

Our Outreach Activities



OUR OUTREACH ACTIVITIES

The Caribbean Academy for Law and Court Administration (CALCA)



During the period under review, CALCA engaged in several activities focused both on its core mandate, which is “the advancing of knowledge, education, learning, research, and practical application of law and the administration of justice in the Caribbean context”, as well as on the strengthening of the CCJ.

Biennial Conference

Biennial conferences remain CALCA’s flagship event. The fourth biennial conference, held in October 2016, was lauded by participants as a “world-class event”. The conference was held in Sint Maarten under the theme, ‘Law at the Cross-Roads: Reappraising the Role of Common Law and Civil Law Practitioners in Transnational Development’. It was hosted in partnership with Jamaica’s General Legal Council and received considerable support from the Government of St. Maarten as well as several sponsors, including headline sponsor, the Caribbean Development Bank (CDB).

The event hosted over 200 regional and international participants with over 25 interactive plenary and concurrent sessions facilitated by world-renowned jurists. The fourth biennial conference was the largest staging of the Conference and the first to be held outside of Trinidad and Tobago.

Planning for the fifth biennial conference, to be held in 2018, is already underway. The conference will focus on leveraging intellectual property (IP) assets as tools for national and regional development. At present, two executions of the Conference are being contemplated, one in Jamaica and the other in the southern Caribbean.



The Honourable Mr. Justice Winston Anderson, CALCA Chairman and Judge of the CCJ, kept the proceedings flowing during the opening and closing ceremonies. During his address at the Opening Ceremony, Mr. Justice Anderson described the 4th Biennial Conference, by saying: “over the next three days, common law practitioners will meet their civil law counterparts, in an unprecedented and rich exchange of views and visions about the content and practice of law”.

The Caribbean Academy for Law and Court Administration (CALCA) Cont'd



The Rt. Hon. Lady Justice Arden, Head of International Judicial Relations for England and Wales, in discussion with the Chairman of CALCA, the Honourable Mr. Justice Anderson before her presentation at the CALCA 4th Biennial Conference.



The Prime Minister of St. Maarten, the Hon. Mr. William Marlin accepted an autographed copy of the the CCJ's publication, which was launched at the event, from the President of the CCJ, the Rt. Hon. Sir Dennis Byron.



President of the CCJ, the Rt. Hon. Sir Dennis Byron addresses the audience at the Opening Ceremony. Also at the head table were (from left to right) a representative of the Sint Maarten Bar Association, Ms. Caroline van Hees; Governor of Sint Maarten, His Excellency Eugene B Holiday and Deputy Prime Minister and Minister of Finance of Sint Maarten, the Honourable Mr. Richard Gibson. Mr. Allan Wood, Chairman of the General Legal Council of Jamaica, is partially hidden.

Institutional Strengthening

Efforts towards restructuring CALCA began with two objectives in mind: (i) enhancing effective and efficient operation; and (ii) improving regional and global relevance, reach and impact. To this end, in late 2016, consultants were engaged to develop Terms of Reference (ToRs) for the restructuring, expansion and strengthening of CALCA. The ToRs were completed, finalized and approved in early 2017 after consultations with both internal and external stakeholders.

In a proactive move, CALCA's patron, the Rt. Hon. Sir Dennis Byron, along with the Management Committee - which is spearheaded by the Hon. Mr. Justice Anderson, CALCA's Chairman, and the Hon. Mr. Justice Wit, a Ranking Member - issued instructions for CALCA's incorporation as a legal body separate from the Court. The

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reconstituted organization will be rebranded as the CCJ Academy of Law and incorporation is expected to be completed by the end of 2017. After the incorporation, submissions of proposals will be invited for the implementation of the remaining phases of the restructuring and expansion process.

The Caribbean Community Administrative Tribunal (CCAT)

Further steps were taken to secure the establishment of the Caribbean Community Administrative Tribunal, an independent institution mandated to resolve employment disputes between employees and their CARICOM institution employers, as many of the institutions enjoy immunity from local laws. The negotiation and drafting stages were completed during the period under review and finalization of the CARICOM Secretariat's participation is now awaited. Additionally, communication with the Ministry of Foreign and CARICOM Affairs in Trinidad and Tobago has been initiated with a view to having the tribunal granted legal recognition in that country as it is envisioned that CCAT will be housed at the CCJ.

The Regional Alcohol Legislative Reform Project

Over the period, CALCA collaborated with regional public health, academic, and industry interests on this project which seeks to suggest ways to strengthen laws relating to underage drinking and drunk driving in our Caribbean societies. The essential research component was completed by CALCA's Research Assistant, Ms. Alicia Carter, under the supervision of the Hon. Mr. Justice Anderson and the Hon. Mr. Justice Wit. The draft report has been circulated for review.

The second phase of the project will be the hosting of a two-day regional workshop in 2017, where the findings and recommendations of the Report along with legislative proposals will be discussed.

Justice Improvement Initiative

Under the supervision of the Hon. Mr. Justice Wit, planning is underway for a judicial training seminar, targeted towards the improvement of the delivery of justice, to be held in the last quarter of 2017.



CCJ's retrospective publication, *The Caribbean Court of Justice: The First Ten Years* was launched at the conference during a cocktail event hosted by the Prime Minister of St Maarten. The Hon. Mr. Justice Hayton, who coordinated the publication on behalf of the CCJ, regaled the audience with anecdotes.

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The Caribbean Association of Judicial Officers (CAJO)

The nature of CAJO's activity over any particular year is usually determined by whether that year is one where a biennial conference is held.



In the years where there is no conference, the Association focuses on building up its internal structures and engaging in targeted judicial education initiatives. 2016 was a non-conference year, however, it was a very busy one.

One of the stand out activities during the period under review was the Association's role, in collaboration with UN Women and the JURIST Project, in the creation of draft Gender Sensitive Protocols for judicial officers. CAJO, along with its partners, are realizing their goal of presenting each Chief Justice in the region with a draft protocol. The protocols aim to ensure that both women and men have equal access to justice in the courts and that judicial decision-making results in equitable outcomes for both men and women.

Each judiciary would then discuss the contents, amend as it sees fit and hopefully adopt the Protocol as its own. The documents will also serve as a teaching tool for judicial education programmes on gender sensitive adjudication. Drafts have been already prepared for and handed over to the Chief Justices of Barbados and Trinidad and Tobago.

The second major activity, the Haiti Relief sponsored Walk/Run, was the brainchild of CAJO Executive Member, the Hon. Mme. Justice Charmaine Pemberton, a Justice of Appeal in the judiciary of Trinidad and Tobago. The

event saw lawyers, judges and well-wishers join forces in raising funds for the people of Haiti, who had suffered through Hurricane Matthew in October 2016, through a sponsored event that was held simultaneously in Belize City and Port of Spain. The Belize event was coordinated by the Hon. Mme. Justice Sonya Young.

The Association was also able to redesign and reposition its website, hosted at www.thecajo.org, to more completely represent CAJO's objectives. One of CCJ's Judicial Assistants, Mr. Tyrone Bailey, Ms. Charmaine Wright of the Public Education and Communication Unit and Mr. Vishal Dube of the Court's Information Systems Unit, aided by a contracted website developer, played sterling roles in realizing this goal.

Two editions of the CAJO Newsletter, produced by Ms. Seanna Annisette of the Communications Unit, were published and disseminated by email.

CAJO Chairman, the Hon. Mr. Justice Saunders, a Judge of the CCJ, expressed satisfaction with the Association's efforts over the last year and he continues to emphasize that without the CCJ's support, those efforts would be seriously compromised.



Mr. Ian Chinapoo, Executive Director of the Trinidad and Tobago Unit Trust Corporation; CAJO Chairman, the Honorable Mr. Justice Adrian Saunders; Chief Justice of Trinidad and Tobago Justice, the Honourable Mr. Justice Ivor Archie; Founder of the charity organization 'Is There Not A Cause' (ITNAC), Mrs. Avonelle Hector-Joseph, and CAJO Vice Chairman, the Honourable Mme. Justice Charmaine Pemberton.

OUR OUTREACH ACTIVITIES

The Judicial Reform and Institutional Strengthening Project (JURIST)

The third year of the JURIST Project was one of much transition for the five-year judicial reform initiative.



During the period covered by this annual report, the administrative aspect of the Project was strengthened with significant changes made to operating policies and procedures, as well as, management and organizational changes. Principal among these changes, was the appointment of a new leader for the Project.

In August 2016, Dr. Penny Reedie assumed the position of Project Director, taking over from Ms. Nicole Jauvin who served as Interim Project Director for four months. Dr. Reedie served as Canada's High Commissioner to New Zealand from 2005-2009. Following her return to Canada, Dr. Reedie joined the Communications Security Establishment as Associate Chief. Dr. Reedie has also worked in the Department of Justice, the Ministry of the Solicitor General and the Department of Finance. The CCJ President continues to provide strategic guidance to the Project.

The Project Steering Committee (PSC) met on 24 November 2017 and approved a work plan for the remainder of Year 3, which ended on 31 March 2017. The Work Plan identified initiatives for judicial reform that align directly with the mandate of the JURIST Project and



The Honourable Sir Marston Gibson (centre), Chief Justice of Barbados, and members of the Local Implementation Committee proudly display copies of the draft Gender Equality Protocol for Magistrates and Judges at the handing over ceremony.

that were identified during consultations with Chief Justices and key stakeholders.

Following approval of the Work Plan, the Project advertised for specialist consultants to undertake initiatives in the areas of disaster recovery for courts, court administration process review, public education, training needs for judicial officers, website maintenance and knowledge management, and court-connected mediation.

At the November meeting of the PSC, the Project undertook to prepare a detailed two-year work plan for 2017-2019. Additional consultations took place with judiciaries and stakeholders to develop detailed plans to implement their respective priorities. During these consultations, three areas were identified

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The Judicial Reform and Institutional Strengthening Project (JURIST) Cont'd

as priorities by each judiciary: Public Education and Engagement, Capacity Building and Gender Equality.

The judiciaries expressed a desire to develop strategies and programmes to inform the public about the roles and responsibilities of the courts, the services provided to the public, and how to access these services and programmes. There was also support for judicial officers to receive the appropriate and necessary training to effectively and efficiently manage court administration. The need to integrate gender equality throughout the court administration process, including sensitization training for judicial officers was also seen as a key part of judicial reform efforts throughout the region.

The Project has made significant progress in the area of gender equality aided by the appointment of a Gender Specialist. Ms. Anika Gray, seconded from UN Women, joined the Project at the beginning of September 2016. Draft Guidelines for Sexual Offences Cases and a draft Survivor's Rights Charter have been developed and Gender Equality Protocols, for magistrates and judges, were also developed in collaboration with CAJO and UN Women.

Other JURIST Project achievements during the period are listed below:

- Four regional, and one national, consultations on sexual offences were held with the judiciaries, lawyers, Ministries of Health, Social Services and Gender, police, DPPs, prisons and NGOs;
- Four focus group meetings were held with survivors of sexual assault, indigenous populations, children and persons with disabilities to have greater insight into their needs;
- A consultant was engaged to conduct regional training needs assessment and to develop a training plan to address learning needs of judicial officers over the next two years;



Ms. Diana Shaw, (standing at left) who assisted in the development of the Sexual Offence Guidelines, addresses the stakeholders at one of the consultation meetings in Trinidad. She is supported by CCJ Judge, the Hon. Mr. Justice Adrian Saunders who, as the Chairman of the Caribbean Association of Judicial Officers, contributed to the development of the guidelines.

- Two gender equality and access to justice training sessions were held for CCJ staff;
- Completion of a sexual offences baseline study in five CARICOM Member States;
- Gender and judicial decision-making survey developed and administered to judicial officers in 14 CARICOM Members States;
- Three issues of the JURIST Project quarterly newsletter developed and disseminated in the region;
- Caribbean CEDAW Legislative Indicators for the judiciary were developed;
- Terms of Reference (ToR) for regional Public Education Working Group developed and approved;
- Four research assistants were engaged to assist in the development of a model bench book for magistrates in the English-speaking Caribbean;
- Support was given to the revision of Civil Procedure Rules for Guyana, including sensitization workshops with the judiciary, Bar and state attorneys on the revised rules;
- Consultants were engaged to develop a handbook on court-connected mediation; and
- One workshop on court-connected mediation was conducted with judges, registrars, mediation coordinators and attorneys.