



# SWEARING IN CEREMONY OF THE HON. MME. JUSTICE MAUREEN RAJNAUTH-LEE

The Honourable Mme Justice Maureen Rajnauth-Lee,  
Judge of the Caribbean Court of Justice

**The Swearing In Ceremony of the Hon. Mme. Justice Maureen  
Rajnauth-Lee to the Caribbean Court of Justice**

President's House,  
Port of Spain, Trinidad and Tobago  
27 March 2015

**The Caribbean Court of Justice (CCJ)** was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005. The CCJ functions in an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that have altered their national Constitutions to enable the CCJ to perform that role. The Judges of the CCJ (with the exception of the President) are appointed by the Regional Judicial and Legal Services Commission in accordance with the criteria and processes laid out in the Agreement Establishing the CCJ.

**Remarks**  
**by**  
**The Honourable Mme Justice Maureen Rajnauth-Lee**  
**at the**  
**Ceremony hosted by His Excellency Anthony Thomas Aquinas Carmona SC, ORTT**  
**on the**  
**Swearing In of the Honourable Mme Justice Maureen Rajnauth-Lee**  
**as a Judge of the Caribbean Court of Justice**  
**on**  
**27 March 2015**

**My Deep Appreciation and Thankfulness**

As I begin, I wish to express my deep appreciation to Your Excellency for this wonderful ceremony which has been so tastefully planned and executed. I wish to express my thanks to the Honourable Chief Justice for your kind remarks and support. I also wish to express my gratitude to the Right Honourable Sir Charles M. Byron, President of the Caribbean Court of Justice, for your guidance and support at this time. Many thanks as well to all other distinguished ladies and gentlemen who have accepted your Excellency's invitation to be present at this special moment for my family and me.

I am grateful for this opportunity to make a few brief remarks and to address three (3) short points.

**Taking my Leave of the Judiciary of Trinidad and Tobago**

First, let me say that these past few weeks have been filled with mixed emotions. On the one hand, I have experienced much sadness as I took my leave from the Judiciary of Trinidad and Tobago after fourteen (14) years. It was there amidst its vitality and earnest spirit of collegiality that I grew and developed both personally and professionally. On the other hand, I am truly excited to embark upon this new opportunity. I am at once honoured and humbled to be afforded the privilege to serve as a Judge of the Caribbean Court of Justice.

### **The Support of Family and Friends**

As I look around, I see many people who have played a special role in my life and career. Time does not permit me to acknowledge them all. With your leave, Your Excellency, I wish to express my sincere appreciation for the loving support of my family, represented here by Mr. David Lee, my husband of almost forty (40) years; two (2) of my sons and their wives, my sisters-in-law, niece, and nephew. I publicly acknowledge my most ardent fan, who could not be here with us. She is my 93 year old mother, Mrs Rita Rajnauth. She taught her children that we could attain any height.

### **Serving the Peoples of the Caribbean**

Second, I wish to say that I am truly thankful for the opportunity afforded me by the Regional Judicial and Legal Services Commission to serve the people of the region in this capacity. I believe that the Caribbean Court of Justice, by virtue of its jurisdiction and structure, and having regard to the integrity and competence of its Judges, is well placed to develop a truly Caribbean jurisprudence. I look forward to joining the Judges of the Court and to contributing to the excellent work which they have begun.

### **The Importance of the Independence of the Judiciary**

Lastly, permit me to say a few words about an issue that is critical to me – the independence of the judiciary.

Judges have the ultimate responsibility for making decisions which impact the freedoms and rights of our people. The independence of the judiciary safeguards every person's right to have his or her case decided solely on the basis of the law and facts and without any improper influence. A well-functioning, efficient and independent judiciary is an essential requirement for the proper and fair administration of justice. Consequently, judicial independence is indispensable to due process, the rule of law and constitutional democracy.

The importance of the independence of the judiciary is underscored by the high priority accorded it by the United Nations. The Universal Declaration of Human Rights deems judicial independence as essential to the achievement of individual dignity and social order. It affirms that persons are entitled to equal protection of the law and to a fair hearing by an independent and impartial tribunal.

Indeed, in 2003, the Commonwealth Heads of Government, in a document entitled the “Commonwealth (Latimer House) Principles on the Three Branches of Government”, recognised the importance of an independent, impartial, and competent judiciary which would uphold the role of law, engender public confidence and dispense justice. They acknowledged the necessity for judicial appointments to be made on the basis of clearly defined criteria and by a publicly declared process in order to ensure, among other things, appointment on merit.

Distinguished ladies and gentlemen, the independence of the judiciary lie at the very heart of our democratic systems of government throughout the Caribbean. We must never take it for granted.

### **Closing Comments**

As I close, I once again sincerely thank Your Excellency. My thanks again to the Honourable Chief Justice, to Sir Dennis Byron, the President of the Court, and all present for your participation and support. I will do my best to justify the trust and faith you have placed in me as I embark on this new chapter in my career.

Thank you very much.