



THE

# JAMAICA GAZETTE

## EXTRAORDINARY

688A

Vol. CXLIII

TUESDAY, SEPTEMBER 15, 2020

No. 193A

The following Notification is, by command of His Excellency the Governor-General, published for general information.

RYAN EVANS  
Governor-General's Secretary and  
Clerk to the Privy Council.

### JUDICIAL NOTICE

PRACTICE DIRECTION (No. 9) OF 2020

SUPREME COURT OF JUDICATURE OF JAMAICA

*Home Circuit Superior Criminal Courts of Trial*

This Practice Direction is issued by the Honourable Chief Justice and intended to govern sittings in the Supreme Court of Judicature (Criminal Division), the Circuit Court Division of the Gun Court, and the High Court Division of the Gun Court at Supreme Court of Judicature of Jamaica, Public Building East, King Street, Kingston.

*General*

1. This Practice Direction comes into effect on Wednesday, September 16, 2020 and will continue in effect until revoked or amended.
2. For ease of reference the Supreme Court of Judicature (Criminal Division), the Circuit Court Division of the Gun Court, and the High Court Division of the Gun Court sitting at the Supreme Court of Judicature, Public Building East, King Street, Kingston are collectively referred to as the Home Circuit Superior Criminal Courts of Trial ('HCSCCT'). This new nomenclature replaces that which appeared in paragraph 2 of Practice Direction (No. 7) of 2020 of May 31, 2020.

3. There will be no ceremonial opening for the HCSCCT until further notice.
4. Any person exhibiting flu-like symptoms and any symptoms of the COVID-19 virus will not be allowed to enter any of the court buildings.
5. Any person exhibiting signs and symptoms of COVID-19 after entry to any of the court buildings will be required to leave immediately.
6. Temperature checks will be administered at all entry points to the courts and persons with temperatures (98.6° (F); 37° (C)) higher than that indicated in the health protocol dated the 29th day of May, 2020 will be denied entry.
7. All persons entering the court building must be wearing face covering at the time of entry and must continue to wear such covering when traversing the corridors and other public spaces within the courts.
8. Trials and other in-person hearings will be conducted in accordance with the guidance issued by the Ministry of Health and Wellness.

#### *Definitions*

9. "Remote hearing" means proceedings taking place by means of telephone conference call, video-conferencing or any other form of electronic communication.
10. "Remote location" means any place other than inside the courtroom or chambers where a trial or hearing is taking place.

#### *Trials*

11. Jury trials at the HCSCCT remain suspended until further notice.
12. Bench trials will take place in all criminal courts.
13. Guilty pleas will be accommodated and in instances where defendants wish to enter a plea of guilty those cases will be accommodated regardless of the date previously set for trial or mention.
14. Guilty pleas, summation, and verdict are to be done only in-person.

#### *Case Management*

15. The case management courts will continue to operate and will be acting in accordance with Practice Direction (No. 6) of 2020 dated the 30th day of May, 2020 and counsel for the Crown and defence must be prepared accordingly.
16. Unless the judge of the case management court orders otherwise defendants in custody will not be taken to court and the case management hearing will be conducted remotely.
17. Where the defendant intends to offer a plea of guilty or the Crown intends to offer no evidence then in both instances the plea and the offering of no evidence are to be done in person.
18. The Judge must be present in an open court.

#### *Jurors*

19. All jurors summoned for service at the HCSCCT for the Michaelmas Term 2020 (September 16, 2020 to December 20, 2020) are not required to appear and are discharged without risk of any penalty.

#### *Sentencing*

20. All sentencing of persons convicted of criminal offences is to take place in person.
21. Any social enquiry report (SER) requested by the court will be in the short form unless the judge specifically requests the long form of the report.
22. Any SER requested is to be sent by electronic mail to the following email addresses of the criminal registry or Gun Court Registry as the case may be:  
criminalregistry@supremecourt.gov.jm  
guncourtregistry@supremecourt.gov.jm
23. Counsel for the Crown and the defence may appear remotely.
24. Where Probation Officers are needed in court their appearance should be facilitated from a remote location unless the Judge orders otherwise.
25. The Judge must be present in open court.

Dated this 14th day of September, 2020.

BRYAN SYKES, OJ, CD  
Chief Justice of Jamaica.