

PRACTICE DIRECTION NO. 1 OF 2026

PANEL ASSIGNMENTS

This Practice Direction is issued by the President of the Caribbean Court of Justice pursuant to Part 18.1 of the Caribbean Court of Justice (Appellate Jurisdiction) Rules 2024 and Part 32.1 of the Caribbean Court of Justice (Original Jurisdiction) Rules 2024 both coming into force on 24 May 2024, and with reference to Rule 2.1 and 9.2 of Caribbean Court of Justice (Appellate Jurisdiction) Rules 2024, and Rule 2.1 and 21.2 of the Caribbean Court of Justice (Original Jurisdiction) Rules 2024, both coming into force on 24 May 2024.

I. DEFINITIONS

In this Practice Direction, unless the context otherwise requires:

“**Agreement**” means the Agreement Establishing the Caribbean Court of Justice signed in Bridgetown, Barbados on 14 February 2001 as amended from time to time;

“**Case Management Panel**” is the panel responsible for the pre-hearing advancement of matters and the hearing and adjudication of procedural matters, and does not normally sit in open court;

“**Case Management Panel Leaders**” are the judges who are assigned to chair or manage the work of case management panels;

“**Court**” means the Caribbean Court of Justice in the exercise of its original jurisdiction and its appellate jurisdiction as set out in Part II and Part III of the Agreement Establishing the Caribbean Court of Justice, respectively;

“**Judge**” means a Judge of the Court including the President;

“**Hearing Panel**” is the panel responsible for the hearing and adjudication of substantive matters, and normally sits in open court;

“Hearing Panel Leader” means the President or, in the absence of the President, the next most Senior Judge;

“Matter” means an issue, or a case, as the context may require;

“Procedural matter” is an issue on which a decision is necessary for the pre-hearing advancement of a case and includes a decision on an issue of an interlocutory nature (not being a decision on application for leave or special leave, as the case may be);

“Rules of Court” means the Caribbean Court of Justice (Appellate Jurisdiction) Rules 2024, and the Caribbean Court of Justice (Original Jurisdiction) Rules 2024, as the case may be, both coming into force on 24 May 2024.

“Substantive matter” is a matter, aside from a procedural matter, on which a decision is necessary for the determination of a case, in any appeal, proceeding, referral, or request, and any application made in that case.

II. APPELLATE AND ORIGINAL JURISDICTIONS

Unless otherwise provided, the panel assignments established by this Practice Direction shall apply to proceedings in both the Appellate and Original Jurisdictions of the Court.

III. CASE MANAGEMENT PANEL LEADERS

- i. The Case Management Panel Leaders shall, subject to the relevant provisions in the Agreement and the Rules of Court, manage and control the work of the Case Management Panel.
- ii. The Case Management Panel Leaders shall be named by the President and shall be the most Senior Judges of the Court.
- iii. In this Practice Direction, in addition to other duties and responsibilities, the Case Management Panel Leaders:
 - a) May receive applications for recusals referred to in VI (i);
 - b) May grant recusals from a procedural matter referred to in VI (i);
 - c) Shall forward applications for recusal from a substantive matter referred to in VI (i) to the President.

IV. HEARING PANEL LEADER

The Hearing Panel Leader shall, subject to the relevant provisions in the Agreement and the Rules of Court, manage and control the work of the Hearing Panel.

V. PANEL ASSIGNMENTS

All panels in the Appellate and the Original Jurisdictions of the Court, whether Case Management Panels or Hearing Panels, and whether for the making of a decision on either a procedural matter or a substantive matter, shall be *en banc*, comprising the President and all the Judges of the Court.

VI. RECUSAL AND RECORDING OF RECUSAL

- i. Notwithstanding the provisions in V, if for any good reason any judge wishes to recuse themselves from sitting or adjudicating on any matter whether in an application, appeal, proceeding, referral, or request, or otherwise, as the case may be, and whether concerning a procedural matter or a substantive matter, and so informs the Case Management Panel Leader, then, in the case of a procedural matter, the Case Management Panel Leader; and in the case of a substantive matter (such as an application for leave or special leave, as the case may be), the President; may so excuse the Judge.
- ii. An application in accordance with (i) above, with reasons, made to a Case Management Panel Leader, and which application has been determined by the Case Management Panel Leader, or the President, as the case requires, shall be forwarded to the Registrar who shall maintain an appropriate record of such applications and determinations.
- iii. Case Management Panel Leaders may seek the approval of the President to be excused from participation in other panels in respect of procedural matters.

VII. SINGLE JUDGE

This Practice Direction does not apply to the exercise of the powers of a single Judge specified in Rule 9.2 of the Caribbean Court of Justice (Appellate Jurisdiction) Rules

2024, and in Rule 21.2 of the Caribbean Court of Justice (Original Jurisdiction) Rules 2024.

VIII. COMPOSITION OF COURT

This Practice Direction does not affect the provisions of Rule 2.1 of the Caribbean Court of Justice (Appellate Jurisdiction) Rules 2024 or Rule 2.1 of the Caribbean Court of Justice (Original Jurisdiction) Rules 2024.

IX. EFFECTIVE DATE

This Practice Direction shall take effect from the date on which it is issued.

Winston Anderson
President