



JURIST NEWS

JUDICIAL REFORM AND INSTITUTIONAL STRENGTHENING (JURIST) PROJECT

THE QUARTERLY NEWSLETTER OF THE JURIST PROJECT | ISSUE 04 | JUNE - SEPTEMBER 2016

Message from the Director

It is with excitement and great commitment that I assume duties as Director of the JURIST Project. I am delighted to be working with the CCJ and leading a team of exceptionally talented professionals. I look forward to making a positive contribution to the Project as we work together to improve and strengthen the judicial system in the region.

Over the past few months many of you have participated in national workshops that brought together key stakeholders in the justice system in a number of countries. The goal was to identify the specific needs and priorities for judicial reform and the strengthening of judicial institutions. The workshops have allowed us to collaborate, share and learn from each other as we develop new activities for our Work Plan for the next two years.

These workshops have set the standard for the JURIST Project and we will continue these types of meetings for the duration of the Project. It is my view that through collaboration and continued discussions we are assured of success. The Work Plan will be systematic, inclusive, regional and a sustainable approach to judicial reform.

There are some ongoing activities that will be completed by the end of this fiscal year (March 31, 2017). They will be evaluated and assessed to share best practices with other countries with a view to sustaining the judicial reforms in future years, after the JURIST Project ends in 2019.

In addition, for the remainder of the Project, we will look for opportunities to make public presentations on the work of the Project; discuss those activities that are critical to judicial reform and the strengthening of



Dr. Penny Reddie

judicial institutions in the region; and share what we are learning as a result of these activities.

I look forward to working with all of you as we pursue new opportunities and improve on the past.

Thank You,

Penny Reddie, PhD
Director

About Dr. Reddie

Dr. Reddie served as Canada's High Commissioner to New Zealand from 2005-2009. Following her return to Canada, Dr. Reddie joined the Communications Security Establishment as Associate Chief. She has worked at the Privy Council Office as Director of Operations for Security and Intelligence, was a senior executive with the Royal Canadian Mounted Police (RCMP), and served as the Associate Regional Director-General for Fisheries and Oceans Canada, based in Halifax.

Earlier in her career, Dr. Reddie worked in the Department of Justice, the Ministry of the Solicitor General and the Department of Finance. In the late 1980s, she worked for the Department of Justice in New Zealand on the review of penal policies while pursuing her doctorate in Criminology.

As Director of the JURIST Project, Dr. Reddie is responsible for the day to day management of the Project as well as funding approval of all activities.

In this Issue

Dear Reader,

Welcome to Issue IV of *JURIST News*, the quarterly newsletter of the Judicial Reform and Institutional Strengthening (JURIST) Project. In this issue, we will share with you some of the activities that the Project has been undertaking for the period June – September, 2016.

Since our last issue, we have continued with our participatory planning process and held collaborative workshops in Grenada, Belize and Guyana. The Project also launched its website www.juristproject.org.

In July, we said farewell to Ms. Nicole Jauvin, who served as Interim Project Director for four months and the Project made some

organisational changes to ensure optimal performance of the Project Management Unit (PMU). Dr. Penny Reddie was appointed Director on August 1 while the Rt. Honourable Sir Dennis Byron, President of the Caribbean Court of Justice (CCJ) remains as a strategic advisor to the Project. Additionally, under the UN Women Agreement, a full time Gender Coordinator joined the PMU on September 1.

The PMU has also been working on its Work Plan which will be presented at the next Project Steering Committee (PSC) meeting.

The Commonwealth Magistrates' and Judges' Association (CMJA) held its 2016 Conference from September 18-22, in Georgetown, Guyana under the theme "The Judiciary as Guarantors of the Rule of Law." The Conference explored matters

of the rule of law, the provision of resources for the courts, anti-terrorism legislation and human rights, environmental law and sustainable development.

The Honourable Mr. Justice Carl Singh, Chancellor of the Judiciary of Guyana is our guest editor for this issue and shares some of his thoughts on the JURIST Project in Guyana.

There is always something new and exciting to read about in *JURIST News*. We trust that you will find this issue informative and remind you that we welcome and appreciate feedback from everyone involved in the Project, as well as any contributions, information or materials which we can use for future editions of our newsletter.

- The JURIST Project Team

Rule of law vital for a democratic society

The importance of upholding the rule of law was the focus at the Commonwealth Magistrates' and Judges' Association (CMJA) 2016 Conference, which was held from September 18-22 in Georgetown, Guyana.

At the opening ceremony, the Honourable Mr. Justice John Lowndes, President of the CMJA said while the rule of law is a concept that is often difficult to "pin down," it basically speaks to ensuring "equality before the law."

Justice Lowndes explained the rule of law does not discriminate between the governor and the governance but insists that both stand equally before the law. This applies to all manner of disputes that courts are charged with resolving.

He reminded participants that the judiciary is the cornerstone of any responsible government in a free, democratic society. "A free society exists as long as it is guided by the rule of law," he stated adding that the rule of law requires the subjection of all classes to the law of the land.

Justice Lowndes said as a guarantor of the rule of law, the judiciary across the entire Commonwealth has a vital role to play. He noted that the judiciary in preserving the rule of law is guided by the international framework for court excellence.

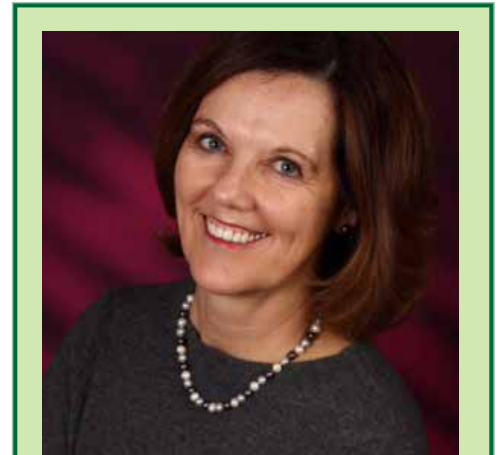
He explained that the approaches and tools advocated by the framework have proven to be an effective guide for judiciaries to continually improve their service delivery. He said according to this framework, an

excellent court adheres to and applies ten internationally recognised core values including equality before the law, fairness, impartiality, independence of decision making, competence, integrity, transparency, accessibility, timeliness and certainty.

"These are the values that the court must embrace in order to fulfil its critical role and functions in modern society. These core values individually and collectively guarantee due process and equal protection of the law to every citizen, to everyone," he noted.

Justice Lowndes further emphasised that an independent and impartial judiciary is necessary and explained that for the rule of law to be discharged adequately it is pertinent for judges to be and be seen as independent. "The independence of the judiciary and the separation for the other two arms of government is essential to the rule of law and is regarded as of grave importance to all democratic societies," he reiterated.

The CMJA is a unique international association, which brings together judicial officers from over 68 jurisdictions in the Commonwealth and beyond. The Association aims to promote the independence of the judiciary and advance education in the law, the administration of justice, the treatment of offenders, and the prevention of crime. It also disseminates information and literature on all matters of interest concerning the legal process within the various countries comprising the Commonwealth.



Ms. Nicole Jauvin

Thank You Nicole!

The JURIST Project extends its heartfelt gratitude to Ms. Nicole Jauvin for her contributions to the evolution of the Project. Ms. Jauvin served as Interim Project Director from April to July, 2016 and was tasked with implementing a new governance and management structure for the remainder of the Project.

She also launched a participatory planning process to develop the Project's Third Year Work Plan. We take this opportunity to wish Ms. Jauvin success in all future endeavours.

JURIST Project website launched

The JURIST Project has launched its website – www.juristproject.org. The website will be a source of comprehensive and up-to-date information about the JURIST Project in the Caribbean.

The website, which is a work in progress, will be one of the main communications vehicles used to inform a wide and varied audience about the JURIST Project. It will be regularly updated to include relevant reports from the region and internationally, Project progress information, photos, news stories, activities and achievements from countries and partners across the region.

The new website is interactive and one of its key features includes attractive graphics and easy navigation. Its structure and content is based on the components of the Project Implementation Plan (PIP). It will also include embedded videos from past events, interviews and links to social networking sites such as Facebook and YouTube.

Countries are encouraged to share information about JURIST Project activities to ensure maximum readership. Additionally, the website features a user survey, and feedback on the website is welcomed.



A screen shot of the JURIST Project website.

JURIST Project assists in improving access to Guyana's courts

GUEST EDITORIAL

by the Honourable Mr. Justice Carl Singh, Chancellor of the Judiciary of Guyana

During the early months of 2016, the JURIST Project initiated consultative sessions with principally, members of the Bar in Guyana and the local judiciary. The objective of these sessions was to gather thoughts and ideas relevant to the revision of Guyana's Civil Procedure Rules (CPR).

Since its launch in 2014, this was the JURIST Project's sole initiative in Guyana, for which we are extremely grateful.

Our expectation is that the revised CPR will allow for easier access to the courts and will result in simplified procedures and ultimately a more efficient civil justice system.

The retained consultants for this initiative are Mr. Anthony Ross, QC and Ms. Katrina Marciniak, both of whom are based in Canada but have significant Caribbean experience and ties. As I write, the revised rules have been completed and delivered by the consultants. Implementation of those rules is now imminent. I take this opportunity to express my gratitude to Mr. Ross and Ms. Marciniak for their

efforts, in circumstances that were on occasions trying and admittedly less than ideal.

I am aware that speaking comparatively in relation to the JURIST Project initiatives in sister Caribbean jurisdictions, Guyana has been left considerably behind.

However, a participatory planning workshop conducted by the JURIST Project with key stakeholders in Guyana gives cause for hope and has lifted our expectations. The workshop was in my view, a resounding success and we look forward therefrom to the identification of initiatives that will ensure to the benefit of Guyana's judicial system.

While one of the JURIST Project's principal aims is the reform of regional judicial systems, the JURIST Project itself, since its inception, has implemented some measures of reform. For us in Guyana this has been a welcome development. Under the Project's new direct leadership, the judiciary of Guyana views itself as a ready partner and wishes the Project every success in the months ahead.



The Honourable Mr. Justice Carl Singh, Chancellor of the Judiciary of Guyana.

Collaborative workshops held in Grenada, Belize and Guyana

The JURIST Project held collaborative workshops in conjunction with the judiciaries of Grenada, Belize, and Guyana in June and July 2016. These workshops are part of the Project's participatory planning process and are geared towards building awareness, momentum and consensus for the work of the Project and support for the Third Year Work Plan.

Jamaica and Barbados were the first and second countries respectively to host these workshops in May 2016, which brought together stakeholders with the justice system to share knowledge and experiences, and identify needs and priorities for judicial reform.

GRENADA



The Honourable Cajeton Hood, Attorney General, Grenada together with the Honourable Dame Janice Pereira, Chief Justice, Eastern Caribbean Supreme Court (ECSC) officially opened the two day workshop in Grenada on June 24, 2016 at the Lime Building in St. George's.

Dame Janice said that a collaborative approach is needed as the court and its members try to dispense justice in a more efficient manner. "We need collaboration between many sectors and stakeholders. Not just judicial officers, but members of the Bar and the wider community. It is those persons who are interested in ensuring a just and efficient resolution of their disputes," she explained.

She added that while there were many areas of the judicial system that courts would like to see addressed, there was a need to focus on those issues that will have maximum benefit to the wider community.



A few moments from the Grenada workshop

"This workshop gives us an opportunity to examine, as we move forward, ways and means of developing programs that would assist in developing our professionalism and how we deliver justice to the communities that we serve. We need to put our heads together and determine what are the best solutions for dealing with the challenges we face," she noted.

Mr. Hood reiterated the Government's commitment to the JURIST Project. He said Cabinet was also interested in finding ways to tackle the hurdles that prevent a smooth flow of cases from filing to the end of the matter. He explained that "if

Collaborative workshops (continued)

there are unresolved issues in a country like ours, there will be the perception that persons are not receiving justice and that will be detrimental to Grenada's image." The Attorney General was pleased to see representatives from a wide cross section of the justice sector at the two day workshop and said he was confident that the ideas from different perspectives would result in a positive plan for the way forward.

BELIZE



Belize was the fourth country to host the workshop

The fourth workshop was held at the Supreme Court in Belize City, Belize from June 29-30, 2016.

Opening the workshop, the Honourable Mr. Justice Courtney Abel, Justice of the Supreme Court, said that justice improvement and innovation cannot be delayed. "Our people are entitled to such advances. They are demanding such advances and we are accountable for providing that. They are talking and the need is urgent so let's start delivering," he urged.

The Honourable Mr. Justice Kenneth Benjamin, Chief Justice, Belize, reminded the participants that they were there to guide the development of JURIST Project initiatives for Belize and by extension the rest of the region. "This workshop is intended to be fully interactive and we expect you to participate as fully as you can. Your views and suggestions will all be taken on board," he assured.

Justice Benjamin also took the opportunity to thank the Government of Canada for their generous partnership and acknowledged the contributions of the CCJ as implementing agency for the Project.

Mr. Nigel Hawke, Deputy Solicitor General, Belize, said the JURIST Project was a welcomed initiative for judicial reform which he said was critical to the functioning of a very important arm of democracy – the judicial system.

GUYANA



The Honourable Mr. Justice Carl Singh, Chancellor of the judiciary of Guyana, speaking at the fifth and final workshop in Guyana on July 8, 2016, reminded participants that there continues to be concerns about the processes and work of the court system. "Overtime, there have been repeated criticisms about the conduct of the courts - significantly in relation to its treatment of domestic violence cases and domestic violence victims," he said. He went on to say that the business community is also quite critical of the delays in the justice system.

Chancellor Singh noted that during the workshop it is expected that those present would be involved in making contributions that would result in a programme that will address concerns at both the Magisterial and Supreme Court levels and "hopes we can do this in a collective and holistic way."

The Honourable Mme. Justice Yonette Cummings-Edwards, Chief Justice (Ag) added that the JURIST Project has been working with the judiciary of Guyana for some time now. She highlighted that in February of this year, there were consultations with the judiciary, Bench and Bar and they have all been given an undertaking to assist in the development of the Civil Procedure Rules (CPR) in areas where assistance is needed. Those consultations, she said, focused on gathering information from regional stakeholders, members of the judiciary and the Bar.

Mr. Daniel Joly, Head of Development Aid, High Commission of Canada to Guyana and Suriname, brought greetings on behalf of High Commissioner, His Excellency Pierre Giroux.

He said the consultative workshop was important as it will inform the activities to be implemented in Guyana under the JURIST Project. "You have a very robust agenda for the next two days. That agenda supports the vision that Canada and Guyana share for a more secure and prosperous Caribbean region" he reiterated. Mr. Joly explained that Canada has established the \$600 million Caribbean Regional Development Program which includes initiatives that build stronger leadership in the public service, better public finance management, a stronger and more entrepreneurial private sector, improved rule of law and better disaster risk management.



The last workshop was held in Guyana



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