

8.3 AUTOMATIC REVIEW

1. Criminal matters that came before the High Court on automatic review during the court term are distributed equally amongst the judges on duty save that no reviews are distributed to the judges sitting in motion court for the week that they so sit.
2. Where a particular judge has directed a query to the magistrate who presided in the matter on review and the magistrate has responded thereto, the review may be referred to any other judge who shall deal with the matter. Similarly where a particular judge has referred a review to the Director of Public Prosecutions, and the Director's opinion has been received, the review may be referred to any other judge who shall then deal with, and if possible dispose of, the matter.
3. Save in the case of the greatest urgency a query must be directed to the presiding magistrate before a judge interferes with a conviction or sentence on review. In all cases the opinion of the Director of Public Prosecutions must be obtained before a judge interferes with a conviction or sentence on review.
4. Where a review, in which the judge who refers the matter is considering the release of the accused from prison, is referred to the Director of Public Prosecutions, the judge referring the matter should inform the Director of Public Prosecutions of his consideration and the reason therefore and require a response within a stated period of time.
5. A review judgment is given by two (2) judges. If the two (2) judges agree, the release of the accused can be achieved by way of telegraphic communication.