



EASTERN CARIBBEAN SUPREME COURT

FIAT JUSTITIA

P.O. Box 1093, Castries
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Statement by the Chief Justice on the ECSC's Response to COVID-19

As you would all be aware, on 11th March 2020, the Director General of the World Health Organisation (WHO) declared the COVID-19 outbreak a **pandemic**. More recently, the Caribbean Public Health Agency (CARPHA) upgraded the risk of disease transmission to the Caribbean from high to **very high**. One thing that we can all agree on as we monitor this pandemic is that the pace of change is rapid, with the number of confirmed cases across the region increasing each day. As our region deals with the impact of the COVID-19 pandemic, the priority of the Eastern Caribbean Supreme Court (ECSC) is to ensure the health and safety of all its stakeholders. We are therefore constantly reviewing strategies and implementing measures to reduce exposure of judges, magistrates, court personnel and court users while still providing a means for the citizens and residents of the OECS to access justice.

The rapid transmission rate of COVID-19 requires an equally rapid response. At the ECSC Headquarters we have put in place a number of internal measures to minimise the risk of exposure and transmission of COVID-19. The measures range from enhancing our office sanitation efforts by installing hand sanitizers at strategic locations throughout our office, to suspending court related travel for all staff, pending any further developments. These measures were also recommended to all Registrars of the High Court in the Courts' Member States and Territories. We will continue to provide our staff with the most up-to-date health and safety procedures and follow the guidance provided by the World Health Organization and the health authorities in our Host Country Saint Lucia and those of our other Member States and Territories.

For the Court of Appeal, the decision has been taken to suspend the sitting of the Court in the Territory of the Virgin Islands scheduled for the week commencing 23rd March 2020 until further notice. We will continue to monitor the situation as it relates to other scheduled sittings for other States/Territories and will provide updates by notices which will be published on the Court's website (www.eccourts.org) as well as through the court offices in the respective States and Territories and by the use of email.

In relation to the High Courts, in all of our Member States and Territories, the decision has been taken to suspend all criminal trials until further notice. All travel by Masters has been suspended until further notice. However, sittings of the Master's Courts, as well as the civil courts, are as far as possible to be conducted via video conference or, where deemed appropriate by the presiding judicial officer, by teleconference.

For the Magistracy, and subject to any special directives from the relevant Office in any particular State/Territory, similar measures are being urged for the safety of all stakeholders.

In all jurisdictions, the use of video-link or other virtual communication for court proceedings is encouraged as far as practicable, in an effort to safeguard the health of our stakeholders whilst



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minimizing disruption to the operations of the Court of Appeal, High Courts and Magistrates Courts. Additionally, some jurisdictions have taken a number of further precautionary measures, such as implementing social distancing protocols for court staff and the public and by otherwise modifying the daily operations of the Courts.

The Court Offices in each Member State and Territory are to be guided by local health authorities on the domestic COVID-19 situation and make the necessary recommendations to the Office of the Chief Justice to modify the daily operations of the High Courts, including the conduct of court proceedings as necessary. We have also encouraged High Court Offices to have open dialogue with constituent Bar Associations and Attorneys General in an effort to ensure that all our stakeholders are aware of and updated on the approach implemented by the Court.

We are also aware that national Governments may implement policy decisions impacting operations in their Member State or Territory and we must also be guided by such policies where it impacts the operations of the Court and we are in constant dialogue with the Court Offices on such matters.

We encourage all citizens and residents of the Eastern Caribbean to follow the personal and work health and hygiene practices provided by health authorities including regular hand-washing with soap and water and the sanitizing of surfaces. We are in a difficult time and find ourselves in uncharted waters. Although I recognize the days ahead will be challenging, we must remain true to the very heart of our purpose – optimism. Let us stay connected and strong together.

On behalf of the Justices of Appeal, Judges, Masters, the Magistracy, Management and staff of the Eastern Caribbean Supreme Court (ECSC) our hearts go out to everyone affected by the coronavirus (COVID-19) pandemic in our jurisdiction and around the world. I pray for the continued health and protection for each and every one of us, our families and communities as we weather this storm.

Please do not hesitate to contact the Court's Headquarters by e-mail or telephone if you have any questions, or require any assistance.

The Eastern Caribbean Supreme Court (ECSC) was established in 1967 by the West Indies Associated States Supreme Court Order No. 223 of 1967. The ECSC is a superior court of record for the Organization of Eastern Caribbean States (OECS), including six Independent States: Antigua and Barbuda, the Commonwealth of Dominica, Grenada, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines; and three British Overseas Territories: Anguilla, The Virgin Islands, and Montserrat. The Court has unlimited jurisdiction in each Member State and Territory.