



CARIBBEAN COURT OF JUSTICE

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MEDIA RELEASE

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CCJ PRESIDENT STRESSES THE IMPORTANCE OF A QUALITY JUDICIARY

CCJ, Port of Spain. **The President of the Caribbean Court of Justice, The Rt. Hon. Sir Dennis Byron, is advocating that judges must uphold the law; demonstrate the highest levels of integrity; be impartial; and recuse themselves from matters in which there is a perception of bias on their part.**

The CCJ President made these statements via a video presentation to the Judiciary of Barbados at their recent retreat on the issue of Judicial Temperament in Bridgetown, Barbados on August 3rd 2012.

Sir Dennis stressed efficient judgment delivery as an important element to the judicial process achieving credibility;

“In dealing with judicial temperament and attitudes judges must adopt an attitude of hostility to delay in the litigation process and a determination to eradicate it... Whatever the causes for delay in the criminal justice system, the judiciary should implement policies for avoidable delay”

To this end, the Court President suggested that judges aim at delivering judgments in simple civil cases within 9 months of the time the case is filed and for standard cases, 12 months, with 24 months being the ideal in complex cases before the high court. With regard to appeals on such judgments, Sir Dennis suggested an average of 9 months after the trial judgment.

To combat the process of delays, Sir Dennis reminded the judges that under the new rules of the Supreme Court, that it is they and not attorneys who have the power to set dates for hearings.

“The judges must accept that it is their responsibility to manage the trial. There should be zero tolerance for adjournments unless required in the interest of justice,”

The CCJ President recommended to Caribbean courts, which do not now have Alternative Dispute Resolution systems, to look at the feasibility of adopting them without waiting on legislation or the executive. *“Mediation is now a universally recognized process facilitating discussion between opposing parties with a view to arriving at a settlement,”*

Citing comments from the public which question the integrity of Caribbean judges, Sir Dennis noted that one commentator said; *“until Judges exhibit their willingness to stand up to big business and stop bantering to politicians we the people cannot have confidence in them.”* Sir Dennis noted that that perception may be *“harsh and inaccurate but it is one held by a significant portion of the public and so judges must deal with it,”*

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The CCJ President, who is a former Chief Justice of the Eastern Caribbean Supreme Court, adopting the definition of Judicial Temperament from the American Bar Association, called on judges to have compassion, to be decisive, open-minded, sensitive, patient, courteous, freedom from bias and to be committed to justice.

He urged judges to be sufficiently independent to resist any encroachment from other branches of government *“that could place the judiciary and the decisions its judges make under the control of the political branch.”*

Sir Dennis regarded judicial independence as a right of citizenship and one that *“the citizen should cherish and fight for, just as the judge must exhibit it at all times.”*

In this respect, the CCJ President called on judiciaries across the region to adopt codes of judicial conduct to hold judges to standards of conduct and to fully inform their publics of the codes and standards to which judges and courts must be held.

The CCJ, Sir Dennis said, has established its own code with an Ethics Committee and is in the process of revising that code to govern the operations of the Court and the judges.

(Full speech attached – video and text)

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