

Developing Strategic Relationships

Through advantageous strategic partnerships, the Court and its partners can harness each other's strengths and expertise for mutual growth and development over time.

This is the rationale that motivated the CCJ to sign Memoranda of Understanding (MOU) with two entities whose expertise and acumen in the world of law and court administration are very well known. Such is the wealth of knowledge of which these institutions are repositories that the CCJ is well poised to advance the cause of and be itself an exemplar of rigorous and transparent administration of justice in the Caribbean region through its strategic collaboration with them.

Memorandum of Understanding: National Centre for State Courts

The Conference of the Heads of Judiciary of CARICOM and the CCJ signed a MOU with the US based NCSC at the CCJ headquarters in Port of Spain on 29 October 2012.

The MOU allows for cooperation in implementing justice sector reform and enhancing the administration of justice within the Caribbean. Under the MOU, the CCJ will have responsibility to design and implement justice reform programmes through a shared vision with the mentorship and transfer of knowledge and expertise provided by the NCSC.

"Sharing a common history and a similar set of challenges, Caribbean courts will look to the CCJ as representative of the interests of the region and the institution that has demonstrated the forward-thinking and the capacity to organise and deliver programmes as the executing agency," said the Chief Justice of Trinidad and Tobago, The Honourable Mr Justice Ivor Archie, in his address at the signing ceremony.

The NCSC is a non-profit organisation which provides technical assistance, training, and technology to advance justice across 50 US States and around the world. NCSC specialises in Judicial Independence, Judicial Ethics and Accountability and Court Management and Administration throughout the United States and as part of the services it offers to countries and regions in Africa, the Middle East, Asia, Eastern Europe and Latin America.

In addressing the audience, the President of the CCJ, the Right Honourable Sir Dennis Byron identified the areas in which cooperation with the NCSC can be of great benefit to the people of the Caribbean:

"The National Center has established a reputation as the world leader in case management systems, a world leader in technology, a world leader in Alternative Dispute Resolution and these are some of the areas in which we would be working with them to improve the way we do things here," said the President of the CCJ.



Above: NCSC MOU signing at the CCJ headquarters

With reference to a question raised by reporters on the issue of backlogs facing the courts, the Vice President of the NCSC, Mr Jeffrey Apperson, acknowledged that "Backlogs are very difficult to administer, but I do know this, as we bring together the best practices in the world...we can together work out all issues facing the courts of the Caribbean."

Mr. Apperson, who also serves as Chairman of the NCSC International Advisory Committee, gave some insight on the efforts of NCSC International; "What we are doing is studying the best practices of administration in the world and we want the Caribbean to be a beneficiary of the best practices in the administration of justice." The CCJ's Court Executive Administrator, Master Christie-Anne Morris-Alleyne, was also invited to serve on the NCSC's International Advisory Committee.

Mr. Apperson also spoke of the formation of an International Institute for Justice Administration Excellence; "the Board of which will be a collection of representatives of the best court administration institutions in the world".

Further to the signing of the MOU, Mr Jim Mc Millan, Principal Management Consultant from NCSC was invited to visit the Court from 9 to 15 June 2013. Mr Mc Millan was engaged in discussions with Court about the possibility of using base case management software from NCSC. The Court was also shown a demonstration of the Amicus Case Management System which was developed by NCSC.

Memorandum of Understanding: UWI Cave Hill

With a view to strengthening institutional cooperation, an MOU was signed between the Faculty of Law of the University of the West Indies, Cave Hill Campus, Barbados and the CCJ, on the 27 September and 5 November, 2012 respectively.

Both the CCJ and the Faculty of Law are desirous of cooperating institutionally to promote awareness of the CCJ and its jurisprudence in the Faculty of Law and throughout the region, and also to enhance awareness by the CCJ of the scholarship and other intellectual contributions of the Faculty of Law.

Workshops and seminars are therefore to be conducted by the CCJ for students and academic staff of the Faculty of Law. To further augment learning by law students, the CCJ will also offer internship and research opportunities for those students recommended by the Faculty of Law.

The Faculty of Law is expected to provide assistance in the continuing legal education programmes offered by the CCJ and, both institutions will endeavour to offer joint continuing education programmes. It is also the intention that the Faculty of Law will make itself available for consultations by the CCJ, on matters related to Caribbean and other regional legal systems and international law.

Further, it is proposed that joint meetings, in the form of a yearly colloquium be held to discuss research, academic papers and common legal issues and concerns.

Activities of the CCJ Privileges and Immunities Committee

During the reporting period the CCJ Privileges and Immunities (P&I) Committee sought to achieve the following objectives:

- Reconciling the differences in the privileges and immunities of the Court, judges of the Court and officers of the Court as set out in the Order of 2004 with those set out in the Act of 2008;
- Clarifying the nature and extent of the P&I that are accorded to the various groups of staff internally the CCJ;

- Apprising the Ministry of Foreign Affairs and Foreign Trade (MFAFT) officials of the unique characteristics and functions of the CCJ and how the Court differs from a diplomatic mission;
- Making recommendations to the Government of Trinidad and Tobago to accord recognition to the CCJ as an international Court by including the President and the judges in the Table of Precedence for Trinidad and Tobago;
- Making recommendations to the Government of Trinidad and Tobago for the prevention of any judicial process being initiated against the Court;
- Initiating the dialogue between the CCJ and the Government of Trinidad and Tobago in respect of permanent accommodation for the Court;
- Elaborating policy and procedural guidelines concerning the treatment of non-national members of CCJ staff;
- Making recommendations to the Government for "First Arrival Privileges" for all levels of staff recruited from outside of Trinidad and Tobago;
- Making the appropriate representation on behalf of the Court's employees and their dependents to various Government stakeholders in respect of immigration, customs and education matters as may be necessary to facilitate a smooth transition into Trinidad and Tobago and for the duration of their tenure at the CCJ;
- Making requests to the Immigration Department for CCJ staff and the members of their household to be granted an indefinite right to enter and remain in Trinidad and Tobago, with the appropriate endorsement of the passports of the principal non-national employees and their dependents; and
- Seeking clarification on the MFAFT existing procedure for the notification, accreditation and identification for newly appointed members of staff in International Organisations and requested an extension of these courtesies to the CCJ in order to facilitate the first arrival process.

The Committee has started its activities towards achieving these objectives which will continue in the next year.

Letters of Exchange: CCJ-ICTR

During the period 11 to 25 May, 2013 Mr Constant Hometowu, visited the CCJ to exchange ideas and share experiences in areas related to the operations of international courts. Mr Hometowu, a barrister-at-law and solicitor of the Supreme Court of Ghana, and the holder of an Executive MBA from the Eastern and Southern African Management Institute, brought a wealth of experience to the exchange programme in his capacity as the Legal Officer, Officer-in-Charge of the Judicial Proceedings Unit of the United Nations International Criminal Tribunal for Rwanda (UNICTR). His visit was made pursuant to an exchange of letters between the Registrar of the CCJ and the Registrar of the UNICTR. Both the CCJ and the UNICTR were able to benefit from the experiences exchanged between the staff of the CCJ and Mr Hometowu relating to the operations of the two courts and general customs and practices of international courts.