1 Antoine Carlos Kent (CT#1 Importation of Cannabis S.4(3) MDA) CT #2 Importation of Cocaine S.4(3) MDA)) (CT#3 Importation of Diamorphine S.4(3)MDA (CT#4 Possession of Cannabis W/1 supply S.5(1)MDA) (CT#5 Possession of Cocaine S.5(1)MDA) (CT#6 Possession of Diamorphine W/1 supply S.5(1)MDA)	4 JAN 2016	CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</i> FORMS NOT REQUIRED	GUILTY PLEA 4 JAN 2016	N/A	N/A	28 JAN 2016	26 FEB 2016 (6 YEARS IMPRISONMENT)	JUDGE+ COUNSEL SIMMONS J N.SMITH/E.CHRISTOPHER
2.	2015/32 R v Gregory Tucker (CT#1.Robbery S.338(1) CC CT#2.Use of imitation firearm S.26A)	1 SEP 2015	CASE MANAGEMENT FORMS FORMS NOT REQUIRED	START OF TRIAL 5 JAN 2016	CONVICTION-SENTENCE REPORT ORDERED N/A	ACQUITTAL 22 JAN 2016	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE N/A	JUDGE+ COUNSEL SIMMONS J N.SMITH + C HANNA/C.RICHARDSON
3.	2016/4 R v Otis Walter Bell CT#1 Wounding W/1 GBH s 305(a)CC	1 FEB 2016	CASE MANAGEMENT FORMS FORMS NOT REQUIRED	GUILTY PLEAS 1 FEB 2016	CONVICTION-SENTENCE REPORT ORDERED N/A	ACQUITTAL/NO CASE MISTRIAL N/A	SENTENCE REPORT(S) FILED PSYCHOLOGICAL REPORT FILED	SENTENCE DATE 12 APRIL 2016 (TOTAL 12 YEARS IMPRISONMENT + 70P CC)	JUDGE+ COUNSEL GREAVES J C. CLARKE / R. HORSEMAN

4.	<p>2015/39</p> <p>R v Dwayne Gilbert (CTS#1-3, Possession W/ Supply Controlled Drugs S. 6(3) MDA CT#4: Possession Drug Equip S. 9(2) CT#5: Possession Proceeds Criminal Conduct (S.45(1) PCA)</p>	<p>FIRST SCT APPEARANCE</p> <p>1 DEC 2015</p>	<p>CASE MANAGEMENT FORMS</p> <p>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	<p>START OF TRIAL</p> <p>16 FEB 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED</p> <p>19 FEB 2016: CT#2: G alternative count of possession CT#3: G alternative count of possession CT#4: G</p>	<p>SENTENCE REPORT(S) FILED</p> <p>29 MAR 2016</p>	<p>SENTENCE DATE</p> <p>13 APR 2016</p>	<p>JUDGE - COUNSEL</p> <p>GREAVES J A. RICHARDS + K. SWAN / C. RICHARDSON</p>
5.	<p>2016/2</p> <p>R v Melvin Brangman & Michael Brangman (CT#1: Wounding W/ I S. 305(a) CC CT#2: Accessory After Fact S. 80 CC)</p>	<p>FIRST SCT APPEARANCE</p> <p>1 JAN 2016</p>	<p>CASE MANAGEMENT FORMS</p> <p>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	<p>START OF TRIAL</p> <p>21 MAR 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED</p> <p>N/A</p>	<p>SENTENCE REPORT(S) FILED</p> <p>N/A</p>	<p>SENTENCE DATE</p> <p>N/A</p>	<p>JUDGE - COUNSEL</p> <p>GREAVES J L. RICKETTS + K. KING / C. RICHARDSON</p>
6.	<p>2016/9</p> <p>Georgi Todorov CTS#1-3+5 Theft s 337(1)CC CTS#2-4+6 Attempted Theft 337(1)+32(1)CC CTS#10 Money Laundering s 43(d) PCA CT#11 Money Laundering s 45(1)(c) PCA R v Chaydar Bachev CTS#1-3+5 Theft s 337(1)CC CTS#2-4+6 Attempted Theft 337(1)+32(1)CC CTS#7-8 Money Laundering s 43(d) PCA CT#9 Money Laundering s 45(1)(c) PCA</p>	<p>FIRST SCT APPEARANCE</p> <p>1 APRIL 2016</p>	<p>CASE MANAGEMENT FORMS</p> <p>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	<p>GUILTY PLEAS</p> <p>15 APRIL 2016</p>	<p>SENTENCE DATE</p> <p>29 APRIL 2016</p>	<p>SENTENCE REPORT(S) FILED</p> <p>4 MONTHS IMPRISONMENT IMPOSED BY SIMMONS J</p>	<p>SENTENCE DATE</p> <p>4 MONTHS IMPRISONMENT IMPOSED BY SIMMONS J</p>	<p>JUDGE - COUNSEL</p> <p>SIMMONS J L. RICKETTS / R. HORSEMAN</p>
7.	<p>2016/5</p> <p>R v Jasmine Smith CT#1 GBH W/ I s 305(a) CC</p>	<p>FIRST SCT APPEARANCE</p> <p>1 MARCH 2016</p>	<p>CASE MANAGEMENT FORMS</p> <p>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	<p>DISCHARGED</p> <p>NOLLE PROSEQUI</p> <p>15 APRIL 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED</p> <p>NOLLE PROSEQUI</p>	<p>SENTENCE REPORT(S) FILED</p> <p>NOLLE PROSEQUI</p>	<p>SENTENCE DATE</p> <p>NOLLE PROSEQUI</p>	<p>JUDGE - COUNSEL</p> <p>GREAVES J C. CLARKE + T. BURGESS / E. CHRISTOPHER + S. MULLIGAN / C.</p>
8.	<p>2015/42</p> <p>R v Eston Joell & Lekan Scott (CT#1: Possession of Prohibited Weapon S. 2(1) Firearms Act CT#2: Possession of Ammunition S. 3(1))</p>	<p>FIRST SCT APPEARANCE</p> <p>1 DEC 2015</p>	<p>CASE MANAGEMENT FORMS</p> <p>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	<p>START OF TRIAL</p> <p>8 MAY 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED</p> <p>13 JUN 2016 (G- ALL CTS)</p>	<p>SENTENCE REPORT(S) FILED</p> <p>1 AUG 2016</p>	<p>SENTENCE DATE</p> <p>7 SEP 2016</p>	<p>JUDGE - COUNSEL</p> <p>GREAVES J C. CLARKE + T. BURGESS / E. CHRISTOPHER + S. MULLIGAN / C.</p>

	CT #3.(Joell) Firearms Act Possession of Ammunition s.3(1) Firearms Act	FIRST SCT. APPEARANCE	appeared in the Supreme Court on or after 3 January 2017	GUilty PLEAs	CONVICTION-SENTENCE REPORT ORDERED	ACQUITTAL/NO CASE INITIAL	SENTENCE REPORT(S) FILED	SENTENCE DATE	JUDGE+ COUNSEL
9.	<p>2016/6</p> <p>Jamiko Bean (CT#1.Robbery 338 CC CT#2-5+7-8 Burglary 339(1)(b) CC CT#6 Assault on Police in exec. duty 2(n) CC CT#9 Wounding s.36(b) CC CT#10 Prowling s.329f CC CT#11 VRA S2(f) SOA CT#12 Threat Words S12 SOA CT#13 Escape lawful custody s.136 CT#14 Aggravated vehicle-taking 343CC CT#15 Trespass Dwelling House 329f CC</p>	1 MARCH 2016	<p>FORMS NOT REQUIRED</p> <p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	17 MAY 2016	N/A	N/A	28 JUNE 2016	26 OCT 2016 (7 YEARS IMPRISONMENT AGGREGATE)	JUDGE+ COUNSEL GREAVES J M.SOFIANOS / A. MAPP
10.	<p>2016/8</p> <p>R v ACCUSED CT#1 Sexual Exploitation young person s182B(1)(a)CC CT#2 Intruding on the privacy of a girl s.199(2) CT#3 Indecent Acts against a child 198(3)CC</p>	1 APRIL 2016	<p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	REMITTED TO MAGISTRATES' COURT 15 JUN 2016					JUDGE+ COUNSEL GREAVES J N. SMITH / S. MULLIGAN
11.	<p>2016/20</p> <p>Daymon Simmons (CTS#1-3 Possession of Controlled Drug W/i to supply s.6(3) MDA)</p>	1 AUGUST 2016	<p>FORMS NOT REQUIRED</p> <p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	3 JULY 2016	N/A	N/A	28 APRIL 2017	5 JULY 2017 (TOTAL OF 2 YEARS IMPRISONMENT)	JUDGE+ COUNSEL GREAVES J L.BURGESS / M. DANIELS
12.	<p>2016/17</p> <p>Coltrane Ratteray CTS#1-3-4 Burglary 339(1)(b) CC CT#2 Prowling 329f CC</p>	1 JULY 2016	<p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</p> <p>FORMS NOT REQUIRED</p>	12 AUG 2016	N/A	N/A	31 AUG 2017	6 OCT 2016 (5 YEARS IMPRISONMENT)	JUDGE+ COUNSEL SIMMONS J L.RICKETTS / S. SMITH-BEAN

13.	2015/12 R v Tyrone Brown (CT#1 Importation of Controlled Drug S.4(3) MDA)	2 MAY 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED)	22 AUGUST 2016	31 AUGUST 2016	ACQUITTAL/ NO CASE MISTRIAL N/A	NO SIR REPORTS ORDERED	25 OCTOBER 2016 (15 YEARS IMPRISONMENT)	JUDGE - COUNSEL SCOTT A/J L.MUSSENDEEN+ C. HANNA/A.WHEATLEY
14.	2016/23 Lorin Baxter (CT#1 Having a bladed article in public. S. 315(C) CC CT#2 Wilful Obstruction S2(n) SOA CT#3 Threatening Behaviour)	1 SEP 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED)	1 SEP 2016	REMITTED TO MAGISTRATES' COURT 1 SEP 2016	REMITTED TO MAGISTRATES' COURT N/A	REMITTED TO MAGISTRATES' COURT N/A	31 MAR 2017 (22 MONTHS IMPRISONMENT)	JUDGE - COUNSEL SIMMONS J ACCUSED UNREPRESENTED
15.	2016/24 Marcus Snow (CT#1 Importation of Cannabis S. 4(3) MDA) (CT#2 Possession of Cannabis S. 6(3) MDA)	1 SEP 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED)	1 SEP 2016	1 SEP 2016	COVILTY PLEA N/A	NO SIR REPORTS ORDERED	13 MARCH 2017 (CT#1: 25 YEARS IMPRISONMENT CT#2: 14 YEARS CT#3: 10 YEARS CT#4: 10 YEARS)	JUDGE - COUNSEL SIMMONS J A.RICHARDS/ M. PETTINGILL
16.	2016/7 R v Shantoiné P. Burrows CT#1 Murder S.287 CC CT#2 Wounding W/ GBH s. 305(a) CC CTS#3-4 Using firearm whilst committing an indictable offence 266A FA 2016/14 R v Taj Browne (CTS#1 Accessory after the fact to murder S. 292 CC)	1 MAR 2016 (BURROWS) 1 MAY 2016 (BROWNE)	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED)	6 SEP 2016	4 OCT 2016: SHANTOINE BURROWS: G ALL COUNTS 30 SEP 2016: TAJ BROWNE: DISCHARGED ON JUDGE'S DIRECTION	ACQUITTAL/ NO CASE MISTRIAL N/A	30 NOV 2016	13 MARCH 2017 (CT#1: 25 YEARS IMPRISONMENT CT#2: 14 YEARS CT#3: 10 YEARS CT#4: 10 YEARS)	JUDGE - COUNSEL SIMMONS J C.MAHONEY + N. SMITH/M.DANIELS
17.	2016/3 R v Gariko Benjamin (CT#1 Handling Firearm S.19(A) FA)	1 FEB 2016	CASE MANAGEMENT FORMS FORMS NOT REQUIRED	8 SEP 2016	N/A	ACQUITTAL/ NO CASE MISTRIAL 12 SEP 2016	N/A	N/A	JUDGE - COUNSEL GREAVES J C.CLARKE + T. BURGESS/C.ATTRIDGE

18.	2016/32 R v CAMRON CLACKEN CT#1. Aggravated Vehicle-Taking S. 343(2)(d) CC CT#2 Driving a motorcycle whilst disqualified by reason of age S. 123 MCA	FIRST SCT. APPEARANCE 1 SEPT 2016	CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017)</i> FORMS NOT REQUIRED	DISCHARGED NOLLE PROSEQUI 15 SEP 2016	NOLLE PROSEQUI	JUDGE+ COUNSEL GREAVES J C. CLARKE / S. DISMONT
19.	2016/30 R v DEVAUN COX CT#1. Intrusion upon the privacy of a woman S. 199(2)CC	FIRST SCT. APPEARANCE 1 SEPT 2016	CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017)</i> FORMS NOT REQUIRED	REMITTED TO MAGISTRATES' COURT 3 OCT 2016	REMITTED TO MAGISTRATES' COURT	JUDGE+ COUNSEL GREAVES J
20.	2016/25 R v CAVIN FRANCIS (CT#1. Aggravated vehicle-taking S. 342(1) CC)	FIRST SCT. APPEARANCE 1 SEP 2016	CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017)</i> FORMS NOT REQUIRED	GUILTY PLEA 10 OCT 2016	CONVICTION+SENTENCE REPORT ORDERED N/A ACQUITTAL/NO CASE MIXTIAL N/A SENTENCE REPORT(S) FILED 29 NOV 2016 SENTENCE DATE 10 JAN 2017 (3 YEARS PROBATION)	JUDGE+ COUNSEL WOLFEA / J K. SWAN / K. WORRELL
21.	2016/21 R v Yukie Pearman CT#1. Aggravated Burglary S. 340 CC CT#2 Wounding W/I to cause GBH s. 305(a)CC	FIRST SCT. APPEARANCE 1 AUGUST 2016	CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017)</i> FORMS NOT REQUIRED	DISCHARGED NOLLE PROSEQUI 19 OCT 2016	NOLLE PROSEQUI	JUDGE+ COUNSEL SIMMONS J A. RICHARDS / C. RICHARDSON
22.	2016/34 R v RALSTON WRIGHT CTS#1-2. Possession Ammunition 3(1)(a) FA	FIRST SCT. APPEARANCE 1 SEP 2016	CASE MANAGEMENT FORMS FORMS NOT REQUIRED	GUILTY PLEA 25 OCT 2016	CONVICTION+SENTENCE REPORT ORDERED N/A ACQUITTAL/NO CASE MIXTIAL N/A SENTENCE REPORT(S) FILED 30 NOV 2016 SENTENCE DATE 6 JAN 2017 (7 YEARS IMPRISONMENT)	JUDGE+ COUNSEL WOLFEA / J N. SMITH / C. RICHARDSON

23.	<p>2016/15 R v Malachai Brown CT #1. Murder S.287(1) CC CT #2 Using a firearm whilst committing indictable offence s.26A FA</p>	<p>FIRST SCT APPEARANCE 1 JUNE 2016</p>	<p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED</p>	<p>NO TRIAL</p>	<p>CONVICTED UPON CHANGE OFFICE TO GUILTY 1 NOV 2016</p>	<p>ACQUITTAL/ NO CASE MISTRIAL N/A</p>	<p>SENTENCE REPORT(S) FILED 31 JAN 2017</p>	<p>SENTENCE DATE 23 MAR 2017 5 YEARS IMPRISONMENT</p>	<p>JUDGE+ COUNSEL SIMMONS J</p>
24.	<p>2016/36 R v Quincy Simmons (CT #1 Possession Firearm S. 3(1)(a) FA Alternatively CT #2 Handling Firearm S. 19(A) FA))</p>	<p>FIRST SCT APPEARANCE 3 OCT 2016</p>	<p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED</p>	<p>START OF TRIAL 31 OCT 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED N/A</p>	<p>ACQUITTAL/ NO CASE MISTRIAL N/A</p>	<p>SENTENCE REPORT(S) FILED N/A</p>	<p>SENTENCE DATE 23 NOV 2016 (14 YEARS IMPRISONMENT)</p>	<p>JUDGE+ COUNSEL GREAVES J L.MUSSENDEEN+ V. GREENING/ C.RICHARDSON</p>
25.	<p>2016/43 R v Tjo Weeks CTS#1+3+5 Robbery S. 338 CC CT #2+4+6 Using a Firearm whilst committing an indictable offence S.26A</p>	<p>FIRST SCT APPEARANCE 1 NOV 2016</p>	<p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED</p>	<p>GUILTY FLEA 1 NOV 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED N/A</p>	<p>ACQUITTAL/ NO CASE MISTRIAL N/A</p>	<p>SENTENCE REPORT(S) FILED N/A</p>	<p>SENTENCE DATE 23 NOV 2016 (14 YEARS IMPRISONMENT)</p>	<p>JUDGE+ COUNSEL WOLFFEA/J K. KING/A.WHEATLEY</p>
26.	<p>2016/44 R v Anthony Williams CT #1 Prowling S.329) CC CT #2 Aggravated burglary S.340 CC CT #3 VRA S. 2(f) SOA</p>	<p>FIRST SCT APPEARANCE 1 NOV 2016</p>	<p>CASE MANAGEMENT FORMS FORMS NOT REQUIRED</p>	<p>GUILTY FLEA 1 NOV 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED N/A</p>	<p>ACQUITTAL/ NO CASE MISTRIAL N/A</p>	<p>SENTENCE REPORT(S) FILED 31 JAN 2017</p>	<p>SENTENCE DATE 6 FEB 2017 (18 MONTHS IMPRISONMENT + 2 YEARS PROBATION)</p>	<p>JUDGE+ COUNSEL GREAVES J C. HANNA / A. MAPP</p>
27.	<p>2016/19 R v Kenneth Wade (CT #1. Robbery S. 338(1) CC CT #2. Use of imitation firearm to commit indictable offence S. 26A(a) FA) CT #3 Handling Stolen Goods 356(1)</p>	<p>FIRST SCT APPEARANCE 1 AUG 2016</p>	<p>CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED</p>	<p>GUILTY FLEA 1 NOV 2016</p>	<p>CONVICTION-SENTENCE REPORT ORDERED N/A</p>	<p>ACQUITTAL/ NO CASE MISTRIAL N/A</p>	<p>SENTENCE REPORT(S) FILED 23 JAN 2017</p>	<p>SENTENCE DATE 15 FEB 2017 (2 YEARS IMPRISONMENT+ 2 YEARS PROBATION)</p>	<p>JUDGE+ COUNSEL GREAVES J</p>

28.	<p>2016/26 (Amended) R v Bryce Daniels CTS#4-2 Handling Stolen Goods 356(1) CT#2 Handling Stolen Goods 356(1)</p>	<p>FIRST SCT APPEARANCE 1 SEP 2016</p>	<p>CASE MANAGEMENT FORUMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</i> FORMS NOT REQUIRED</p>	<p>START OF TRIAL 8 NOV 2016</p>	<p>CONVICTION UPON CHANGE OF PLEA TO GUILTY N/A</p>	<p>ACQUITTAL/ NO CASE MISTRIAL ON 14 NOV 2016</p>	<p>SENTENCE REPORT(S) FILED N/A</p>	<p>SENTENCE DATE N/A</p>	<p>JUDGE - COUNSEL WOLFFEA/J C CLARKE+ C HANNA / E. CHRISTOPHER</p>
29.	<p>2016/28+ 2016/39 R v Zoe Bennett CT#1 Conspiracy to remove Criminal Property S. 43(1)(e) PCA R v Omar Davy CT#2 Possession Criminal Property S. 45(1)(c) PCA</p>	<p>FIRST SCT APPEARANCE 1 SEP 2016 (BENNETT) + 3 OCTOBER 2016 (DAVY)</p>	<p>CASE MANAGEMENT FORUMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017</i> FORMS NOT REQUIRED</p>	<p>START OF TRIAL 21 NOV 2016</p>	<p>CONVICTION UPON CHANGE OF PLEA TO GUILTY N/A</p>	<p>ACQUITTAL/ NO CASE MISTRIAL ON 25 NOV 2016</p>	<p>SENTENCE REPORT(S) FILED N/A</p>	<p>SENTENCE DATE N/A</p>	<p>JUDGE - COUNSEL WOLFFEA/J A.RICHARDS+ J.SIMONS / M.DANIELS/ C.RICHARDSON</p>
2017 COURT TRIALS AND HEARINGS									
#	<p>INDICTMENT NUMBER + CASE NAME + NATURE OF CHARGES</p>	<p>FIRST APPEARANCE IN SCT</p>	<p>PRE-ARRAIGNMENT APPLICATION(S)</p>	<p>START OF TRIAL / GUILTY PLEA(S) ENTERED</p>	<p>CONVICTION/ SENTENCE REPORT ORDERED</p>	<p>ACQUITTAL/ NO CASE TO ANSWER/ MISTRIAL</p>	<p>SENTENCE REPORT(S) FILED</p>	<p>SENTENCE DATE</p>	<p>TRIAL / SENTENCING JUDGE</p>
1.	<p>2016/16+2016/31+2016/35 R v Damon Morris: (CT#1: Conspiracy to Import Diamorphine S. 4(3) MDA/230CC CT#2 Money Laundering S. 43(1) PCA CT#3-4 Poss. W/I Supply Cocaine S. 6(3) MDA CT#5 Possession Cannabis S. 6(2) MDA CT#6 Possession Drug Equipment S. 9 MDA CT#7 Money Laundering S. 45(1) PCA) R v Esperanza Sobrado: (CT#8 Occupier permitting activity on premises S. 13(1)(c) MDA) R v Denise Morris: (CT#1: Conspiracy to Import Diamorphine S. 4(3) MDA/230CC CT#7 Money Laundering S. 45(1) PCA</p>	<p>FIRST SCT APPEARANCE 1 JULY 2016 (DAMON MORRIS) + 1 SEP 2016 (SOBRADO & DENISE MORRIS)</p>	<p>CASE MANAGEMENT FORUMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017)</i> FORMS NOT REQUIRED</p>	<p>START OF TRIAL 21 NOV 2016 (CONTINUES INTO JAN 2017)</p>	<p>CONVICTION-SENTENCE REPORT ORDERED DAMON MORRIS + DENISE MORRIS G ON ALL COUNTS 13 JAN 2017</p>	<p>NO CASE TO ANSWER ESPERANZA SOBRADO 28 DEC 2016</p>	<p>SENTENCE REPORT(S) FILED 27 FEB 2017</p>	<p>SENTENCE DATE 6 JUN 2017 DENISE MORRIS: COUNT #7: 12 MONTHS SUSPENDED FOR 12 MONTHS</p>	<p>JUDGE - COUNSEL SIMMONS J L.MUSSENDEN+ L. BURGESS+V.GREENING /M.DANIELS/S.MULLIGAN /E.BAILEY</p>

2.	RETRIAL 2016/28+ 2016/39 R v Zoe Bennett CT #1 Conspiracy to remove Criminal Property S. 43(1)(e) PCA R v Omar Davy CT #2 Possession Criminal Property S. 45(1)(c) PCA	FIRST SCT APPEARANCE 1 SEP 2016 (BENNETT) + 3 OCTOBER 2016 (DAVY)	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) FORMS NOT REQUIRED	START OF TRIAL 16 JAN 2017 (AFTER MISTRIAL BEFORE WOLFFE A/1 ON 25 NOV 2016)	CONVICTION-SENTENCE REPORT ORDERED Z. BENNETT: GUILTY ON ALL COUNTS 17 FEB 2017	NO CASE TO ANSWER O. DAVY: NO CASE TO ANSWER ON 14 FEB 2017	SENTENCE REPORT(S) FILED 27 MARCH 2017	SENTENCE DATE 6 JUNE 2017	JUDGE - COUNSEL SIMMONS J A. RICHARDS + J. SIMMONS / M. DANIELS
3.	2017/5 R v KAVIN HOWARD CT #1 Theft S. 337(2)CC CT #2 Aggravated vehicle-taking S. 342(1) / S. 343 CC	FIRST SCT APPEARANCE 1 FEB 2017	CASE MANAGEMENT FORMS NONE FILED (Guilty pleas entered on first appearance)	GUILTY PLEA 1 FEB 2017	CONVICTION-SENTENCE REPORT ORDERED 1 FEB 2017	ACQUITTAL N/A	SENTENCE REPORT(S) FILED 30 MAR 2017	SENTENCE DATE 17 APR 2017 (TOTAL 3 YEARS SUSPENDED FOR 3 YEARS)	JUDGE - COUNSEL GREAVES J UNREPRESENTED ACCUSED
4.	2017/8 R v Edmund Smith CT #1 Assault on police S. 310 CC	FIRST SCT APPEARANCE 1 FEB 2017	CASE MANAGEMENT FORMS NONE FILED (Remitted at first appearance)	REMITTED TO MAGISTRATES COURT 1 FEB 2017	CONVICTION-SENTENCE REPORT ORDERED 1 FEB 2017	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	JUDGE - COUNSEL SIMMONS J UNREPRESENTED ACCUSED
5.	2016/46 R v JUSTIN INGEMAN CT #1 Burglary S. 339(1)(b) CC CT #2 Robbery S. 338(1) CC	FIRST SCT APPEARANCE 1 DEC 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) FORMS NOT REQUIRED	REMITTED TO MAGISTRATES COURT 7 FEB 2017	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	JUDGE - COUNSEL WOLFFE A / J C. CLARKE / A. WHEATLEY / M. PETTINGILL
6.	2017/6 R v Jacqueline Robinson CT #1 Conspiracy to import Fentanyl S. 4(3) MDA/s.230(1) CC CT #2 Conspiracy to supply Fentanyl S. 5(1) MDA/s.230(1) CC CT #3 Possession of Fentanyl W/I supply S. 6(3) MDA	FIRST SCT APPEARANCE 1 FEB 2017	CASE MANAGEMENT FORMS NONE FILED (Guilty pleas entered within 2 weeks of first appearance)	GUILTY PLEA Robinson ONLY: 13 FEB 2017	(Co-Accused Martin & Lawrence Trial ongoing before Simmons J having commenced 17 JAN 2018)	SENTENCE REPORT(S) FILED 27 MAR 2017	SENTENCE DATE 20 JUL 2017 (7 YEARS IMPRISONMENT)	SENTENCE DATE 20 JUL 2017 (7 YEARS IMPRISONMENT)	JUDGE - COUNSEL WOLFFE A / J C. CLARKE / A. WHEATLEY / M. PETTINGILL
7.	2016/46 R v JUSTIN INGEMAN CT #1 Burglary S. 339(1)(b) CC CT #2 Robbery S. 338(1) CC	FIRST SCT APPEARANCE 1 DEC 2016	CASE MANAGEMENT FORMS FORMS NOT REQUIRED	REMITTED TO MAGISTRATES COURT 7 FEB 2017	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT	REMITTED TO THE MAGISTRATES' COURT

8.	<p>2016/11+ 2016/41 R v Zikai Cann CT#1 Murder 287 of the CC CT #2 Using a Firearm while committing an indictable offence 26A FA 1973</p> <p>R v Iravonne Saitus CT#1 Murder 287 of the CC</p> <p>CT#2 Using a Firearm while committing an indictable offence 26 A FA 1973</p> <p>R v Cordova Simons-Marshall CT3 Handling firearm 19A FA 1973 CT 4 Accessory after fact to murder 292 CC</p>	<p>FIRST SCT APPEARANCE 2 MAY 2016 (Z CANN+ SIMONS-MARSHALL) + 1 NOV 2016 (SALTUS)</p>	<p>CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017)</i> FORMS NOT REQUIRED</p>	<p>START OF TRIAL 20 FEB 2017</p>	<p>CONVICTION-SENTENCE REPORT ORDERED T. SALTUS: GUILTY ON ALL COUNTS 10 MAR 2017</p>	<p>ACQUITTAL CANN + SIMONS-MARSHALL: NG ON ALL COUNTS 10 MAR 2017</p>	<p>SENTENCE REPORT(S) FILED (DATA NOT AVAILABLE)</p>	<p>SENTENCE DATE 21 MAY 2017</p>	<p>JUDGE+ COUNSEL GREAVES J C.MAHONEY + K. KING/C.RICHARDSON/ E. CHRISTOPHER/ M. DANIELS</p>
9.	<p>2017/9 R v ACCUSED CTS#1-4+8+11+14-15+18: Indecent Assault on Male Person (pre-amendment) S. 330(1) CC CTS#5-6+9-10+16-17: Indecent Acts S. 196(3)(a) CC (pre-amendment) CT#7 Gross Indecency S.177(a) CC (pre-amendment) CT#12 Attempted Buggery s.175(2) CC (pre-amendment) CT #13 Buggery s.175(1) CC (pre-amendment)</p>	<p>FIRST SCT APPEARANCE 1 MARCH 2017</p>	<p>CASE MANAGEMENT FORMS NONE FILED (Guilty pleas entered on first appearance)</p>	<p>GUILTY PLEA 1 MARCH 2017</p>	<p>N/A</p>	<p>N/A</p>	<p>SENTENCE REPORT(S) FILED N/A</p>	<p>SENTENCE DATE 20 JUNE 2017 (TOTAL OF 11 YEARS IMPRISONMENT)</p>	<p>JUDGE+ COUNSEL GREAVES J C. CLARKE / E. CHRISTOPHER</p>
10.	<p>2017/13 Robert Green CTS#1-2 Burglary S. 339(1)(b) CC CT#3 Robbery S. 338(1) CC CT #4 Deprivation of Liberty S. 321 CC CT#5 Taking a motorcycle w/o authority S.342(1) CC CT#6 Theft S. 337(1) CC</p>	<p>FIRST SCT APPEARANCE 1 MARCH 2017</p>	<p>CASE MANAGEMENT FORMS NONE FILED (Guilty pleas entered on first appearance)</p>	<p>GUILTY PLEA 1 MARCH 2017</p>	<p>N/A</p>	<p>N/A</p>	<p>SENTENCE REPORT(S) FILED 31 MARCH 2017</p>	<p>SENTENCE DATE 7 APRIL 2017 (TOTAL OF 12 YEARS IMPRISONMENT)</p>	<p>JUDGE+ COUNSEL GREAVES J V. GREENING / ACCUSED UNREPRESENTED</p>
11.	<p>2016/18 (Amended) <i>(2016/11- 2016/41)</i> R v Rachael Robinson & R v Sheldon Franks & R v Teiko Furbert CT#1 Wound w/1 305(a) CC CT#2 ABH 309 CC</p>	<p>FIRST SCT APPEARANCE 1 JULY 2016</p>	<p>CASE MANAGEMENT FORMS <i>(By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017)</i> FORMS NOT REQUIRED</p>	<p>START OF TRIAL 13 MAR 2017</p>	<p>CONVICTION-SENTENCE REPORT ORDERED FRANKS + FURBERT: G TO SIMPLE ASSAULT 17 MAR 2017 ROBINSON: G TO ABH</p>	<p>ACQUITTAL/ NO CASE MISTRIAL N/A</p>	<p>SENTENCE REPORT(S) FILED 28 APRIL 2017 FOR RACHAEL ROBINSON</p>	<p>SENTENCE DATE 13 MARCH 2017: FRANKS + FURBERT: CONDITIONAL DISCHARGE 19 MAY 2017 ROBINSON: 18 MTHS PROBATION</p>	<p>JUDGE+ COUNSEL GREAVES J A. RICHARDS + K. SWAN/C.RICHARDSON</p>

	FIRST SCT APPEARANCE	CASE MANAGEMENT FORMS	DISCHARGED	CONVICTION-SENTENCE REPORT ORDERED	ACQUITTAL	SENTENCE REPORT(S) FILED	SENTENCE DATE	JUDGE- COUNSEL
12.	2017/7 R v Janea Lowe CT#1. Wounding W/I S. 305(a)CC CT#2 Having a bladed article in public S. 315C CC	NO CASE MANAGEMENT FORMS FILED	NOLLE PROSEQUI 13 MARCH 2017	N/A	NG 15 MAR 2017	N/A	N/A	L. MUSSENDEEN/P. WILSON SIMMONS J
13.	2016/38 R v Jahfari Raynor (CT#1.Wound 306(b)/ 322A CC)	NO CASE MANAGEMENT FORMS FILED	14 MAR 2017	N/A	NG 15 MAR 2017	N/A	N/A	JUDGE- COUNSEL GREAVES J C. CLARKE /M. DANIELS
14.	2016/37 R v George Simmons CT#1 Causing Death by Careless Driv: 37A RTA	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) FORMS NOT REQUIRED	20 MAR 2017	N/A	NG 27 MAR 2017	N/A	N/A	JUDGE- COUNSEL SIMMONS J T. SIMPSON & J. ROGERS /M. DANIELS
15.	2017/4 R v Andre Richardson CT#1.Importation Cannabis S. 4(3) MDA) CT#2. Possession Cannabis W/I supply S. 6(3)	NO CASE MANAGEMENT FORMS FILED	4 APR 2017	18 APRIL 2017	N/A	N/A	6 JULY 2017 (4 YEARS IMPRISONMENT)	JUDGE- COUNSEL WOLFFEA/J A.RICHARDS/ K. WORRELL
16.	2016/40 R v Manai Roberts CT#1. Possession Cannabis W/I S. 6(3) CC CT#2 Possession proceeds of criminal conduct s. 45(a) PCA	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) FORMS NOT REQUIRED	GUILTY PLEA ENTERED ON DAY 1 OF TRIAL 4 APR 2017	N/A	N/A	31 MAY 2017	7 JULY 2017 (9 MONTHS IMPRISONMENT)	JUDGE- COUNSEL WOLFFEA/J L. BURGESS/S. MULLIGAN
17.	2017/3 R v Madeline Santucci CT#1 Causing Death by Careless Driv. S. 37A CT#2 Causing GBH by Careless Driv: S. 37A	NONE FILED (Guilty pleas entered within 3 months of first appearance)	10 APR 2017	N/A	N/A	N/A	2 MAY 2017 (*TOTAL OF 12 MONTHS IMPRISONMENT SUSPENDED FOR 12 MONTHS+ 5 YEARS DISQUALIFICATION ALL VEHICLES)	JUDGE- COUNSEL GREAVES J V. GREENING / ACCUSED UNREPRESENTED

18.	2016/45 R v Curtis Swan (CT#1: Conspiracy to Import Cocaine. 4(3) MDA/230CC CTS#2+3: Money Laundering Ss. 43+45 (1) PCA	FIRST SCT APPEARANCE 1 NOV 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) FORMS NOT REQUIRED	START OF TRIAL 19 APR 2017	CONVICTION-SENTENCE REPORT ORDERED 10 MAY 2017	ACQUITTAL/ NO CASE MISTRIAL N/A	SENTENCE REPORT(S) FILED 1 JUN 2016	SENTENCE DATE 14 JUNE 2017 (21 YEARS IMPRISONMENT)	JUDGE- COUNSEL WOLFFEA / A. RICHARDS T. SIMPSON / A. CASSIDY		
19.	2017/20 R v Abdullah-Hasain Ali Virgil (CTS#1-3: Removing Proceeds of Criminal Conduct. 43(2)(b) PCA CT#4 Converting Criminal Property S43(1)(c) PCA CT#5 Possessing Criminal Property S45(1)(c) PCA	FIRST SCT APPEARANCE 1 MAY 2017	CASE MANAGEMENT FORMS NONE FILED (Guilty pleas entered on first appearance)	GUILTY PLEA 1 MAY 2017	N/A	N/A	SENTENCE REPORT(S) FILED 31 MAY 2017	SENTENCE DATE 19 JULY 2017 (TOTAL OF 2 YEARS IMPRISONMENT+ 2 YEARS PROBATION)	JUDGE- COUNSEL WOLFFEA / A. RICHARDS / V. CAINES		
20.	2017/16 R v Jerry Williams CT#1 ABH. 309 CC CT#2: Aggravated Burglary S 340 CC CT#3: Intimidation S 322 CC	FIRST SCT APPEARANCE 3 April 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	DISCHARGED NOLLE PROSEQUI 6 JUNE 2017	NOLLE PROSEQUIs ENTERED					JUDGE- COUNSEL GREAVES J A. RICHARDS UNREPRESENTED ACCUSED	
21.	2017/22 R v Arnold Smith & Alafia Henry CT#1 Interference with Ministers. 97(b) CC	FIRST SCT APPEARANCE 1 May 2017	DISCHARGED NOLLE PROSEQUI								JUDGE- COUNSEL SIMMONS J A. RICHARDS UNREPRESENTED ACCUSED
22.	2017/23 R v Arnold Anthony Burgess & Alafia Chris Furbert Jr & David Saltus CT#1 Interference with Ministers S. 97(b) CC CT#2 Obstruction S. 2(n) SDA 1926	FIRST SCT APPEARANCE 1 May 2017	DISCHARGED NOLLE PROSEQUI 1 May 2017								JUDGE- COUNSEL SIMMONS J A. RICHARDS UNREPRESENTED ACCUSED
23.	2016/22+ 2016/22a R v Wakeem Philpott & Detre Ford (CT#1: Aggravated Burglary S. 340(1)(a) CC CT#2: Possession Prohibited Weapon S. 2(1)(a)(iv) FA CT#3: Discharge loaded firearm. s.305(h) CC	FIRST SCT APPEARANCE 1 AUG 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) FORMS NOT REQUIRED	START OF TRIAL 2 MAY 2017 (ADJOURNED FOR 2 DAYS AFTER DAY 1)	CONVICTION-SENTENCE REPORT ORDERED 17 MAY 2017 FORD: G ON ALL COUNTS PHILPOTT G PLEA 8 MAY 2017 ON ALL COUNTS	ACQUITTAL/ NO CASE MISTRIAL N/A	SENTENCE REPORT(S) FILED (PHILPOTT: 29 SEP 2017 FORD: 28 JUNE 2017)	SENTENCE DATE 4 OCT 2017 (PHILPOTT: TOTAL 10 YEARS IMPRISONMENT FORD: TOTAL OF 12 YEARS IMPRISONMENT)	JUDGE- COUNSEL GREAVES J L. MUSSENDEN & M. SOFIANOS / M. PETTINGILL / M. DANIELS		
24.	2016/26 R v Bryce Daniels (CT#1: Handling Stolen Goods. 356(1) CC)	FIRST SCT APPEARANCE 1 SEP 2016	CASE MANAGEMENT FORMS FORMS NOT REQUIRED	START OF TRIAL 3 MAY 2017	CONVICTION-SENTENCE REPORT ORDERED N/A	ACQUITTAL NG	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE N/A	JUDGE- COUNSEL GREAVES J C. HANNA / E. CHRISTOPHER		

25.	2015/12 Kihana Trott-Edwards (CT#1 Manslaughter s. 293/294 CC) (AMENDED FROM MURDER)	FIRST SCT APPEARANCE (REMITTED BY COA IN NOV 2016 FOR RE-TRIAL)	CASE MANAGEMENT FORMS <u>NONE FILED</u> (Guilty pleas entered approx 6 months of first appearance)	GUILTY PLEA ENTERED ON DAY 1 OF TRIAL 8 MAY 2017	N/A	N/A	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE 19 MAY 2017 (5 ½ YEARS IMPRISONMENT)	JUDGE+ COUNSEL GREAVES J N. SMITH/C. RICHARDSON
26.	2015/38+ 2016/13 R v Gariko Benjamin CT#1 Discharge firearm 4(1)FA CT#2 Taking motorcycle w/o authority 342(1)CC CT #3 Attempted Murder, 289 CC CTS#4+7+9 Using a Firearm while committing an indictable offence 26A.FA CT#5 Taking Moto w/o authority 342(1)CC CTS#6+8 Pre-meditated Murder 286A(1)CC (pre-amendment) R v Ramano Mills CT #5 Taking Moto w/i authority 342(1)CC CT #6+8 Pre-meditated Murder 286A(1)CC (pre-amendment) CT#7+9 Using a Firearm while committing an indictable offence 26A.FA 1973	FIRST SCT APPEARANCE 2 NOV 2015 (G. BENJAMIN) + 1 JUN 2016 (R. MILLS)	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017) <u>FORMS NOT REQUIRED</u>	START OF TRIAL 17 MAY 2017 (PLEAD GUILTY MID- TRIAL ON 2 JUNE 2017)	7 JUNE 2017 GARIKO BENJAMIN: PLEAD GUILTY MID-TRIAL ON 2 JUNE 2017 TO ALL COUNTS (SIMPLE MURDER) 9 JUNE 2017 MILLS: FOUND GUILTY BY UNANIMOUS VERDICT TO ALL COUNTS	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE 5 JULY 2017 MILLS: LIFE IMPRISONMENT (NOT ELIBLE FOR PAROLE BEFORE 35 YEARS) 4 OCTOBER 2017 BENJAMIN: LIFE IMPRISONMENT (NOT ELIBLE FOR PAROLE BEFORE 25 YEARS)	JUDGE+ COUNSEL GREAVES J C. MAHONEY&M. SOFIANOS / E. CHRISTOPHER / K. WORRELL	
27.	2017/1 R v KEIVON SCOTT CT#1 Murder S. 287(1)CC	FIRST SCT APPEARANCE 3 JAN 2017	CASE MANAGEMENT FORMS <u>FORMS 1+5 FILED</u> 2 MAY 2017 (Guilty plea entered within 5 months of first appearance)	GUILTY PLEA 5 JUN 2017	CONVICTION-SENTENCE REPORT ORDERED 5 Jun 2017	ACQUITTAL N/A	SENTENCE REPORT(S) FILED 31 AUGUST 2017	SENTENCE DATE 6 OCT 2017 (LIFE MINIMUM 18 YEARS SERVICE)	JUDGE+ COUNSEL GREAVES J N. SMITH/ M. PETTINGILL
28.	2017/16 R v Jerry Williams CT #1 ABH, 309 CC CT #2: Aggravated Burglary S 340 CC CT #3: Intimidation S 322 CC	FIRST SCT APPEARANCE 3 April 2017	CASE MANAGEMENT FORMS <u>NO CASE MANAGEMENT FORMS FILED</u> (Nolle prosequi entered approx. 2 months after first appearance)	DISCHARGED NOLLE PROSEQUI 6 JUNE 2017	NOLLE PROSEQUI ENTERED				JUDGE+ COUNSEL GREAVES J A.RICHARDS UNREPRESENTED ACCUSED

29.	2016/29 R v Kethyo Whitehurst (CT#1: Manslaughter 293 CC)	FIRST SET APPEARANCE 1 SEP 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 January 2017 FORMS NOT REQUIRED)	START OF TRIAL 20 JUNE 2017	CONVICTIONS-SENTENCE REPORT ORDERED 5 JULY 2017	ACQUITTAL/ NO CASE MISTRIAL N/A	SENTENCE REPORT(S) FILED 20 SEP 2017	SENTENCE DATE 12 OCT 2017	JUDGE+ COUNSEL SIMMONS J C. MAHONEY & V. GREENING / S. MULLIGAN	
30.	2017/18 R v Taiquan Davis (CT#1: ABH S. 309CC R v Jerome Bailey CT#2 Wounding 306(b) CC)	FIRST SET APPEARANCE 3 APRIL 2017	CASE MANAGEMENT FORMS <u>ONLY FORM 1 Filed by the Crown</u> <u>11 APRIL 2017</u> (Guilty plea entered within 3 months of first appearance)	GUILTY PLEA ENTERED ON DAY 1 OF TRIAL 21 JUNE 2017	CONVICTIONS-SENTENCE REPORT ORDERED 21 JUNE 2017	ACQUITTAL/ NO CASE MISTRIAL N/A	SENTENCE REPORT(S) FILED (T. DAVIS: 25 JUL 2017 J. BAILEY: 9 AUG 2017)	SENTENCE DATE 13 OCT 2017 (DAVIS: 12 MTHS PROBATION BAILEY: 15MTHS IMPRISONMENT)	JUDGE+ COUNSEL GREAVES J T. SIMPSON/ M. DANIELS/ K. WORRELL	
31.	2016/10 R v Kenneth Leverock CT#1. Murder S. 287(1) CC	FIRST SET APPEARANCE 1 APRIL 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017 FORMS NOT REQUIRED)	GUILTY PLEA 5 JULY 2017	CONVICTIONS-SENTENCE REPORT ORDERED N/A	ACQUITTAL/ NO CASE MISTRIAL N/A	SENTENCE REPORT(S) FILED PSYCHOLOGICAL REPORTS FILED BY DEFENCE	SENTENCE DATE 5 JULY 2017	JUDGE+ COUNSEL GREAVES J C. CLARKE/ E. CHRISTOPHER	
32.	2017/10 R v Jakai Dillas & Dejean Smith (CT#1: Wounding W/ GBH 305(a) CC CT#2 Common Assault 314CC)	FIRST SET APPEARANCE 1 MARCH 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	START OF TRIAL 10 JUL 2017	CONVICTIONS-SENTENCE REPORT ORDERED N/A	NO CASE TO ANSWER 17 JUL 2017	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE N/A	JUDGE+ COUNSEL WOLFFEA/ J A. RICHARDS & K. SWAN/ E. CHRISTOPHER & A. MAPP	
33.	2016/47 R v Che Morrissey CT#1 Causing Death by Careless Driv. 37A RTA	FIRST SET APPEARANCE 1 DEC 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017 FORMS NOT REQUIRED)	NOLLE PROSEQUI ENTERED ON DAY 1 OF TRIAL 10 JUL 2017	CONVICTIONS-SENTENCE REPORT ORDERED	NOLLE PROSEQUI ENTERED				JUDGE+ COUNSEL SUBAIR WILLIAMS A/ J T. SIMPSON/ C. RICHARDSON

34.	2017/19 R v Harry Lightbourne CTS#1+3.Importation Cannabis and Cannabis Resin S. 4(3) MDA) CT#2+4. Possession Cannabis and Cannabis Resin W/i supply S.6(3)	1 MAY 2017	CASE MANAGEMENT FORMS <u>NO CASE MANAGEMENT FORMS FILED</u>	17 JUL 2017	CONVICTION-SENTENCE REPORT ORDERED N/A	ACQUITTAL NG TO ALL COUNTS	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE N/A	JUDGE- COUNSEL SUBAIR WILLIAMS A / J K. KING/ C. RICHARDSON
35.	2017/21 R v Chae Foggo CT#1 Threatening to Murder S. 290 CC CT#2 Improper Use of Public Telecommunications Service S.53(1)(e) Telecommunications Act 1986	1 MAY 2017	CASE MANAGEMENT FORMS <u>FORM 1 FILED</u> 1 JUNE 2017 <u>NO FURTHER CASE MANAGEMENT FORMS FILED</u>	31 JUL 2017	CONVICTION-SENTENCE REPORT ORDERED 31 JUL 2017	N/A	SENTENCE REPORT(S) FILED 30 AUGUST 2016	SENTENCE DATE 9 OCTOBER 2017 CT#1 ONLY (12 MONTHS IMPRISONMENT + 3 YEARS PROBATION)	JUDGE- COUNSEL SUBAIR WILLIAMS A / J J. ROGERS/ C. RICHARDSON
36.	2017/17 R v Michael Thomas CT#1 Murder S. 287(1) CC)	3 APRIL 2017	CASE MANAGEMENT FORMS <u>FORM 1 FILED</u> 4 JUNE 2017 <u>FORMS 2+3 NOT FILED</u> <u>FORM 4 FILED</u> 14 JUL 2017 <u>FORM 5 FILED</u> 21 JUL 2017	7 AUG 2017	CONVICTION-SENTENCE REPORT ORDERED 16 AUG 2017	ACQUITTAL/NO CASE HISTORIAL N/A	SENTENCE REPORT(S) FILED 26 SEP 2017	SENTENCE DATE 13 OCT 2017	JUDGE- COUNSEL SIMMONS J C. CLARKE & T. SIMPSON / K. WORRELL
37.	2017/34 R v Arlene Peralta (CT#1: Administering Poison with intent to procure miscarriage S. 195 CC) R v Rakesh Shetty CT#2. Accessory after the fact S. 30 CC)	1 Sep 2017	CASE MANAGEMENT FORMS <u>NO CASE MANAGEMENT FORMS FILED</u>	11 SEP 2017	CONVICTION-SENTENCE REPORT ORDERED N/A	CONDITIONAL DISCHARGE 11 SEP 2017	SENTENCE REPORT(S) FILED N/A	SENTENCE DATE 11 SEP 2017 (CONDITIONAL DISCHARGE FOR BOTH DEFS)	JUDGE- COUNSEL GREAVES J A. RICHARDS/ S. MULLIGAN/ A. WHEATLEY
38.	2017/29 R v Raza Mirza CTS#1.Importation Cocaine S. 4(3) MDA) CT#2.Possession Cocaine W/i supply S. 5(1)	1 AUG 2017	CASE MANAGEMENT FORMS <u>FORM 1 FILED</u> 18 SEP 2017	1 OCT 2017	CONVICTION-SENTENCE REPORT ORDERED N/A	N/A	SENTENCE REPORT(S) FILED DATA NOT YET INPUTTED	SENTENCE DATE 1 DEC 2017 (TO COUNT #1+2: 7 ½ YEARS IMPRISONMENT)	JUDGE- COUNSEL WOLFFEA / J T. SIMPSON /V. CAINES
39.	2017/36 R v Dion Chomondeley (CT#1. Possession of Prohibited Weapon S. 2(1)(a)(iv) Firearms Act	1 OCT 2017	CASE MANAGEMENT FORMS <u>NO CASE MANAGEMENT FORMS FILED</u>	1 OCT 2017	CONVICTION-SENTENCE REPORT ORDERED N/A	N/A	SENTENCE REPORT(S) FILED 30 OCT 2017	SENTENCE DATE 4 DEC 2017 (TO COUNT #1+2: 10 YEARS IMPRISONMENT)	JUDGE- COUNSEL SIMMONS J T. SIMPSON / E. CHRISTOPHER

	CT#2, Possession of Ammunition S. 3(1)(a) Firearms Act	FIRST SCT. APPEARANCE	CASE MANAGEMENT FORMS	GUILTY PLEA	CONVICTION-SENTENCE REPORT ORDERED	INDICTMENT QUASHED	SENTENCE REPORT(S) FILED	SENTENCE DATE	JUDGE- COUNSEL
40.	2017/30 R v Chamari Burns CTS#1.Importation Cocaine S. 4(3) MDA) CT #2 Possession Cocaine W/I supply S. 5(1)	1 AUGUST 2017	NO CASE MANAGEMENT FORMS FILED	1 OCT 2017	N/A	N/A	30 OCT 2017	16 NOV 2017 (TO COUNTS #1: 11 YEARS IMPRISONMENT)	JUDGE- COUNSEL WOLFFEA / J T. SIMPSON /E. CHRISTOPHER
41.	2017/38 R v Winslow Williams CTS#1-7-8 Burglary S. 339(1)(b) CC CT#1 GBH W/I GBH S.305(a) CC CTS#3-4 Serious Assault S.311(b) CC CT#5 Prowling 329J CC CT#6 Taking a conveyance w/o authority S.342 CC CT#9 Attempted Robbery S.338/S.32 CC	2 OCT 2017	NO CASE MANAGEMENT FORMS FILED	24 NOV 2017	N/A	N/A	DATA NOT INPUTTED	1 DEC 2017 (TO COUNT #1+2: 7 ½ YEARS IMPRISONMENT)	JUDGE- COUNSEL WOLFFEA / J T. SIMPSON /V. CAINES
42.	2017/26 R v Gavaska Bascome CT #1. Attempted Murder 289 CC CT #2 Carrying firearm with crim intent 17FA CT #3 Handling a Firearm 19A FA 1973	1 JUNE 2017	FORM 1 Filed by the Crown 6 JUNE 2017 (Guilty plea entered approx 4 months of first appearance)	4 OCTOBER 2017	N/A	N/A	N/A (NO REPORTS ORDERED)	6 DEC 2017 (11 YEARS IMPRISONMENT to count 3)	JUDGE- COUNSEL SIMMONS J C. CLARKE/S. TUCKER
43.	2017/28 R v Trenton Williams (CT#1. Wounding W/I S. 305(a) CC	1 August 2017	FORM 1 Filed 21 SEP 2017	FIRST TRIAL APP TO QUASH AFFIDAVIT DAY 1 OF TRIAL 11 OCT 2017	N/A	INDICTMENT QUASHED 16 OCT 2017 (JURY POOL EXCUSED)	N/A	N/A	JUDGE- COUNSEL GREAVES J L. BURGESS / C. ATTRIDGE
44.	2017/12 R v Ryan Willingham-Walker CT#1 Conspiracy to import a controlled drug s.5 5(1)(b) MDA + 230CC CT#2 Possession of controlled drug W/I	1 MAR 2017	NO CASE MANAGEMENT FORMS FILED	GUILTY PLEAS 17 OCT 2017 (MARQUES) 23 OCTOBER 2017	N/A	ACQUITTAL/ NO CASE MISTRIAL GRIFFITHS DISCHARGED ON 17 OCTOBER 2017	N/A	31 OCT 2017 MARQUES: CTS#1+CTS#9-12 (TOTAL)	JUDGE- COUNSEL GREAVES J N. SMITH & L. BURGESS / C. RICHARDSON FOR MARQUES (WALKER UNREPRESENTED)

<p>supply, s.s 5(1) MDA + 230CC CT #3+8 Possession of controlled drug s. 6(2) CTS#4+5 Possession of drug equip s. 9(2) CT#6+7 Money Laundering s.45(1) Roberto Marques CT #1 Conspiracy to import a controlled drug s.s 5(1)(b) MDA + 230CC CT#9+10 Possession of controlled drug W/i supply, s.s 5(1) MDA + 230CC CTS#11 Possession of drug equip s. 9(2) CT#12 Money Laundering s.45(1) Lindsay Griffiths CT #2 Possession of controlled drug W/i supply, s.s 5(1) MDA + 230CC CT #3 Possession of controlled drug, s. 6(2) CTS#4+5 Possession of drug equip s. 9(2) CT#6 Money Laundering s.45(1)</p>	<p>(WALKER)</p>	<p>CONVICTION-SENTENCE REPORT ORDERED</p>	<p>ACQUITTAL/NO CASE MISRIAL N/A</p>	<p>SENTENCE (COUNT #2 TOTAL 6 YEARS IMPRISONMENT)</p>	<p>SENTENCE DATE 24 JAN 2018</p>	<p>10 YEARS IMPRISONMENT) WALKER: CTS #2-#5+#8 (TOTAL 18 MONTHS IMPRISONMENT)</p>	<p>JUDGE- COUNSEL WOLFFEA/J T. SIMPSON / E. CHRISTOPHER</p>	
<p>45. 2017/37 R v Dwayne Watson CT #1 Conspiracy to import a controlled drug s.s 5(1)(b) MDA + 230CC CT #2 Possession of controlled drug W/i supply, s.s 5(1) MDA + 230CC</p>	<p>FIRST SCT APPEARANCE 2 Oct 2017</p>	<p>CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED</p>	<p>GUILTY PLEAS 15 DEC 2017</p>	<p>CONVICTION-SENTENCE REPORT ORDERED</p>	<p>ACQUITTAL/NO CASE MISRIAL N/A</p>	<p>SENTENCE (COUNT #2 TOTAL 6 YEARS IMPRISONMENT)</p>	<p>SENTENCE DATE 24 JAN 2018</p>	<p>JUDGE- COUNSEL WOLFFEA/J T. SIMPSON / E. CHRISTOPHER</p>

INDICTMENTS PENDING FINAL DISPOSITION IN 2018

1.	2017/11 R v Maurice Martin CT# 1 Conspiracy to supply Fentanyl s.5 + 230(1) CC R v Craig Lawrence CT#1 Conspiracy to import Fentanyl s. 4(3) MDA/s.230(1) CC CT#2 Conspiracy to supply Fentanyl s. 5(1) MDA/s.230(1) CC	FIRST SCT APPEARANCE 1 FEB 2017 + 1 MAR 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	START OF TRIAL 17 JAN 2018	N/A	N/A Trial ongoing	SENTENCE REPORT(S) FILED 27 MAR 2017	SENTENCE DATE 20 JUL 2017 (7 YEARS IMPRISONMENT)
2.	2015/37 R v Jermaine Butterfield & Kimimisha Perinchief CT#1 Conspiracy to import a prohibited weapon ss 2(1)(b) FA + 230CC CT# 2 Conspiracy to import ammunition s.s 3(1)(b) FA + 230CC CT# 3 Conspiracy to import drug s.4 + 230CC CT# 4 Conspiracy to supply drug s.5 + 230CC (Butterfield: CT# 5 Money Laundering s.45FCA)	FIRST SCT APPEARANCE 1 October 2015	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017 FORMS NOT REQUIRED	START OF TRIAL 23 OCT 2017	CONVICTION-SENTENCE REPORT ORDERED 30 NOV 2017: CT#3 GUILTY BOTH DEFS CT#4 BUTTERFIELD G PERINCHIEF NG	ACQUITTAL CTS#1-2	SENTENCE REPORT(S) FILED SIR PENDING (ANTICIPATED FILING DATE 29 JAN 2018) SENTENCE DATE PENDING (DATE FIXED FOR 2 FEB 2018)	JUDGE - COUNSEL SIMMONS J C. CLARKE & J. SIMONS / C. GRIFFITHS QC & M. SCOTT / S. MULLIGAN
3.	2016/42 R v Shayne James CT# 1 Handling a firearm S. 19A FA CT# 2 Discharging a Firearm s. 4(1) FA	FIRST SCT APPEARANCE 1 NOV 2016	CASE MANAGEMENT FORMS FORM 1 FILED 5 SEP 2017	START OF TRIAL 11 SEP 2017	CONVICTION-SENTENCE REPORT ORDERED 19 SEP 2017	ACQUITTAL/ NO CASE HISTORIAL N/A	SENTENCE REPORT(S) FILED N/A	JUDGE - COUNSEL GREAVES J L. MUSSENSEN / K. KING / E. CHRISTOPHER
4.	2017/31 R v Rudolph Clarke CTS# 1 Importation Cocaine s. 4(3) MDA CT# 2 Possession Cocaine W/1 supply s. 5(1)	FIRST SCT APPEARANCE 1 August 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	START OF TRIAL 15 JAN 2018	CONVICTION 24 JAN 2018 G. BOTH COUNTS	ACQUITTAL/ NO CASE HISTORIAL N/A	SENTENCE REPORT(S) FILED N/A	JUDGE - COUNSEL WOLFFEA / J L. BURGESS / J. LYNCH QC
5.	2016/33 R v TIFFANY EATHERLY CTS# 1-2. Effecting Public Mischief s. 132(1) CC	FIRST SCT APPEARANCE 1 SEPT 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017 FORMS NOT REQUIRED	TRIAL DATE NOT FIXED	(PENDING: RESERVED RULING ON APPLICATION FOR ABUSE OF PROCESS AND S. 31 TO QUASH INDICTMENT)			JUDGE - COUNSEL SIMMONS J C. CLARKE / E. CHRISTOPHER
6.	2016/27 R v ACCUSED	FIRST SCT APPEARANCE	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the	GUILTY PLEA	CONVICTION	SENTENCE REPORT(S) FILED		JUDGE - COUNSEL SIMMONS J

CT#1. Serious sexual assault. S. 325(1)(b) CC	1 SEPT 2016	Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017 FORMS NOT REQUIRED	7 JULY 2017	24 JAN 2018 G. BOTH COUNTS	329E PSYCH REPORT FILED 12 OCT 2017 + VICTIM IMPACT STATEMENT FILED 6 SEP 2017 SENTENCE DATE (MENTION FOR 1 FEB 2018- POSSIBLE CANDIDATE FOR MHC) SENTENCE DATE	S. DISMONT
7. 2017/40 R v Margaret Desilva CT#1 Causing Death by Careless Driving S. 37A RTA	FIRST SCT APPEARANCE 1 Nov 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	GUilty PLEA 8 Jan 2018		PENDING (DATE FIXED FOR 30 JAN 2018)	JUDGE- COUNSEL SIMMONS J C. CLARKE V. GREENIDGE
8. 2017/2 R v ACCUSED CTS#1-2 Burglary S. 339(1)(B) CC CT#3 Sexual assault S. 323 CC	FIRST SCT APPEARANCE 3 JAN 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	START OF TRIAL 10 OCT 2017	CONVICTION- SENTENCE REPORT ORDERED 11 Oct 2017	SENTENCE REPORT(S) FILED 5 JAN 2018 SENTENCE DATE PENDING (DATE FIXED FOR 2 FEB 2018)	JUDGE- COUNSEL GREAVES J N. SMITH/ M. PETTINGILL
9. 2017/32 R v Christopher Flood CT#1 Wounding w/ I s 305(a)	FIRST SCT APPEARANCE 1 SEP 2017	CASE MANAGEMENT FORMS (Form 1 FILED 30 AUG 2017)	START OF TRIAL 15 NOV 2017	CONVICTION- SENTENCE REPORT ORDERED N/A	HUNG JURY 24 NOV 2017 HUNG JURY FOR RE- TRIAL (MENTION DATE 1 MARCH 2018)	JUDGE- COUNSEL WOLFEA/J M. SOFIANOS & J. SIMMONS / C. RICHARDSON
10. 2017/48 R v Gavin Francis CTS#1-2 Caused GBH by driving w/o due care and attention S. 37 RTA CT#3 Driving w/o valid driver's license S. 74(1) MCA CT#4 Driving w/o valid insurance policy S3(1) Motor Car Insurance (Third Party Rules) Act 1943	FIRST SCT APPEARANCE 1 Dec 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	TRIAL DATE NOT FIXED		FIXED MENTION ON 26 JANUARY 2018	
11. 2017/47 R v Clinton Smith CT#1 Causing Death by Dangerous Driving S. 34 RTA	FIRST SCT APPEARANCE 1 Dec 2017	CASE MANAGEMENT FORMS (Form 1 FILED 28 NOV 2017)	TRIAL DATE NOT FIXED		FIXED MENTION FOR FEBRUARY 2018 ARRAIGNMENT SESSION	
12. 2018/1 R v Darren Anglin CT#1- Aggravated Burglary S. 340 CC	FIRST SCT APPEARANCE 2 Jan 2018	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	TRIAL DATE NOT FIXED		FIXED MENTION FOR FEBRUARY 2018 ARRAIGNMENT SESSION	
13. 2018/2 R v Jeremiah Dill CT#1. Premeditated Murder (Pre-meditated) S. 286A(1) CC CT#2 Using a firearm whilst committing an indictable offence S. 26A FA	FIRST SCT APPEARANCE 2 Jan 2018	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	TRIAL DATE NOT FIXED		FIXED MENTION FOR FEBRUARY 2018 ARRAIGNMENT SESSION	

		FIRST SCT APPEARANCE	CASE MANAGEMENT FORMS	TRIAL DATE NOT FIXED	
14.	<p>2017/43 R v Danail Damov CTS#1+6.Wilful Damage S. 448(1) CC /CT#2 Going equipped to commit theft / S. 360(1) CC CTS#3+7 Possession of equipment to make a false instrument. ... (OTHER COUNTS)</p>	1 Nov 2017	NO CASE MANAGEMENT FORMS FILED	CASE MANAGEMENT HEARING FIXED FOR 22 FEB 2018 @11	
15.	<p>2017/27 R v Iahmico Trott & Troy Burgess Jr CT #1 Attempted Murder S. 289 CC CT#2 Using a Firearm while committing an indictable offence S. 26A FA CT #3 Carrying a Firearm with criminal intent S. 17 FA CT#4 Handling a Firearm S. 19A FA</p>	FIRST SCT APPEARANCE 3 July 2017	CASE MANAGEMENT FORMS (Form 1 FILED 24 JUL 2017)	TRIAL FIXED FOR 13 FEB 2018	
16.	<p>2016/20 Sabian Hayward Daymon Simmons</p>	FIRST SCT APPEARANCE 1 AUG 2016	CASE MANAGEMENT FORMS (By Circular No. 1 / 2017, the Registrar's Case Management Filing Forms are required only for matters which first appeared in the Supreme Court on or after 3 Jan 2017 FORMS NOT REQUIRED)	TRIAL DATE FIXED FOR 19 FEB 2018	JUDGE- COUNSEL SIMMONS J L. BURGESS / S. MULLIGAN
17.	<p>2017/15 R v Melissa Burton CTS#1-5, Theft S. 337(1) CC CT#6: Abuse of Senior S. 3 Senior Abuse Register Act 2008</p>	FIRST SCT APPEARANCE 3 April 2017	(Form 1 FILED 19 SEP 2017)	TRIAL FIXED FOR 19 FEB 2018	
18.	<p>2017/25 Greta Lighthourne ((CT#1 Importation of Cannabis S. 4(3) MDA) (CT#2 Possession of Cannabis W/I supply S. 5(1) MDA)</p>	FIRST SCT APPEARANCE 1 June 2017	NO CASE MANAGEMENT FORMS FILED	TRIAL FIXED FOR 26 FEB 2018	
19.	<p>2017/35 R v Carlton Simmons (CT#1: Attempted Murder S. 289(a)CC)</p>	FIRST SCT APPEARANCE 2 Oct 2017	NO CASE MANAGEMENT FORMS FILED	TRIAL FIXED FOR 26 FEB 2018	
20.	<p>2017/14 R v Jahdel Rogers CT#1 Possession Firearm S. 2(1)(a)(iv) FA CT#2 Possession Ammunition S. 3(1)(a) FA CT#3 Possession Cannabis and Cannabis Resin S.6(3) MDA CT #4 Possession Cocaine W/I Supply</p>	FIRST SCT APPEARANCE 3 April 2017	(Form 1 FILED 19 SEP 2017)	WARNED FOR TRIAL ON 26 FEB 2018 TRIAL FIXED FOR 2 APRIL 2018	

	S6(3)MDA 2017/45 R v Anthony Davis CT#1: ABH 309 CC CT#2: Mistreatment of a child S.19 Children Act	FIRST SCT APPEARANCE 1 Dec 2017	CASE MANAGEMENT FORMS (Form 1 FILED 28 DEC 2017)	TRIAL FIXED FOR 5 MARCH 2018
22.	2017/46 R v Jahni Holder CTS#1-2: Passing/Tendering Counterfeit Currency S.165(1)(a) CC CT#3: Having custody/control of counterfeit currency/ S.166(1) CC	FIRST SCT APPEARANCE 1 Dec 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	TRIAL FIXED FOR 5 MARCH 2018
23.	2017/42 R v Josef Vlcek CTS#1: Importation Diamorphine S.4(3) MDA) CT#2: Possession Diamorphine W/1 supply S.5(1) MDA	FIRST SCT APPEARANCE 1 Nov 2017	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	TRIAL FIXED FOR 19 MARCH 2018
24.	2017/39 R v Asipia Harvey CT#1: Blackmail 355 CC CT#2: Threatening to Murder 290 CC CT#2: Having a bladed article in public S.315C CC	FIRST SCT APPEARANCE 1 Nov 2017	CASE MANAGEMENT FORMS (Form 1 FILED 28 DEC 2017)	TRIAL FIXED FOR 26 MARCH 2018
25.	2017/41 R v ACCUSED CT#1 Sexual Assault S.323 CC	FIRST SCT APPEARANCE 1 Nov 2017	CASE MANAGEMENT FORMS (Form 1 FILED 1 NOV 2017)	FIXED FOR MENTION AT MARCH 2018 ARRAIGNMENT SESSION
26.	2017/44 R v Andrew Lake CT#1: Manslaughter 293 CC CTS#2-3: Causing injury by Power craft S.276B(1) CC	FIRST SCT APPEARANCE 1 Dec 2017	NO CASE MANAGEMENT FORMS FILED	FIXED FOR MENTION 2 APRIL 2018
27.	2017/33 R v Bryce Daniels (CTS#1-2: Robbery S.338(1)CC)	FIRST SCT APPEARANCE 1 Sep 2017	CASE MANAGEMENT FORMS (Form 1 FILED 5 Jan 2018)	TRIAL FIXED FOR 14 MAY 2018
28.	2018/3 R v Barry Richards CT#1 Caused GBH by driving by careless driving S.37A RTA	FIRST SCT APPEARANCE 2 Jan 2018	CASE MANAGEMENT FORMS NO CASE MANAGEMENT FORMS FILED	WARNED FOR TRIAL ON 19 FEB 2018 TRIAL FIXED FOR 21 MAY 2018

SUMMARY OF INDICTMENTS LISTED AND DISPOSED IN 2016-2017:

The below tables track Court listing periods as opposed to the periods when the offences (allegedly) occurred

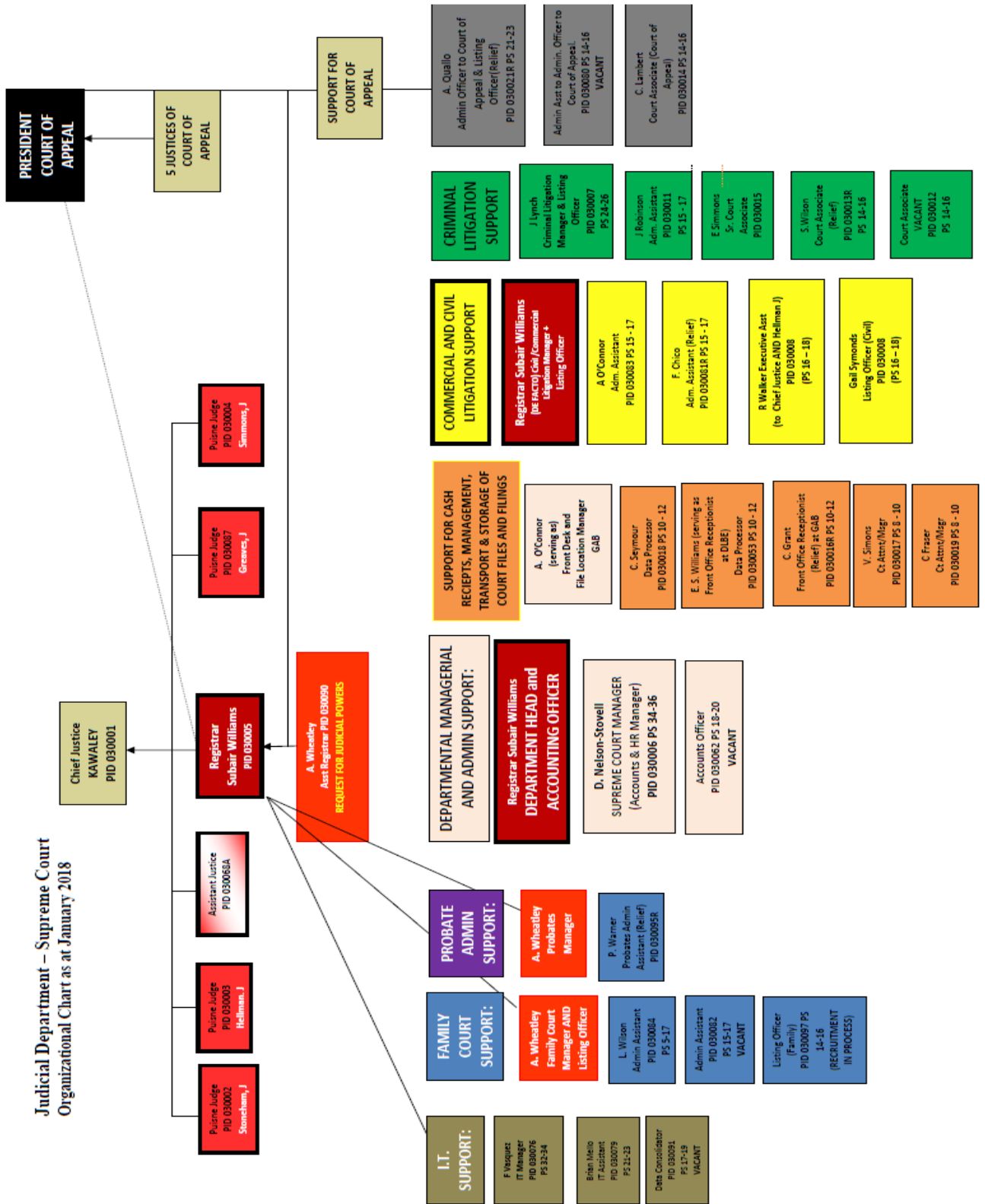
MODE OF DISPOSITION	
2016	2017
TRIAL TOTAL FOR 2016	TRIAL TOTAL FOR 2017
9	22
TRIALS FOR 2 CO-ACCUSED PERSONS	TRIALS FOR 2 CO-ACCUSED PERSONS
4	4
MULTI-DEFENDANT TRIALS (3 OR MORE CO-ACCUSED)	MULTI-DEFENDANT TRIALS (3 OR MORE CO-ACCUSED)
0	4
DEFENDANTS ACQUITTED BY JURY	DEFENDANTS ACQUITTED BY JURY
4	6
DEFENDANTS CONVICTED BY JURY	DEFENDANTS CONVICTED BY JURY
6	21
DEFS DICHARGED ON FINDING OF NO CASE TO ANSWER	DEFS DICHARGED ON FINDING OF NO CASE TO ANSWER
1	4
HUNG JURY IN 2016	HUNG JURY IN 2017
0	1
MISTRIALS 2016	MISTRIALS 2017
2	0
GUILTY PLEAS 2016	GUILTY 2017
12	22
INDICTMENTS QUASHED 2016	INDICTMENTS QUASHED 2017
1	0
NOLLE PROSEQUIUS ENTERED IN 2016	NOLLE PROSEQUIUS ENTERED IN 2017
3	6
INDICTMENTS REMITTED TO MAGISTRATES' COURT 2016	INDICTMENTS REMITTED TO MAGISTRATES' COURT 2017
3	3

OFFENCE TYPE		2016	2017
MURDER RELATED OFFENCES LISTED	2	MURDER RELATED OFFENCES LISTED	9
MANSLAUGHTER OFFENCES LISTED	0	MANSLAUGHTER OFFENCES LISTED	3
DRUG RELATED OFFENCES LISTED	5	DRUG RELATED OFFENCES LISTED	15
MONEY LAUNDERING OFFENCES LISTED	2	MONEY LAUNDERING OFFENCES LISTED	7
FIREARM OFFENCES LISTED	8	FIREARM OFFENCES LISTED	10
SEXUAL OFFENCES LISTED	1	SEXUAL OFFENCES LISTED	4

CASE MANAGEMENT		2016	2017
AVERAGE TIMEFRAME BETWEEN FIRST APPEARANCE AND TRIAL	3.5 MTHS	AVERAGE TIMEFRAME BETWEEN FIRST APPEARANCE AND TRIAL	7.5 MTHS
AVERAGE TIMEFRAME BETWEEN CONVICTION AND SENTENCE	3.5 MTHS	AVERAGE TIMEFRAME BETWEEN CONVICTION AND SENTENCE	2.3 MTHS
AVERAGE TIMEFRAME BETWEEN FILING OF SENTENCE REPORTS AND SENTENCE HEARING	48.6 DAYS	AVERAGE TIMEFRAME BETWEEN FILING OF SENTENCE REPORTS AND SENTENCE HEARING	40.5 DAYS

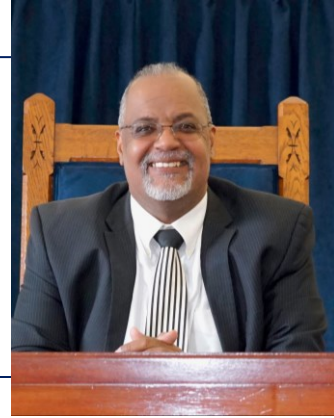
Court of Appeal and Supreme Court Organizational Chart January 2018

Judicial Department – Supreme Court Organizational Chart as at January 2018



Senior Magistrate Commentary

By the Worship Senior Magistrate Juan Wolffe, JP



Remarks made by the Worship Senior Magistrate Juan Wolffe at the Special Sitting of the Supreme Court to Celebrate the Opening of the Judicial New Year 2018 (26 January 2018 at 3.00pm, Sessions House , Hamilton, Bermuda)

Quoting the 19th Century American clergyman Theodore Parker, Dr. Martin Luther King Jr. once said that:

“The arc of the moral universe is long, but it bends towards Justice.”

Many may postulate as to what this quote actually means, but it would be intellectually dangerous to discern that it means that Justice is predetermined or that by fate Justice will in any event just happen. We must unceasingly take every concerted effort to ensure that the trajectory of the arc continues to bend towards Justice. By “We”, I refer to all stakeholders of the Justice System: such as, members of the Judiciary, barristers, police officers, probation officers, prison officers, treatment providers, collection agencies, and Court staff. We must venture outside of our barricaded silos and cast aside our contrived haughty egos so that we may collectively construct a Justice system that would always benefit our most vulnerable.

During the 2017 Judicial Year the Magistrates’ Court continued to do its part in ensuring that Justice prevailed and that Justice was delivered in a fair and timely manner. As I have mentioned before, the Magistrates’ Court is often the first and only contact that the Bermudian community has with the Court system. So much so, the Magistrates’ Court has been aptly described as the

“Emergency Room or Engine Room of the Judicial System”. Magistrates routinely preside over very controversial and highly emotional hearings, often where one’s freedom is at stake or where a child is removed from parental care. Unfortunately, the Magistrates’ Court continues to be the depository of Bermuda’s social ills. On the surface Bermuda appears to be a pristine place where locals and tourist alike frolic on pink coloured sand under baby blue skies. However, what Magistrates often see, and which others often deliberately ignore, is that there also exists a deeply entrenched underbelly punctuated by violence against our children and elderly; anti-social and criminal behaviour; parental dysfunction; drug and alcohol abuse; juvenile delinquency; teen promiscuity; and a rapid erosion of our social norms and values.

Therefore, on a daily basis Magistrates find meaningful and sustainable ways:

- to encourage parties in civil actions to resolve their disputes without the need for a contentious and potentially expensive trial;
- to assist those overwhelmed by crippling debt to satisfy their financial responsibilities in a manageable way over a reasonable period of time;
- to encourage delinquent parents to conduct themselves in a manner which is in the best interests of their children, both emotionally and financially;
- to provide guidance to the wayward teen who may have run foul of the law; and,
- to give the drug or alcohol addict a real chance at stopping their debilitating cycle of drug or alcohol use, offending behaviour and incarceration.

But our efforts are not without serious and persistent challenges. A common thread which continues to weave through many of the criminal, civil and family matters is the abuse of drugs

and alcohol. So it is with keen interest, and with some degree of trepidation, that we wait and see what, if any, affects recent legislation towards decriminalization of cannabis will have on the number of drug related cases that come before the Magistrates' Court. I have faith and trust that prior to the enactment of such legislation that there was an honest and comprehensive analysis as to whether Bermuda, as distinct and unique from other places both culturally and demographically, should decriminalize cannabis. And most importantly, how will our decision affect future generations; and, to what extent the decision will impact our families and our community.

Let me put this into context by quoting some alarming statistics. A recent 2017 National Household Survey of 1,270 households in Bermuda, which conducted by the Department for National Drug Control, revealed that: Cannabis was the easiest drug to obtain of all illegal drugs; 80% of participants indicated use of at least one drug in their lifetime; and, that the age of first use of any drug was as early as 12 years and the average age of first use of any drug was 16.3 years i.e. school age. A survey of Bermudian middle and senior school students taken in 2011 reported that 76% of them used at least one drug during their lifetime. Why are these statistics so alarming? Well, they far surpass the statistics of other larger jurisdictions. In 2014, 28% of Canadian children aged between 11 and 15 admitted to using cannabis at least once, and the United States and the Netherlands posted figures of 23% and 17% respectively. We must seriously ask ourselves, what is it about our children that they appear to be using drugs at a higher rate than many other jurisdictions.

Further, the United Nations Office on Drugs and Crime revealed in their 2016 World Drug Report that Bermuda has one of the highest percentages of drug use in the World: Ranking 8th for Cannabis use, and 13th for Cocaine use.

Unfortunately, Magistrates see the adverse effects of marijuana and alcohol use amongst our teens up close and personal in our Courtrooms on almost a daily basis. The vast majority of

male teenagers, who find themselves in Magistrates' Court for committing criminal offences use or have used cannabis and/or alcohol, and, they have not matriculated past high school. Most disturbingly, there is absolutely no desire in them to cease smoking marijuana, and, they refuse to see any correlation between their cannabis use and their failure at school or their criminal conduct. What we see is a population of lost boys whose futures looks sadly bleak, and will remain that way unless or until they acknowledge that cannabis use has seriously affected them and that they must take immediate steps to cease and desist their use. The stark reality is that by the time our young persons interact with the Courts their anti-social behaviour has become deeply engrained in their lifestyle and their perceptions about the World. Hence, in our view, we must on the front end urgently direct our collective attention towards a robust educational campaign and rehabilitative regime so as to prevent youth drug and alcohol use and abuse.

As Frederick Douglass, the great African-American social reformer and statesman, said:

“It is easier to build strong children than to repair broken men”

Turning to a different issue, it is still the disturbing case that Magistrates are being treated as less than other members of the Judiciary and other legal officers in the civil service. There is still the need for Bermuda's Constitution to be amended to bring Magistrates fully into the judicial fold and to be given the same constitutional security of tenure that Court of Appeal and Supreme Court judges presently enjoy. It is still the disturbing case that Magistrates are paid less than some counsel in the Department of Public Prosecutions, the Attorney-General's Chambers and legal consultants in other Government Departments. The same can be said of Magistrates' Court staff who are paid less than and treated less than others who are in similar positions. As I have said before, it wreaks with irony that as Magistrates and as Magistrates' Court staff that on daily basis in Court we are the guardians of justice but when we return to our Chambers and cubicles that considerable injustice is imposed upon us.

Addressing this issue should be of paramount importance when one considers the high volume of matters that are resolved by the Magistrates' Court. The 2017 Annual Reports of The Bermuda Judiciary indicated the following in respect of "new" matters being filed in the Magistrates' Court for the 2017 calendar years:

- In the **Civil Court** 2,088 new cases were instituted. It must be taken into consideration that Magistrates still have ongoing conduct of thousands of older matters as a result of enforcement proceedings (Judgment Summons, Warrants of Arrest, Writs of Execution, Committal to Prisons, etc.).
- In the **Family Courts** 147 new cases were instituted and 2,093 matters were adjudicated upon. It must be taken into consideration that Family Court matters could potentially remain active for up to 18 years (i.e. the age of the child when child support orders may cease), or even longer if the child is in full time education.
- In the **Criminal Courts** 616 new criminal cases and 7,767 new traffic cases were instituted. Of note is that on average 647 traffic matters per month were adjudicated upon by Magistrates, and that for the months of April and July 2017, 883 and 885 cases were adjudicated upon respectively.

The 2017 Annual Report of The Bermuda Judiciary also stated that for the 2017 calendar year the five (5) current substantive Magistrates presided over 1,721 trials, 3,295 mentions, and 22,095 case events (all other hearings not including trials or mentions). On average this amounts to approximately: 345 trials per Magistrate per year; 659 mentions per Magistrate per year; and 4,419 case events per Magistrate per year (these average figures may be slightly reduced when accounting for the conduct of matters by Acting Magistrates). These figures do not include the administrative duties of Magistrates, the 290 applications made to Magistrates under the Police

and Criminal Evidence Act 2006 (PACE Warrants), the decisions made on approximately 627 liquor license applications filed, or the 94 Coroner's Inquest matters concluded.

Notably, of the 1,721 trials adjudicated upon by Magistrates in 2017 only 79 of them were appealed (the number is even less in the previous seven (7) years). Therefore, over 95% of all trials completed in the Magistrates' Court were not appealed to the Supreme Court of Bermuda. This is indicative of the soundness of the Judgments delivered in the Magistrates' Court (even if there may be other factors existing).

Therefore, although historically the Magistrates' Court has been known as a "Court of Summary Jurisdiction", in this contemporary societal and legislative framework the term "summary jurisdiction" is somewhat of a misnomer, especially when one considers the increases in the Magistrates' Court's criminal, civil and family jurisdictions over the past few years. In addition to the expansion of the Magistrates' Court's traditional judicial jurisdiction it also hosts two special 'treatment' courts, the Drug Treatment Court and the Mental Health Court (plans are being considered to create a Driving Under the Influence (DUI) Court). These special Courts deploy distinctive non-adversarial procedures, which call for unique case management skills. As a result, the complexity and the volume of the work in the Magistrates' Court has increased to such an extent that it is safe to say that the overwhelming majority of civil, criminal and family cases which are heard in all of the Courts in Bermuda are disposed of in the Magistrates' Court. The effect of this is that Magistrates come in close contact with literally thousands of people each year, litigants and otherwise.

This leads me to segue to my next point. One crucial way to elevate the importance of Magistrates and the Magistrates' Court in the judicial and legal system is to change the name of Magistrates to "Judges". Such a change would reflect the nature, quality and volume of work conducted in the Magistrates' Court, it will give Magistrates' equal footing with Judges, and it will inspire others to consider a career in the Magistrates' Court. This is not a novel concept. In

the United States Magistrates have been called “Magistrate Judges” since 1990; in the United Kingdom since 1999 Magistrates have been called “District Judges”; in Australia, since 2013 Magistrates are called “Judges”; and, in 2015 Jamaica changed the name of Resident Magistrates to “Judges of Parish Courts”. As said by Judge Ray Rinauldo of Queensland:

“Magistrates, are in a real sense, judges. They have the same basic qualifications for appointment as judges and are subject to the same standards of judicial conduct, competence and ethics. The title of magistrate reflects a public service magistracy of a bygone era”.

Equally persuasive are the words of the Attorney General of Jamaica Patrick Atkinson who stated that:

“It is a fallacious anachronism to deny a magistrate the status and title as judges”

The cynics amongst may be quick to quote from William Shakespeare’s play “Romeo and Juliet” and say:

“What’s in a name? that which we call a rose. By any other name would smell as sweet.”

To those cynics, I counter with the words of Canadian author L.M. Montgomery who wrote in her 1908 novel “Anne of Green Gables”:

“I read in a book once that a name by any other name would smell as sweet, but I’ve never been able to believe it. I don’t believe a rose would be as nice if it was called a thistle or a skunk cabbage.”

So, we strongly urge that in 2018 that strident steps are taken towards changing the name of Magistrates, which has existed since 1894, to that of “Judges”, and, that honest and genuine efforts are made to increase the remuneration of Magistrates and Magistrates’ Court staff.

On behalf of the Magistracy and the Magistrates’ Court I would like to seize this opportunity to express our sincere gratitude to the Hon. Chief Justice Ian Kawaley as he gracefully canters to other pastures. During his tenure as Puisne Judge and Chief Justice he has presided over some of the most legally and socially impactful cases that have come before the Courts. It is the eternal hope of most judicial officers that they would, if only just once, render a decision that would be seminal and would stand the test of time. The Chief has done just that and done so in spades. We are therefore thankful.

Finally, as I have done so in the past, I want to conclude by giving heartfelt thanks to the unsung heroes of the Magistrates’ Court. I am speaking of the Magistrates’ Court staff. They are still underpaid, still under-resourced, still understaffed and still often times underappreciated, and yet they still soldier on ensuring the proper administration of justice. Words cannot fully convey how important they are to the Magistrates’ Court and the delivery of justice in Bermuda. It is my only hope that in 2018 their conditions of service will reflect their invaluable worth.

Thank You.

The Worshipful Juan P. Wolffe
Senior Magistrate

Overview of the Judiciary



- ❖ **The Judiciary** is established by the Constitution as a separate and independent branch of government. Its task is to adjudicate charges of criminal conduct, resolve disputes, uphold the rights and freedoms of the individual and preserve the rule of law.
- ❖ **The Mandate of the Judiciary** is to carry out its task fairly, justly and expeditiously, and to abide by the requirement of the judicial oath “to do right by all manner of people, without fear or favour, affection or ill-will”.
- ❖ **The Judicial System of Bermuda** consists of the Magistrates’ Court, the Supreme Court, the Court of Appeal and the Judicial Committee of the Privy Council is the final appellate court in London.
- ❖ **The Supreme Court Registry** is responsible for the administration of the Court of Appeal and the Supreme Court. It is established by the Supreme Court Act 1905 and the Rules of Supreme Court 1985.
- ❖ **The Mandate of the Administration Section of the Judiciary** is to provide the services and support necessary to enable to Judiciary to achieve its mandate and to embody and

reflect the spirit of the judicial oath when interacting with members of the public who come into contact with the Courts.



The Court of Appeal & Supreme Court



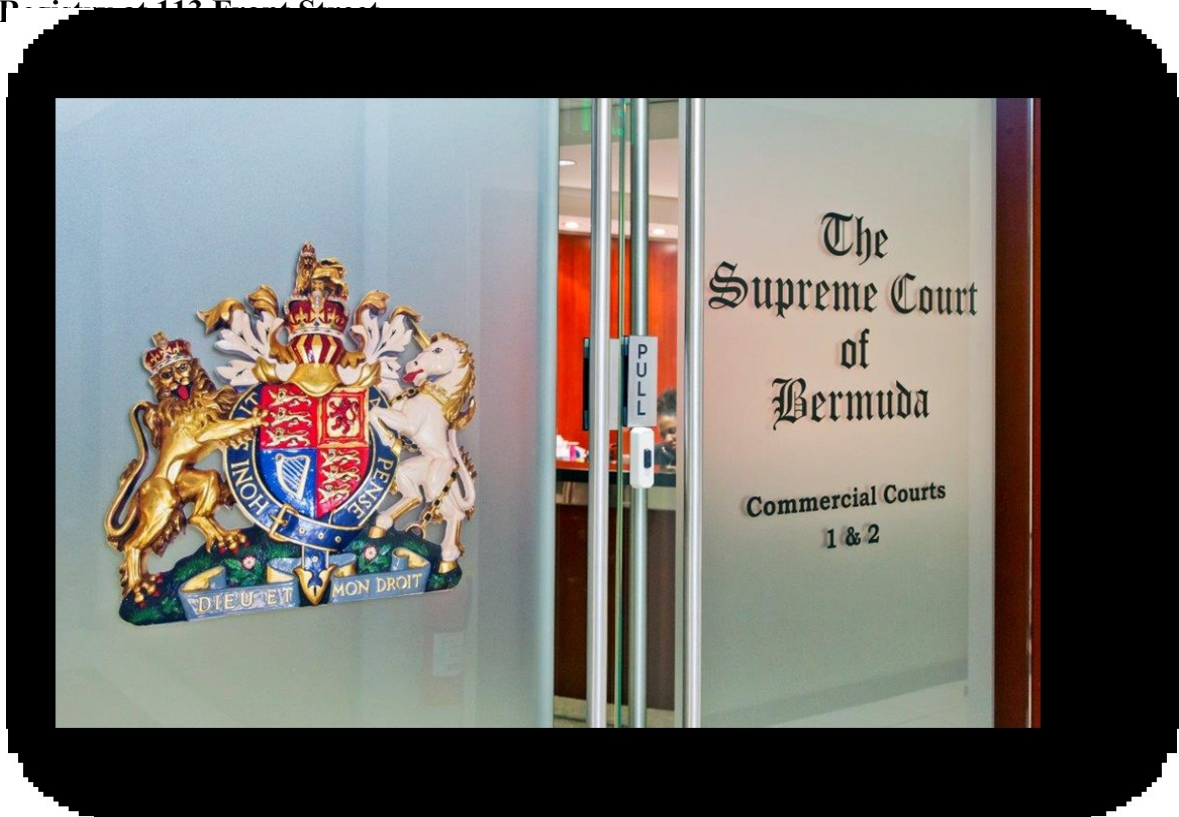
- ❖ **The budget for the Judicial Department for the fiscal year 2017/2018 is approximately \$8,361,233 as compared to \$8,160,907 for the fiscal year 2016/2017.**
- ❖ **There were 44 appeals filed in the Court of Appeal in 2017, which was 13 more than 2016, with 18 criminal appeals and 26 civil appeals being disposed of.**
- ❖ **Criminal – see new statistical breakdown starting on page 39**
- ❖ **The total number of civil filings (including calls to the Bar and notary public applications) dropped 3.4% from 2016. Commercial cases filed decreased by 12% while judicial review filings increased by 17.6%.**
- ❖ **The number of published reasoned judgments remained approximately the same as 2016.**
- ❖ **The total number of divorce petitions increased by 19 petitions from 2016 to 2017.**
- ❖ **There was a total of 153 probate applications filed; a decrease of 22% compared to 2016. There were 20 more caveats filed in 2017.**

Court of Appeal & Supreme Court: Overview

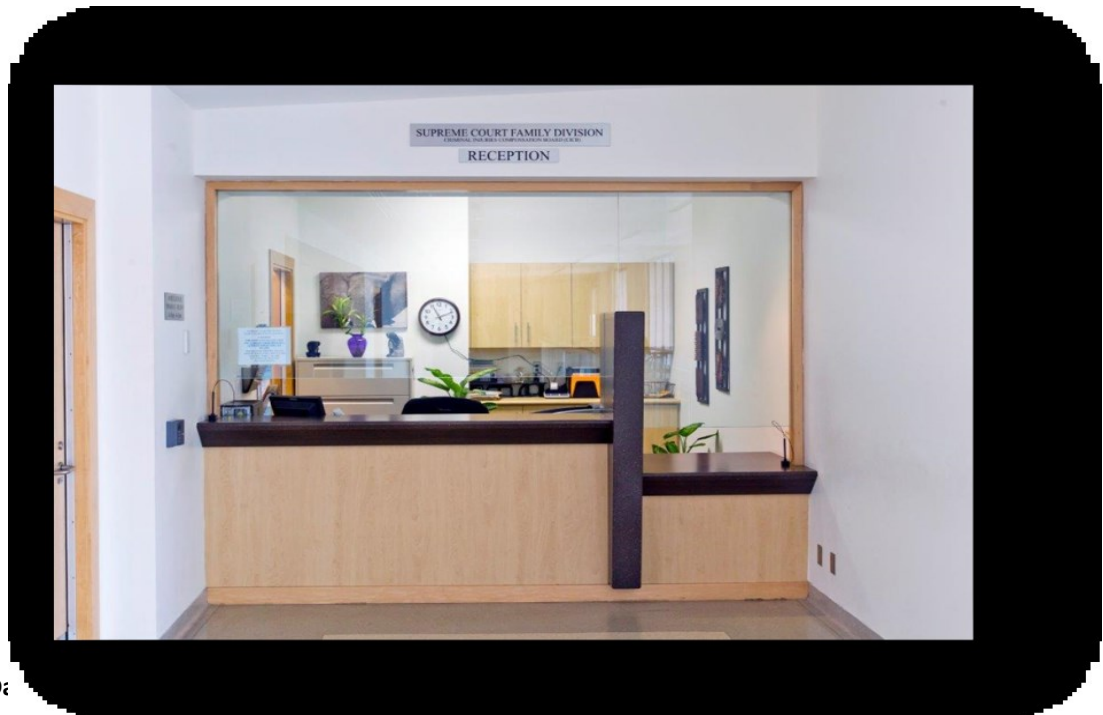
Composition and Sitting Dates

- ❖ The Registrar is the administrative head of the Judiciary, and its accounting officer.
- ❖ The Court of Appeal is an intermediate Court of Appeal and its principle function is to adjudicate appeals from the Supreme Court of Bermuda in civil and criminal cases. It is established by the Constitution and the Court of Appeal Act 1964, and its procedure is governed by the Rules of the Court of Appeal for Bermuda. Appeals from the Court of Appeal lie to the Judicial Committee of the Privy Council.
- ❖ The Court of Appeal consists of the President of the Court, and a panel of four Justices of Appeal, who are all distinguished jurists from commonwealth jurisdictions.
- ❖ The composition and constitution of the Supreme Court is defined by the Bermuda Constitution and its jurisdiction governed by the Supreme Court Act 1905, and various other laws.
- ❖ The Supreme Court is divided into criminal, civil, commercial, divorce and family and probate jurisdictions.
- ❖ The Court is comprised of five Supreme Court Justices, who hear the following cases:
 - **Civil (general) matters**, where the amount in dispute exceeds \$25,000;
 - **Commercial matters**, such as matter related to disputes concerning the activities of local and international companies and applications related to the restructuring and winding up of companies;
 - **Trust and Probate matters**, concerning the administration of trust or estate assets;
 - **Mental Health applications** appointing receivers to administer the assets of persons suffering from mental disability;
 - **Criminal matters** involving serious matters or indictable offences including trials and various pre-trial applications;
 - **Appeals** from Magistrates' Court and other statutory tribunals;
 - **Judicial Review applications** related to administrative decisions of Ministers and other public bodies;

- **Divorce Petitions and ancillary applications** under the Matrimonial Causes Act as well as applications under the Minors Act and Children's Act; and
 - **Call to the Bar** applications.
- ❖ The Supreme Court is also responsible for:
- Granting **Probate and Letters of Administration** for deceased estates;
 - **Bankruptcy** applications;
 - **Criminal Injuries Compensation Board** applications;
 - **Proceeds of Crime Act** applications;
 - Granting **Notarial Certificates** and **Registered Associates** certificates;
 - Issuance of **Subpoenas** and **Writs of Possession**; and
 - Processing **Foreign Service** documents.
- ❖ As of January 2018, there are four locations for the Registries of the Supreme Court and the Court of Appeal: **Dame Lois Browne Evans Building, 3rd Floor, Government Administration Building, 2nd Floor, Sessions House** and the **Court of Appeal**



- ❖ In total, the Registry employs 5 Justices, one Registrar, one Assistant Registrar, 20 substantive and relief staff members with an additional 7 posts currently vacant.
- ❖ The Registry staff are responsible for:
 - ❖ Processing all court documents;
 - ❖ Receiving and processing applications for the grant of Probate or the Administration of intestate estates;
 - ❖ Providing support to the Justices of Appeal, Supreme Court Judges and the Registrar;
 - ❖ Maintaining the resources required for the effective functioning of the Courts;
 - ❖ Listing cases for hearing;
 - ❖ Recording all events which take place during the course of a case;
 - ❖ Maintaining the secure custody and safety of all court records;
 - ❖ Making relevant information available for court users; and
 - ❖ Collecting and accounting for all fees and fines received by the Courts.



D:

Court of Appeal

The current President of the Court of Appeal is the Rt. Hon. Sir Scott Baker. In 2017, we witnessed the retirement of The Honourable Madam Justice Desiree Bernard from the Court as at 31 December 2017. A reception was held at Government House where homage was paid to Justice Bernard for her contribution to the jurisprudence of Bermuda. The post has been advertised for persons to express interest for consideration of appointment as a Justice of Appeal.

For any particular sitting the Court is constituted by a bench of three, consisting of the President, or the most senior Justice present, and two other Justices of Appeal. In the absence of the full court, certain administrative and interlocutory matters can be dealt with by a judge of the Supreme Court exercising the powers conferred by the Act upon a single Justice of Appeal.

The Registrar of the Supreme Court is also the Registrar of the Court of Appeal, and administrative matters relating to the Court are dealt with by the Registrar's in Chambers, which is the former Supreme Court No. 3, and is now the Court of Appeal courtroom.

The Rt. Hon. Sir T. Scott Baker, President

A retired English Court of Appeal Judge, the Rt. Hon. Sir T. Scott Baker has been a member of the Bermuda Court of Appeal since March 2011 and was appointed President of the Court in 2015. He became a Recorder in 1976, and was appointed a Queen's Counsel in 1978. He became a Bencher at Middle Temple in 1985. When appointed as a High Court judge in 1988, he received the customary knighthood, and was allocated to the Family Division. He moved to the Queen's Bench Division in 1993. He was Presiding Judge of the Wales and Chester Circuit from 1991 to 1995, and a member of the Parole Board from 1999 to 2002. He was the Lead Judge of the Administrative Court from 2000 to 2002. In 2002, he became a Lord Justice of the Court of Appeal of England and Wales.

The Rt. Hon. Sir Maurice Kay

A retired English Court of Appeal Judge, the Rt. Hon. Hon. Sir Maurice Kay has been a member of the Bermuda Court of Appeal since October 2014. In 1988, he became a Queen's Counsel and was appointed a Recorder. He was appointed to the High Court in 1995, receiving the customary knighthood. Assigned to the Queen's Bench Division, he served on the Employment Appeal Tribunal from June 1995. He was Presiding Judge of the Chester Circuit from 1996 to 1999, and was appointed Judge in Charge of the Administrative Court in 2002. In 2004, he became a Lord

Justice of Appeal, and was appointed to the Privy Council the same year. He served as President of the Judicial Studies Board from July 2007 to July 2010, and was Vice-President of the Court of Appeal (Civil Division) for three years.

The Hon. Justice Geoffrey Bell, QC

Justice Bell was appointed as a judge of the Supreme Court in 2005 and was designated a Commercial judge upon appointment. He began his career in Bermuda and was a partner and Head of Litigation at Appleby, Spurling & Kempe. He served as President of the Bermuda Bar Association between 1981 and 1984, and became Queen's Counsel in 1992. After retiring in 2009, he continued to act as an Assistant Justice of the Supreme Court of Bermuda and as an Acting Justice of the Court of Appeal for Bermuda. He also served as a Justice of Appeal of the Eastern Caribbean Supreme Court in the British Virgin Islands. Effective January 2015, he was appointed a Justice of Appeal of the Court of Appeal for Bermuda.

The Rt. Hon. Sir Christopher Clarke

Sir Christopher was appointed as a Queen's Counsel in 1984, and from 1990 to 2004, he was a Recorder and then from 1993 to 2004, a Deputy High Court Judge. He was also a Judge of the Court of Appeal of Jersey and Guernsey from 1998 to 2004. From 2005 to 2013, he was High Court Judge, sitting in the Commercial Court, and he was appointed as a Lord Justice of Appeal in 2013.

Year in Review

The Court of Appeal sits three times a year, usually for three weeks at a time during the months of March, June and November. The dates and length of sessions are subject to change, based on case volume, and perhaps the need to list matters that attract public importance with a view of disposing the matter swiftly. The 2018 projected dates are:

- ❖ 5 March 2018 – 23 March 2018
- ❖ 4 June 2018 – 22 June 2018
- ❖ 5 November 2018 – 23 November 2018

Throughout 2017, the Court of Appeal heard matters in Courtroom #1 at Sessions House during the March and June sessions. The November Session was heard in the former Supreme Court Registry, which has now been designated as the independent Court of Appeal Building. The former Supreme Court courtroom is now the appellate court for Bermuda.

The total number of new filings in 2017 increased approximately 42% over the previous year. This saw an increase in criminal appeals filed by approximately 80% from 10 to 18 filings. Likewise, there was an approximate 24% increase of civil appeals filed during 2017, from 21 to 26 filings.

Year	Grand Total	Criminal	Civil
2013	44	27	17
2014	42	21	21
2015	44	19	25
2016	31	10	21
2017	44	18	26

In 2017, the number of criminal appeals disposed of declined by 19% (or 13 matters) in comparison to the 16 criminal matters in 2016. The ability to progress appeals in the criminal jurisdiction of the Court will be seen to increase, this largely owing to the Registrar's increased powers to case manage criminal appeals that have been confirmed by the Court to proceed in the subsequent session. This enhanced administrative jurisdiction of the Registrar will ensure that all administrative matters (e.g. transcripts, timely filing of submissions etc.) have been perfected prior to the start of the next session to avoid undue delay.

Year	Total Disposed	Allowed	Dismissed	Abandoned	Pending
2013	14	4.5	3.5	1	9
2014	27	5.5	19.5	2	16
2015	22	9	11	2	10
2016	16	5	8	3	5
2017	13	4	7	2	-

In 2017, fourteen civil appeals were disposed of, which meant that 7% of civil appeals were disposed of in 2017 as compared to 21% in 2016.

Year	Total Disposed	Allowed	Dismissed	Withdrawn	Pending
2013	17	3	9	5	1
2014	14	6	4	4	15
2015	19	3	14	2	12
2016	15	5	6	4	12
2017	14	6	8	0	0

2018 Goals

The introduction of Case Management Forms in respect of Court of Appeal matters are imminent. It is envisaged that such forms will assist in streamlining and reducing the time between a notice of appeal being filed and the disposal of a case, particularly in criminal matters.

Case management hearings shall continue as a critical component leading up to substantive appeal hearings. It is important that administrative matters are addressed and resolved as early in the process as possible for the appeal sessions to be effective. Reforms and steps are currently underway to achieve this goal.

As noted above, we have secured an independent facility which will now serve as the Court of Appeal Registry and will be the filing location in respect of all appeal documents for matters intending to be heard before the Court. In 2018, internal structural changes will be considered and implemented to enhance the internal cosmetics of the building, which will be welcomed by members of the Bar and the wider public.

It is intended that the new Court of Appeal facilities will be independently operated as its own registry. Accordingly, staffing requirements will be considered to create and fill critical roles that will allow for the proper operation of the registry. Until such time, members of the bar and

public shall continue to be governed by the existing practice directions that address the hours of operation for the registry.

The Court of Appeal has also rebranded its theme boasting a Royal Blue which will now be the official court colour.



Supreme Court:

Civil and Commercial Division and Appellate Division

Year in Review

Outputs: The Numbers

The output of the Civil and Commercial jurisdiction of the Supreme Court can, in part, be measured by reference to the number of published reasoned judgments, which are up marginally (from 85 to 87) from 2016 and 61% above the 2013 level as set out in Table 4 below.

That is a high output for two full-time judges, reinforced only occasionally by acting appointees (notably the Registrar) and Assistant Justices. Simmons J stepped across from the Criminal Jurisdiction to star in the “Case of the Year” (see below).

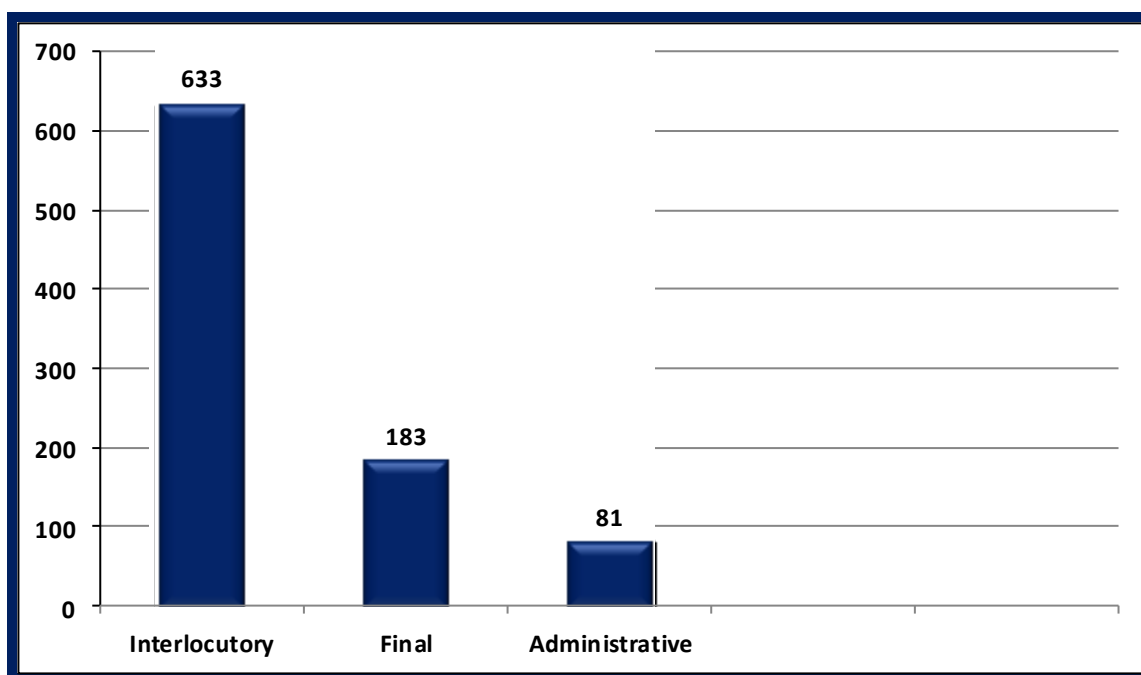
An interesting comparator is the output of courts in similar jurisdictions as reported on the Justis Website.¹ The High Court in the British Virgin Islands, staffed by two permanent judges and supported by others, had some 34 civil and commercial judgments published in 2016. Jersey appears to report most of their published judgments as Bermuda does and had 41 reported judgments in 2015. Bermuda’s output of reasoned civil and commercial judgments is clearly respectably high.

¹ The Cayman Islands unreported judgments are not currently publically available and the highly selective officially reported cases do not make for a meaningful comparison.

Table 4: 2013 - 2017 Published Judgments				
2013				
	Civil-Gen	Commercial	Appeal	Total
Published/Considered Judgments	36	10	7	54
2014				
	Civil-Gen	Commercial	Appeal	Total
Published/Considered Judgments	41	23	8	72
2015				
	Civil-Gen	Commercial	Appeal	Total
Published/Considered Judgments	49	12	11	72
2016				
	Civil-Gen	Commercial	Appeal	Total
Published/Considered Judgments	50	19	16	85
2017				
	Civil-Gen	Commercial	Appeal	Total
Published/Considered Judgments	57	16	14	87

Another and more global measure of the judicial output of the Civil and Commercial Division is the number of orders made. This will include the minority of cases where reasoned judgments are given and the majority of cases where they are not. Previous reports have not included this data because although the Supreme Court has the technology to record such statistics, we have lacked the staff to input the data. This year, thanks to extraordinary efforts over the holiday period by Government Administration Building ‘dream team’ led by Ms Avita O’Connor, who processes the signing of Orders as well as serving as Listing Officer, the data has for the first time been compiled manually and is set out below in Figure 1.

Figure 1: ORDERS



The figures reveal 633 interlocutory orders were made and 183 final orders were made (a total of 816) in 2017 in civil and commercial matters. A further 81 orders were made in administrative matters (e.g. admissions to the Bar and appointment of notaries).

Finally, the Commercial Court's output can usefully be assessed by reference to the speed of its decision-making and the extent to which its decisions are subject to appeal. This data spanning the Court's first 12 years is set out in Table 5 below in relation to published reasoned judgments only. The overwhelming majority of decisions are made on the day of the effective hearing without decisions worthy of publication being given. It should be noted that between 2006 and 2009 there were three substantive Civil and Commercial Judges, but only two thereafter.

Table 5: Analysis of Commercial Court Output 2006-2016					
Year	Judgments	Hearing Days	Average # of Days to Decision	Appeals	Appeals Upheld
2006	20	57	11.65	2	2
2007	24	45	13.92	3	2
2008	13	36	11.23	3	3
2009	16	42	12.37	2	2
2010	17	47	23.00	5	4
2011	26	29	8.92	0	0
2012	22	30	12.12	0	0
2013	12	13	3.5	3	1
2014	26	58	13.77	3	2
2015	12	30	32.58	3	2
2016	24	54	22.96	4	2
2017	16	22	14.69	3	N/A
TOTALS	228	463	15.06	31	20

Table 5: Appeals upheld figures have not been included as it is too early know the outcome of pending appeals. Trust cases have not been counted as “commercial” for the purposes of these figures. The published judgments figure 2017 excludes a taxation of costs judgment by the Registrar and includes a few commercial matters filed as general civil matters.

An average of 15.06 days to decision over the course of 12 years sets a high bar in terms of prompt decision-making which will hopefully be maintained, if not further improved. As set out in the note for Table 6, in 2017 there was an above average (i.e. shorter) delivery time measured against the standard of the first 12 years.

Another indicator of the quality of first instance decision-making is the percentage of decisions that are appealed. The total number of published judgments is for these purposes somewhat misleading as it includes several judgments with reasons mainly delivered to explain points of practice on applications which were not really contentious. If 13.6% of all published judgments were appealed over the 12 year period, it nevertheless seems fair to say that in more than 80% of

contentious cases before the Commercial Court, the parties have been willing to abide by the first instance decision.

Of the 13.2% of judgments that were appealed over the first eleven years (2017 appeals have yet to be determined), 71.4% of the first instance decisions were substantially upheld with only 8 or 3.8% of the 212 published judgments substantially reversed on appeal. Some reversals on appeal are attributable to new arguments so the reversal rate is not a wholly useful guide to the soundness of first instance decision-making.

Outputs: The Legal Areas

The Civil and Commercial Division has very wide brief. The civil area may be divided into two halves: (1) deciding cases which concern the relationship between the citizen and the State (public law cases), and (2) deciding cases involving private law rights, mainly disputes between private individuals but sometimes disputes between individuals and the State (general civil or private law). Public cases include cases concerning the Bermuda Constitution or the Human Rights Act, and challenges to the decisions of Ministers or Government Departments. Private law cases may involve employment disputes, landlord and tenant disputes, personal injuries claims and disputes relating to estates or other property cases. The Commercial Court deals with disputes between business entities, usually with an international business element to it.

Table 5: New Civil Matters Filed by Subtype 2010-2017

Year	Total	Commercial	Originating Summons	Call To Bar	Notary Public	Writ of Summons	Judicial Review	Partition	Mental Health	Bankruptcy
2010	427	91	63	62	6	182	20	0		3
2011	477	75	83	48	6	240	13	10		2
2012	430	88	74	41	4	190	14	10		9
2013	442	70	83	46	5	210	19	10		5
2014	448	70	57	16	3	105	3		10	1
2015	513	57	140	52	51	180	12	12	11	10
2016	495	67	139	34	52	170	17	6	9	1
2017	478	59	145	45	33	160	20	1	11	4

Criminal and Civil Appeals from Magistrates Court are also heard in the Civil and Commercial Division. In 2017, the total number of appeals filed was up by 14.5 % (from 69 cases to 79 cases). 43 appeals were disposed of, with 23 appeals allowed, 13 appeals dismissed and 2 appeals being abandoned. 26 cases are pending, half at the record preparation and half at the listing stage.

Table 7: CRIMINAL & CIVIL APPEALS FROM MAGISTRATES COURT 2010 - 2017

Year	Total Filed	Allowed	Dismissed	Abandoned	Cases Pending
2010	15	1	9	5	-
2011	23	7	9	2	5
2012	52	17	10	5	20
2013	53	19	8	6	20
2014	45	7	21	5	27
2015	39	14	6	8	38
2016	69	17	16	6	25
2017	79	23	13	7	26

Case of the Year

The ‘Case of the Year’ for 2017 undoubtedly was Justice Charles-Etta Simmons’ internationally renowned judgment in *Godwin and Deroche-v-Registrar General and others* [2017] SC (Bda) 36 Civ (5 May 2017) (the “same-sex marriage case”). The case decided that when Parliament amended the Human Rights Act 1981 to prohibit discrimination on the grounds of sexual orientation on an unqualified basis, the effect was to outlaw discrimination in the provision of both public and private services, including the Registrar-General’s functions in administering marriages. Because the Human Rights Act had supremacy over other legislation and the common law, the right to marry could not be withheld from a same-sex couple. The decision was welcomed by human rights activists in Bermuda and around the world. The case and its background are discussed at: https://en.wikipedia.org/wiki/Same-sex_marriage_in_Bermuda.

However an appeal was filed and a Private Members Bill to abolish same-sex marriage (which had previously passed in the House of Assembly but been defeated in the Senate) was reintroduced into the House. Following the General Election on July 18, 2017, the new Government finally grasped the nettle and Parliament approved legislation (the Domestic Partnership Act Bill) providing a comprehensive framework for same-sex relationships, prohibiting future same-sex marriage in Bermuda but recognising past local marriages and overseas same-sex marriages. At the time of writing it is unclear whether the Bill will receive the Governor's assent and enter into force. The Bill and Simmons J's judgment are due to be debated in the UK House of Commons in three days' time. If the same-sex marriage case is effectively reversed by Parliament, this landmark decision would still have served as the spark for a dramatic increase in the scope of legislative protections for the rights of same-sex couples. The decision would on this basis represent a classic example of the principle of judicial independence at work with the courts required to apply the law objectively and rise above heated and partisan public debate. Whether it is upheld or reversed, *Godwin and Deroche-v-Registrar General and others* is by any objective measure Bermuda's civil case of the year for 2017.

Achievements: 2017 Report Card

In last year's Annual Report, the following goals were set for the Civil and Commercial Division: (1) a Litigant in Person's Guide; (2) Guidelines for the use of 'McKenzie Friends' by litigants in person; (3) an Equality and Diversity Benchbook for Judges; (4) Guidelines for Communication and Cooperation between Courts in Cross-border Insolvency Matters. The status of each of those targets is as follows:

- ❖ The '*Handbook for Litigants in Person*' was published in April 2017 with helpful input from the Bermuda Bar Council, Centre for Justice and Senior Legal Aid Counsel;
- ❖ The adoption of guidelines for the use of 'McKenzie Friends' was not pursued after consultation with Bar Council, which was unwilling to support regularising the position of unqualified persons assisting litigants in persons to prepare and/or present cases. The topic will likely require attention in the future;
- ❖ An Equal Treatment Benchbook was approved by Judges and Magistrates in March 2017. It will be published in early 2018 after a judicial training seminar to prepare judicial officers to meet the exacting new standards proposed to be introduced for dealing with litigants in a modern and respectful judicial manner;

- ❖ On March 9, 2017, by way of Circular No. 6 of 2017, the Commercial Court issued ‘*Guidelines for Cooperation and Communication between Courts in Cross-border Insolvency Matters*’. The Commercial Court is a member of the Judicial Insolvency Network pioneered by the Singapore International Commercial Court, which links insolvency courts in, *inter alia*, BVI, Cayman, Delaware, London, New York, Sydney and Toronto. The Guidelines set out various broad principles and protocols which can be deployed in cross-border insolvency cases where the parties agree it is useful to do so.

In May 2017, the Chief Justice attended the inaugural meeting in London of the Standing Forum of International Commercial Courts. Bermuda’s Commercial Court is now part of that Forum, alongside the Commercial Courts from the following regions of the world and jurisdictions:

- **Africa:** Nigeria (Federal High Court of Nigeria), Rwanda (Supreme Court of Rwanda, Commercial High Court), Sierra Leone (Supreme Court of Sierra Leone, Fast Track Commercial Court) and Uganda (Supreme Court of Uganda, Commercial Division of the High Court);
- **Asia:** People’s Republic of China (Supreme People’s Court and Hong Kong Judiciary), Republic of Kazakhstan (Astana International Financial Centre Singapore (Supreme Court, Singapore International Commercial Court
- **Australasia:** Australia (Federal Court, Supreme Court of New South Wales, Supreme Court of Victoria), New Zealand (High Court)
- **Europe:** United Kingdom (Commercial Court, England & Wales; Court of Session, Scotland, High Court of Northern Ireland), Ireland (High Court of the Republic of Ireland), Germany (Hamburg Landericht), Netherlands (Netherlands Commercial Court);
- **Middle East:** Bahrain (Higher Commercial Court), Qatar (International Court and Dispute Resolution Centre), United Arab Emirates (Abu Dhabi Global Markets Court, Dubai International Financial Centre Courts);
- **North America & Caribbean:** Bermuda (Commercial Court), British Virgin Islands (Commercial Court), Cayman Islands (Financial Services Division), Canada (Ontario Superior Court of Justice), United States (United States District Courts for Delaware and the Southern District of New York, New York Supreme Court Commercial Division).



4 May 2017, Foreign and Commonwealth Office, Standing International Forum of Commercial Courts

The next meeting of the Standing International Forum of Commercial Court is scheduled to take place in New York in late September 2018.

In September 2017, as a result of informal discussions at the May London Forum, the Supreme Court entered into two bilateral agreements with the Supreme Court of Singapore based on similar agreements between other common law courts:

- (1) Memorandum of Guidance as to Enforcement of Money Judgments, 6 September 2017;
- (2) Memorandum of Understanding on References of Questions of Law Between the Supreme Court of Singapore and the Supreme Court of Bermuda, 6 September 2017.

More companies from Bermuda than any other single foreign jurisdiction are listed on the Singapore Stock Exchange. It is important for investors in each jurisdiction to know that cross-border commercial legal matters will be dealt with efficiently. Promoting investor confidence in the efficiency of the courts is an important part of a Commercial's Court's function.

The first Memorandum essentially confirms that each court will apply the common law rules on enforcing foreign money judgments with respect to enforcement proceedings from the other

court. In the absence of applicable reciprocal enforcement of judgments legislation, the common law rules will in any event apply. The Memorandum is intended to be a statement of intent.

The second Memorandum signifies the willingness of each Court to refer questions of law arising under the other Court's laws to the other court to determine. This is again merely a statement of intent and a reference will only occur if a party applies (on notice to any other party) for an order in this respect.

2018 Goals

Rules of Court are to civil and commercial litigation like railway tracks to a train. They provide a foundation for litigation to progress along and delineate the route. Procedural law is often ignored as it is generally perceived as less glamorous than substantive law. The following areas of procedural law in relation to which the Chief Justice holds the rule-making power will be addressed:

- **Supreme Court (Records) Act 1955, section 4:** Order 63 of the Rules of the Supreme Court needs to be amended to broaden access to court records in line with modern notions of open justice. Under the Act the Chief Justice is the rule-maker. A draft amendment was agreed with Bar Council and submitted to the Attorney-General's Chambers in late 2014. The Attorney-General's Chambers has now agreed to publish the proposed amendment, with one minor refinement, in the first quarter of this year;
- **Companies Act 1981, section 288:** The Companies (Winding Up) Rules 1982 have not been updated since they were made 35 years ago. Pending a comprehensive update of the primary legislation, a few minor revisions are needed, such as extending the standard time for convening the first statutory meetings and requiring notice of the filing of a petition to be given to the respondent before advertisements are placed. The Chief Justice is the rule-maker, but consultation on the proposed amendments is required and is already under way;
- **Development and Planning Act 1974, section 61(3):** Rules have never been made for appeals to the Supreme Court from the Minister's adjudication of an appeal from the Development Applications Board. Rules are required and the Chief Justice is the rule-maker. Consultation on a proposed set of rules is currently under way;
- **Supreme Court Act 1905, section 62:** Order 11 rule 1(1) of the Rules of the Supreme Court 1985 should arguably be amended to confer jurisdiction on the Supreme Court in

relation to claims involving Bermuda companies and partnerships and the liability of their directors or partners. The Chief Justice is the rule-maker, but consultation on this proposed amendment (inspired by the Eastern Caribbean CPR rule 7.3(7) and the Cayman Islands Grand Court Rules Order 11 rule 1(1)(jj)) is required and is currently under way. The wording of rule 1 (1)(c) should also be tweaked to remove an anachronism;

- **Supreme Court Act 1905, section 62(1)(b):** this subsection empowers the Chief Justice to make rules relating to appeals to the Court. A comparatively new appeal category is appeals from the Immigration Appeals Tribunal under section 13G and appeals from a civil penalty imposed by the Chief Immigration Officer under section 71C of the Bermuda Immigration and Protection Act 1956. Consideration will be given as to whether tailor-made rules are appropriate for either of these two categories of appeal.

Certain primary legislation which has been enacted by Parliament closely concerns the Judiciary and, where necessary, the Judiciary may properly lobby the Executive for reforms. Two related examples of such legislation are the Criminal Appeal Act 1952 and the Civil Appeal Act 1971, which regulate appeals from the Magistrates' Court to the Supreme Court in criminal and civil matters. The Judiciary proposes to request the Attorney-General to amend these two Acts to abolish automatic stay provisions which encourage unmeritorious appeals or other tactical appeals which delay the efficient determination of matters at the Magistrates' Court level:

- **Criminal Appeal Act 1952, section 11(1):** this section provides for an automatic stay of all proceedings when a notice of appeal is filed. This encourages unmeritorious appeals against conviction before sentence, because merely filing an appeal postpones the sentencing hearing. It also leads to a duplication of proceedings in many cases (e.g. an appeal against conviction followed by an appeal against sentence). The normal rule should be that any appeal against conviction should be filed after sentence with any sentence being stayed only if the Magistrates' Court or the Supreme Court so orders (e.g. under section 11(2) or section 12). The position in relation to appeals from the Magistrates' Court to the Supreme Court should broadly correspond to that of appeals from the Supreme Court to the Court of Appeal;
- **Civil Appeals Act 1971, section 8:** this section provides for an automatic stay of proceedings once an appellant fulfils all the conditions in relation to an appeal. The only mandatory condition is filing a timely notice of appeal. This encourages unmeritorious appeals by judgment debtors who are simply seeking to put off the 'evil day' when they

have to pay. Bearing in mind that Magistrates' Court proceedings are supposed to adjudicate comparatively small claims quickly, it is absurd that it is easier to obtain a stay of a judgment pending appeal in the Magistrates' Court than it is in the Supreme Court. The default position ought to be that a judgment is final and can be enforced, despite an appeal, unless the Court otherwise orders: this is the position for judgment debtors pursuing appeals to the Court of Appeal from the Supreme Court.

There are reasonable grounds for believing that these automatic stay provisions partly explain why the number of appeals from the Magistrates' Court has exploded from 15 in 2010 to 79 in 2017, an increase of 527%. Justice delayed is justice denied for criminal complainants and civil judgment creditors when unmeritorious appellants benefit from these automatic stay provisions. Unmeritorious appeals also place an undue burden on court staff, diverting valuable resources away from deserving cases.

Supreme Court: Family and Matrimonial Division



Year in Review

Undefended Divorce Petitions

One measure of output of the Family and Matrimonial Division of the Supreme Court is the number of Divorce Petitions processed and issued by the Court. As can be seen, there was an over 12% increase in the number of Divorce Petitions issued in 2017 with the figure rising from 156 to 175.

Year	Total Petitions Filed
2013	193
2014	194
2015	165
2016	156 ²
2017	175

² Last year's report incorrectly recorded this figure as 164 taking into account matters that were assigned case numbers in error.

Undefended Decree Nisi hearings continue to be heard on a monthly basis with Decree Nisi-Dissolutions and various orders being made at those hearings. There were no contested divorce hearings in 2017.

After the grant of Decree Nisi, the parties can apply to have the Decree Nisi made absolute by way of paper application. Another measure of the judicial output in the Family and Matrimonial Division is the number of Decree Nisi- Dissolutions and Decree Absolutes processed and granted in any given year, and this Report marks the first year where the number of Decree Nisi and Decree Absolutes has been formally tracked for statistical purposes.

Year	Decree Nisi Granted	Decree Absolutes Granted
2016	151	120
2017	173	174

These figures show a 14.5% increase in Decree Nisi hearings and Decree Nisi Dissolutions granted, and an almost 50% increase in Decree Absolutes granted. These increases can be attributed to the procedures put in place to streamline the processing and issuing of divorce petitions from the initial filing to the listing of hearings to the absolute applications. These much needed administrative efficiencies are the innovation of Ms. Rachael Barritt, Assistant Registrar (Temporary Relief).

Contested Divorce Applications

There were a handful of contested divorce applications which included two applications for leave to present a divorce petition within three years, and two applications to set aside Request for Directions for Trial.³

There were also a few applications to abridge the six week time constraint in relation to an application for decree nisi to be made absolute. While parties have often consented to both types of leave application, consent is only one of the factors that has been considered by the

³ While the applications to set aside Request for Directions for Trial were initially granted, ultimately the matters were resolved and the divorces listed on an undefended basis.

Judge hearing the application as the applicant must satisfy the test set out in the relevant section of the Act before leave can be granted.

Ancillary Relief Applications

In addition to the undefended divorce proceedings and the contested divorce proceedings, the Family and Matrimonial Division dealt with close to seventy (70) applications which can be loosely characterised as follows:

- ❖ Parenting cases including custody applications, care and control/access applications, paternity disputes, leave to remove children from the jurisdiction, applications to prevent the removal of children from the jurisdiction, Hague convention applications and review of care orders;
- ❖ Financial cases including applications related to enforcement proceedings, applications for spousal and child maintenance, costs hearings and applications for full ancillary relief including orders for property maintenance, variation of trusts and maintenance for both spouse and child; and
- ❖ Cases involving both parenting and financial issues.

The majority of the applications in 2017 were parenting cases with a smaller proportion being purely financial applications or hybrid applications. Within the parenting cases, there was a continued rise in the number of litigants in persons as well as the use of McKenzie friends. While in most cases, the applications permitting the use of McKenzie friends has been granted, it would be helpful for guidelines to be established to ensure consistency and some form of regulation.

The increase in applications for the appointment of Litigation Guardians to safeguard the interests of children in parenting cases must also be noted. As this trend continues into 2018, the Court may need to consider whether formal guidelines need to be established.

The Court continues to rely on the assistance of the Department of Child and Family Services both in relation to the production of social inquiry reports and the provision of mediation services. It is hoped that additional funds will be made available to secure the appointment of additional court-appointed social workers. Increasingly parties are attempting to resolve matters regarding children outside of the court process through mediation which has created a greater need for more than one court-appointed mediator.

The vast majority of the financial cases involved applications for child maintenance or the enforcement of child maintenance orders. It has been noted that there has been a significant

number of matters that have been resolved by way of Consent Order after the parties have engaged in the Collaborative Law process. This has been a welcome advent as the Court can trust that these agreements have been reached with the parties receiving independent legal advice and full and frank disclosure, while also helping the parties to resolve their issues in a non-contentious and respectful manner. The efforts of the lawyers in providing this alternative must be commended.

Achievements & Challenges: 2017 Report Card

The work of this division is often challenging as staff must assist with difficult cases involving families with complex issues and dynamics. More often than not, the cases involve litigants in person who are faced with navigating the court processes and systems on their own, and this presents a unique challenge. From the staff assisting people at reception to those processing and assisting with the various applications to those supporting the Judge and Assistant Registrar, the staff that comprise the Family & Matrimonial team must be thanked for their continued hard work and professionalism. However, while there was a great improvement in the efficiency of processing and listing of the Petitions and Summons, without a fully staffed and dedicated team, many of these advances may be lost if the team remains understaffed or undertrained.

As set out in last year's Annual Report, it was hoped that a working group would be established to formulate guidance and direction with respect to self-representing litigants, the use of McKenzie friends and the availability of mediation services and other forms of alternative dispute resolution. While this goal was not reached due to the on-going attention of the administrative structure of the division and the staffing challenges, it is hoped that this initiative will be revisited in the first quarter of 2018.

2018 Goals

The family and matrimonial courts should be places of clarity and hope – not of complexity and process. The rules and forms to obtain a divorce have changed little since the coming into force of the Matrimonial Causes Act 1974. This division welcomes amendments to the Act and Rules, but in the meantime will:-

- Continue to simplify administrative and procedural processes so that the courts are accessible to all, including the right of all children to be represented independently, where necessary.
- Prioritise case management through the use of expanded judicial powers within the registry.

- Make the court more accessible for overseas parties through the use of modern technology.
- Consider the appointment of specialised court-appointed mediators to address financial matters.

Supreme Court: Probate Division

Year in Review

Departmental staff shortages continued to negatively impact the efficiency of the Probates Division throughout most of 2017.

As a result, by February 2017 the Probates Division faced a large backlog of 133+ applications in some stage, either of brand new application, an ongoing application requiring a further response, or a completed application awaiting issue of a Grant. Thanks to the organization and direction of the Assistant Registrar (Relief) (Rachael Barritt) and with the assistance of the Supreme Court Manager (Mrs. Dee Nelson-Stovell), the backlog was cleared by the end of April 2017 – a great feat, indeed!

Shortly thereafter, the Probates Division became fully staffed, facilitating the transition of the Supreme Court Manager from ongoing involvement with the Probates Division to a focus on oversight of the day to day administrative function of the Registry.

In the fall of 2017 the Probates Administrative Assistant post became vacant and is currently being filled on a temporary relief basis. This has resulted in a small backlog. The expectation is for the post to be filled substantively by spring 2018. A fully staffed team will once again ensure a reasonable turnaround time in the processing probate applications and responses to probate-related requests.

Outputs

In 2017 a total of 153 applications were filed, a 13 fewer filings over 2016 and 39 caveats were filed, 20 more than in 2016.

2018 Goals

At least two other administrative assistants will be cross-trained in the Court's probates processes. This will bolster administrative support to the Probates Division as and when it is needed to maintain a reasonable turnaround with the processing of probates applications.

Table 9: PROBATE APPLICATIONS FILED 2013-2017									
Year	Probate	Letters of Admin.	Letters of Admin. with Will Annexed	Certificate in Lieu of Grant (Small Estate)	De Bonis Non	Reseal	Total Appls.	Caveats	Caveat Warning/ Citation/ Order to View Affidavit of Value or Will
2013	60	23	10	7	1	5	106	19	
2014	111	32	8	15	3	13	186	48	
2015	100	23	9	19	5	4	160	38	9
2016	93	46	6	19	1	10	175	19	7
2017	81	29	6	24	2	11	153	39	7

Change	-12	-17	0	5	1	1	-13	20	0
%	-13%	-37%	-	26%	100%	10%	-22%	105%	-

Establishment List

Judicial Department - Supreme Court
As at December 31 2017

POST	OFFICER'S NAME
Chief Justice	I. Kawaley
Puisne Judge	C. Simmons
Puisne Judge	C. Greaves
Puisne Judge	S. Hellman
Puisne Judge	N. Stoneham
Registrar	S. Subair Williams
Assistant Registrar (Relief)	R. Barritt
Manager	D. Nelson-Stovell
IT Manager	F. Vazquez
IT Assistant	B. Mello
Litigation Officer	J. Lynch
Administrative Officer – Front Office (Civil) (Relief)	R. Wickham
Administrative Officer - Court of Appeal (Relief)	J. A. Quallo
Admin. Assistant to Admin. Officer – COA	Vacant
Accounts Officer/Librarian	Vacant
Executive Assistant to Chief Justice	R. Walker
Administrative Assistant	F. Chico
Administrative Assistant	A. O'Connor
Administrative Assistant	J. Robinson
Administrative Assistant	L. Wilson
Administrative Assistant	Vacant
Data Consolidator	Vacant
Court Associate	A. O' Connor
Listing Officer	G. Symonds
Listing Officer	Vacant
Senior Court Associate	E. Simmons
Court Associate (Relief)	S. Wilson
Court Associate	C. Lambert
Court Associate)	Vacant
Secretary/Receptionist (Relief)	C. Grant
Data Processor	S. Williams
Data Processor	C. Seymour

Court Attendant/Messenger	C. Fraser
Court Attendant/Messenger	V. Simons



**Statue of Dame Lois Browne-Evans located at the
Dame Lois Browne-Evans Building**

47



Magistrates' Court: Year in Review



A Snapshot of the 2017 Review

- ❖ The overall number of **Case Events** adjudicated in the Magistrates' Court in 2017 is 22,095.
- ❖ To afford members of the Bermuda Bar an opportunity to gain judicial experience, the Acting Magistrates' roster has been increased to ten (1) individuals who are in private practise or are employed within Government.
- ❖ The Bailiff post that was frozen in September 2015 due to the **Voluntary Early Retirement Incentive Plan (VERIP)** became eligible for reinstatement from 1 October 2017.
- ❖ **The total amount of Family Support cases have decreased by 11%.** Most notably however, there was a marked decrease in the number of Juvenile Offenders cases and the number of applications for Domestic Violence Protection Orders (DVPO's).
- ❖ The Magistrates' Court continued to strengthen their administrative arm by completing the cross-training of seven (7) Court Associates as Relief Cashiers. The cross-training allows for extra coverage during annual, sick and or special leave while also enhancing the skill sets of staff.
- ❖ Special mention to Mrs. Nea Williams-Grant for completing all of the procedures for the Administrative Team to the Senior Magistrate and Magistrates to Courts No.1 and No. 2.

- ❖ In conjunction with the Department of Court Services efforts are presently underway to formulate a pilot **Driving Under the Influence (DUI) Court**. Efforts are still being made to introduce the pilot DUI Court in 2018. Unfortunately, due to a lack of resources we were unable to complete this objective in 2017.
- ❖ As part of its public educational component Magistrates' Court continued providing shadowing opportunities to students who observed all Courts for periods of up to one (1) week each.
- ❖ **The Coroners Reports are currently up-to-date** and there has been an increase in every category of death.
- ❖ In respect of the total number of Liquor Licences granted there has been an increase of **10.5%**.
- ❖ The total amount of cash received by the Cashier's Office increased from **\$7,944,190 to \$8,386,991 (an increase of 5.25%)**.
- ❖ The Bailiff Section saw a decrease in the number of documents served and this is attributed to the manpower shortage by three (3) Bailiffs.
- ❖ The Coroner's Reports are currently up-to-date and this is due in large part to the efforts of the Coroner's Officer Sgt. Travis Powell and Magistrates' Court Administrative Assistant Patricia McCarter.
- ❖ The Magistrates' Court staff welcomed their Supreme Court colleagues into the Dame Lois Browne-Evans' Building by extending assistance to the Supreme Court staff. This enabled them to carry out their matters efficiently.
- ❖ There was a **7% increase in the amount of Child Support collected in 2017 (\$4,582,552)**.
- ❖ Over the past year the Senior Administrative Assistant, Nea Williams-Grant under the supervision of the Senior Magistrate and in his capacity as the Chairman of the Liquor Licensing Authority, performed various administrative tasks for the preparation of Tour Boat Liquor Licences for the Americas Cup 2017. This involved the preparation of documentation, application forms, correspondence, meetings and site visits. This resulted in the production of approximately **30 Americas Cup Tour Boat Licences**.



Progress in 2017

- ❖ The Magistrates' Court has assigned Monday and Wednesday afternoons to conduct case management hearings. This resulted in the Administrative Assistant to Court No.1 having to facilitate this Special Court as well as the daily Plea Court.
- ❖ Staffing issues have been satisfactorily resolved with the granting of relief staff. It is hoped that all of the vacant posts will be filled substantively in 2018.
- ❖ The staff of the Magistrates' Court are still stretched to their capacity and while the duties of various posts have been redistributed to others, it can only be on a temporary basis due to the volume of work involved. Therefore it is imperative to have the requisite permissions to fill all of the vacant posts in Magistrates' Court to allow for continuity and the efficiency of the Courts.
- ❖ In an effort to obtaining a paperless office environment, discussions have commenced with the Bermuda Government Archives Department – Appraisal Archivist; regarding the disposition of a number of records currently held at the Magistrates' Court and the Archives Department at Southside. This is a major undertaking which we anticipate completing by year's end.
- ❖ In order to ensure the fair and timely delivery of justice the Magistrates' Court have formulated case management guidelines and practise directions to be applied in all Civil, Criminal & Family matters.
- ❖ The number of **Road Fatalities increased from eleven (11) in 2016 to fourteen (14) in 2017**. This represents a 21% increase.
- ❖ **As a result of the implementation of the TOPA Act 2015, the cost of a Parking Ticket within the city limits increased from \$50 to \$75**. To date the Cashier's Section Team (Deneise Lightbourn, Shondell Borden and Towona Mahon) have collected over \$90,000

in fees and processed over 1,100 tickets. They are to be commended for their efficiency, accuracy and above all patience during this transition. Discussions will be held in 2018 to determine the percentage of the fees that will be retained by the Magistrates' for administrative services rendered.

- ❖ The Family and Child Support Team, who have continued to operate with minimal staffing levels while servicing the two (2) Family Courts and the Family and Child Support Office, are to be applauded for the hard work and effort they have put forth over the past year. Their commitment and dedication have not gone unnoticed.

The Magistrates' Court

The Magistrates' Court has specialized Civil, Criminal/Traffic and Family Courts to ensure a dedicated response to these issues. There are also the Mental Health Court and the Drug Treatment Court which continue to seek to reduce offending behaviour by addressing the drug/alcohol and mental health challenges of offenders. All cases/hearings are heard by a Magistrate sitting alone, except in the Family Court, where the Magistrate sits with two (2) lay members chosen from a Special Panel. There are no jury trials and all appeals from judgments of the Magistrates' Court are heard by the Supreme Court.



The Magistrates' Court

The Magistrates' Court provides funding for the Senior Magistrate, four (4) Magistrates' and acting appointments where necessary. The Magistrates' adjudicate upon Civil, Criminal/Traffic and Family matters which are reported below.

Hearings/Case Events	2013	2014	2015	2016	2017
Mentions	1,805	3,336	3,199	2,829	3,295
Trials	2,097	1,895	1,944	1,832	1,717
Case Events	25,876	24,715	26,971	23,292	22,095

Figure 1: Table of Hearings/Case Events

'Mentions' are events for the Magistrate to decide what the next course of action is to be taken i.e. trial, another mention etc.

'Trials' are hearings between the parties in order for the Magistrate to make a judgment.

'Case Events' includes proceedings such as pleas, legal submissions, sentencing hearings and other types of events that do not fall under Mentions and Trials.



Figure 1A: Chart on Hearings/Case Events (Terry)

In 2017 the number of Mentions increased while the number of Trials and Case Events declined when comparing it to the previous year.

There were three thousand two hundred and ninety-five (3,295) Mentions in Magistrates' Court in 2017 which is four hundred and sixty-six (466) or 16.5% more than 2016. Over the past five (5) years the 2017 figure was only surpassed by 2014 when there were three thousand three hundred and thirty six (3,336) Mentions. Efforts were made by the Senior Magistrate to determine the reason for the increase in Mentions and whether this number is inordinately high.

The number of Trials in 2017, one thousand seven hundred and seventeen (1,717), is the lowest over the 2013 – 2017 period. This is likely attributable to the fact that the number of new cases filed in 2017 decreased and the Magistrates continued efforts to assist litigants with resolving their issues without the need for a trial.

As shown in Figures 1 and 1A there were over 23,000 Case Events scheduled in Magistrates' Court in 2013, 2014, 2015 and 2016. Ironically, in 2017 the total number of Case Events is the lowest over the past five (5) years.

Civil Court

The Civil Section is overseen by the Office Manager and is administered by three (3) Court Associates and an Administrative Assistant.

The Civil Section adjudicated two thousand and eighty-eight (2,088) new cases in 2017 which represents a reduction of eight hundred and fifty (850) cases when compared to 2016. This may be as a result of the improvement of the economy which allowed potential litigants to meet their financial obligations.

While the Civil Section began 2017 fully staffed this changed due to a resignation and an internal move to the Supreme Court. This Section added three (3) new employees, one (1) of which is a former employee. Special mention must be conveyed to Ms. Shirlene Bailey, who for a period was the only employee in the Civil Section. She did her best to maintain the inputting of new Civil documents into the Judicial Enforcement Management System (JEMS). Ms. Bailey spent countless hours, beyond normal working hours, to accomplish this until such time that we were able to secure additional staff. Magistrates' Court was fortunate to have Miss Aqueelah Simmons return to the Civil Section as a Court Clerk. Ms. Bailey and Miss Simmons together trained the two (2) new Court Clerks and as a team they brought the backlog of new Civil documents up-to-date. The team of Court Associates were congratulated for a job well done!

With the Civil Section up-to-date, this allowed an opportunity for one of the Court Clerks to be cross-trained in the Family Support Section who also experienced staff shortages. This is in line with our departmental objectives and it is our intention to continue on this path in the future.

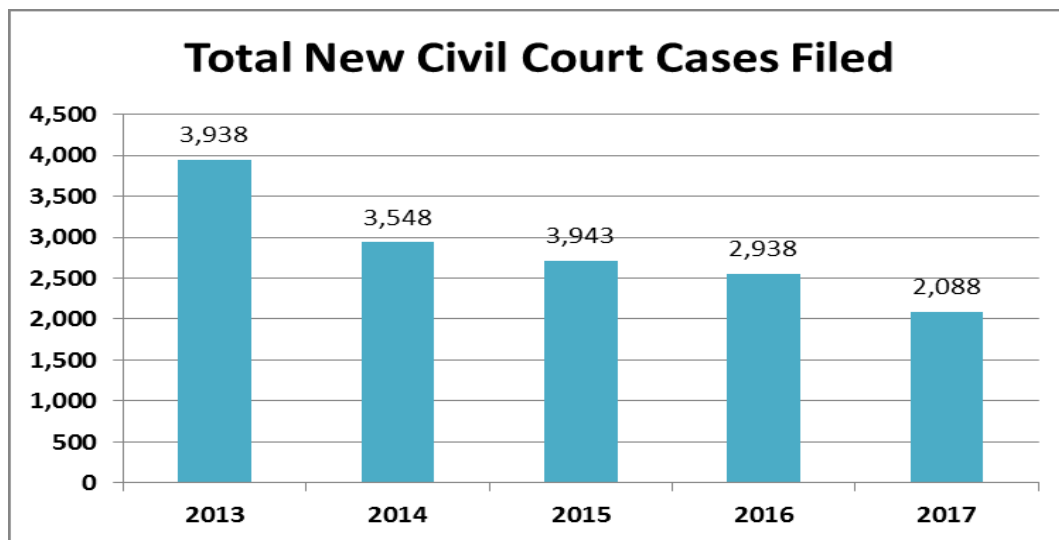


Figure 2: 2013 – 2017 Total New Civil Court Cases Filed

Family Court

The Family Court was established by Section 13 of the Children Act 1998 to exercise the jurisdiction conferred upon the Court by that Act.

There are two (2) Family Courts, each comprised of a Magistrate and two (2) panel members (male and female), pursuant to Section 12 of the Magistrates' Act 1948. This court continues to exercise its jurisdiction in cases involving children who have not yet attained the age of 18 years and children who have continued in full-time education beyond 18 years.



The Special Court Panel

The Family Court is a specialized court which was created to handle the specific needs of children whether born within or outside of marriage, and matters arising in respect of their custody, care, maintenance and violations against the law (juvenile offenders).

There were two (2) additions to the Special Court Panel in 2017. The diversity of this panel has grown and together with the existing long-standing members, they form a team worthy of reputable accolades. They assist the Magistrates in decision making and their value to the Family Court and its continued success is beyond rapport.

New Family Court Cases

In 2017 the number of cases heard under the Children's Act 1988 (Care Orders, Access, Maintenance, Care & Control) decreased by 5% in comparison to the 2016 statistics. There were 581 in 2014, 757 in 2015, 919 in 2016 and 874 this past year.

The number of new Family cases filed declined by 5% between 2016 and 2017. In 2017 there has been a favourable decline of ten (10) cases or 15% in the number of Domestic Violence Protection Orders (DVPO's). The number of new Family cases filed declined by 5% and it is partially attributed to the decline in DVPO's.

Throughout 2017 the Enforcement Officer (EO) was in constant communication with the Family Responsibility Office of the Ministry of Community & Social Services, Ontario. The EO continues to assist them with the transmittal of Ontario Maintenance orders to Bermuda in accordance with the Maintenance Orders (Reciprocal Enforcement) Act 1974.

Family Court Administration

The Family and Child Support Section consist of two (2) Family Courts and two (2) Family Court Magistrates. The support staff are managed by the Family Support Officer, who has under their remit an Enforcement Officer, an Administrative Assistant and three (3) Family Court Clerks. This section was severely under staffed in 2017. Unfortunately, we lost the services of a recently hired Administrative Assistant coupled with the fact that we were short a Court Clerk. We are making every effort to fill all of the vacant post in the Magistrates' Court in 2018.



Caseload

The total Family Court caseload for 2017 is two thousand and ninety-three (2,093) cases. This is a significant decline of 11% or two hundred and twenty-eight (228) cases when comparing it to 2016 which saw a total caseload of two thousand three hundred and twenty-one (2,321).

Child Support Payments

There has been a noticeable increase in the total amount of Child Support Payments received over the past five (5) years as is illustrated in Figure 3. The total amount of Child Support collected during 2016 was \$4,582,552 which is 7% higher than 2016. Continued enforcement has bared fruit and this is evidenced by the increase in the 2017 Family Support Cashier's statistics.

APPLICABLE LAW	TOTAL FAMILY LAW CASES			
	2014	2015	2016	2017
Adoption Act 1963, Adoption Rules Act	3	17	11	4
*Children Act 1998 (Care Orders, Access, Maintenance, Care & Control)	581	757	919	874
**Enforcement (All Case Types in Default)	1,107	1,308	1,011	920
New Reciprocal Enforcement (Overseas)	6	1	2	0
Matrimonial Causes Act 1974	28	40	33	31
Domestic Violence Act 1997 (Protection Orders)	53	67	76	66
***Juvenile Cases	73	128	115	51
New Cases Filed	156	124	154	147
ANNUAL TOTALS	2,007	2,442	2,321	2,093

Figure 3: Table of Total Family Law Cases 2014-2017

**The Children Act 1998 – This figure includes all cases adjudicated under this Act including applications submitted from the Department of Child and Family Services (DCFS). Contribution Orders, which are also related to DCFS cases, were not separated in 2014 as this is a possible outcome to a case adjudicated under the Children Act 1998 and not a separate application type.*

*** Juvenile Cases – Criminal & Traffic Cases for children who are too young to go to regular court (17 years old & under).*

Criminal & Traffic Section

The Criminal and Traffic Section is administered by a Records Supervisor, a Senior Administrative Assistant, an Administrative Assistant and two (2) Court Clerks. They provide case management and court services related to the resolution of criminal, traffic and parking ticket cases. Additionally, the Court Clerks provide clerking support to the Magistrate in Court No. 1 and No. 2 and are responsible for inputting Demerit Points into the Driver's Vehicle Registration System (DVRS) and the Judicial Enforcement Management System (JEMS). Throughout a better portion of the year this Section was not at full strength which led to the partial closures of the Criminal/Traffic Public window. Ms. Jearmaine Thomas, Records Supervisor, is to be commended as she rose to the occasion throughout 2017 to ensure that the casework was processed in a timely manner, while often working alone. It is to be noted of the importance to process warrants efficiently because of the importance of issuing and cancelling warrants.

TOTAL NEW CASES (Filed)	2013	2014	2015	2016	2017
Criminal	823	684	610	584	616
Traffic	10,248	8,565	9,538	9,736	7,767
Parking	7,688	5,901	4,769	4,519	11,857

Figure 4: Total New Cases Filed with the JEMS system 2013-2017
****The 2014 figure does not represent the actual number of tickets issued.**

Total New Cases (Filed)			
Month	Criminal	Traffic	Parking
Jan	49	577	420
Feb	51	483	263
Mar	54	523	408
Apr	34	883	276
May	46	796	306
Jun	82	690	333
Jul	52	885	515
Aug	59	435	1,575
Sep	59	650	1,940
Oct	44	582	2,862
Nov	52	591	2,115
Dec	34	672	844
TOTALS:	616	7,767	11,857

The number of new Criminal matters filed at the Magistrates' Court increased by 5% from five hundred and eighty-four (584) in 2016 to six hundred and sixteen (616) in 2017.

Alternatively, there was a noticeable decline of 20% in the number of new Traffic offences adjudicated in the Magistrates' Court in 2017.

There was a significant increase in the payment of Parking Tickets cases in 2017. This was attributed to the implementation of the TOPA Act 2015. The cost of a parking ticket within the city limits has increased from \$50 to \$75 and the Cashier's Section Team are to be commended for their efficiency and patience during the transition of this new process. A Memorandum of Understanding between the key agencies is pending for completion by year end.

Figure 4A: 2017 Table of New Criminal, Traffic and Parking Cases Filed by Month.

It should be noted that there were over four hundred (400) Traffic cases adjudicated every month throughout the past year and in April and July there were over eight hundred (800) cases adjudicated. The use of two (2) Courts continued when there was a high volume of Traffic matters on a given day. The Courts ran simultaneously in an effort to ensure that defendants were processed efficiently.

TOTAL CASES (Disposed)	2013	2014	2015	2016	2017
Criminal	1,227	436	497	407	447
Traffic	8,834	7,640	9,002	8,518	6,982
Parking	No Data	4,816	4,110	3,603	2,857

Figure 5: Table of Total New Cases Disposed by a Magistrate 2013 – 2017 (Criminal, Traffic & Parking)

The total number of Traffic and Parking cases disposed decreased by 22% and 26% respectively, but the number of Criminal cases disposed increased by 9% in 2017. *(Figure 5 refers.)*



Top 10 Criminal Offences 2013 – 2017

Offence Code	Offence Description	Offence Count				
		2013	2014	2015	2016	2017
2071	OBTAINING PROPERTY BY DECEPTION	92	(3) 60	(6) 36		(9) 22
2010	STEALING (BELOW \$1000)	83	(1)78	(4) 59	(2) 84	(2) 66
2156	ASSAULT (ABH)	71	(4) 56	(1) 72	(1) 88	(1) 77
2300	POSSESSION OF CANNABIS	68	(2) 61	(3) 60	(3) 68	(3) 63
4032	THREATENING BEHAVIOUR	65	(3) 60	(5) 50	(6) 27	(6) 30
2127	BURGLARY (NEW)	58	(5) 53	(2) 64	(4) 55	(4) 45
2152	ASSAULT (COMMON)	45	(6) 48	(7) 35	(7) 24	(8) 26
2067	HANDLING/RECEIVING STOLEN GOODS	42	(10) 27	(8) 34	(10) 21	
4026	OFFENSIVE WORDS	33	(7) 35	(9) 32	(9) 22	(6) 30
2144	WILFUL DAMAGE GT 60	27	(9) 28		(5) 29	(5) 35
2091	TAKE VEHICLE AWAY W/O CONSENT		(8) 29	(8) 34		
2316	POSS CANNABIS WITH INTENT		(9) 32	(8) 34	(8) 23	(7) 27
2392	POSS DRUG EQUIP PREPARE				(10) 21	(8) 26
6506	DOG UNLICENCE			(10) 29	(10) 22	
2388	POSS DRUG EQUIPMENT USE					(10) 21

Figure 6: Table of Top 10 Criminal Offences 2013 – 2017

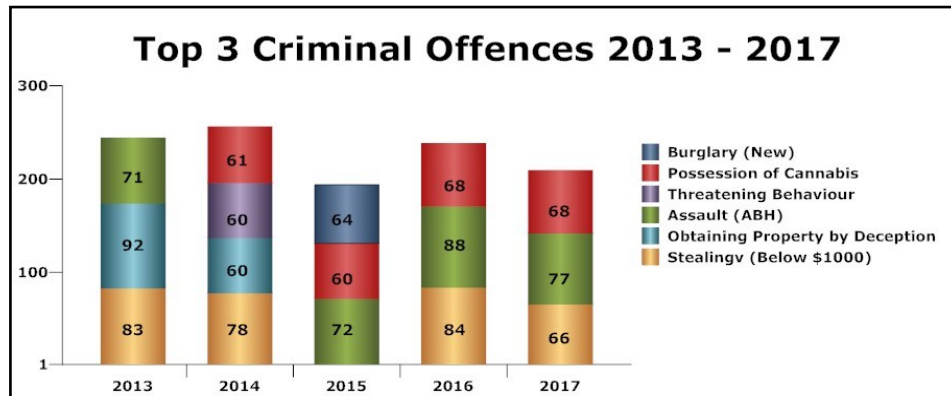


Figure 6A: Table of Top 3 Criminal Offences 2013 – 2017

The **Top 3 Criminal Offences in 2017** are as follows:-

1. Assault (ABH)
2. Stealing (Below \$1000)
3. Possession of Cannabis

The top three (3) Criminal offences remained constant between 2016 and 2017. For three (3) consecutive years the Assault (ABH) offence is listed as the #1 crime committed in Bermuda. There were seventy-seven (77) cases in 2017 which represents an 11% decrease from 2016.

The Stealing (Below \$1000) offence is the second highest in 2017 as it was in 2016. This is a decline of 27%.

Possession of Cannabis remained the third highest offence. This offence has consistently been one of the Top four (4) offences for the past five (5) year. It is to be noted that the top nine (9) criminal offences have been consistent over the past five (5) years, however the “Possession of Drug Equipment Use” offence has entered our Top 10 list for the first time and the offence of “Handling/Receiving Stolen Goods” has fallen off. (Figure 6 and 6A refers)

Top 10 Traffic Offences 2013 – 2017

Offence Code	Offence Description	Offence Count				
		2013	2014	2015	2016	2017
3002	SPEEDING	2,384	(1) 3,053	(1) 4,043	(1) 4,411	(1) 3,874
3007	DISOBEY TRAFFIC SIGN	1,649	(3) 1,055	(2) 1,228	(2) 1,490	(2) 982
3147	USE OF HANDHELD DEVICE WHILST DRIVING	1,161	(2) 1,058	(3) 841	(4) 544	
3013	SEAT BELT NOT FASTENED	675	(5) 438	(7) 369	(7) 225	(9) 98
3234	NO DRIVERS LICENSE/PERMIT	575	(4) 545	(4) 730	(3) 819	(3) 702
3080	NO 3 RD PARTY INSURANCE	346	(6) 379	(5) 473	(5) 468	(4) 411
3229	UNLICENSED MOTOR BIKE	296	(7) 351	(6) 431	(6) 431	(5) 402
3070	DRIVE W/O DUE CARE & ATTENTION	210	(9) 143	(9) 177	(8) 162	(6) 317
3058	IMPAIRED DRIVING A MOTOR VEHICLE	206	(8) 154	(10) 170	(10) 125	(7) 144
3190	FAILURE TO WEAR HELMET	185	(10) 131			
3228	UNLICENCED MOTOR CAR			(8) 180	(9) 135	(8) 124
3064	EXCESS ALCOHOL MOTOR VEH					(10) 10

Figure 7: Table of the Top 10 Traffic Offences from 2013 – 2017

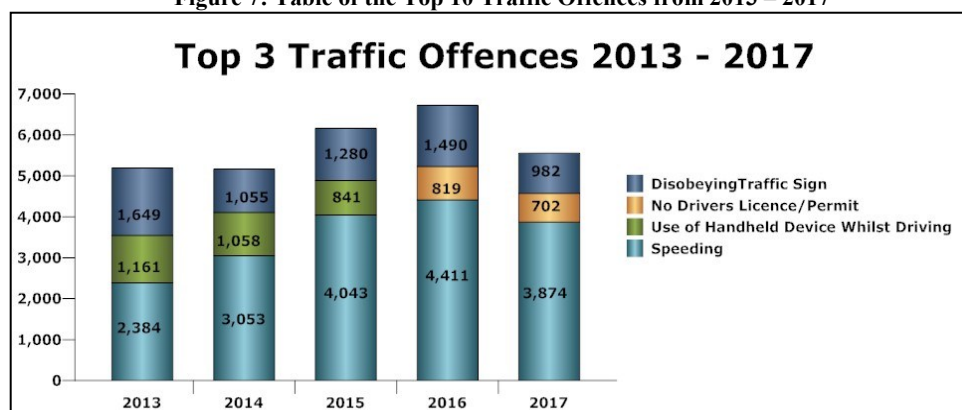


Figure 7A: Table of the Top 3 Traffic Offences from 2013 – 2017

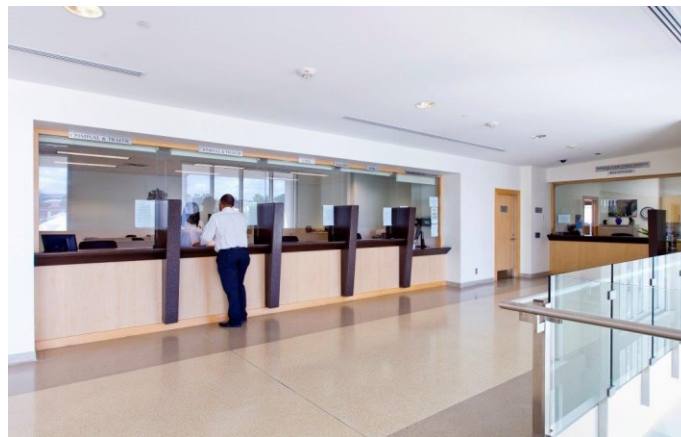
The **Top 3 Traffic Offences for 2017** are as follows:-

1. Speeding
2. Disobeying a Traffic Sign and
3. No Drivers Licence/Permit

The Top three (3) Traffic Offences have remained constant between 2016 and 2017. Speeding, the #1 offence saw a sizeable decline of 12% or five hundred and thirty-seven (537) cases when compared to 2016 however, this offence has been consistently listed as the top offence from 2013 to 2017.

The second highest offence of “Disobeying a Traffic Sign” saw a decline from one thousand four hundred and ninety (1,490) cases to nine hundred and eighty-two (982) which computes to 34% less. While this is the second highest traffic offence in 2017, it should be noted this is the lowest number of this offence over the last five (5) years.

The third highest Traffic offence is the “No Driver’s License/Permit” offence. There was a moderate decline of 14% when comparing the 2017 figure to 2016.



**Magistrates' Court Criminal | Traffic | Records | Civil/Bailiff's
| & Reception Windows.**

Warrants

Outstanding Warrants

For five (6) consecutive years (2012 – 2017) the number of Outstanding Warrants has steadily increased. In 2017 there were ten thousand nine hundred and twenty-three (10,923) outstanding warrants within Magistrates' Court which is an increase over the 2016 figure. Outstanding Warrants for criminal and traffic offences fall under three (3) categories which are as follows: - Committals, Summary Jurisdiction Apprehensions (SJA) and Apprehensions.

The total amount of unpaid fines that have accrued as a result of warrants not being executed has risen to \$2,096,167.51 as at 31 December, 2016. Interagency collaboration has been beneficial for the execution of warrants. Litigants have been given incentives of discounts so as to encourage the payment of outstanding fines to combat the reduction of warrants. Magistrates have made payment orders so that offenders could pay their fines over a reasonable period of time thereby removing the possibility of incarcerating them for default.

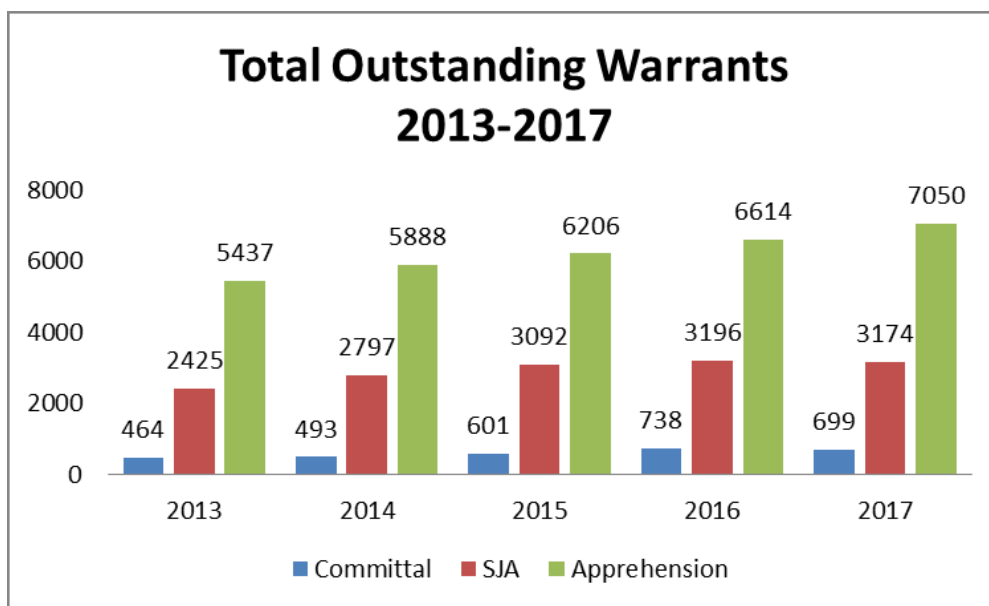


Figure 8: Outstanding Warrants (Apprehension, Summary Jurisdiction Apprehension (SJA) and Committal)

NOTE: Committal Warrants are issued when a defendant is found or pleads guilty of an offence, does not pay the fine, asks for more time to pay (TTP) and then does not meet that deadline. SJA Warrants are issued when a defendant has been fined by a Magistrate and has not paid the fine by the prescribed deadline. Apprehension

Warrants are issued when defendants do not show up to Court when they are summoned for criminal and traffic offences.

Record Requests

The number of Record Requests for Criminal and Traffic matters continues to increase year over year. In 2014 and 2017 there were 709 and 1,328 requests respectively. This represents a 53% increase over the four (4) year period.

The requests have come from several agencies for various reasons e.g. employment, travel purposes, Law firms and recently the Deputy Governor’s Office. While there is a seven (7) day allotment to complete the Record Requests, the Criminal/Traffic/Record Section has been processing them in a 24 hour turn around.

There has been a staff shortage in this Section for the latter portion of 2017. The Records Supervisor, Jearmaine Thomas, is to be commended as often she was left to manage this Section alone. On occasion the Civil Court Clerks assisted the Criminal/Traffic/Record Section and worked as a team during busy periods.

Currently the \$10 fee charged for the processing of Criminal Records is disproportionately low to the actual work carried out to process the application. Therefore, strong consideration should be given to increasing the fee from \$10 to \$50. Other agencies charge as much as \$100 per application.

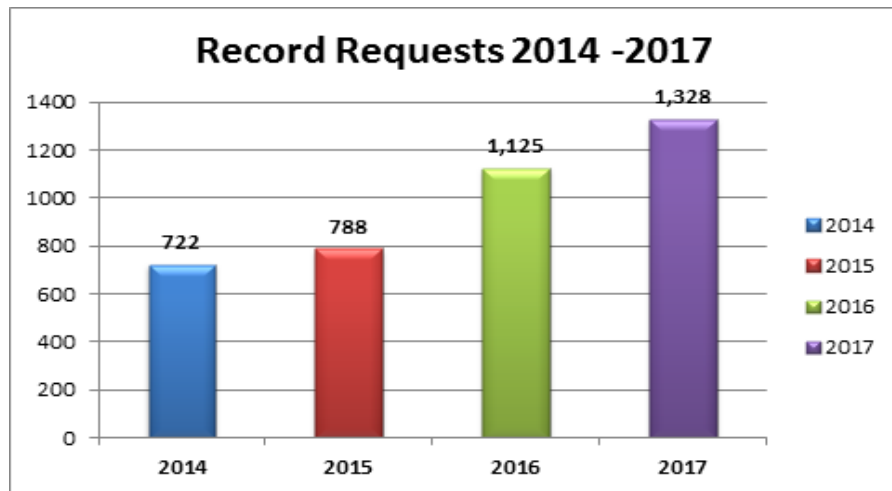


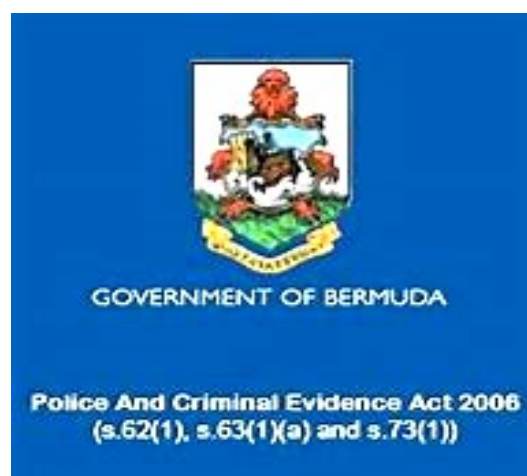
Figure 9: Table of 2014 – 2017 Record Requests

Police and Criminal Evidence Act (PACE) Warrants

PACE Warrants 2013-2017	Legislation	2013	2014	2015	2016	2017
Special Procedure Applications	Telephonic	67	66	96	75	56
	Banking	3	12	11	5	7
	Internet	0	1	22	2	5
	Medical	1	1	3	1	2
	Courier	0	0	0	0	0
	Law Firm/Legal	0	1	1	0	1
	Travel Agents/Airlines	1	1	0	2	0
	Insurance	1	0	0	1	0
Order of Freezing of Funds		0	0	0	1	0
Order Release of Seized Cash/Property		6	8	5	7	2
Continued Detention of Seized Cash		72	13	33	95	61
Search Warrants	Misuse of Drugs Act	60	54	65	73	101
	Firearms	27	19	19	41	34
	Sec. 8/Sec. 15 PACE Act	11	18	39	17	21
	Revenue Act(Customs)	2	0	0	2	0
	Criminal Code 464	0	0	0	0	0
Production Order (Customs)		0	0	1	0	0
Production Order 'PATI' - Public Access To Information		0	0	1	0	0
TOTAL OF ALL TYPES		251	194	296	322	290

Figure 10: Table of 2013 - 2017 PACE Warrants

The number of PACE Warrants decreased by thirty-two (32) or 11% for the period January – December 2017 when compared to the 2016 figure.



Coroner's Reports/Cases

Causes of Death	2013	2014	2015	2016	2017
Natural Causes	57	63	60	59	60
Unnatural Causes	6	3	10	3	6
Murders	5	3	4	7	5
Drowning	1	4	3	3	4
Road Fatalities	10	14	8	11	14
Undetermined	3	0	1	0	1
Hanging	1	1	1	2	3
Strangulation	0	0	0	0	0
Suspicious	0	0	0	0	0
Unknown	n/a	1	3	3	1
TOTALS	83	89	90	88	94

Figure 11: Table of Causes of Death in Coroners Cases 2013 – 2017

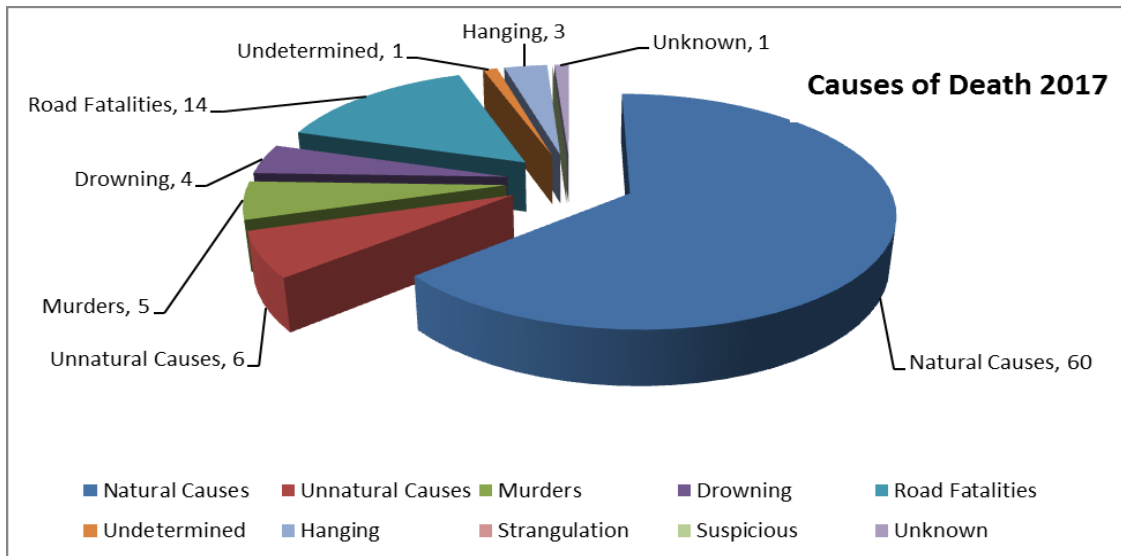


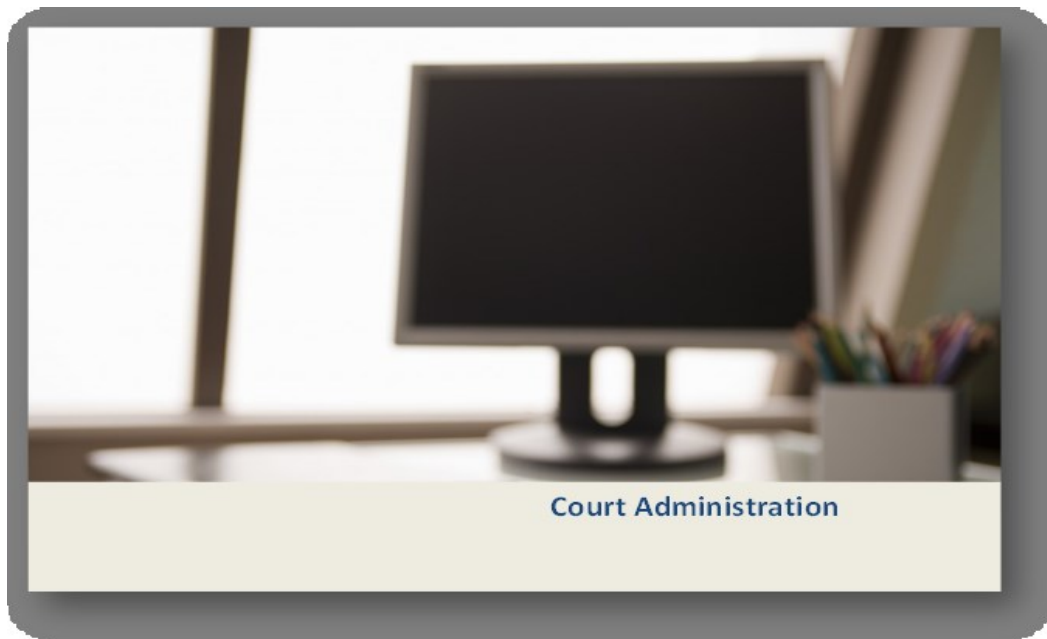
Figure 11A: Table of 2017 Causes of Death in Coroners Cases

The Coroner reviewed ninety-four (94) Coroner's deaths from January – December 2017. The Coroner's death totals increased by six (6) for that period.

The number of 'Natural Causes' of death (60) remains as the predominant cause of death over the past 5 years.

Court Administration

The Court Administration Section includes the following six (6) staff: - the Court Manager, Office Manager, Head Cashier, two (2) Cashiers and a Secretary. They provide support and overall control of the personnel, facilities and financial resources of the Magistrates' Court. There was a complete review of the Magistrates' Court Job Descriptions which included the by-in of all of the current employees. The Department of Human Resources Team led by Human Resource Manager, Tanecia Barnett Burgess are to be commended for their continuous support as we transition from antiquated to updated job descriptions that truly reflect the hard work and dedication provided by the staff at the Magistrates' Court.



Cashier's Office

The Magistrates' Court Cashier's Office collected \$8,386,991 (eight million three hundred and eighty-six thousand nine hundred and ninety-one dollars) in 2017. This includes all categories (inclusive of Child Support) and represents a 5% increase or \$392,801 (three hundred and ninety-two thousand eight hundred and one dollars).

The Liquor License Fees collected in 2017 increased significantly by 36%. (*Figure 11 and 11A refers*) As stated earlier there was an increase of Family Support payments in the amount of \$316,469 or 7% when comparing 2017 to 2016.

Cashier's Office Payment Types by \$ Amount					
Payment Types (By \$ Amount)	2013	2014	2015	2016	2017
Civil Payments	\$ 669,312	\$ 612,425	\$ 640,222	\$ 653,817	\$ 585,954
Civil Fees	\$ 300,685	\$ 256,790	\$ 207,748	\$ 203,535	\$ 192,315
Traffic Fines	\$ 1,788,130	\$ 1,828,645	\$ 2,445,881	\$ 2,116,050	\$ 2,124,033
Parking Fines	\$ 312,650	\$ 249,450	\$ 209,300	\$ 171,500	\$ 168,825
Criminal Fines	\$ 190,687	\$ 139,888	\$ 181,821	\$ 154,329	\$ 139,569
Liquor License Fees	\$ 329,210	\$ 332,942	\$ 349,405	\$ 349,550	\$ 552,101
Pedlar's License Fees	\$ 12,870	\$ 10,440	\$ 11,610	0	0
Misc. Fees (Including Bailiffs)	\$ 41,649	\$ 38,106	\$ 24,716	\$ 29,326	\$ 41,642
Family Support	\$ 5,250,135	\$ 5,023,883	\$ 4,898,084	\$ 4,266,083	\$ 4,582,552
TOTAL COLLECTED	\$ 8,895,436	\$ 8,492,739	\$ 8,968,339	\$ 7,944,190	\$ 8,386,991

Figure 12: Cashier's Office Payment Types (By \$ Amount) 2013-2017

Cashier's Office Payment Types by Number					
Payment Types (By Number)	2013	2014	2015	2016	2017
Civil Payment (Attach of Earnings)	3,221	3,575	3,968	4,909	3,938
Civil Fees	9,023	7,364	5,774	5,632	5,328
Traffic Fines	10,269	8,166	9,627	8,905	7,508
Parking Fines	6,253	4,989	4,185	3,722	3,193
Criminal Fines	385	294	404	398	382
Liquor License Fees	443	455	487	457	509
Pedlar's License Fees	143	116	129	0	0
Miscellaneous Fees	677	851	850	1,229	1,776
Family Support	25,979	23,450	22,705	25,322	20,097
TOTAL PAYMENTS PROCESSED	56,392	49,260	48,152	46,417	42,731

Figure 12A: Cashier's Office Payment Types (By Number) 2013-2017

Liquor Licenses

In 2017 there were a total of six hundred and twenty-seven (627) Liquor Licenses granted. There was an increase in all of the districts apart from the Eastern which saw a minimal decline from fifty-seven (57) to fifty-four (54) license or 6%. It is to be noted that there was a 12% increase in the number of liquor licenses granted in the Western District. Over the past five (5) years there was an average of 56 licenses granted in this district but in 2017 there were sixty-five (65). This increase is due to the hosting of the 2017 America's Cup. It is to be noted that there has been a steady rise in the number of liquor licenses granted in the Central District between 2013 – 2017. There was an upward swing of thirty-two (32) or 16%.

Liquor Licenses Granted By District

DISTRICTS	2013	2014	2015	2016	2017
Central District	164	169	170	180	196
Western District	54	56	57	57	65
Eastern District	44	48	49	57	54
Occasional Licenses	338	326	302	267	312
TOTAL LICENSES ISSUED	600	599	578	561	627

Figure 13: Table of 2013 - 2017 Liquor Licenses granted by District

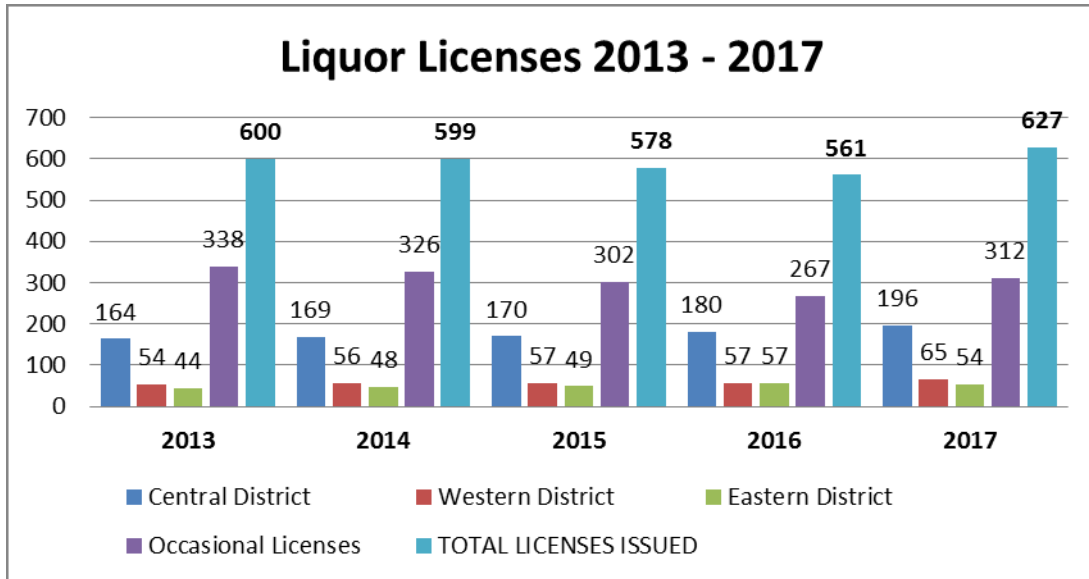


Figure 13A: Table of 2013 - 2017 Liquor Licenses Issued

Bailiff's Section

Execution and Service

The Bailiff Section experienced severe staff shortages throughout 2017. This section was reduced from five (5) to four (4) Bailiffs in September 2015 via the Voluntary Early Retirement Incentive Plan (VERIP) process. Additionally, there was the unexpected departure of the Head Bailiff/Deputy Provost Marshal General (DPMG), Mr. Christopher Terry, who tendered his resignation to pursue an upper management position in the private sector. Bailiff Harold Beckles was appointed to act as the Head Bailiff/DPMG but unfortunately took ill and eventually had to relinquish acting in this capacity. Bailiff Michael Brangman was then sworn in as the Head Bailiff/DPMG during the latter part of the year. It is to be noted that Mr. Terry has been engaged as a Consultant to train the aforementioned Bailiff's and has continued in this capacity until year end.

Due to the staffing issues, there were times throughout the year when only two (2) Bailiffs remained to carry out the demands related to the service/execution of court documents. In 2017 there were three thousand eight hundred and forty-two (3,842) documents issued for service of which two thousand two hundred and thirty (2,230) were served. This represents a 58% service rate for the year. When comparing the service rate to the 2016 figure there was a noticeable decline of 14%. While the effort was made by the Bailiff Team to serve as many documents as possible, the lack of manpower proved to be the primary factor for the lower service rate.

The number of Court documents received encompasses the Supreme, Magistrates' and Family Courts. There was a significant reduction in the number of Foreign documents received and served from fifty-three (53) in 2016 to seventeen (17) in 2017. While this represents a significant decrease when compared to the previous year, it is to be noted that in 2017 the Courts received 75% less foreign documents to be served which lends to the sizeable decline.

The number of Family Court documents for service by the Bailiffs Section has seen a notable increase year to year from 2013 – 2017. There was a moderate increase between 2016 and 2017 of 3%; however there was a 30% increase when comparing the 2017 figure to 2013. This is indicative of the current trend amongst the various child and family services cases brought before the Courts over the years.

The Protection Orders/Domestic Violence Orders (DVOs) statistics have not deviated in numbers over the past five (5) years. These types of orders remain a high priority for service by the Bailiff Section. Although this Section suffered from significant staff shortages, they were successful in executing 100% of these documents and are to be commended for doing so.

Although the Civil Court had a moderate decrease in the total of amount of documents for service by the Bailiffs, there was an increase in the number of 'Eviction Warrants' and 'Notice of Hearings' of 8% and 7% respectively, in comparison to 2016.

In relation to foreclosures in 2017, for the recoupage of funds to settle indebtedness of Judgment Debtors, there were a number of auctions organized which unfortunately did not bare any fruit! It is our hope that this will improve in 2018.

In January 2017 the Bailiff Section executed the possession of property at Daniel’s Head; Sandy’s which required collaboration with numerous governmental agencies and organizations. This possession included 36 cabanas and 10 common buildings. This court order was very unique as it also included the eviction of several individuals who had been squatting on the property for a lengthy period. The Courts would like to thank the following agencies and organizations for their invaluable assistance with this operation:-

- 1) The Bermuda Police Service
- 2) The Bermuda Fire Service
- 3) Dog Wardens, Environmental Engineering
- 4) Barnes Locksmith Service and
- 5) Ward’s Locksmith Service

The Bailiff Section is the law enforcement arm of the Courts in Civil matters. Failure to serve Civil Court orders creates a real and viable risk to the public as vulnerable parties (particularly the elderly and cases in Family Court) must be able to survive by collecting on the financial orders for payments due to them.

2013 – 2017 Annual Statistics for the Bailiff’s Section

DOCUMENT TYPES	2013	2014	2015	2016	2017
Ordinary Summons	1,029	638	610	523	465
Supreme Court Documents	311	307	270	210	218
Family Court Documents	641	757	798	892	917
Committal Applications	1,199	1,119	1,523	1,401	1,160
Warrants	1,172	1,147	414	685	739
Evictions	44	42	29	52	56
TOTALS	4,396	4,010	3,644	3,763	3,555

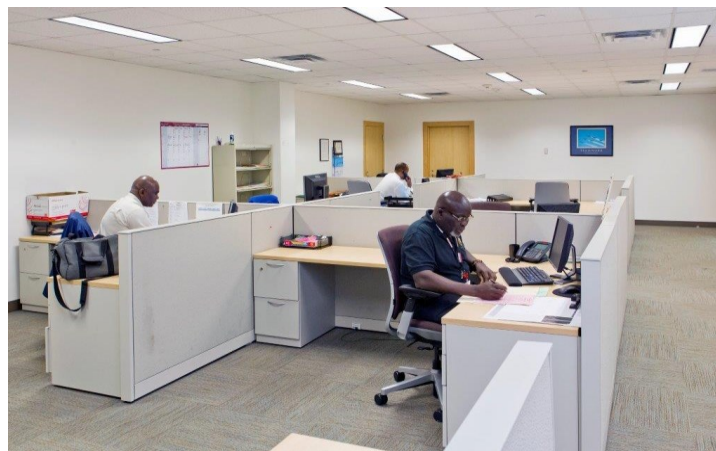
Figure 13: Table of 2013 – 2017 Annual Bailiff Document Types Issued for Service

Bailiffs' Paper Service for 2017

Documents: January - December 2017						
Document Type	Assigned	Exec/ Served/Etc	Unable to Locate	Can/Withdrawn	Attempts	Bal
Committals Applications	1259	547	0	85	541	627
Evict Warrants	54	37	0	10	42	7
Foreign Documents	30	17	2	0	5	11
Judgement Summons	125	109	2	6	57	8
Notice of Hearing	134	87	2	1	33	44
Ordinary Summons	462	394	7	12	269	49
Protection Orders	65	64	0	0	32	1
Summons	707	558	12	13	432	124
Warrants of Arrest	823	292	14	71	251	446
Writs	68	51	1	1	24	15
Other Documents	115	74	1	8	33	32
Totals	3842	2230	41	207	1719	1364

Average Rate of Service	58.04%
Average Rate of Unable to Locate	1.07%
Average Cancellation Rate	5.39%

Figure 13A: Table of the 2017 Monthly Statistics – Bailiff's Actual Paper Service



The Bailiff's Section

2017 Administrative Initiatives

- The process of reviewing and updating the Job Descriptions for the administrative staff of the Magistrates' Court has been approved and signed by the Registrar. In addition, they have been submitted to the Department of Human Resources for their review and submission to the Joint Grading Panel.
- It is anticipated that in 2018 the Driving Under the Influence (DUI) Court will be implemented on a pilot basis to assist individuals in addressing their alcohol related offences. This will require additional resources to administrate this Special Court.



Establishment List

Judicial Department – Magistrates’ Court
As at 31 December, 2017

POST	OFFICER'S NAME
Senior Magistrate	J. Wolffe
Magistrate	K. Tokunbo
Magistrate	A. Warner
Magistrate	T. Chin
Magistrate	M. Anderson
Court Manager	A. Daniels
Family Support Officer	C. Furbert
Head Bailiff/Dep. Provost Marshal General	M. Brangman (Acting)
Office Manager	P. Rawlings
Secretary	P. McCarter (Relief)
Enforcement Officer	A. Smith
Records Supervisor	J. Thomas
Head Cashier	D. Lightbourn
Sen. Admin. Asst. to the Sen. Mag. & to Court #2	N. Williams-Grant
Administrative Assistant to Court #1	D. Richardson
Administrative Assistant to Court #3	D. Cruickshank
Administrative Assistant – (Family)	A. Williams (Secondment)
Court Associate (Family)	A. Simmons (Relief)
Court Associate (Family)	K. Bassett (Secondment)
Court Associate (Family)	VACANT
Court Associate (Civil)	S. Bailey (Consultant)
Court Associate (Civil)	M. Rewan-Alves (Relief)
Court Associate (Civil)	A. Seaman (Relief)
Court Associate	N. Hassell
Court Associate (Criminal/Traffic)	W. Butterfield
Court Parking Ticket Clerk (Criminal/Traffic)	S. Wilson (Relief-Secondment)
Administrative Assistant – (Bailiffs’ Section)	C. Bremar (Secondment)
Bailiff	VACANT
Bailiff	D. Millington (Secondment)
Bailiff	H. Beckles
Bailiff	D. Yarde
Bailiff	VACANT (VERIP)
Cashier	T. Mahon
Cashier	S. Borden



DAME LOIS BROWNE-EVANS BUILDING

Bermuda Judiciary Annual Report: 2017

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