I am pleased that during my tenure as Chief Justice I have been given the opportunity to deliver to the people of Trinidad and Tobago another example of a problem solving Court. Our first such Court was the Family Court and the positive impact and track record of that Court stands as a justification of the critical role that special purpose courts fulfill in the justice system.

Let me make a clear distinction at the outset, between a “Drug Court” and this pilot project of the “Drug Treatment Court”. In our jurisdiction there are courts where drug offences, both for possession and trafficking are heard before a Senior Magistrate. These are our “Drug Courts”.

The “Drug Treatment Court”, as you have heard from the previous speakers, offers a path that links “Treatment” to a structured court supervised system. I am confident that the establishment of such a Court will not only result in savings to the Judiciary, Prison service and other state agencies, but more importantly, it offers those persons who are afflicted with the disease of addiction an opportunity to access a series of services, under the umbrella of the court and to equip them for a productive life with healthy relationships.

Our current statistics, as highlighted by both the Ministers of National Security and Justice, clearly demonstrate that our current system is not achieving the desired results. One definition of madness is said to be doing the same thing over and over and expecting a different result. I therefore urge all partners, and I also appeal to members of the public, to lend your support to this initiative. If we don’t, and we continue to do
what we have always done, then the result will be no different. For those who are of the
view that a Drug Treatment Court does not deal harshly enough with the criminal
element they should understand that this is a tough program with real sanctions that
requires a level of discipline and commitment not previously exhibited by the
participants, if they are to successfully complete it. It is, therefore, truly transformational.
Support us as we seek to break the cycle of abuse, multiple arrests, recidivism, and
ongoing deterioration of our brothers and sisters who are hurting themselves and others
with their substance addiction.

When I spoke of the launch of this Pilot project at the opening of the Law Term in
September 2011, Trinidad and Tobago had not yet been the beneficiary of the intensive
training programme offered by Justice Kofi Barnes and his team. That event catalyzed
the forging of a real multi-agency team spirit and the generation of a momentum that
continues to push us along. There is a very high level of commitment from all
stakeholders. Justice Henderson has outlined our path to the implementation of this
Court, and I must express my admiration and gratitude for the work that has been
undertaken to get us to where we are today.

We are truly grateful for the support of CARICOM, and the assistance of OAS / CICAD
and the Government of Canada, for the capacity building opportunities and the offer of
continued support through the Memorandum of Understanding, which was signed
yesterday by the Minister of National Security. However, this launch would not have
been possible, if the various justice sector ministers, their ministry staff and other
organizations did not respond so positively to my request for persons to be appointed to
serve on the Steering Committee for the development of the court. This Committee has
become a close knit team, which has worked for many hours to produce a
comprehensive policy document that not only guides the operations this pilot phase, but
also outlines a possible legislative agenda for the DTC when, hopefully, it becomes a
permanent component of our court infrastructure. They have put in a Herculean effort to
ensure that time lines were adhered to, all in an effort to ensure that my desired time
frame for the launch of the court was met.
Their journey was not without many pit stops. There were presentations to the Judiciary’s management committee, which was allocated ½ hour on the original agenda, and concluded after 2 ½ hours and many changes. There were also presentations to a team of ministers, and the Inter-Ministerial Justice Sector Committee. The opportunity was also taken to share information on the court and the policy document with the Judicial Education Institute, and based on feedback from these groups, the document was then re-worked and today we have a policy position that is not only detailed, but also user friendly.

Care has also been taken by the committee to ensure that all the systems are in place to facilitate the seamless implementation of this court. I wish to give all gathered here and by extension the national community, the assurance that a clear process has been developed for the operation of the court, including the eligibility and acceptance criteria for the potential participants in the programme, and the availability of treatment options to the Drug Treatment Court Team.

Of equal importance is the monitoring and evaluation of the court and its operations. The Planning Committee has ensured that persons have already benefitted from training in this area, since this is an important factor in the operation of the court and an area where traditionally, there has been room for improvement. Monitoring and evaluation will therefore be undertaken comprehensively to ensure that positive areas are recorded and improved, while challenges identified are noted and resolved.

I am pleased to advise that a Drug Treatment Court Team has been identified for the operation of this first Pilot Court. This team is the nucleus for the successful implementation of this project. The members are all experienced, have demonstrated dedication and commitment in their various fields and will be an asset to this court. Notwithstanding the breadth of expertise in their individual areas, however, the critical success factor will be their ability to work in partnership for the welfare of the DTC participants and ultimately the benefit of the wider community. I am publicly placing my confidence in the ability and willingness of all members of the team to cooperate and to do us proud. I am sure that my trust is not misplaced and they will rise to the occasion. It is CRITICAL to the success of the court.
The decision to have the first Court in this pilot project based at San Fernando was a deliberate one. There was already an informal pilot of sorts in operation via the ‘bail boys’ project undertaken by Justice Carmona. So there was ready buy in and established channels of cooperation between the police, probation services and the courts. Additionally, the first problem solving Court was launched in Port of Spain, and I felt that in order to bring equity to the judicial districts, San Fernando should be selected for this Court and so it was. The first set of participants will be selected from Courts in San Fernando and the southern area. However we are mindful of the pervasive nature of the drug problem and have therefore decided that two additional Courts will be rolled out in six months. These will be located in Tunapuna and Port of Spain. Other courts will be established as the project develops.

One of the exciting areas of the implementation of the Courts in Tunapuna and Port of Spain will be the Juvenile component. This is an area of grave concern to the judiciary, as a significant number of our young people come before the courts on myriad offences. The report produced by the CARICOM Caribbean Commission on Youth Development recognizes the challenges faced by our young people in the region, and reflects feelings of growing hopelessness. This is also reflected in the comparative analysis of drug use among students at secondary schools from CICAD’s Secondary School surveys, where girls are equally active as users of various substances as boys. The implications are reflected in the Trinidad and Tobago section of the Caribbean Basin Security Initiative Juvenile Justice Assessment, conducted in June 2011. This report notes that “…. fifty percent of juveniles who appear before the criminal court have neither legal representation nor support from a parent. ….. Magistrates have serious concerns about the consequent lengthy delays which cause children to be held on remand for excessively long periods while awaiting representation”. The report also notes that many magistrates use their discretion to direct young people to activities that are rehabilitative as opposed to retributive. These reports all culminate in the need for a comprehensive juvenile justice system. I am pleased to advise that the judiciary will work with its partners to develop and implement a juvenile justice programme, the
juvenile component of the Drug Treatment Court will form part of this overall system. In this regard I thank the United States Embassy in Trinidad and Tobago for their kind offer of assistance in the establishment of this programme.

Today is a very good day for the judiciary, as it signals the beginning of another opportunity for cooperation and collaboration between the executive and the Judiciary. Additionally, it brings together a series of partners to develop relationships that will collectively aid the development of our citizens. I made reference earlier to the disease of addiction and I need to underscore the critical role of health and rehabilitation services. The provision of these services transcends the Drug Treatment Court and speaks more directly to the needs of a large section of our population. They need to be strengthened and supported.

Another important factor in today’s launch, and a major contributor to the future success of the Court is the role of the business community. I am pleased that representatives of the Chamber and the business community in San Fernando joined us today for this launch. We look forward to having discussions with you on the areas in which you can support this initiative, and would welcome the opportunity to sensitize your members on the goals of the court and its potential benefits.

As we move forward, we anticipate that there will be challenges, but we have the ability to address whatever may occur. I have made the decision draw members from the Steering Committee to form the Executive Committee for the DTC in accordance with the requirements of the MOU. This will provide continuity, develop expertise and further cement the collaborative relationships which have been built over the past 10 months. I will seek the support of the relevant ministers in this regard. I am very proud of the work of this committee, and the quality of the document which has been produced to guide the implementation of the Court.

The Assistant Secretary General, the General Secretariat of the Organization of American States, and the Executive Secretariat of CICAD, will be provided with copies. Additionally, we recognize that there are other countries in the region who are working
on the establishment of their Drug Treatment Courts. I want to assure you that in the interest of horizontal cooperation, I will be providing the Chief Justices of The Commonwealth of the Bahamas, Barbados, Belize and Grenada, indeed all the members of the Conference of Regional Heads of Judiciaries with copies of our policy document for their consideration, as they develop their courts. Also, in the interest of maintaining our unique Caribbean culture and adapting systems to meet our needs, I am predicting that in the next few years, you may be back in the region attending the inaugural conference of the Association of Drug Treatment Courts of the Caribbean (ADTCC).

Martin Luther King, Jr, said, “Take the first step in faith. You don’t have to see the whole staircase, just take the first step.” Today with the launch of this Drug Treatment Court in San Fernando the Judiciary and its partners are taking the first step in providing a new direction, we are counting on your support to ensure its success.

Ladies and gentlemen, I thank you.