

THE HONOURABLE THE ACTING CHIEF JUSTICE,
MR. JUSTICE ROGER HAMEL-SMITH

OPENING ADDRESS, LAW TERM 2007-2008

MONDAY 17TH SEPTEMBER, 2007

Honourable Judges of the Caribbean Court of Justice, Members of the Diplomatic Corps, President of the Law Association, distinguished guests, members of the legal fraternity, members of the media, ladies and gentlemen.

Let me extend a warm welcome to all of you on the occasion of this ceremonial opening of the new law term. It seems like *déjà vu* for me but I have accepted a constitutional mandate in order to provide for continuity of the administration of justice and to ensure the preservation of the Rule of Law. It carries with it an awesome responsibility, but it is one from which I do not intend to flinch nor retreat.

The Rule of Law, one of the most significant characteristics of good democratic governance, prevails because the Republic of Trinidad and Tobago has an independent Judiciary. It is the task of the Judiciary to maintain the Rule of Law and an independent, competent, effective and efficient judiciary is indispensable for a flourishing democracy. I am committed to ensuring that while I wear the mantle of the office of Chief

Justice, the attributes I have described and for which our Judiciary has become well-known, will continue.

As the acting head it falls to me to steer the ship of the Judiciary even though storms have been gathering for some time now. No one knows for certain in what condition this ship will emerge but, I assure you, emerge it will. And we, the Judges, Masters, Magistrates, Registrars and the staff of the Judiciary, its crew, have the responsibility and duty to you and to our country to ensure that it emerges sea worthy. We are therefore resolved to navigating successfully the storms that beset us, and we are confident that the ship of the Judiciary will remain afloat to serve the needs of the people of this our beloved land.

So permit me in these circumstances, to address you less on matters of reporting and instead, to share with you the basis of our confidence. The details of the performance of the Judiciary are contained in its Annual Report copies of which are available.

The confidence of which I speak is based on truth. And the truth is that the Judiciary has dispensed, is dispensing and will continue to dispense justice in accordance with the Constitution and the laws of this land. Courts exist in order to administer the law and in this way the Judiciary upholds the Rule of Law and contributes to the preservation of a democratic way of life. To achieve these ends, it is vital that the confidence of the public in the administration of justice is upheld and maintained. This is accomplished through the existence of independent and impartial Judges, Masters, Registrars and Magistrates.

To describe these ideas of independence and impartiality, I quote from an address of the Chief Justice of India delivered in 1999, in which he himself quoted a 1949 statement. It reads as follows:

> "… Put very briefly, it means that the Judges, in the performance of their duties, should not be amenable to extraneous influences of any kind, whether those influences emanate from the Government, the people or any other quarter. The vow which a Judge takes and which we have all taken today is that he will administer justice without fear or favour. He ought not to be swayed by a desire for popular applause, or by any expectation of favours from, or by the fear of the frowns of Government, or by the desire to please or oblige anybody else …"

My friends, we in the Judiciary are aware of the perception, that there has been an erosion of the public trust and confidence in the independence and impartiality of judicial officers. We strongly deny the reality of this perception, which has been created by the comments of naysayers, whose agenda is to serve their own narrow interests, rather than those of the country at large, without regard for the consequential damage caused by these inaccurate, uninformed and unsubstantiated comments. It is my view that for the following two reasons, the country can and must legitimately maintain a rational and pragmatic optimism in the Judiciary.

First, the administration of justice and the Judiciary are greater than any single judicial officer, whoever he may be, and any single court decision. The judicial system consists of a process that is hierarchical. At its first level, single judicial officers, be they Judges, Masters, Registrars or Magistrates, determine matters. Without exception, appeals or reviews of these decisions are permitted, in a process that allows the matter to be considered by quantitatively more judicial officers at a higher level.

For example, a decision of a Magistrate can be appealed to at least two Judges of the Court of Appeal and then to five Judges of the Privy Council. And, a decision of a Puisne Judge can be appealed to three Judges of the Court of Appeal and then to five Judges of the Privy Council.

This inverse pyramidical hierarchy of the judicial system is contrary to most systems, where, as one advances upwards, the authority and decision-making power resides in fewer numbers, often eventually in a single person. The genius of the judicial system therefore is that as a matter advances up the hierarchy, contending parties are afforded the benefit of increasing numbers of judges with the power to determine that the decisions of those below were not correct.

The structure of this judicial process is the first reason for confidence in the administration of justice. The trust and confidence is in the fact that through this process, even if only eventually, the correct decision is arrived at. Justice is done and the Rule of Law prevails. Let us not forget that this process has proven itself over hundreds of years, and I am confident in the belief that it will continue to do so.

The second reason is really what an empirical study of the judgments of our Courts will show. This study can be done by anyone as all of the written judgements of our courts are available on its web site or in the Court Library. The Judiciary has absolutely nothing to hide and has attempted to be as transparent as possible. This study will reveal a decision making that is independent and impartial. In spite of the unkind and spurious remarks by persons who should know better, your Judges, Masters, Registrars and Magistrates discharge their duties with the required independence and impartiality.

Sadly though, in our society '*ole talk'* is considered more authoritative than informed comment and truth is always the casualty. Recently, much has been said and implied about the lack of independence and impartiality of judicial officers. Such comments are misguided because they are not based on truth but on '*ole talk'*.

This is unfortunate and unpatriotic. I urge restraint in this so-called '*silly season'* that is now upon us. I prefer to focus on protecting our country and the institutions that so essentially guarantee its freedoms, peace and prosperity. By all means, let the perpetrators of injustice be brought to justice, but we must protect and defend those against whom no sustainable accusations can be made. Our failure to do so will eventually be at our own peril, individually and collectively. Let me remind you that it takes years to build the credibility of an institution, yet, that credibility can be destroyed in the blink of an eye.

I wish to emphasize that at this stage I am saying that the public can and ought to have confidence in the administration of justice, so far as the independence and impartiality of the judicial officers are concerned. This is not to deny that there is merit in some other criticisms of the justice system so far as they relate to efficiency and expedition and I will make some suggestions to improve those aspects, later in this address.

Let me therefore demonstrate how this past year has shown that our Judges are capable of the highest standards of impartiality and independence. The Court of Appeal, no doubt agonizingly, has ruled against its own Chief Justice and has been upheld by five Law Lords of the Privy Council. Your Court of Appeal has quashed a conviction and sentence by the Chief Magistrate against a former Prime Minister and ordered a retrial on the basis of apparent bias, and has done so explicitly in order, to quote the Honourable Justice of Appeal Warner, " *to keep the streams of justice pure*".

My friends, one of your judges has ordered, in the face of affidavit evidence from the head of the Court Administration, that the failure to provide wheelchair access to the Hall of Justice is in breach of the constitutional rights of disabled persons, and has ordered that this circumstance be remedied within 18 months. This decision sends a clear signal that courts are about justice and truth and are not distracted by personalities. Indeed, the Court of Appeal, in two separate matters involving a former Prime Minister, has ruled in one instance in favour of, and, in the other, against him.

These decisions, to name a few, show, in a most poignant way, that your Judges are at the best of times fearlessly independent and impartial. I ask

then: “Where is the ‘old boys club’ in the Judiciary?” Judges who are prepared to rule against their own, against the very institution that sustains them, and to make decisions, blind to the personalities who appear before them, do so out of a sense of duty and adherence to the oath they have taken – to decide without fear or favour - in order to ensure that the *streams of justice remain pure.*

This is not to say that your judicial officers have not been found and will not continue to be found to be in error. That in itself is not a cause for concern. Citizens are entitled to a system of justice that is fair, not one that is infallible, for no infallible system of justice exists anywhere.

I can say to you however, with authority and conviction that the judicial officers who serve our country have been, are and will continue to be independent and impartial.

For at least these two reasons, therefore, and there are several more, I have every confidence that the ship of the Judiciary is robustly seaworthy and will weather whatever storms may lie ahead.

I know that the Chief Justice fully appreciates that the work of the Judiciary has to go on and that whoever acts in his position will have to take up the gauntlet, albeit temporarily. The lot has fallen on me and I undertake to you that I shall take up the mantle with the resolve of leading the Judiciary in a direction that will bring justice to all those who seek it, in the most efficient and expeditious time frames.

Allow me therefore to move on to rather more routine, though no less important, matters that concern and affect the administration of justice. The preparation of this report has provided me with an opportunity for reflection. As I have considered the Judiciary's performance over the past year, I have evaluated its successes and what enabled them, as well as its challenges and failures, and what influenced them.

It is time for us to build on the work in which we, collectively as the judiciary, have been involved. Behind that work has always been an aspiration towards a new dawn that will reveal a Judiciary with a fresh awakening, one that will instil confidence in a justice system that probably, only now, gives the appearance of faltering. Indeed if it is, it is simply from overload. We can no longer be content with the slow speed of disposal of cases in the criminal courts, be it magistrates' or Assizes'. A change of culture is required and this requires the co-operation of all stakeholders.

I received a letter from the Mayor of Chaguanas, His Worship, Mr. Surujrattan Rambachan, not too long ago, congratulating the administration on the success of the Family Court. The author asked a profound question - can that success be transferred to the other courts throughout Trinidad and Tobago?

I want to assure His Worship and the country as a whole that, indeed it can, in spite of the fact that a main contributor to the success of that Court was the fact that it began from scratch. We were able to plan every detail before embarking on the pilot project. Staff, including Judges and Magistrates, was trained to achieve the right fit; systems formulated and put in place; and the

very infrastructure designed to accommodate the kind of court we envisaged. The most telling ingredient however was the coming together of all stakeholders in partnership to make the court a success.

In fact, there are many among us that gave of their time to ensure its success. And we are deeply indebted to many other persons. The Family Court is a manifestation of what can be done when we put our heads together and are provided with the necessary resources.

We have already embarked on the plan in the civil jurisdiction of the High Court with the introduction of the new Civil Proceedings Rules, 1998. The results for the last year indicate that in spite of teething problems, Judges have been able to dispose of a considerable number of cases. As in the Family Court, the reason for optimism is the fact that we now have a structured approach to litigation that is Court driven. The management of a case by a judge from start to finish is beginning to reap the rewards.

One inevitable draw back is the need to dispose of the backlog of cases under the old Rules of the Supreme Court, 1975, with which we are faced. I alluded to this last year and was quite optimistic at the time that by June of this year we would have had in place five additional courts to deal with this back log. Such was the confidence that we had several attorneys on stand by to take up appointments as temporary judges. Unfortunately, the acquisition and refurbishment of the building earmarked for these courts appear to be taking much longer than anticipated. Maybe it is that I am an impatient person when it comes to getting things done but the delay is this instance is difficult to accept. I would beseech the Honourable Attorney General to do

whatever he can to move the acquisition along so that we can begin to tackle the backlog in a more meaningful way. When that backlog is cleared we are confident that the disposal rate under the CPR will improve significantly.

Nonetheless, we want to acknowledge the willingness to serve and the extreme patience exhibited by those attorneys who have been on standby. We also want to acknowledge those temporary Judges who have been attending to the backlog of cases. Every month a progress report is prepared – it is one that is always eagerly awaited, given the results. It certainly demonstrates a commitment and dedication to service on the part of those Judges and I publicly commend them for that. I particularly at this time wish to express a heartfelt thanks to Justices Dyalsingh and Aboud whose temporary terms of office come to an end shortly. Both judges have performed beyond expectations and the Judiciary is indeed grateful for their contribution.

It is to the Criminal Assizes and the Magistrates' Courts I now turn. In spite of the need for more courts in these divisions, the performance of both Judges and Magistrates has been exemplary. But more needs to be done.

In my address last year, I highlighted the districts of St George West and San Fernando as the ones requiring a Court Complex so that our resources could be better deployed. There is hope on the horizon, not that a complex as such is in sight but additional courts may become available to us.

In discussions with the Honourable Attorney General the possibility of making use of the location of the existing Magistrates' Court in San

Fernando was explored. When the two new buildings are handed over to us (possession of one is imminent and possession of the other is expected in the near future) consideration will be given to restructuring the old building to accommodate more magistrates' courts and possibly additional Criminal High Courts.

Plans are also afoot to acquire a property for use as the new Family Court for San Fernando. This court, to be fashioned exactly as the one in Port of Spain, will be a welcome addition to those who practise there. When it is in place all matrimonial matters will be filed in the Family Court, be it in Port of Spain or San Fernando.

In St. George West, performance is restricted given the existing number of courts. Last year I pointed out that at least eight to ten more courts were required. In the discussions referred to a moment ago, the possibility of occupying the 'Winsure' building on Richmond Street, if that building becomes available in April next year, was also explored. The building is capable of housing at least 12 more courtrooms. If this becomes a reality, it may be possible to transfer some of the Magistrates' courts there, including the Petty Civil Court, Ejectment Court and the Domestic Violence Court, and to use the available courtrooms at the existing courthouse on St. Vincent Street to attend to the more serious criminal cases.

In this way there can be a more focused approach to those criminal cases that require a measure of urgency and security if Crime is going to be tackled in a meaningful and purposeful way. It would mean that instead of having one court attending to e.g. narcotic cases, or armed robbery cases,

provision can be made to have at least three or four courts devoted to that exercise on a daily basis. Such a division of labour will considerably reduce the number of cases placed before a Magistrate on a daily basis, thereby raising the disposal rate substantially.

In the Criminal Assizes, there is a clear need for more courts. Last year I indicated that there was a move afoot to introduce a Special Criminal Court in Trincity. Getting there is taking much time but I understand that a parcel of land has been identified and acquisition of it may be underway. If the pace of construction of public buildings demonstrated in recent times can be deployed on this site, the erection of the building will be a reality sooner than later. The Judiciary will be working with the relevant authorities in the design of this building and it is hoped that provision can be made for at least six criminal courts. This addition will certainly lift the disposal rate of criminal cases in the Assizes, particularly in light of the proposals I want to share with you.

The provision of additional courts however, will not be the complete answer. The approach to criminal justice is in need of fundamental restructuring. It is time to introduce a system, even if legislative underpinning is required, that is not only court driven, but purpose driven in the sense that on every occasion a case is called before a court a specific purpose is served and not simply for the purpose of an adjournment. This is the cultural change that is required. Criminal justice is not served by adjournments; it is far better served by trial date certainty; and until we put in place those measures that will take us there, we are surrendering to the criminal elements in this country.

I am reminded of the words of Senior Counsel Martin Daly in an article written not too long ago, in which he said:

> "*by constantly conceding ground to the criminal and reckless elements in the society we are putting the squeeze on those who wish to be law-abiding and we are systematically destroying the cohesion that anchors a society when there is a common understanding of what is right and wrong.*"

When cases collapse because witnesses have been eliminated, when accused persons are acquitted because confessional statements have been deemed inadmissible – either because of the failure on the part of police officers to adhere to acceptable standards or the refusal of a justice of the peace to testify, it is society that suffers. Thus, one measure that requires immediate implementation is provision for videotaping the taking of statements from accused persons. This will immediately lift the credibility of those officers who go to great lengths to maintain integrity in what they do. It will also reduce time spent in long drawn out *voire dires* to determine the admissibility of a statement.

This, however, is but a small measure in the fight against crime. What we need is a complete set of rules that will move criminal cases through the system effectively and efficiently, both in the magistrates' courts and in the Assizes. Some time ago, a system was put in place requiring attorneys to attend a cause list hearing at which issues would be identified and various orders made in order to shorten the length of a trial. When all this was done

a trial date was fixed. Some attorneys complied, some did not, and slowly but surely the system began to wane. There was no legislative underpinning making mandatory to attend the hearing. As a result, trial dates that were fixed well in advance had to be vacated. It is time to make a change.

One of the fundamental changes we need to implement in the Criminal Justice System is to replace the preliminary enquiry as we know it today with a more streamlined procedure, to ensure that indictable offences are disposed off in a timely manner. I am speaking about a system that goes beyond paper committals.

How often has the question been posed: how come accused persons in the USA are brought to trial so quickly when it takes years before someone can be tried in Trinidad & Tobago? The short and simple answer is that the US does not have a long drawn-out process before a matter is sent for trial. Take the recent conviction of several individuals on fraud charges in Florida arising out of the construction of the Airport terminal. Here, we are still at the preliminary enquiry stage while the entire judicial process has been completed in the United States.

The primary purpose, if not the sole purpose, of an enquiry is to determine whether a *prima facie* case has been made out. It is not for the purpose of chalking up as many inconsistencies or contradictions as possible for use at the ultimate trial. Sadly, we have lost sight of the real purpose with the result that much judicial and public time and expense are wasted. It is time to embark on a more expeditious procedure to break the gridlock that prevails

in our system. It requires no rocket science to change the system into one that serves the administration of justice in a more purposeful way.

A simpler and more acceptable system would be to provide that when an accused person appears before the magistrate on the first occasion, a decision is made whether the case will proceed indictably or summarily. If indictably, the question of bail is settled and the matter is immediately transferred to a High Court Judge.

At the first hearing before the Judge an opportunity can be afforded to the accused to show that there is no case to answer. This is done by way of written submissions. If cross-examination is required the request is also made by a written submission. The Judge will decide both issues.

If not persuaded, the judge will advance the case to the next stage - the case management stage. Here directions can be given for the obtaining of witness statements and other investigations within a permitted time limit. At a further stage, directions pertaining to disclosure and exchange can be made, and, at yet another, the determination of the salient issues to be tried. This can be achieved within a frame- work of specific case management rules.

With a criminal system that is properly structured to manage cases effectively and efficiently through the courts, we will find that witnesses will no longer be exposed to the criminal element for any considerable length of time, justices of the peace will no longer be required to testify, and the need for a *voire dire* at almost every trial will be reduced considerably, if not completely eliminated. There will no longer be trial by ambush and a

measure of confidence will be restored by the introduction of a properly structured system that is geared for efficient use of judicial time.

In the Magistracy, a similar form of case management rules can be introduced. We must however, first rid these courts of a multitude of matters that do not necessarily have to be processed in the Magistrates' Courts. Last year I made mention of the ticket cases that clog the traffic courts. To date nothing has been done. The traffic courts continue to be plagued by some one hundred to one hundred and twenty ticket cases each day.

Out of the twenty-two thousand ticket cases received in the courts every year (all ticket cases are sent to the courts for payment), fifty per cent of the fines are paid either before or after a hearing before a magistrate. The other fifty percent remains in the system as unpaid until warrants can be enforced. That represents a loss of immediate revenue in the sum of eight to nine million dollars a year. The collection of fines is an administrative function, not a judicial one. By freeing up the judicial system of this task, judicial time can be better spent on dealing with more pressing criminal matters.

Another category that unnecessarily clogs the system is licence applications. The issuance of licences, be it restaurant, rum shop, occasional, liquor or otherwise, does not necessarily require the services of a Magistrate per se. With a minor amendment to the law, the Revenue Offices in the various districts can deal with these applications without involving the courts. When the application for a particular licence is filed, it is sent to the police, health and fire services to investigate. If there is no objection, the premises can be visited by a Special Committee appointed by law and once the premises are

in an acceptable condition, the Revenue office can issue the licence. If there is an objection (which seldom occurs) then the matter can be dealt with by the court. In one fell swoop, so to speak, the Magistrate is relieved of having to deal with thousands of applications for which there is no objection. In this way, considerable judicial time is saved.

Having thus unclogged the system to some extent, we can then implement rules of court that will ensure that a case proceeds through the system in a similar way to that of the Assizes. The result will be that when a matter is before the court it is there for a specific purpose and not simply for an adjournment. During these stages, at which the accused must be present with his attorney unless on remand, there will be no need for witnesses to attend. The prosecutor will take charge of the case so that the complainant will not necessarily have to attend. This will have the effect of freeing up police officers from having to attend court unnecessarily, thereby allowing them to spend more productive time in detecting crime and performing other police duties.

As for the accused on remand, the question of video-conferencing from the prison where he can participate in the case management must be examined. I understand that this procedure works exceptionally well in the UK. It may be that legislative underpinning is required but this pro-active approach will certainly change the way business is done in courts today.

Draft rules have been in existence but have remained dormant. Recently I had the opportunity to peruse rules drafted by the courts in the OECS where, incidentally, the preliminary enquiry is to be replaced by a similar procedure

described a moment ago. Other jurisdictions, e.g. in the United Kingdom, have already abolished the preliminary enquiry and introduced a system similar to the one outlined above. The Magistrates, or at least some of them, have had the opportunity of perusing these draft rules and in principle are in agreement with them, save for certain amendments to fit our jurisdiction.

Shortly, I propose calling on the Law Association, the Criminal Bar Association, the Assembly of Southern Lawyers and the Tobago Lawyers' Association, together with a panel of Magistrates and Judges and officers from the DPP's department to meet for the purpose of discussing case management rules for both the Assizes and the magistrates' courts. The response will be a sure sign that we are willing to work together for a better administration of justice.

I am reminded of a slogan that I saw the other day, printed on the back of a T-shirt. It read:

> "*Tell me and I will forget; show me and I may remember; but involve me and I will be committed forever"*

While we may not have the advantage of starting from scratch like the Family Court, we will have the benefit of its experience and what has contributed to its success.

I may seem to be harping on the traffic courts but there is good reason. In a recent article written by William Lucie-Smith, in which the continued carnage on our roads was addressed, the author had this to say:

> "*Many commentators have lamented the extraordinary carnage on the roads which is primarily caused by excessive speed, alcohol, poor vehicle maintenance and poor driving skills. Behind this is the wanton disregard for road traffic laws and contempt for the police and the judicial system. These agents have apparently abdicated responsibility for the enforcement of traffic laws*."

The writer compared our disregard for law and order with the respect shown for the law in the UK. He made particular reference to the introduction of a *designated driver* after the consumption of much alcohol at a function, simply because the UK had been able to develop a culture of respect for traffic laws and the police, created by a policy of strict and effective law enforcement.

The breathalyser law is about to be introduced here. This is an opportunity to put in place a system that will begin changing the prevailing culture of disregard for law and authority. This change is a necessary step if we are to truly enjoy peace and freedom in our country.

In an address to the Chamber of Commerce in January this year, I made the point that chaos in any society provides the cover for criminal activity. Crime flourishes when the environment makes it conducive for persons to behave in a particular way. This inevitably occurs when we fail to enforce our laws, particularly the *small* laws. Just simply knowing that the police

seldom respond with alacrity, criminals become emboldened in the knowledge that the chances of getting caught are slim.

The example used to make the point was the Mucurapo Foreshore Freeway, on which so many of us travel daily. How many of us sit and watch (probably in anger) as a motorist drives on the shoulder from Movie Town to Peake's and cuts you off at the traffic light? The only reason he does that is because he knows that he will get away with it. Throughout the country this situation repeats itself thousands of times daily. What is being ingrained into the psyche of our people is that lawlessness pays. The consequence is a culture of lawlessness. The sad thing is that we know the solution, yet it eludes us.

You see, we have created the environment that permits these persons to do what they do with impunity. We have created the conditions of lawlessness. We permit and encourage lawlessness. However, the day we insist, seriously insist, that a police officer be assigned to pull over those motorists who drive on the shoulder and charge them with reckless driving, is the day that we begin taking back control of our country. It is the day we begin to develop a culture of respect for laws and law enforcement. It is the first step towards the eradication of crime.

If therefore I seem to dwell on the traffic courts it is because we must begin somewhere. We must begin with the small laws and so remove the cover that aids the commission of greater crimes. A more effective policing system together with a functional traffic court will go a long way in dealing with carnage on our roads. One of the main contributors to delays in the traffic

courts is the present ticket system to which I have already alluded. By simply changing the system as I have suggested, more time will be allotted to magistrates to deal effectively with traffic offences.

The courts are prepared to co-operate with the authorities by providing judicial time for bringing to justice those habitual offenders who contribute to a great extent to the carnage on our roads. It is our hope that the Licensing Authority and the relevant Minister will be prepared to meet with us in the near future to find a solution to these matters. We have already lost one whole year.

On a more positive note, the Judges have embarked on settling a draft code of ethics. One such code was drawn up under the regime of Chief Justice de la Bastide (as he then was), but did not materialise. In fact, a new draft is being done and once finalised it will be published for public comment, including the comment of the Law Association. We look forward to those comments, not that we are incapable of preparing our own code, but because we serve the public, it is only right and proper that members of the public have a say in how they would expect us to behave in the conduct of their affairs.

One hears comments on a daily basis about the state of the exterior of the Hall of Justice, comments that are quite justified. At long last we can say that work on the restoration of the exterior is about to begin. The Architects successfully worked with a local company to produce a small sample panel that was acceptable to all. Work is currently ongoing for producing a full-size sample for testing and approval. When that is completed the external

panels will be replaced. In all, restoration of the building is expected to be completed by the end of 2008.

Last year I chose to focus on the positive rather than on the negative, adopting the approach that *"rather than harp on what is wrong it is far better to look for what works and how to get more of that"*. This will continue to be my approach for as long as I have the responsibility for leading the judiciary.

All may not be perfect within our walls. But there is a lot that is good, and some things that are very good. And so, as with last year, there is again no doubt in my mind that whatever lies ahead, the Judiciary will emerge from it, and will emerge stronger and wiser. Rest assured that we will faithfully and fearlessly discharge the sacred trust that has been bestowed upon us.

To those who worked tirelessly in the past months to make this occasion a memorable one, we are deeply grateful. Father Jason, we thank you for your inspiring words and to the Inter Religious Organisation, are heartfelt thanks for your organisation of the church service today. To the Dean of Trinity Cathedral, the Very Reverend Colin Sampson, we thank you for hosting the Church ceremony and allowing us to join in prayer. To the Police Service, thank you for the impressive parade and March past and to all of you who took time off to be here, our sincere thanks. To the Bishop Anstey Girls' School Senior Choir, we enjoyed every moment in song.

I wish to express our sincere gratitude to all those who have so willingly devoted themselves to the Judiciary over the past year. To our cleaners,

security staff, registry staff, support staff, administrative staff, library staff, protocol staff and all other workers in the Court system, we the say "thank you".

In particular we acknowledge and express our appreciation to Mrs. Dianne Nurse-Gittens, our Head Librarian, who retired this year after almost twenty years of dedicated and selfless service to the Judiciary. Mrs Gittens is truly a rare icon, the sort of person that we have the privilege of encountering once only in our lifetime. We shall indeed miss her. Finally, I have no doubt that this year we will all continue to work together for the due Administration of Justice.

I now invite you to join with me and open ourselves to the Almighty, with whose grace we can overcome our difficulties, achieve our goals and fulfil our expectations.

> "As we begin this new law term may the blessings of the Almighty be upon us all. May truth and righteousness prevail in all that we do and say. May justice be done and may it always be dispensed without fear or favour. To those who seek justice may they find it. And may freedom and peace continue to flourish in this Land of ours."

I now declare the new law term 2007-2008 open. Court is adjourned to tomorrow morning at 9 o'clock..