



# TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

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## **REPUBLIC OF TRINIDAD AND TOBAGO**

### **PRACTICE DIRECTION**

#### **COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS WITH EFFECT FROM MAY 25, 2021**

#### **NO. 16**

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 State of Emergency proclaimed on May 15, 2021;
- (b) the Emergency Powers Regulations in place from time to time;
- (c) the Public Health regulations in place from time to time; and
- (d) the Public Health policies in place.

## PRACTICE DIRECTION No. 16—CONTINUED

The following measures shall take effect:

**EFFECTIVE DATES**

1. This Practice Direction shall be read in conjunction with the Practice Direction published in Trinidad and Tobago Gazette Vol. 60 No. 79 dated May 18, 2021 titled “Court Operations Covid-19 Pandemic Directions with effect from May 18, 2021 No. 15” and both shall take and continue to be in effect from May 26, 2021 to June 30, 2021 (this period) save and except paragraphs 3-7 and 11 of Practice Direction No. 15.

**CLOSURE OF COURT BUILDINGS**

2. All Court Buildings shall be closed until June 30, 2021.
3. All Judiciary Virtual Access Customer Centres (VACC) shall be closed until June 30, 2021 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.

**SITTINGS OF THE HIGH COURT AND SUMMARY COURTS**

4. Hearings and/or sittings of the Supreme Court whether in person or virtual, are suspended 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.
5. 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.
6. Hearings of matters deemed to be fit for hearing during this period under paragraph 4, 5, or 14 shall be conducted virtually.
7. Where a virtual hearing is required in an emergency between the hours of 8:00 a.m. to 4:00 p.m., 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 set out in **Schedule 1**, as directed by notice by e-mail, telephone or mail to the witness.
8. Where a hearing is required in an emergency between the hours of 4:00 p.m. to 8:00 a.m., which include the prohibited hours of movement under the Emergency Powers Regulations

## PRACTICE DIRECTION No. 16—CONTINUED

2021, a party or witness to the proceedings may be required to give evidence from the specified Judiciary Virtual Access Customer Centres set out in **Schedule 2**.

9. Where a person is required in an emergency to give evidence under paragraph 8, in circumstances which require movement of anyone during the prohibited hours of movement under the Emergency Powers Regulations 2021, the Judiciary shall seek to have arrangements made with the Commissioner of Police for such movement.

**DEEMING MATTERS FIT FOR HEARING DURING THIS PERIOD**

10. The Court may on its own motion, deem a matter to be fit for hearing in this period.
11. Any party to an action or to an intended action may apply to the Court to have a matter deemed 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 paragraph 5, for the purpose of this Practice Direction, the following matters are hereby deemed fit for hearing in the Summary Courts 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;
  - Matters under the Emergency Powers Regulations, 2021; and
  - Charge matters.

**CERTIFICATION OF FEES FOR ATTORNEYS APPOINTED BY THE LEGAL AID AND ADVISORY AUTHORITY**

15. Confirmation of appearance of attorneys in support of requisition of their fees shall be by data message provided in electronic form, signed and stamped electronically by the Judge or Judicial Officer and conveyed to the Legal Aid and Advisory Authority using the Judiciary's CourtMail system.

## PRACTICE DIRECTION No. 16—CONTINUED

**ADJOURNMENT OF SUMMARY COURT MATTERS**

16. All matters in the Summary Courts (including traffic matters) listed to be heard during this period, are adjourned as follows:

<b>ORIGINAL COURT DATE</b>	<b>NEW COURT DATE</b>
May 26, 2021	August 27, 2021
May 27, 2021	August 30, 2021
June 1, 2021	September 1, 2021
June 2, 2021	September 3, 2021
June 4, 2021	September 6, 2021
June 7, 2021	September 8, 2021
June 8, 2021	September 10, 2021
June 9, 2021	September 13, 2021
June 10, 2021	September 15, 2021
June 11, 2021	September 17, 2021
June 14, 2021	September 20, 2021
June 15, 2021	September 22, 2021
June 16, 2021	September 27, 2021
June 17, 2021	September 29, 2021
June 18, 2021	October 1, 2021
June 21, 2021	October 4, 2021
June 22, 2021	October 6, 2021
June 23, 2021	October 8, 2021
June 24, 2021	October 11, 2021
June 25, 2021	October 13, 2021
June 28, 2021	October 15, 2021
June 29, 2021	October 18, 2021
June 30, 2021	October 20, 2021

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

17. 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**

18. 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 25<sup>th</sup> day of May, 2021

/s/ Ivor Archie  
Chief Justice

## PRACTICE DIRECTION No. 16—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
<b>Trinidad North</b>	Arima	<b>UTT Building</b> 83-121 Industrial Estate O'Meara Industrial Park	2
	Port of Spain	<b>Judiciary Administration Building</b> Kings Court, 110-112 Frederick Street	7
		<b>Judiciary Administration Building</b> 48 St. Vincent Street (Corner St. Vincent and Duke Streets)	2
		<b>Children Court North Building</b> 6 Elizabeth Street, St. Clair	1
<b>Trinidad South</b>	Point Fortin	<b>Point Fortin Magistrates' Court Building</b> Cap de Ville Road	2
	Princes Town	<b>New Family Court / District Court Building</b> 271 Edwards Street, Naparima/Mayaro Road	5
<b>Tobago</b>	Scarborough	<b>Supreme Court Building</b> Bacolet St	1
		<b>Scarborough Magistrates' Court Building</b> Bacolet St	2
		<b>Family Court Building</b> 54 Calder Hall Main Road	2

## PRACTICE DIRECTION No. 16—CONTINUED

**SCHEDULE 2****Judiciary Virtual Access Customer Centres (VACC)  
For the Facilitation of Virtual Hearings****Between the hours of 4 pm and 8 am**

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

/s/ Ivor Archie  
**Chief Justice**