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REPUBLIC OF TRINIDAD AND TOBAGO

PRACTICE DIRECTION

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS WITH EFFECT FROM December 24, 2021 NO. 19.2

This Practice Direction is issued pursuant to Part 4 of the Civil Proceedings Rules 1998 (as amended), Part 20 of the Criminal Procedure Rules, Part 4 of the Family Proceedings Rules, Part 22 of the Children Court Rules, Rule 69 of the Petty Civil Court Rules and Rule 72 of the Non-Contentious Business Rules (as amended) and is applicable to the entire Judiciary of Trinidad and Tobago which includes the Supreme Court and all Summary Courts.

In response to the continuing surge in the novel coronavirus (Covid-19) cases in the Republic of Trinidad and Tobago, these Practice Directions are issued to protect the health and safety of court staff and the public.

Whereas the Judiciary of Trinidad and Tobago is committed to doing everything necessary to ensure continued access to justice and to keeping the Judiciary functioning while protecting our staff and our publics.

And whereas the Judiciary is desirous of:

- a) Reducing the number of persons coming to the nation's court buildings;
- b) Facilitating the use of electronic alternatives to in person activities at the Court by internal and external persons; and
- c) Making the courthouses and administrative offices as safe as possible for those who must physically attend those buildings;

having regard to:

- (a) the Public Health regulations in place from time to time; and
- (b) the Public Health policies in place.

The following measures shall take effect:

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS
WITH EFFECT FROM DECEMBER 24, 2021 NO. 19.2—CONTINUED

EFFECTIVE DATES

1. This Practice Direction (No. 19.2) shall take effect for the period **December 24, 2021 to January 2, 2022 (inclusive)** (this period) and shall be read in conjunction with the Practice Directions published in the Trinidad and Tobago Gazette:
 - a. Vol. 60 No. 149 dated September 30, 2021 and titled “ Court Operations Covid-19 Pandemic Directions with effect from October 1, 2021 No. 19”; and
 - b. Vol. 60 No. 181 dated November 30, 2021 and titled “Practice Direction - Supplement to the Practice Direction (Court Operations Covid-19 Pandemic Directions with effect from October 1, 2021 No. 19) issued on the 30th September, 2021 and published in the Trinidad and Tobago Gazette Volume 60 No. 149 - Supplement to the Practice Direction (Hearings by Electronic Means) issued on the 26th March, 2020 and published in the Trinidad and Tobago Gazette Volume 59 No. 41 No. 19.1”.
2. To the extent that there is any ambiguity in the provisions of this Practice Direction, No. 19.2 and Practice Directions No. 19 and 19.1, this Practice Direction shall take precedence for the period December 24, 2021 to January 2, 2022.

CLOSURE OF COURT BUILDINGS

3. All Court Buildings shall be closed for the period December 24, 2021 to January 2, 2022.
4. All Judiciary Virtual Access Customer Centres (VACC) shall be closed for the period December 24, 2021 to January 2, 2022 save and except in any instance in which a witness in a matter deemed fit for hearing during this period is required to give evidence from a Judiciary Virtual Access Customer Centre set out in Schedule 1 or 2 as the case may be.
5. There shall be no in-person appointments at the Court Buildings during the period December 24, 2021 to January 2, 2022.

SITTINGS OF THE HIGH COURT AND SUMMARY COURTS

6. Hearings and/or sittings of the Supreme Court whether in person or virtual, are suspended during this period, save and except hearings of urgent matters deemed to be fit for hearing during this period, in the case of the Court of Appeal, by the Court or in the case of the High Court, by the Judge or Judicial Officer to whom a matter is docketed.

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS
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7. Hearings and/or sittings of the Summary Courts, including the Petty Civil Courts and Coroner's Courts whether in person or virtual, are suspended save and except hearings of urgent matters deemed by a District Court Judge, to be fit for hearing during this period.
8. Hearings of matters deemed to be fit for hearing during this period under paragraph 6, 7, or 14 shall be conducted virtually.
9. Where a virtual hearing is required in an urgent matter, a party or witness to the proceedings may be required to appear at the appointed time from a particular place or from a Judiciary Virtual Access Customer Centre, as directed by notice by e-mail, telephone or mail to the witness.

DEEMING MATTERS FIT FOR HEARING DURING THIS PERIOD

10. The Court may on its own motion, deem a matter to be fit for hearing due to urgency in this period.
11. Any party to an action or to an intended action may apply to the Court to have a matter deemed urgent and fit for hearing in this period.
12. In the case of a Supreme Court matter, an application under paragraph 11 must be made in writing to the Registrar of the Supreme Court and must set out the facts and reasons which make the matter fit for hearing in this period.
13. In the case of a District Court or Summary Court matter, an application under paragraph 11 must be made in writing to the Magistracy Registrar and Clerk of the Court and must set out the facts and reasons which make the matter fit for hearing in this period.
14. Notwithstanding paragraphs 6 and 7, for the purpose of this Practice Direction, the following summary matters are hereby deemed fit for hearing in any event during this period:
 - Domestic violence cases;
 - Maintenance applications including applications to vary orders to use CourtPay;
 - Urgent custody applications;
 - Detention of cash matters under the Proceeds of Crime Act; and
 - Charge matters.

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS
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15. All matters in the Summary Courts (including traffic matters) listed to be heard during this period shall be adjourned to a date to be fixed by the Court and parties shall be notified in writing of the new date of hearing.

**PERSONS ON BAIL WHOSE MATTERS ARE NOT DEEMED FIT FOR HEARING
DURING THIS PERIOD**

16. Bail shall continue to the adjourned date on the same conditions for all persons whose matters are not deemed fit for hearing during this period.

PERSONS ON REMAND

17. All persons who are remanded in custody shall continue to be so remanded until the adjourned date of their matter unless otherwise ordered by the court.

Dated this 22nd day of December, 2021

/s/ Alice Yorke-Soo Hon
Chief Justice (Ag)

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS
WITH EFFECT FROM DECEMBER 24, 2021 NO. 19.2—CONTINUED

SCHEDULE 1

**Judiciary Virtual Access Customer Centres (VACC)
For the Facilitation of Virtual Hearings**

Between the hours of 8:00 a.m. to 4:00 p.m.

Locations		Addresses	No of Rooms
Trinidad North	Arima	UTT Building 83-121 Industrial Estate O'Meara Industrial Park	2
	Port of Spain	Judiciary Administration Building Kings Court, 110-112 Frederick Street	7
		Judiciary Administration Building 48 St. Vincent Street (Corner St. Vincent and Duke Streets)	2
		Children Court North Building 6 Elizabeth Street, St. Clair	1
Trinidad South	Point Fortin	Point Fortin Magistrates' Court Building Cap de Ville Road	2
	Princes Town	New Family Court / District Court Building 271 Edwards Street, Naparima/Mayaro Road	5
Tobago	Scarborough	Supreme Court Building Bacolet St	1
		Scarborough Magistrates' Court Building Bacolet St	2
		Family Court Building 54 Calder Hall Main Road	2

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS
WITH EFFECT FROM DECEMBER 24, 2021 NO. 19.2—CONTINUED

SCHEDULE 2

**Judiciary Virtual Access Customer Centres (VACC)
For the Facilitation of Virtual Hearings**

Between the hours of 4 pm and 8 am

Locations	Addresses	No of Rooms
Port of Spain	Judiciary Administration Building Kings Court, 110-112 Frederick Street	7
Princes Town	New Family Court / District Court Building 271 Edwards Street, Naparima/Mayaro Road	5
Tobago	Scarborough Magistrates' Court Bacolet St	2

/s/ Alice Yorke-Soo Hon
Chief Justice (Ag)