Port of Spain, Trinidad
1st and 2nd February, 2007

On 1st and 2nd February 2007 the CCJ hosted the Commonwealth Meeting of Justices and Registrars of Final Appellate and Regional Courts at its offices at 134 Henry Street Port of Spain. The visit to the CCJ was the third and final leg of their visit to the Caribbean as the delegates had already visited Jamaica and Barbados and had met with Government officials and members of the Bench and Bar of those countries.

The visit to the Caribbean had been proposed at a Commonwealth Meeting held in February 2006 in order to “to take the exposures and sharing gained from the meetings in New Zealand and Australia”. The visit to Trinidad in particular was to observe the operation of the Caribbean Court of Justice.

All of the Judges of the CCJ, the Court Executive Administrator and the Registrar attended the meeting and participated in the discussions. Four Judges of the Court of Appeal of Trinidad and Tobago, including the Acting Chief Justice, also attended the first day of the meeting.

The delegation comprised representatives of the Community of Eastern and Southern African Court of Justice (COMESA), the Community Court of Justice, Economic Community of West African States (ECOWAS), the Supreme Court of Canada, the Supreme Court of New Zealand, the High Court of Australia and the Commonwealth Secretariat.

Papers which were presented at the CCJ included such topics as ‘Challenges faced by the Judiciary in New Court Establishment’; ‘Reflections on the History and Operations of the High Court of Australia’; ‘The Original Jurisdiction of the Caribbean Court of Justice’.

To the left: Commonwealth Meeting participants listening in on the CCJ Courtroom Technology presentation, in Courtroom 1 of the CCJ Building.
Europe  
July 1st - 13th, 2007

This Commonwealth Meeting was the climax to an Agenda which started in November 2002 with a mandate given to the Legal and Advisory Division of the Commonwealth Secretariat. That mandate included the formation of an expert group of persons who met in London in June 2003 and made recommendations for the ways in which Courts could de-link from the Judicial Committee of the Privy Council as their final Court of Appeal and create their own final Court.

The recommendations of the Expert Group prompted the Secretariat to host another meeting of Justices and Registrars, this time in New Zealand and Australia, in February 2006. At that meeting which was attended by CCJ representatives, we were able to share experiences with older Courts which had de-linked from the Privy Council and were comforted to realize that the path we were treading had been entirely familiar to those Courts.

One of the recommendations from the meeting in New Zealand and Australia was that the Caribbean in general might benefit from the same experiences and gain confidence in the newly established Caribbean Court of Justice if representatives of the older Courts could visit the region and by way of ‘show and tell’ share their problems and experiences in de-linking from the Privy Council. A Meeting hosted by the Commonwealth Secretariat in January 2007 accomplished this purpose.

Delegates from the Courts of New Zealand, Australia, Canada, ECOWAS and COMESA visited Jamaica, Barbados and the CCJ in Trinidad and Tobago and met with Attorneys General, Solicitor Generals, Chief Justices and other officials. The experiences were shared by means of presentations, tours and discussions.

Having seen some aspects of the Caribbean region and heard the proponents and opponents of the CCJ, the Commonwealth Secretariat then prepared to implement one of the recommendations of the delegates of the Caribbean Meeting, which coincided with a plan that had been four years in development, and that was to visit the International Courts in Europe.

Twenty-four delegates attended this meeting, including the Chief Justices and Registrars of Barbados, Guyana, the Chief Justice of Jamaica, the Chief Justice and Chief Registrar of the Eastern Caribbean Supreme Court, Judges and the Registrar of the CCJ and representatives of another new Court, the Southern African Development Community Tribunal, (SADC), which was established in December 2006. During this Meeting delegates visited the Court of Justice of the European Communities in Luxembourg, the International Criminal Tribunal for Former Yugoslavia, The International Court of Justice in the Hague, The Judicial Committee of the Privy Council and the House of Lords in London.

Two very important lessons learnt at this meeting were the fundamental difference in the role of the Registrar in the original jurisdiction as opposed to the appellate jurisdiction of the Court and the implications of operating a multi-lingual court.