



The Judiciary
of
the Republic of
Trinidad and Tobago

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***About
the
Judiciary***

The Honourable The Chief Justice of the Republic of Trinidad and Tobago, Mr Justice Ivor Archie

Mr Justice Ivor Archie holds the distinction of being the youngest person to become Chief Justice of Trinidad and Tobago, having been appointed, the country's eighth Chief Justice at the age of 47 in 2008.

With degrees in Mechanical Engineering and Law, he has brought to the Bench varied experience in the construction and oil and gas industries as well as a broad litigation background.

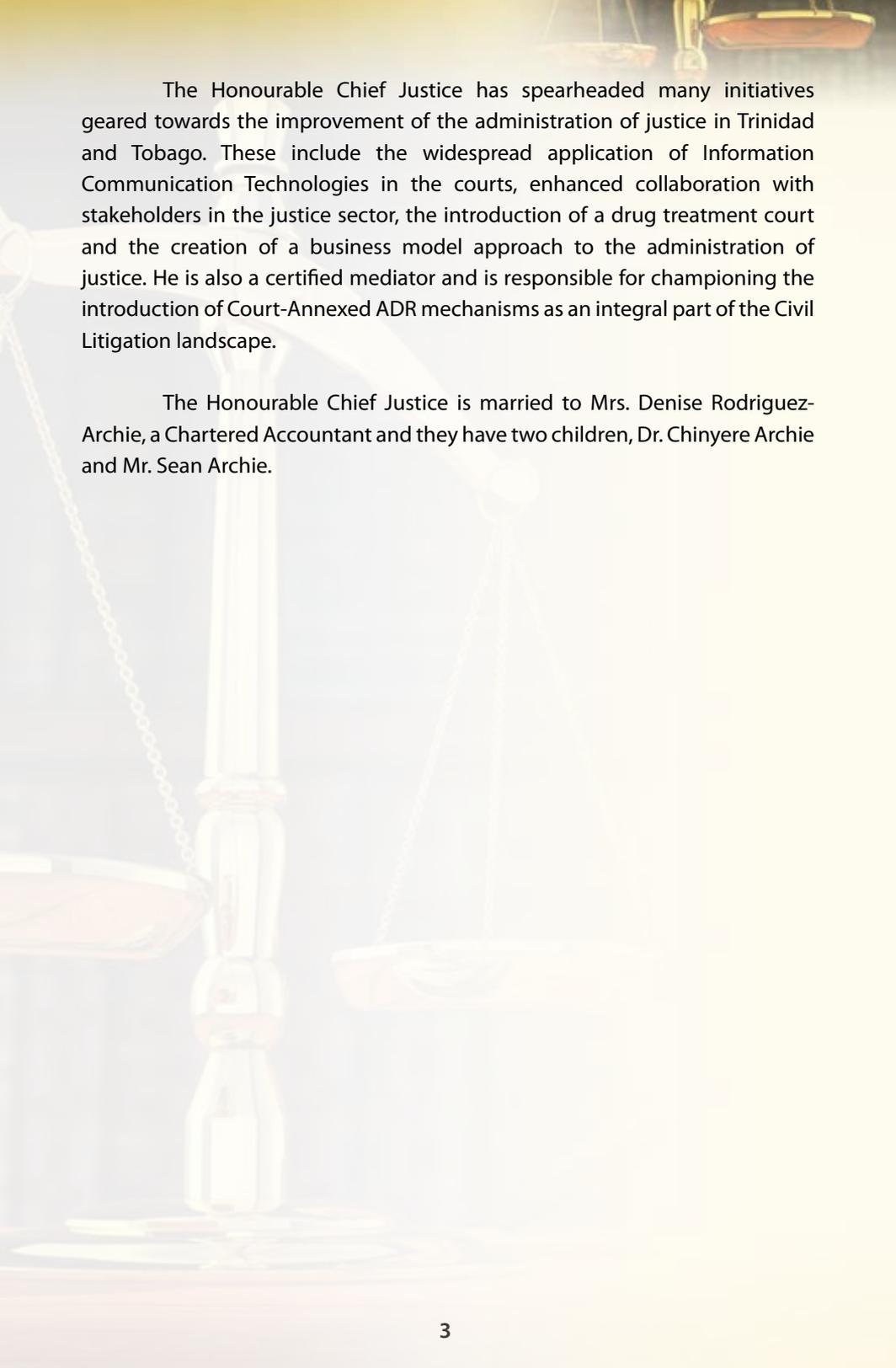


He graduated from the Hugh Wooding Law School in Trinidad in 1986 where he received the award for the most outstanding performance during the two-year programme and began his legal career in private practice with a reputable firm.

Thereafter, The Honourable Chief Justice spent a significant part of his legal career in the service of the Governments of Trinidad and Tobago, the Turks and Caicos Islands and the Cayman Islands in the northern Caribbean. In the Cayman Islands, he served first as Crown Counsel and Senior Crown Counsel from 1990 to 1995, and then as Solicitor General from 1995 to 1998. He also acted as that territory's Attorney General on a number of occasions.

In 1998, he was elevated to the High Court Bench of Trinidad and Tobago and then to the Court of Appeal in 2004.

As Chief Justice, Mr Justice Ivor Archie is also President of the Court of Appeal of Trinidad and Tobago and the Trinidad and Tobago Judicial Education Institute, and Chairman of the Judicial and Legal Services Commission, the body responsible for selection of persons to serve on the Bench. He is a contributing editor of the Caribbean Civil Court Practice and a member of the Governing Board of the Commonwealth Judicial Education Institute.



The Honourable Chief Justice has spearheaded many initiatives geared towards the improvement of the administration of justice in Trinidad and Tobago. These include the widespread application of Information Communication Technologies in the courts, enhanced collaboration with stakeholders in the justice sector, the introduction of a drug treatment court and the creation of a business model approach to the administration of justice. He is also a certified mediator and is responsible for championing the introduction of Court-Annexed ADR mechanisms as an integral part of the Civil Litigation landscape.

The Honourable Chief Justice is married to Mrs. Denise Rodriguez-Archie, a Chartered Accountant and they have two children, Dr. Chinyere Archie and Mr. Sean Archie.



INTRODUCING THE JUDICIARY

The Judiciary of the Republic of Trinidad and Tobago, headed by the Chief Justice, comprises the Supreme Court of Judicature and the Magistracy. The Judiciary is the third arm of the State. As in most democratic countries, the Judiciary is established by the Constitution to operate independently from the Executive as a forum for the timely resolution of legal disputes between individuals and bodies including the state.

The role of the Judiciary is to resolve disputes in society in accordance with the law. This should be done in a fair, timely and efficient manner to gain and maintain the public's trust and confidence. The Judiciary seeks to resolve all matters between private persons and public bodies (corporate and individual) and between persons and the State (Criminal, Civil and Constitutional).

The Judiciary in alignment with international best practice is continuously working to ensure :

- Access to justice
- Equality, fairness and integrity
- Public trust and confidence
- Independence and accountability
- Expedition and timeliness

The Judiciary is comprised of:

- i. The Supreme Court of Judicature which includes:
 - a. The Court of Appeal
 - b. The High Court
- ii. The Magistrates' Courts
- iii. The Department of Court Administration



Vision

The Judiciary of Trinidad and Tobago provides an accountable court system in which timeliness and efficiency are the hallmarks, while still protecting integrity, fairness, equality and accessibility and attracting public trust and confidence.



The Hall of Justice, Port-of-Spain

Mission

The Judiciary works towards the resolution of conflict in the society by resolving disputes which arise out of the operation of laws and involve the application of remedies and the punishment of offenders.



San Fernando Supreme Court Building



Hall of Justice, Tobago



THE SUPREME COURT

According to Section 99 of the Constitution of Trinidad and Tobago:

“There shall be a Supreme Court of Trinidad and Tobago consisting of a High Court and a Court of Appeal with such jurisdiction and powers as conferred on these Courts respectively by this Constitution or any other law.”

The Supreme Court of Judicature made up of the Court of Appeal and the High Court, sits in three (3) locations:

- The Hall of Justice, Port-of-Spain
- San Fernando Supreme Court Building
- Hall of Justice, Tobago

The Supreme Court hears indictable criminal matters, family matters and civil matters involving sums in excess of the Petty Civil Court limit (sums over \$15,000).

The Supreme Court is staffed by :

- The Chief Justice (Head of the Court of Appeal)
- Nine (9) Justices of Appeal
- Twenty (20) Puisne Judges
- Three (3) Masters of the Supreme Court
- One (1) Registrar and Marshal
- One (1) Deputy Registrar and Marshal
- Seven (7) Assistant Registrar and Deputy Marshals

Legislation amending the Supreme Court of Judicature Act and passed in the Parliament approved the largest increase to the statutory complement of Judges since the country's independence in 1962. The new provisions allow for 36 Judges, an increase of 13 at the High Court level, and for 12 Judges, an increase from 9, in the Court of Appeal. There are at present three Masters of the High Court.

QUICK NOTES

Justices of Appeal and High Court Judges are ranked depending on their length of service on the Bench. Justices of Appeal take precedence over High Court Judges.

Masters of the High Court have similar jurisdiction to Judges of the High Court sitting in Chambers, except for matters where statute expressly limits their jurisdiction (such as the exercise of powers to imprison or to grant interlocutory injunctions).

INTERESTING FACT

The Chief Justice is the President of the Court of Appeal by virtue of his office and can sit as a Puisne Judge, eg: when he presides over petitions for admission to the bar.



THE COURT OF APPEAL

The Court of Appeal has appellate jurisdiction over both the Magistracy and the High Court, inclusive of the Magisterial and High Court Sections of the Family Court. At present, an appeal from the Court of Appeal in Trinidad and Tobago lies to the Privy Council as of right, or with the leave of that Court. Section 6 (1) of the Act provides for the number of Judges in the Appeal Court in addition to the Chief Justice who is the President of that Court.

THE HIGH COURT

The High Court has locations at the Hall of Justice and the Family Court in Port of Spain, San Fernando and Scarborough, Tobago. The Court exercises original jurisdiction over indictable criminal matters, family matters and in civil matters (inclusive of interlocutory applications and informal motions in Chamber Courts). The Civil Proceedings Rules, 1998 were introduced from September 16, 2005 with the objective of ensuring swift justice, equally accessible to all citizens. Some benefits of the New Rules are the simplification, efficiency and expedition of the procedures by which civil litigation is brought and handled before the High Court, and the focus on the case management system which encourages mediation and settlement.

REGISTRAR'S DEPARTMENT

Prior to matters being listed to be heard by the High Court or the Court of Appeal, documents must be filed in Court Offices or Registries. For convenience the Court Offices or Registries are sub-divided into the area of law to which the matters refer. Therefore, there are Registries or Court Offices for criminal matters; civil matters, probate matters, family matters

QUICK NOTE

The High Court would deal with matters within the limit of the Petty Civil Court if the matter raises some issue of law that ought properly to be decided in the High Court.

TRIVIA QUESTION:

In whose custody does the seal of the High Court and the Court of Appeal reside?

ANSWER:

Under the provisions of the Supreme Court of Judicature Act (Chapter 4:01) the Registrar is vested with custody of (and thus responsible for) the seals of the High Court and of the Court of Appeal.



and for Court of Appeal proceedings. The Registrar has overall responsibility for the Court Offices or Registries. The Registrar is assisted by a Deputy Registrar and Assistant Registrars.

In addition to ensuring the proper overall operation of the Registries and Court Offices the Registrars are also required to execute duties as Quasi-Judicial Officers and Judicial Officers including signing judgements against parties who are in breach of certain Rules of Court.

The Registrar is also the Marshal of Trinidad and Tobago, a Justice of the Peace and a Commissioner of Affidavit. The Deputy and Assistant Registrars are the Deputy Marshals of Trinidad and Tobago and have also been commissioned as Justices of the Peace and Commissioners of Affidavit. The Marshal and Deputy Marshal are assisted in their tasks by Marshal's Assistants who are stationed in Port of Spain, San Fernando and Tobago.

As Judicial Officers the Registrars preside over chamber courts in which specific types of post-trial and some pre-trial applications are heard and determined. In Trinidad and Tobago, the Marshal's Assistants assist the Marshal and the Deputy Marshals in the execution of their duties. These include the service of subpoenas, writs, warrants, and other processes issued by the Supreme Court. The Marshal's Assistants have the responsibility for carrying out orders of the Court generally under the supervision of the Marshal and Deputy Marshal. The Marshal's Assistants oversee jurors sitting in Criminal Court Sessions ensuring the needs of the jurors are met.

INTERESTING FACT

The Marshal, his/her Deputies and Assistants have a long and interesting English history. Historically, the Marshal served as the instruments of civil authority by courts for over 1200 years. The word was first applied to mean a "high officer of the royal court" and then evolved to mean that high royal official's deputies, who were officers of courts of law, and it has continued on to today as a designation for various officials involved with courts of law and law enforcement.

THE MAGISTRACY



Point Fortin Magistrates' Court



San Fernando Magistrate's Court



Sangre Grande Magistrate's Court



Tunapuna Magistrate's Court

The Magistracy which is headed by the Chief Magistrate comprises the Courts of Summary Jurisdiction and the Petty Civil Courts. These Courts are established respectively under the Summary Courts Act. Ch. 4:20 and the Petty Civil Courts Act. Ch. 4:21 of the Laws of Trinidad and Tobago. The Magistrates' Courts, like the High Court, exercises original jurisdiction in civil and criminal matters. The Chief Magistrate reports to the Chief Justice. A Senior Magistrate is assisted by a Clerk of the Peace, who has responsibility for of each district.

In Trinidad and Tobago there are fifteen (15) Magistrates' Court in the following areas:

- St George West
(Port of Spain and environs)
- Tunapuna
- Chaguanas
- Couva
- San Fernando
- Point Fortin
- Arima
- Sangre Grande
- Princes Town
- Rio Claro
- Mayaro
- Siparia
- Scarborough (Tobago)



The Magistrates' Court is staffed by the following Judicial Personnel:

- Chief Magistrate
- Deputy Chief Magistrate
- Senior Magistrate
- Magistrates

27 other quasi-judicial Officers support the work of the Magistrates

- Two Clerks of the Peace III
- Twelve Clerks of the Peace II
- Two Clerks of the Peace I
- Eleven Assistant Clerks of the Peace

There are also Area Court Managers assigned to each Magisterial district.



Area Court Managers



Chief Magistrate
Her Worship Marcia Ayers Caesar

FAMILY COURT



The Family Court began as a pilot in 2004. It is the first problem-solving Court under the Judiciary reform initiatives with jurisdiction over family matters at the High Court level and specific family matters at the Magistrates' Court level. Three High Court Judges and four Magistrates have been specifically assigned to the Family Court.

Prior to the establishment of the Family Court, family disputes were being handled in the same court environment as criminal and regular civil matters. The need arose, therefore, for a problem solving court with respect to family matters. In 2004, the Attorney General, in consultation with the Chief Justice, established a Family Court Committee. The initial Committee was an amalgamation of different stakeholders from the Judiciary, various Government Ministries and the Justice sector. This partnership led to a successful Family Court design and implementation of a Family Court Pilot.

The objectives of the Family Court are to:

- Develop, implement and evaluate alternative dispute resolution approaches
- Improve services to citizens seeking help from the Judiciary in dealing with family disputes

The operations of the Court have had greater emphasis on customer and stakeholder satisfaction as well as developing a unified Court Office for both High Court and Magistrates' Court matters. Customers have access to a one stop Court

that includes on-site alternative dispute resolution processes including mediation, intake, social work intervention, probation and child youth day care services.

The operations of this Court are currently restricted to the magisterial district of St George West (Port of Spain). The Family Court is to be expanded to make its services available in a sustained way in other areas of the country. At present, property is being acquired in San Fernando to facilitate the initial roll out and expansion.

THE DEPARTMENT OF COURT ADMINISTRATION



The Judiciary seeks to discharge its functions against hallmarks of independence, integrity and justice. These core values have assisted in shaping the Judiciary's mission and vision, and have also guided the institution along a path of transformation and modernization, especially in the last fifteen (15) years. Through the creation of a Department of Court Administration (DCA), headed by a Court Executive Administrator, the organization supports the work of the Courts and its Judicial Officers. The DCA operates as an extension of the Judge's mandate for managing the Courts and their cases under the direction and supervision of the Chief Justice.

The DCA has a range of specialized units and its role involves the study, review, implementation and management of the systems, procedures and processes utilized to manage cases brought before the Courts. It also ensures that the case flow management techniques are adequately supported for minimum delay between the filing and disposition of a case, while ensuring due process is afforded equally to all who appear before the Courts. In this regard, the DCA's role has not only been to ensure that cases are managed efficiently and effectively from commencement to disposition and most importantly, to preserve through management, impartiality and integrity in the adjudication process as gatekeepers of the principles of due process.

The units which falls under the purview of the DCA are listed as below:

Units	Brief Description of Function	Supervisor's Job Title
Planning	Facilitates the development of effective management practice.	Director of Planning
Court Protocol and Information	Undertakes information, education and communication activities, including media relations, to render the Judiciary and the Court system in general more understandable and more readily accessible. Organises and services events traditional to the Court such as the formal opening of the Law Term and Admission to Practice Ceremony, and also provides protocol services to the Chief Justice and Judges, as well as visitors to the Court.	Court Protocol and Information Manager
Information Technology	Develops and administers Court management information systems and other Systems as required. Provides Technical Support and Training.	Information Technology Manager
Finance and Accounts	Contributes to the organization achieving its management plan objectives, and fulfills its obligations under the Financial Regulations and current Government budgetary policy.	Director of Finance and Accounts
General Administration	Contributes to the achievement of management plans by providing quality support and administrative services to the corporate leadership.	Administrative Officer IV
Internal Audit	Reviews independently and systematically to appraise the level of compliance with Government's regulations and policies.	Auditor II



Units	Brief Description of Function	Supervisor's Job Title
Human Resources	Gives support to managers and supervisors who have direct responsibility for the management of people through the development and distribution of employees and the efficient allocation and use of available staff.	Court Head Human Resources
Court Research and Statistics	Provides the organization with statistical data through reports and reviews thereby enabling it to evaluate its overall performance and to make informed forecasts.	Director, Court Research and Statistics
Court Library Services	Co-ordinates and manages a centralized Court Library Service for the Judiciary.	Director, Court Library Services
Buildings, Plant and Equipment	Plans, manages and co-ordinates procurement, maintenance of buildings, plant and equipment in the Judiciary.	Buildings, Plant and Equipment Unit Manager
Records Management	Ensures that the Judiciary's records are properly created, maintained, appropriately stored and easily retrieved, thereby improving Judicial administration and administrative decision-making.	Court Archivist and Records Manager
Accounts and Investments	Reconciles delinquent deposit accounts and invests and accurately maintains an investment register. Administers the Workmen's Compensation Portfolio.	Accounts and Investments Officer
Security	Maintains a safe and secure environment and promotes a sense of awareness of security and safety among the Judiciary's users, both external and internal.	Judiciary Security Manager



Units	Brief Description of Function	Supervisor's Job Title
Court Reporting Services	Provides for the taking, reproducing and archiving of court procedures electronically. Provides a consistent and accurate court reporting system that ensures the efficient and just disposition of cases.	Manager, Court Reporting Services
Family Court	Deals with matters in such a way that it gives paramount consideration to the welfare of the child. It deals with both High Court and Magisterial applications	Family Court Manager
Judicial Education Institute	Provides quality judicial education for Judicial Officers and support staff to enable them to satisfy the changing needs of the organization.	Programme Director



CONTACT INFORMATION

Port of Spain Supreme Court

Hall of Justice, Knox Street, Port-of-Spain
Contact: 623-2416; 623-2417

Family Court:

Cipriani Place, 4 Cipriani Boulevard,
Port of Spain
Contact: 627-8716; 623-2631

St. George West Magistrates' Court:

St. Vincent St., Port of Spain
Contact: 625- 2781-83

Tunapuna Magistrates' Court:

Tunapuna Administrative Complex,
Eastern Main Road, Tunapuna
Contact: 645-9414; 662-4808

Arima Magistrates' Court:

8 Prince Street, Arima
Contact: 667-3579; 664-0642

Sangre Grande Magistrates' Court:

Eastern Main Road, Sangre Grande
Contact: 668-2514; 668-5628

Chaguanas Magistrates' Court:

Corner Lange Street and Railway Road,
Chaguanas
Contact: 665-2820; 665-5895

Couva Magistrates' Court:

Church Street, Couva
Contact: 679-5448; 636-2432

San Fernando Supreme Court

Harris Promenade, San Fernando
Contact: 652-2152; 652-2869

San Fernando Magistrates' Court:

7 Court Street, San Fernando
Contact: 653-5116

Rio Claro Magistrates' Court:

Corner of Plaisance and Guyaguayare Main
Road, Rio Claro
Contact: 644-2297; 655-2117

Siparia Magistrates' Court:

High Street, Siparia
Contact: 649-2449

Point Fortin Magistrates' Court:

Cap-de-Ville Road, Point Fortin
Contact: 648-2453; 648-1851

Princes Town Magistrates' Court:

Corner Tramline and High Street, Princes Town
Contact: 655-2275; 655-4726

Mayaro Magistrates' Court:

Guayaguayare Main Road, Mayaro
Contact: 630-4309; 630-7546

Tobago

Tobago Supreme Court:
Bacolet Street, Scarborough
Contact: 639-2640; 635-1372

Scarborough Magistrates' Court:

Bacolet Street, Scarborough
Contact: 639-2640; 635-1372