

CAJO NEWS



WELLBEING IN CARIBBEAN JUDICIAL CONTEXTS

Message from the Management Committee

The COVID-19 Pandemic continues to impact Caribbean States in multiple ways. Justice sectors are not exempt. Many citizens who need access to Justice, to have their matters heard and determined in a fair and timely manner, are suffering exaggerated hardships. Justice delayed is Justice denied, remains true in these extraordinary times.

Judicial officers, of whom much is demanded and expected, and for whom little allowances are permissible, are as affected by these tumultuous times. Make no mistake, they are also suffering, privileged as they undoubtedly are.

This issue of the CAJO News focuses on judicial wellness and thus on judicial distress. Original research done by the CAJO indicates that the issue of judicial wellness is of immediate importance, personally and institutionally. Indeed, we all need to be concerned, if and when, degrees of judicial stress reach critical threshold levels, as this may potentially put individual wellness and institutional performance at risk. The consequences for democracy and the rule of law are obvious.

One related focus of this issue is a rallying call to justice sectors to support and promote vaccination for COVID-19. Judicial officers throughout the region join in photographic support of this imperative. Quite literally, the lives and livelihoods of communities and people are at stake.

Our regional Conference, usually held biennially, was intended to take place in St Lucia in 2021. The pandemic has rendered those plans impracticable. It will now be held in 2022, in St Lucia. The Management Committee appointed in 2019 will continue to function as such until that 2022 Conference, in accordance with the Constitution of the CAJO.

For the second half of 2021, the Management Committee has planned regular virtual educational opportunities for regional judicial officers. Half-day events will take place in May, July, September, and November. In October there will be a one-day virtual education seminar. We look forward to your continuing support.

Your wellness and safety are paramount.

The Management Committee, CAJO

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Judicial Wellness: An Imperative for Judicial Officers and Justice Sectors in the Caribbean

Justice Peter Jamadar



Introduction

Judicial wellness is, and should, be a matter of real concern for all of us in the Caribbean. It is of vital importance.

Why should we be concerned?

Can you recall your appointment to the bench? Your first days, weeks, months, years? Is waking up to face another day in court still associated with a real sense of eager anticipation, of purpose, and of passion?

How many of us instead experience an ever-present and underlying tiredness, emotional and psychological exhaustion, reduced professional effectiveness and efficiency, diminished levels of motivation and interest, feelings of being perpetually overwhelmed, and even emerging amounts of hopelessness or cynicism?

I am quite certain that many of us are suffering from different degrees of 'burnout'. That many of us are living with varying levels of emotional, mental, psychological, and even physical illnesses. That many of us engage different practices to help us cope with our work-related stresses. And, that many of us have experienced relationship challenges that have proven to be

difficult, even distressing.

Let us take an honest look at ourselves in the proverbial mirror and do some sincere introspection. For, as Socrates is reported to have said at his trial: 'The unexamined life is not worth living' (Plato's Apology, 38a).

And, if we find ourselves exempt, still ask, **are there any judicial officers that we may know who are experiencing these things.**

Context

My interest in judicial wellness began with my experiences as a civil trial court judge in the High Court of Trinidad and Tobago. That was in the 1990s. The context was a consequence of years of endemic delay in the civil justice system in Trinidad and Tobago, resulting in massive backlogs. I was part of a small team of judges whose mission included 'clearing the backlog' in short order. We succeeded, but at a cost. Burnout, yes. And as well, emotional, mental, and even physical afflictions (Sabbatical Leave for Judicial Officers: The Case for, in Trinidad and Tobago, West Indian Law Journal, Vol. 33, May & October 2008). The workloads were enormous, at times oppressive, and without a doubt, a source of high stress. We paid a price, and I vowed to learn from the experience.

Right now, throughout the region, there are judicial officers at all levels in similar circumstances. High workloads, scarce resources, and large backlogs are prevalent.



This is especially so, though not exclusively, for those on the frontlines – the Magistrates and Parish Court Judges (JURIST Caribbean Regional Magistracy Improvement Recommendations Report). The COVID-19 pandemic has exaggerated and exacerbated what already exists. What is the state of wellness of these judicial officers? Should we be concerned?

Issues around judicial 'disease' are not matters that judicial officers usually talk about or explore in meetings, workshops, or in training. These are almost 'taboo' topics. Better avoided, suppressed, ignored. After all, we are judicial officers, mythologized as superhuman. Many of us even wear capes – well, robes really! But maybe we need to begin looking at and after our wellness. And maybe this is a pressing need in the region.

We are human. Something we ignore or deny at our peril. And, to the detriment of our oaths as judicial officers. And, to the prejudice of the populations we are sworn to serve. If it is one thing that the COVID-19 pandemic should have taught all of us, it is that we are only human after all!

Integrity, Ethics, and Performance

All Caribbean judiciaries that have Judicial Codes of Conduct, have patterned them after the Bangalore Principles of Judicial Conduct, and its six core values (These six core values were agreed at a meeting of the United Nations, Judicial Integrity Group, in Bangalore, India, in February 2001. The six values are: independence, impartiality, integrity, propriety, equality, and competence and diligence). The Preface to the Commentary on the Bangalore Principles (both

agreed and published in 2007), in its opening statement says: **'A judiciary of undisputed integrity is the bedrock institution essential for ensuring compliance with democracy and the rule of law.'**

Judicial officers are required to ensure that they both have and act with integrity. The requirement for integrity in this context applies to individual judicial officers and the institution of judiciary. The challenge is to act in and out of integrity at all times. This demands general fitness and competence to perform the judicial functions – the ability to do the job, and do it well. It is an objective standard, and informed public perceptions are relevant to any assessment.

Integrity encompasses competence, though the Bangalore Principles treats the latter separately. Competence and diligence are essential and, as the Bangalore Principles state, they are continuing 'prerequisites to the due performance of judicial office.' Judicial performance bridges both competence and integrity. Its objective excellence is thus an ethical imperative.

The question that arises is whether judicial officers, who may not be not optimally well, can duly perform their judicial functions to the objective standards of excellence that are ethically expected of them?

This is not a matter of concern for individual judicial officers only, it is also a responsibility of the institution of judiciary. And, especially of chief judges and court administrators. That much should be easily acceptable, in a responsible and accountable democratic society.

The idea of resilience, when wedded to a 'strongperson' persona, can become pathologically toxic. Manifesting as the capacity to recover quickly from difficulties, and associated with a sense of toughness, these two can become self-reinforcing personas that see adverse effects stress as an obstacle to be overcome, pushed through, toughed out, and quickly recovered from.

As is popularly stated: 'when the going gets tough, the tough get going.' No doubt at times this is appropriate. But, if pathological stress is sustained and systemic, then the resilient 'strongperson' persona can become counterproductive, even injurious. The same is true for the superhuman judicial officer, which I suggest may just be another code for the resilient 'strongperson' persona in judicial garb.

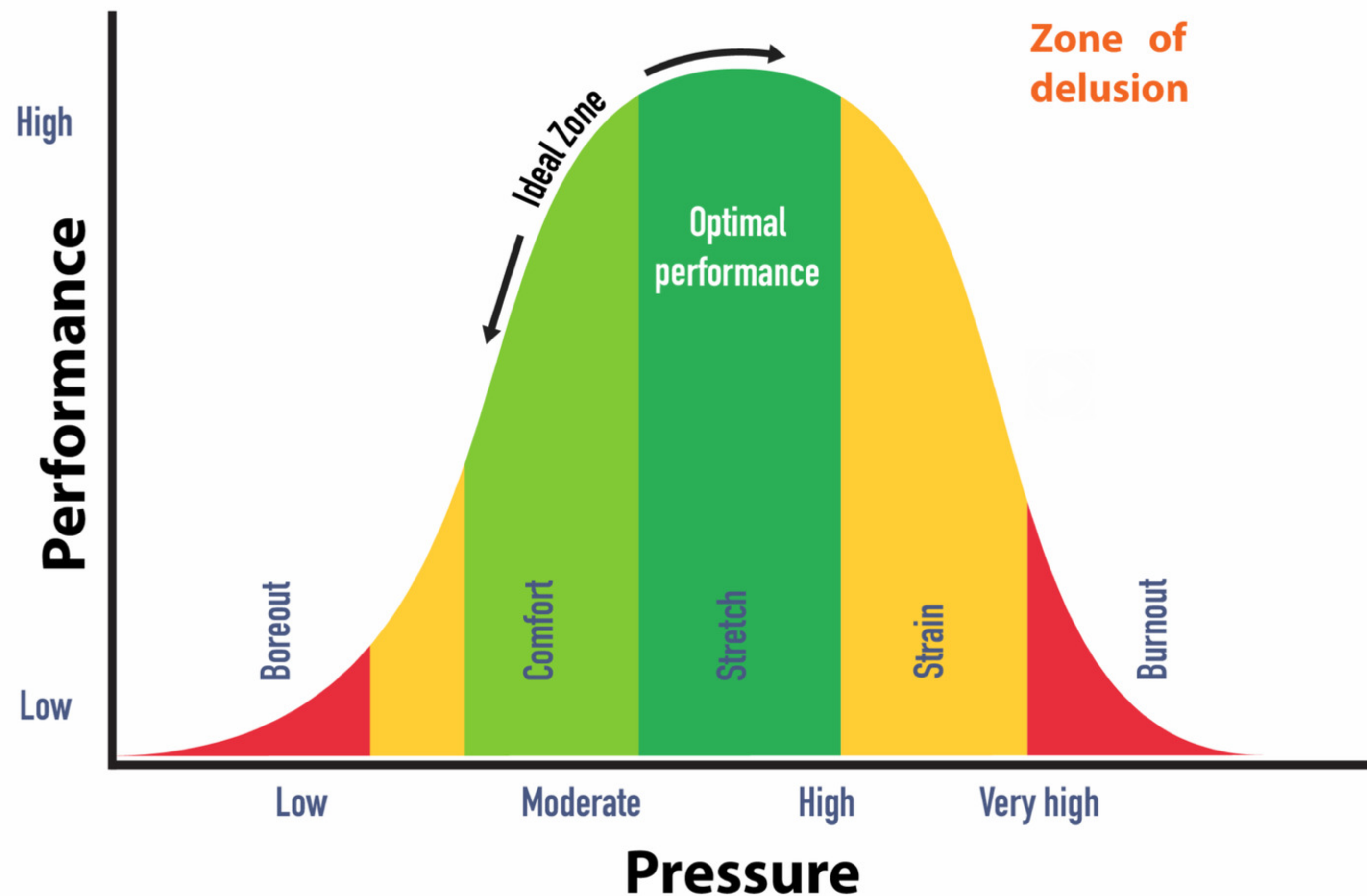


Figure that shows the Yerkes-Dodson relationship of how Pressure/Stress impacts on Performance

A Humanist Approach to Judicial Officers

Pathological stress is part of the human condition in the modern world that we inhabit. In the Caribbean, with all its systemic, structural, and resource challenges, it may very well be that judicial officers are particularly prone to it. It may also be that because of the superhuman persona that is culturally attributed to and assimilated by judicial officers, the response has been and is – to push through, to overcome, to tough it out. The flip side is avoidance, suppression, and denial. Indeed, if the mythology is acutely at play, then even shame! Hence, we don't talk about it.

There is no doubt that judicial work is important. That it is demanding – 'that's what you signed up for!' And, that it is highly stressful. The question is, what is the appropriate balance? The imperative of integrity and the duty of competence, suggest that judicial stress and therefore judicial wellness cannot be ignored.

Judicial wellness is important for judicial officers, the institution of judiciary, court users, and the public at large. The COVID-19 pandemic has served to exacerbate the situation – increased backlogs, greater workloads, more isolation, and all in a context of heightened uncertainty,

anxiety, and fear. Yet maybe there are also opportunities.

Can we see and treat judicial officers first and foremost as human beings? Prioritise their wellbeing, and in so doing their potential and agency both individually and institutionally? It really should not take too much persuading, to realize that a healthy, happy, motivated, energized, and purposeful judicial officer, will always more likely act responsibly in their roles with greater integrity and competence.

Taking Action

If the CAJO's research is in any way indicative of what may be currently true for regional judicial officers, deeper interrogation may need to be done to discover root causes and consequential effects of stress on performance and wellbeing in the justice sector. And having made these discoveries, to pay attention, exhibit care and concern, as well as allocate resources, to ameliorate and remedy these occurrences. Doing so is a matter of integrity, ethics, and of performance.

This edition of the CAJO News is intended to raise this awareness and galvanize appropriate action.





Judicial and Staff Wellness: The Guyana Experience

Cheif Justice (Ag) Roxane George

Judicial wellness fosters judicial resilience to cope with the rigours of a very stressful job. **Over the past few years, judicial health and wellness has become an integral part of judicial conferences and staff engagements of the Supreme Court of Judicature of Guyana.**

Psychologists Dr. Dianne Douglas and Dr. Dianne Williams, both from Trinidad and Tobago and Dr. Nadine McIntosh-Ramsarran, who is based in Guyana, have been our main facilitators. Their sessions have been welcomed by all as they not only speak generally to the importance of mental health wellness but have provided practical coping skills. They have all conducted sessions to help both judicial officers and staff cope with the challenges of living in and through a pandemic.

Importantly, in our first employee assisted program, which was done during January to March 2021, Dr. Douglas not only conducted small group sessions with mixed groups of judicial officers, but facilitated one on one sessions with each judicial officer. These could have been either individual, couples or family sessions.

Yoga for judges was facilitated by Ms. Evelyn Neaman who was the Guyana Project Director of the Vancouver, Canada based Judicial Education Society (JES) which is an organization that specializes in justice sector development and improvement. Ms. Neaman, who is also a certified yoga instructor, conducted three sessions with judicial officers.

The yoga for judges was a hit. The sessions were interactive. We were taught yoga as a means of de-stressing and relaxing. We were required to dress in comfortable clothing and to take along an exercise mat or towel. After a short theoretical presentation on the benefits of yoga and how to relax after a long day on the bench, Ms. Neaman and Ms. Rolinda Kirton, the Guyana Country

Representative of JES, who is also a yoga expert, demonstrated and had us do some yoga exercises. We learnt to practice simple yoga techniques while at office – to take a few minutes every so often during the day to take deep breaths, stretch and or exercise at our desks. We learnt that there is much we can do to rejuvenate ourselves throughout the day. All judicial officers participated and the general consensus was that it was a most refreshing afternoon.

Our Covid-19 pandemic response included another yoga session with Ms. Neaman where we did exercises that refreshed our memories on what we had previously learnt. It was heartening to hear that some judicial officers were still practising what they would have learnt at the first session.

The clerical and administrative staff have also benefitted from wellness sessions. Dr. Dianne Williams facilitated sessions at our first heads of department and supervisors conference in 2018. The session was well received. In addition, the cultural evenings and fun day all added to helping the staff appreciate that their well-being is just as important as their work ethic.

Last but not least, we have had virtual luncheons and wine and cheese meetings hosted by the Chancellor of the Judiciary, Justice Yonette Cummings-Edwards. While meeting over zoom, the magistrates were provided with lunch wherever they were in the country and similarly, the judges were treated to non-alcoholic wine, cheese and grapes during their meeting. **Although very productive in terms of the agenda of the meeting, these were enjoyable occasions which fostered camaraderie and well-being.**

Judicial Wellbeing in the ECSC Patois Presentation

Justice Cade St Rose-Albertini, Justice Kimberly Cenac-Phulgence, and Deputy Registrar Savita Chandler

Between the 1600s and 1800's the Caribbean was inhabited by persons who sailed across the Atlantic Ocean from Africa to the Caribbean, over what we refer to as the middle passage, brought to the Caribbean to serve as slaves in the European colonies. This moment in history witnessed the death of identity accompanied by the cultural genocide of indigenous languages such as Kaliphuna, Guanahátabey and Ciguayo.

Within the Plantation's boiling room new languages emerged, which are often referred to as creole, "patois", "patwa". These languages are the result largely of the intermingling of European colonial languages and West African languages.

What is interesting is that in Caribbean societies, European languages are recognized as the official languages whilst most of the population speak and feel more comfortable using Creole. The prestige of European languages has resulted in some Caribbean people believing that Creole

languages are a broken and inferior form of language: (Kouwenberg, 2011)

Language is symbolic of the power relationship of every country. It functions as an economic and political tool that communicates one's prestige and power within a given society. The domination and use of one language over another, is caused from deep seated historical, social and political forces and prejudices: (Lydner, 2017). **The perception that Creole is a broken language is a consequence and effect of colonization. This becomes even more prevalent as Caribbean persons confront their past and journey to re-establish their identity** (Kouwenberg, 2011).

Patois as a language has all the features required to consider it a standard language: (Lydner, 2017). In St Lucia, Patois is enjoying a new status, and this video illustrates how Judicial Officers in St Lucia are willing to embrace it as part of their identity. We celebrate this development.



Exploring the Wellbeing of Caribbean Judicial Officers: A Matter of Judicial Integrity

Elron Elahie and Justice Peter Jamadar



Judicial officers function and work in a contested conceptual space. Their foundations have been debated by legal and social philosophers for centuries. And while this does not arise directly out of the research that underpins this article, it bears significance as brought to the fore is the underlying vastness of and tension in what the judicial officer is imagined to do and to be. **This is a fundamentally matter of judicial integrity as an integral and holistic core judicial value.**

Whether judicial officers are squarely Hartian or Dworkinian beings, prudent moral reasoners, varied legal positivists, simply pragmatic utilitarians in the mould of Bentham or Mill, or more post-colonial 'Caribbeanised' constitutional functionaries (or any combination thereof), the traditional and current debates reveal one poignant truth – **that judicial officers engage a number of roles which require public accountability and transparency for very disciplined thinking, reasoning, and behaviour. Their public personas allow little room for indiscretion, indulgence, or hedonistic extravagance. In small Caribbean societies, even permissible professional error can be a cause of public ridicule or shame. What is therefore clear, is that the work of a judicial officer is immense and expectations run incredibly deep.** The idea of depth is significant as naturally, a greater depth means increased pressure. And pressure is impacted by variables that are either predictable or appear without notice.

The ongoing global pandemic is one such variable that remains a modern-day twilight zone in technicolour. **For Caribbean heads of judiciary and judicial officers who are already tight-rope walking above burnout, stress, and a lack of resources, this tsunami of uncertainty that is COVID-19 has complicated realities in unanticipated and perhaps unbearable ways.** Forced to be immediately responsive to the changed face of the administration of

justice, judicial officers have found themselves in unfamiliar discovery, often with little time and space or resources to sufficiently process, engage healthy distance, and attend to the numerous other requirements of human living.

Concerned with the wellbeing and performance of judicial officers across the Caribbean, the CAJO sought to explore the experiences of judicial officers in relation to various aspects of wellbeing. This was done by way of a regional electronic survey. Indeed, over the past few years, sessions on Judicial Stress have been among the most subscribed by Caribbean judicial officers, so the rapidly changing judicial landscape resulted in even more smoke signals across the region. **This CAJO-led interrogation is not simply an attempt to collect data and create singularly designed interventions. Rather, the CAJO is engaging insights towards targeting whole-system change. That is, in all of its programming, knowledge and information sharing, and operation, the CAJO recognises and incorporates wellbeing as a core element.**

This brief discourse shares some of these surveyed experiences and insights. By understanding the issues faced by judicial officers across the region, appropriate interventions can be conceived and calls to action become strengthened. These insights also provide an opportunity for each of us to champion the recognition and promotion of wellbeing on the bench, in our workplaces, and in every other part of our lives. **By recognising that wellbeing is fundamentally connected to and connects all parts of our being, we not only ensure healthier judicial officers, but healthier systems that secure and promote equality, fairness, and justice.** From a more utilitarian perspective, wellbeing is directly linked to performance. **And ethically, the wellbeing of judicial officers, of all judicial staff, is an imperative of judicial integrity – a core value that requires attention to the whole system.**

Background

The CAJO's Wellness survey was open for participation from **March 23rd – May 15th 2021 and received responses from 126 judicial officers across the region.** The survey was anonymous which meant that responses were not person or country-specific but, judicial officers shared their age bracket and selected the jurisdiction in which they function.

As shown in Figure 1, 83% of participants were under the age of forty, with the remaining 17% over

forty-one. **The majority of participants (44%), as shown in Figure 2, were from the High Court, with 33% from the Magistracy/Parish Court, 14% from the Appellate jurisdiction, and 6% from the Registry.** While the number of judicial officers participating in the survey is not equal to all judicial officers in the region, the CAJO accepts the importance of this data as it is no doubt suitably and statistically representative of a large number of judicial officers. The significance of relatively young judicial officers participating is not to be overlooked in the contexts of sustainability.

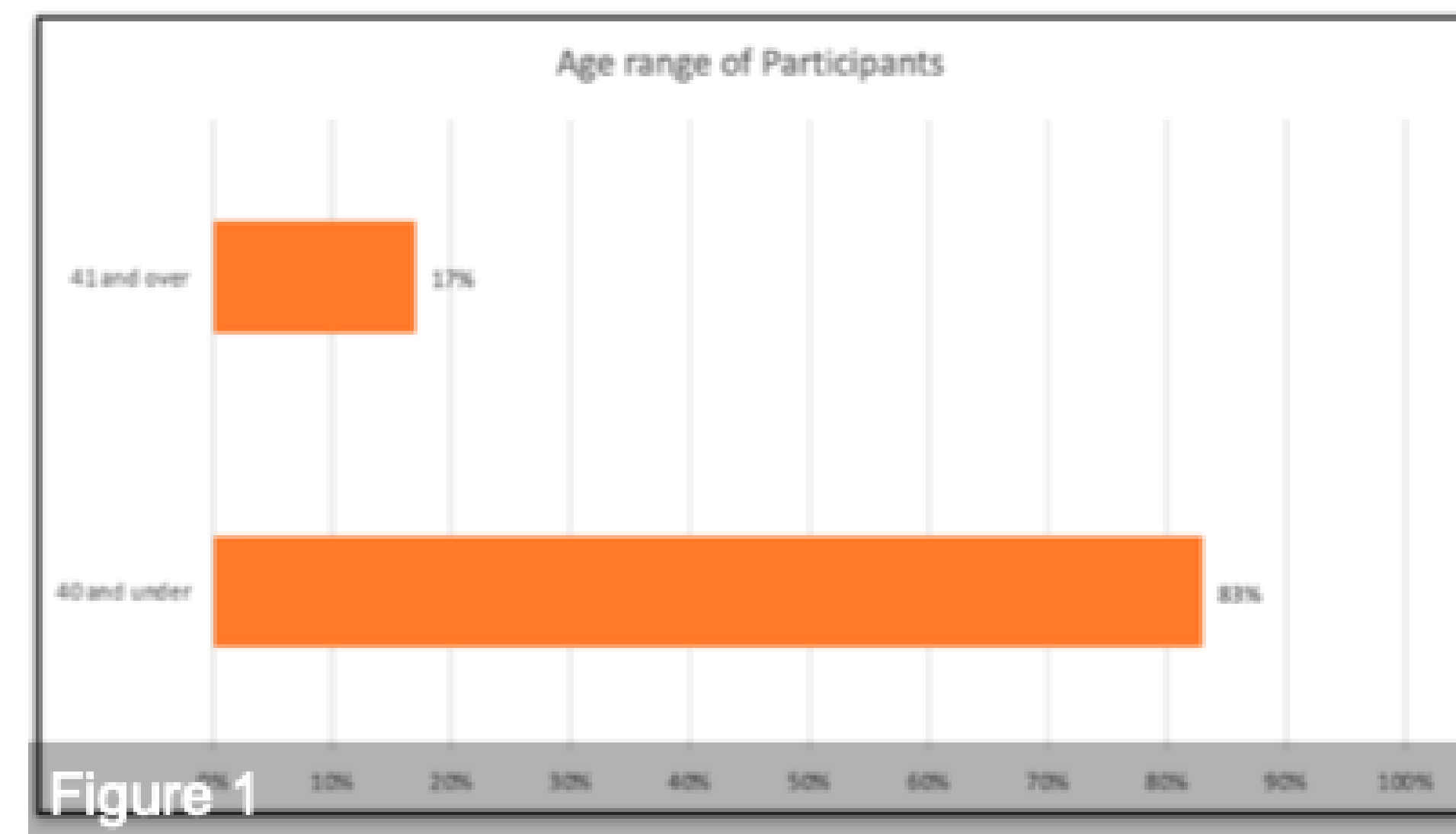


Figure 1

Exploring Experiences – Happiness and Fulfilment

Frequently, and certainly in more recent times, discussions around wellbeing have largely focused on the impairment of happiness and fulfilment and side-lined actual experiences of same. **The CAJO's inquiry sought to balance this interrogation by viewing and valuing judicial officers' lived experience of happiness and fulfilment while noting and paying critical attention to gaps in such experiences.** Judicial officers stated that in the past three months (of course at the time they took the survey), 26% shared they felt happy or fulfilled very often, 45% somewhat often, and only 4% felt happy or fulfilled extremely often. **However, a quarter of the participants (25%) stated that they never felt or did not often feel happy or fulfilled.** Figure 3 shows this data.

We consider these results to be very significant. **Though it is not expected that states of being (emotional, psychological, and otherwise) will always be defined by happiness or fulfilment, only a very small number of participants categorised those feelings as extremely often. And though 71% felt happy or fulfilled very or somewhat often, what is left open for deeper interrogation is what was experienced in the moments that happiness and/or fulfilment were not felt.** Ideas and experiences of happiness and fulfilment vary, they are inherently subjective, but judicial officers' ability to define those for themselves in taking this survey consolidates the reality that Caribbean judicial officers also feel and experience that which is not defined as happy or fulfilling.

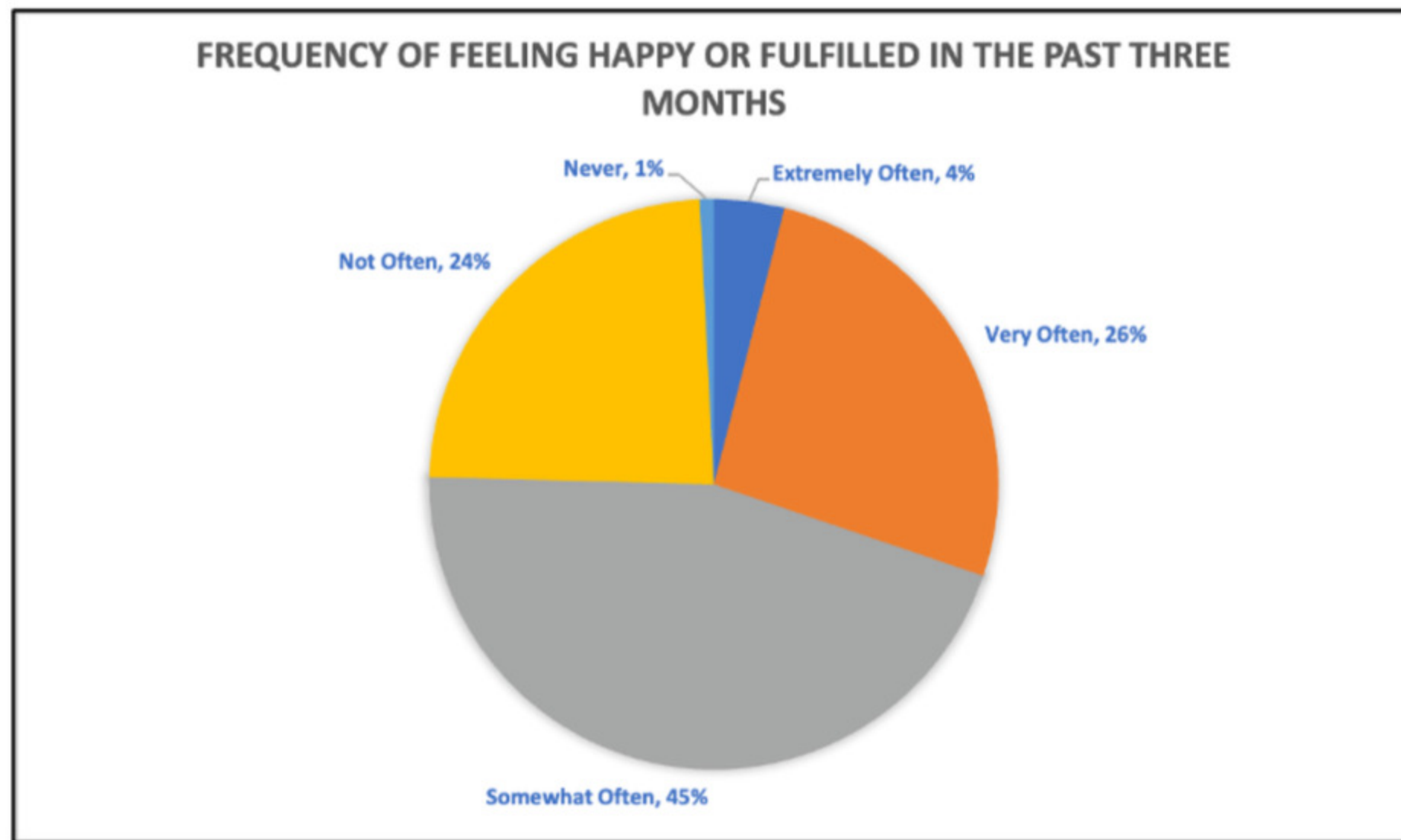


Figure 3

Very notable was the **25% of judicial officers who shared that feeling happy or fulfilled in the past three months was either never or not often experienced (1% and 24% respectively)**. Unlike their peers who have had more experiences or feelings of happiness or fulfilment, these judicial officers have clearly identified a different reality. But it remains, that for almost all participants, that there have been experiences not defined by happiness and fulfilment, but in varying degrees.

Which begs the questions: a) How should this concern regional judiciaries? And b) If it should, what are relevant and realistic interventions?

It was also important for the CAJO to better

understand what contributes to judicial officers' feelings of happiness and fulfilment. **Judicial officers rated on a scale of 0-5, with 5 being the highest, what brought them these positive experiences and feelings. As Figure 4 shows, Judicial Work was among the lowest in receiving a score of 5 (15%), whilst Family and Personal Values/Belief were the highest (52% and 44% respectively)**. However, it appeared that work did have a significant impact on some judicial officers' happiness and/or fulfilment. For 36% of judicial officers, work's impact on happiness or fulfilment was rated a 4 (a total of 51% thus gave a positive impact rating of 4 and 5). But, for 49% of judicial officers, Work was rated between 0-3 on their scale of contribution to happiness and fulfilment.

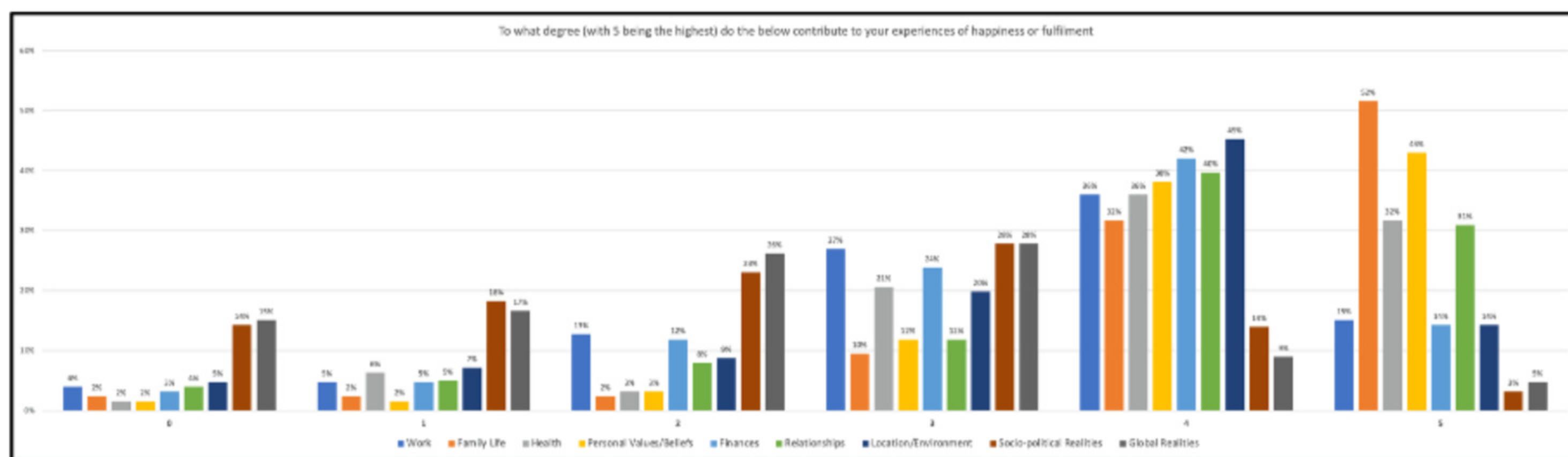


Figure 4

This is significant as the impact of work on happiness and/or fulfilment appears to be experienced very differently by roughly half of the judicial officers who participated in the survey. A closer look at the data shows that among judicial officers in the each jurisdiction (Magistracy and Parish Courts, High Court, and Appellate Court) this dichotomy remains the same – the number of judicial officers in each jurisdiction that rate work as having a 0-3 impact is comparable to the number that rate the impact as 4 and 5. The key takeaway being, that the impact of work on happiness and fulfilment runs deeper than the judicial officers' jurisdiction – an important observation which can benefit from further interrogation.

Significantly, both Global Realities and Socio-political realities contributed least to judicial officers' happiness or fulfilment. 86% of judicial officers rated Global Realities at 0-3 and 83% rated Socio-political realities 0-3 in their contribution to happiness or fulfilment. However, a comfortable assumption when one considers the totality of the research in the round, is that the onset of the COVID-19 pandemic and the consequent fallout in local jurisdictions and on individuals have significantly impacted not only the work of judicial officers, but their very lives. Thus, for regional judicial officers, more general global and socio-political realities have the least impact on their positive feelings and experiences.

Exploring Experiences – Stress and Anxiety

As established above, the role of a judicial officer is dynamic and demanding and expectations are high. The challenges of the COVID-19 pandemic have no doubt complicated and added difficulties to the realities of functioning as judicial officers. **Thus, it was critical for the CAJO to inquire about judicial officers' experiences of stress and anxiety, to get an idea of how they are affected and function.**

When asked how frequently they feel stressed, only 1% of participants selected 'Never' and 4% selected 'Rarely'. **This meant that 95% of judicial officers experience stress either sometimes (47%), frequently (38%), and often (10%)**. Figure 5 shows this information. The intensity of stress, however, is particularly significant. When asked to rate their general degree of stress on a scale of 1-5 (with 5 being the highest), 15% of judicial officers said their degree of stress is a little (13%) or not much (2%). **However, 85% of participants noted that their degree of stress is either medium (45%), a lot (32%), or overwhelming (8%)**. Figure 6 captures this. This fundamentally reveals that regardless of the source of their stress, judicial officers are quite stressed! It is also important to note that 40% experience a significant amount of stress, generally.

Which again begs the questions: a) How should this concern regional judiciaries? And b) If it should,

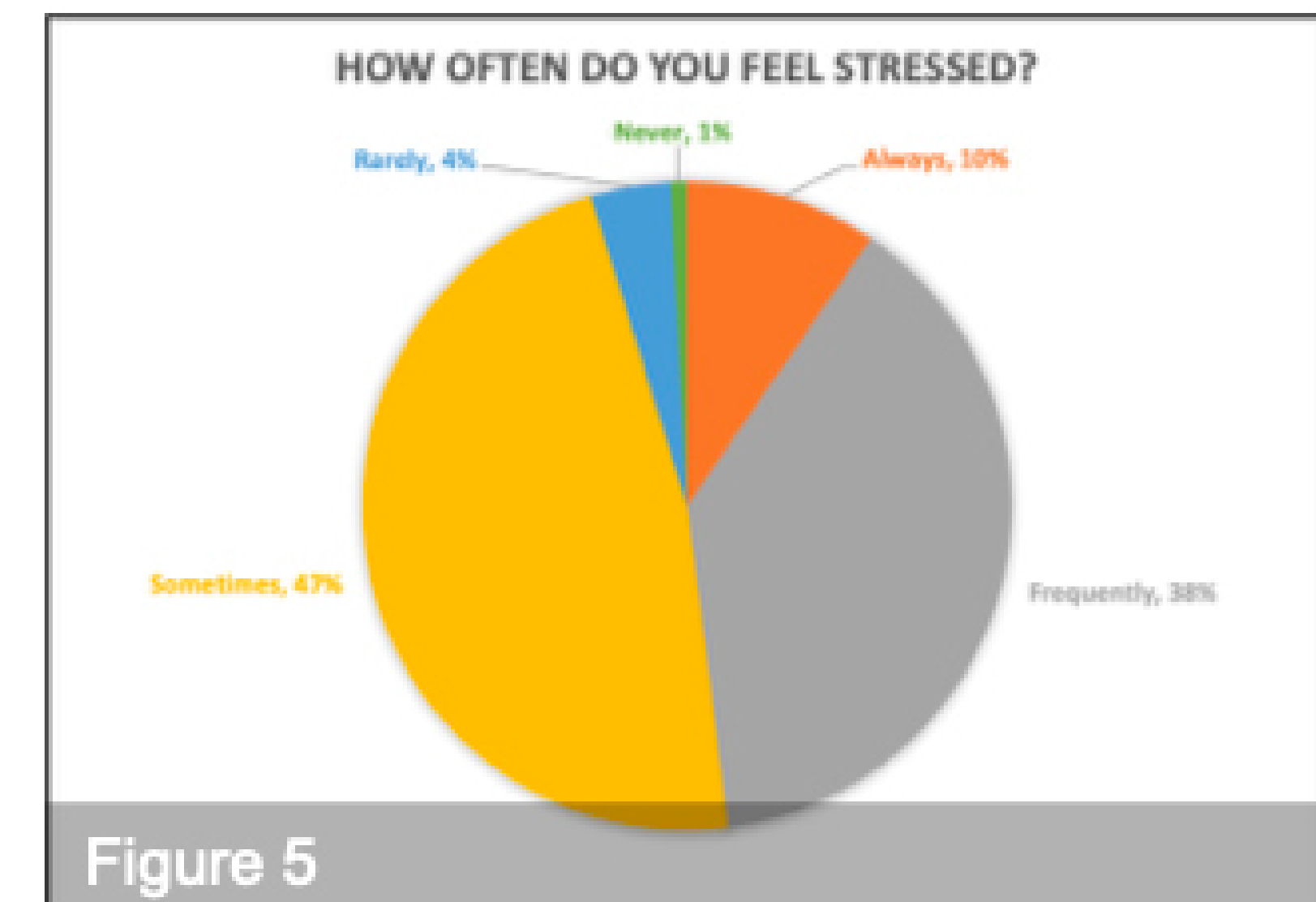


Figure 5

Disaggregating Stress and Anxiety among Regional Judicial Officers

(a) The impact of stress

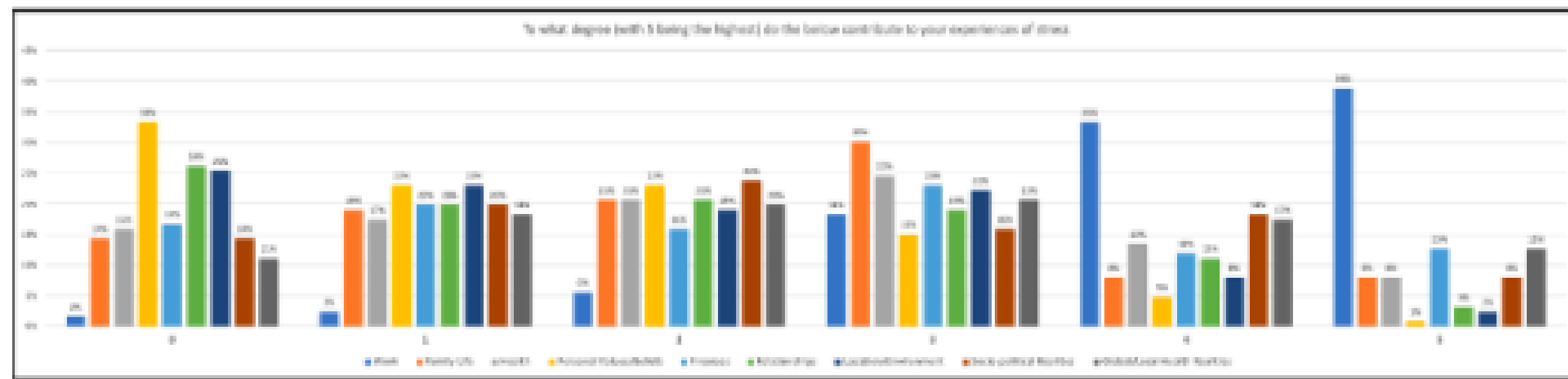
When asked to rate (on a scale of 0-5 with 5 being the highest) the degree which different elements contribute to stress, **Work was rated as the largest contributor to stress. 72% of participants rated Work as 4 and 5 (33% and 39% respectively). We consider this of significance. The second and third rated causes of stress were Global/Local Health Realities and Socio-political realities.** Thus, there is little doubt that the COVID-19 pandemic has caused Caribbean judicial officers some degree of stress. Notably, Personal Values/Beliefs, Relationships, and Location/Environments were among the three elements that least contributed to stress. Figure 7 below shows the breakdown of this data.

The CAJO thought it significant to inquire about the elements of work as a judicial officer that contribute to experiences of stress. **This was a significant inquiry as though judicial officers cited work as their main source of stress, the dynamic role of a judicial officers means that stress may be derived from the execution of different functions or intersecting realities.** Using a scale of 0-5, with 5 being the highest, judicial officers were as to rate the degree to which a number of different areas contribute to their

experiences of stress, and this is shown in Figure 8. The results of this inquiry were certainly interesting as most areas of work as a judicial officer were represented across the 0-5 spectrum. There were, however, a few peaks.

Just over a half of participants (54%) rated Availability of Resources either 4 or 5 as a contributor to stress. And just under 20% rated Institutional Systems (17%) and Structures, and Physical Work Environment (17%) a 5. Also of special note was the rating of 4 which was given to Execution of Duties by 36% of judicial officers, indicating for quite a large number, the work of being a judicial officer brings much stress. Judicial officers did rate their relationships with staff and co-workers as least contributing to stress. 60% of participants rated Relationships with Staff as 0-2 and 67% rated Relationships with Co-workers as 0-2.

The above Figure 8 paints a very dynamic view of what specifically contributes to judicial officers' stress within the context of their work. While work itself is their major source of stress, it appears that a combination of the elements presented (Figure 8) and perhaps ones not listed or interrogated contribute to the experience of stress. We consider that the intersectionality of stressors on judicial officers is not to be underestimated or overlooked.



Figures 8 and 9

(b) The impact of sadness and anxiety

In addition to stress, the CAJO inquired about judicial officers' experiences of anxiety and melancholy. With the understanding that stress often impacts on mental health (i.e. the ways in which our mind functions and responds to internal and external realities), it was important to investigate how judicial

officers characterise certain experiences in more nuanced ways. Judicial officers were asked to share about both frequency and degree of sadness or melancholy feelings and experiences.

Sadness and Melancholy

The majority of judicial officers (60%) stated that they never or not often felt inexplicably sad or melancholy. **However, 40% shared that they either extremely often (6%), very often (10%), or somewhat often (24%) felt inexplicably sad or melancholy.** The degree of sadness/melancholy also showed similar

results. 54% of participants stated that within the last three months, they would characterise their general degree of sadness or melancholy as a little (40%) or not at all (14%). **However, 46% of participants described the degree of sadness/melancholy as medium (27%), a lot (15%), or overwhelming (4%).** Figures 9 and 10 show both the frequency and degree of experiences of sadness/melancholy.

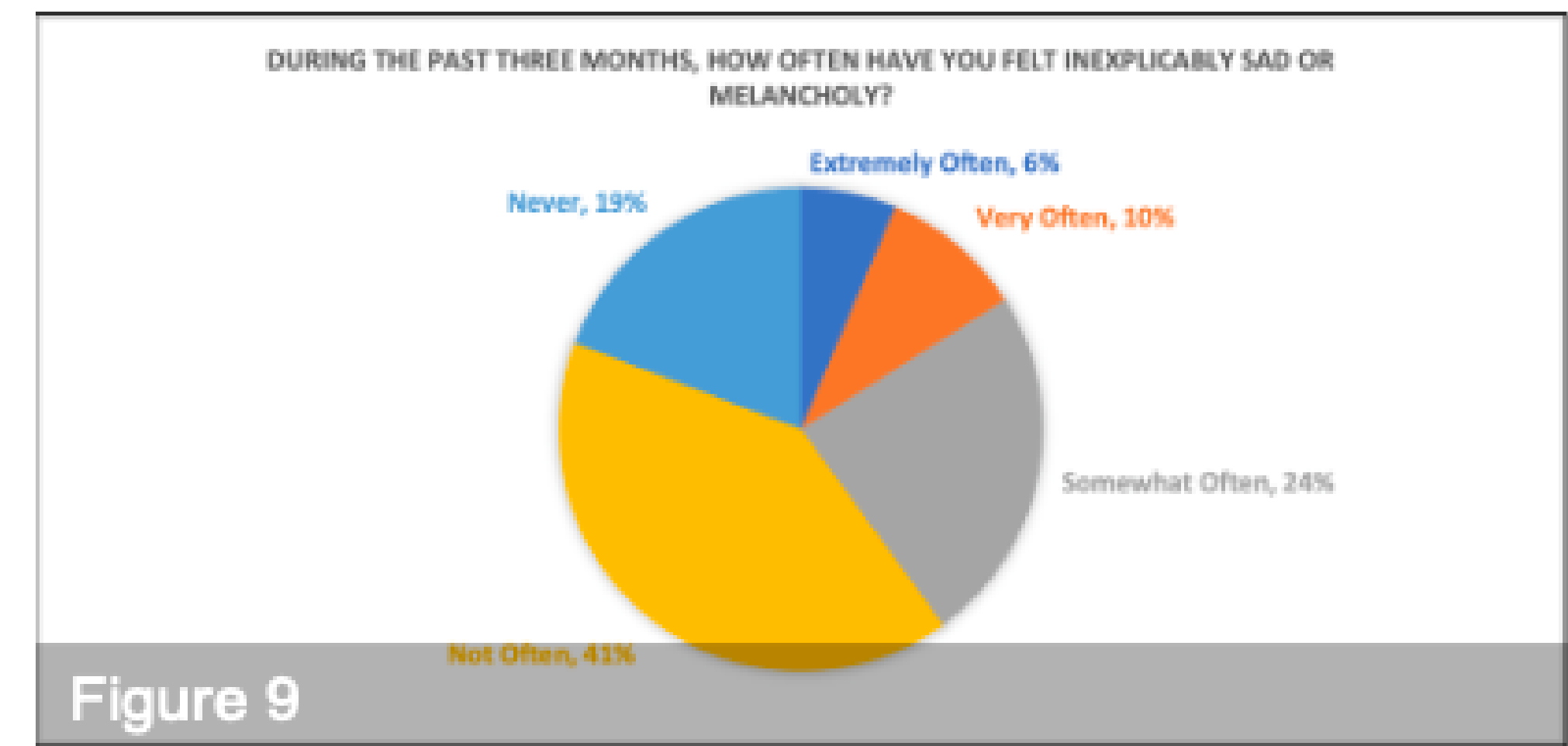


Figure 9

Anxiousness and Unease

Similarly, judicial officers were asked about the frequency and degree of their experience of anxiousness/unease. Using the same measure of evaluating experiences of the past three months, **56% of participants noted that they have felt anxious/uneasy somewhat often (35%), very often**

(12%), or extremely often (9%). The degree of experiences of anxious/uneasy feelings also showed similar results. Just over half (56%) of participants rated their experience of anxiousness/unease as medium (35%), a lot (15%), or overwhelming (6%). Figures 11 and 12 below show these realities of the frequency and degree of experiences of anxiousness/uneasiness.

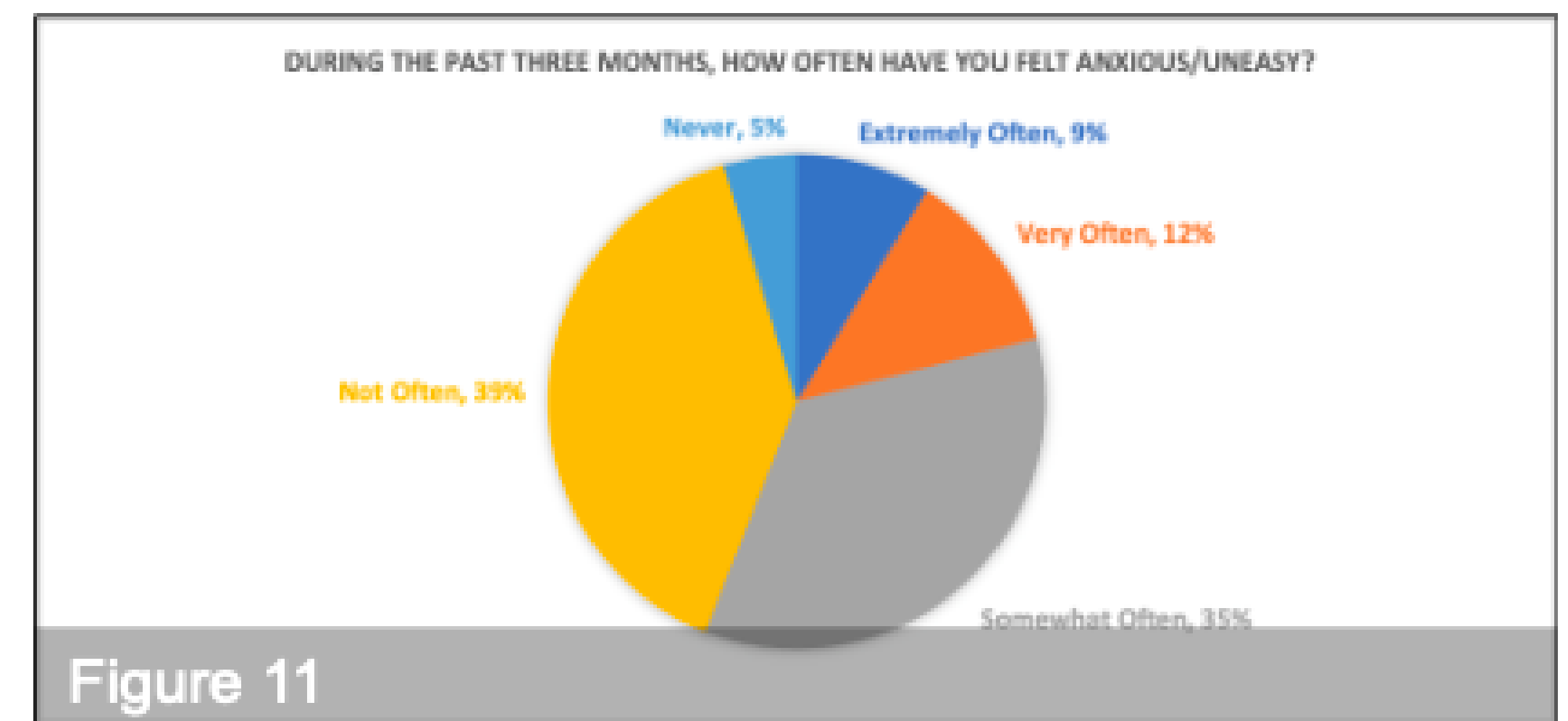


Figure 11

Investigating Work Impact – the Tip of the Iceberg

The insights from the CAJO’s data collection reveal troubling realities. Judicial officers are no doubt experiencing high levels of stress, and many feel inexplicably sad/melancholy as well as anxious/uneasy. What this means is that a large fraction of judicial officers are not at optimum wellness.

Given their significant and dynamic function, and that the administration of justice is expected to perform at the highest levels of efficiency and effectiveness, it becomes imperative that the wellbeing of judicial officers be focused on. These data-based insights highlight the urgency with which judicial officers’ wellbeing ought to be addressed (Figure 13). This assertion is not merely a deductive one. The CAJO also sought to inquire about the impact stress, sadness, and anxiousness have had on judicial officers. In this section, these results will be explored, with a focus on the impact on judicial officers’ work.

Thus far, the CAJO has discovered that judicial officers do experience a significant amount of fulfilment, mostly from their beliefs, values, and relationships. At the same time, judicial officers also experience a great deal of stress from their job, and roughly half surveyed feel an inexplicable sadness/melancholy and anxiousness/unease. However, it is certainly important to determine whether the experiences of stress, sadness/melancholy, and/or anxiety/uneasiness have impacted on the work of judicial officers.

What stands out among all three interrogations is that for the majority of judicial officers, when first asked a general question, they report that experiences of stress, sadness, and uneasiness have little impact on their work and function (rating of 0-2). A smaller but not insignificant percentage, averaging between 13-31%, stated that these three factors did affect their ability to get their work done.

This data may tempt a positive or nonchalant or even dismissive reaction – that the majority of judicial officers surveyed aren’t significantly affected by sadness/melancholy, or anxiety/uneasiness in the

discharge of their core judicial functions. And only a minority are affected in the execution of their duties by stress.

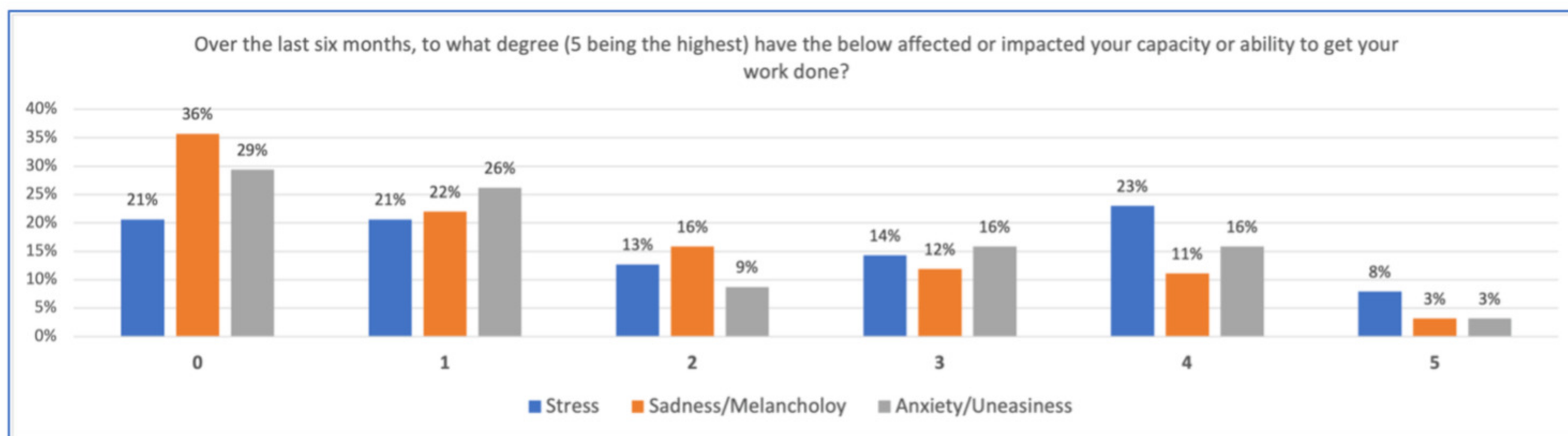


Figure 13

(a) Stress, Sadness/Melancholy, and Anxiety/Uneasiness

The CAJO thus asked judicial officers to rate the degree (on a scale of 1-5 with 5 being the highest) to which stress, sadness/melancholy, and anxiety/uneasiness impacted a) how they manage cases, b) the hearing of cases, and c) the delivery of decisions. Three core judicial functions. Figures 14-16 show the results of each.

Managing Cases

Drilling down further however, when it came to managing cases, just under 40% of judicial officers said that stress has had an impact rated 3-5, just under 25% rated the impact of sadness/melancholy

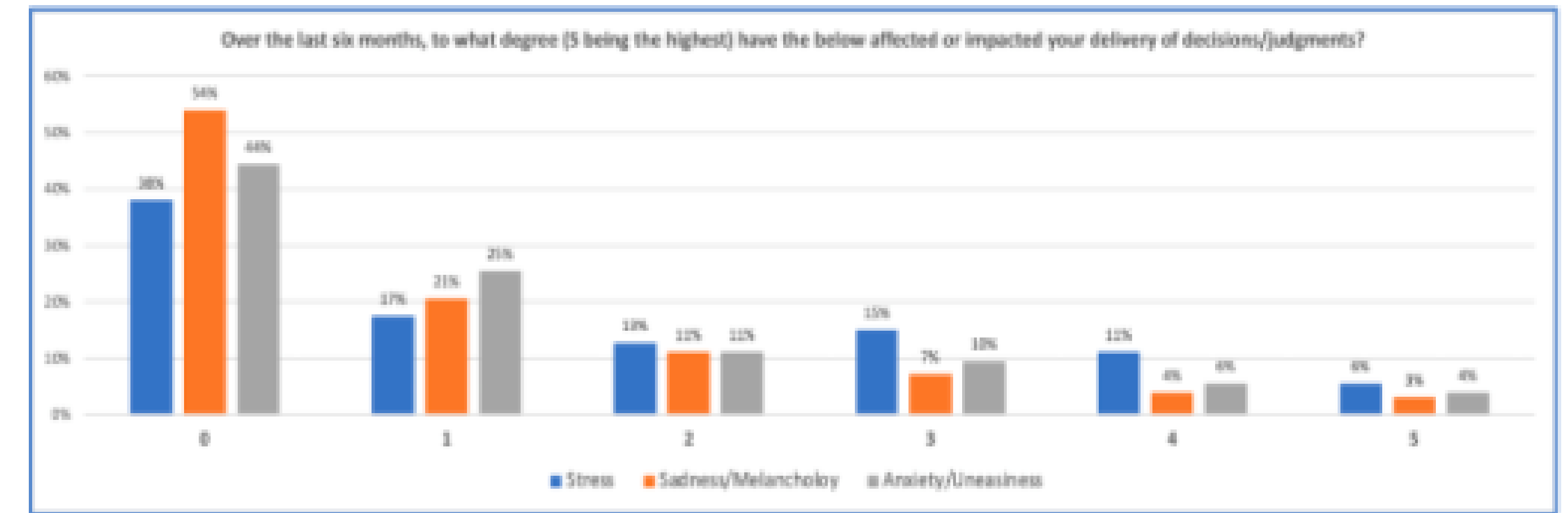
as 3-5, and just under 30% rated the impact of anxiety/uneasiness as 3-5.

Hearing Cases

These results followed a similar for the hearing of cases. In the categories of impact 3-5, the impact of stress was registered by about 25% of judicial officers, the impact of sadness/melancholy by about 13%, and the impact of anxiety/uneasiness by about 18%.

Delivery of Decisions

Similarly, stress seemed to have more of an impact (32% rating 3-5) on the delivery of decisions than sadness/melancholy and anxiety/uneasiness (14% and 20% respectively).



(b) Fulfilling Expectations, Meeting Standards of Excellence

However, the administration of justice is not premised on a fraction of full-functioning judicial officers. The public expects that each and every case will be dealt with optimally. That judicial officers will always turn up, and show up, performing at the highest levels of excellence. Indeed, the constitutional imperative to ensure a fair hearing demands nothing less.

That, conservatively, between 15-30% of judicial officers have noted their core judicial work being impacted by stress, sadness/melancholy, and anxiety/uneasiness is a cause for real concern. Further, the notion of resilience within a Caribbean context is not always a positive or healthy one. Whether judicial officers, particular those who stated that they remain professionally unaffected by stress, sadness/melancholy, and anxiety/uneasiness, are engaging healthy and thorough practices of critical evaluation and sustainability is not fully determined. That is not to say that judicial officers are being dismissive or dishonest. Rather, the subversive operation of resilience often masks struggle and engages hyper-performance which can be

fundamentally unhealthy.

Thus, this data firmly points to the need for more critical and clinical investigation; one that is also sensitive to ideas of embodiment and sensations beyond traditionally calculable measures.

A Conscious Way Forward

From the CAJO’s preliminary interrogation, judicial officers are partially fulfilled beings who enjoy their beliefs and relationships. But judicial officers are also under great stress, particularly at work, and there are notable impacts on their judicial roles and functions. The CAJO is thus committed to holding space for continued investigation and analysis of judicial officers’ wellbeing and subsequent impact on their work and lives. Further, the CAJO recognises that a number of judicial officers are experiencing difficulty – personally and professionally. Thus, the CAJO commits to offering assistance, as far as possible, through developmental judicial education that remains conscious and responsive to the varied and urgent needs of judicial officers.

The CAJO remains committed to whole-system change; a matter of judicial integrity.

The Case for Gardening: A Tool for Managing Judicial Stress and Cultivating Wellness

Laurissa Pena



The myth as I remember it goes like this... **Gardening adds years to your life and life to your years...**

But is it true that something as simple as gardening could have such a profound effect and how could it be so?

Maybe Audrey Hepburn when she said that “to plant a garden is to believe in tomorrow” had part of the answer. Maybe we can also find some clues in the proverbial saying that where flowers bloom and plants grow, so too does hope.

As fanciful as it may sound, gardening has been recommended by many experts as a solution for stress management. Dr. Varma Deyalsingh, a psychiatrist practicing in Trinidad and Tobago, advised persons suffering from the effects of COVID 19 and with their mental health to get an enjoyable activity such as gardening and planting (Ramdass, 2021).

Gardening has long been said to have a positive effect on individuals and the community as it is directly related to one’s mental health. When you garden you draw inextricable and unconscious links between your physical environment and mental space. By tending to your plants, you tend to your mind, sowing positive seeds of appreciation and mindfulness whilst weeding out worry and anxiety. **Gardening frees your mind to focus and appreciate nature and over time a person’s garden becomes reflective of their identity, achievements and personality.** Tending to your plants gives you a mental space where you unconsciously tend to your feelings and problems. Over time, your garden becomes a

sanctuary for your being.

The benefits of gardening have become ever more important today with the onset of COVID 19. COVID 19 has highlighted the importance of mental wellbeing as the isolation measures left many not only concerned with their physical health but struggling with anxiety and depression. These COVID 19 times were categorized by global social isolation: keeping 6 feet apart to avoid being 6 feet under.

Studies show that home confinement has a negative effect on mental wellbeing, resulting in persons exhibiting low mental wellbeing, developing depressive symptoms and feeling dissatisfied. (Ammar & Trabelsi, 2021). Dr Varma Deyalsingh, told the Express that people are feeling anxiety, fear, adjustment disorders and the numbers are increasing. “People are suffering from listlessness and no drive to do anything”. Dr Deyalsingh further commented on a recent phenomenon called COVID fog, “where persons are not going outside and somehow, they are getting memory lapses. So, it’s like a cognitive decline. Somebody may go into the kitchen, and they don’t know why they went there. ” (Ramdass, 2021).

But what does all of this mean for judicial stress? The Judiciary is in a unique position in this pandemic. Being deemed “essential” the Judiciary is forced to relentlessly adapt to the challenges of COVID 19 whilst ensuring access to the administration of justice for all within their jurisdiction, a noble and demanding task.

Added to the stresses of COVID 19, Judicial Officers still must cope with heavy workloads and judicial stress. In 2021, CAJO administered an online wellness survey for Judicial Officers throughout the region to anonymously complete. This survey concluded in May 2021. It received 126 responses from across the region all of which were from Judicial Officers. 33% of the participants were from Magistrates and Parish Courts, 44% from the High Court, 14% from Appellate Courts and 6% from Registries. 3% of respondents chose other categories.

This survey highlighted the degree of stress that is involved with exercising judicial functions. Over half of the participants admitted to feeling a general degree of stress. 40% of respondents rated their general degree of stress as ‘overwhelming’ and ‘a lot’. 10% reported

that they ‘always’ feel stressed, while 38% reported that they ‘frequently’ feel stressed. When asked about the cause of their stress 72% of respondents felt that work was the highest contributor to their experiences of stress.

Judicial Officers throughout the region have used gardening as a solution to manage judicial stress and maintain their mental wellbeing. This article will explore the positive effects of gardening on mental wellness and how it could help Judicial Officers in the region cope with (a) the stresses associated with COVID 19 and (b) their judicial stress by exploring the experience of three Judicial Officers who are avid gardeners: Justice Rosalyn Wilkinson (Grenada), Justice Sandra Nanhoe-Gangadin (Suriname) and Deputy Registrar Patricia Arana (Belize).

Justice Rosalyn Wilkinson and Her Journey with Gardening



Justice Rosalyn Wilkinson

For Justice Rosalyn Wilkinson, a retired Judge in Grenada, gardening has been a way of life for her and her family since she was a young girl.

In my interview with Justice Wilkinson, she fondly reminisced...she remembered as a young girl watching her mother tending to her garden. She could still see her mother snipping the flowers from her garden to beautify the hallways of large hotels. Justice Wilkinson remarked that as a young girl her mother planted the seeds of gardening in both her and her siblings’ hearts as she gave each of her siblings their own blank canvas, a garden bed.

What is particularly unique about Justice Wilkinson is how her love of gardening has been a consistent force, interweaving itself through the various chapters and stages of her life. Justice Wilkinson remarked that in her younger years she lived in Canada where she worked as a banker.

While working in Canada, she kept plant pots which she tended to. There was a brief pause in her gardening as she returned to the Caribbean in 1988 to pursue her Legal Education and in 1995 acquired a Master's Degree in Environmental Law. When Justice Wilkinson was appointed as Puisne Judge of the High Court of the Organization of the Eastern Caribbean States she resumed her gardening. She moved her orchid collection from one jurisdiction to the next and by the time she became a Judge in St Lucia she had over 100 plants.

In 2012, when she received notice that her father died, her mother's world fell off a cliff. She moved back to Grenada to be with her mother. Now in the shadows of her father's death, her **gardening has taken on a poetic cycle where she now works with her mother to restore their childhood garden to its former magnificence and stature.**

In Justice Wilkinson's Garden she has a beautiful orchid collection, hibiscus, crotons, seasoning peppers, basil and rosemary to name a few. To maintain her beautiful garden, she rises with the sun on Saturdays and spends the better part of the morning tending to her garden.

While on the bench her garden would compel her to take her judicial hat off. At least three times every week she would spend time in her



Justice Wilkinson's Garden

garden weeding, fertilizing and pruning. She looked forward to going into her garden at the end of her workday to water her plants and spend a moment of solace.

Justice Wilkinson indicated that spending time in her garden always put her in a good mood. During COVID 19, having a garden encouraged her to go outside and be distracted. To tend to her garden meant for her living in the moment. Justice Wilkinson explained that:

"When you are in the garden nothing bothers you, you are paying attention to the plants. You have to pay attention; you are distracted from whatever else you are carrying, and you are thinking whether you need to buy something else".

She reflected that you would know when you are not spending enough time in the garden as your plants start to wilt and look unwell. She remarked that there was nothing like the sensation and grounding force of putting your hands into the earth and collaborating with mother nature to create a beautiful garden. She observed that: **"Once you put your hand in the mud and you toil you appreciate what you grow more".**

Gardening brought excitement and anticipation to her life as she is always excited when she sees a new bud as she anticipates the orchid that will bloom.



Justice Wilkinson's Garden

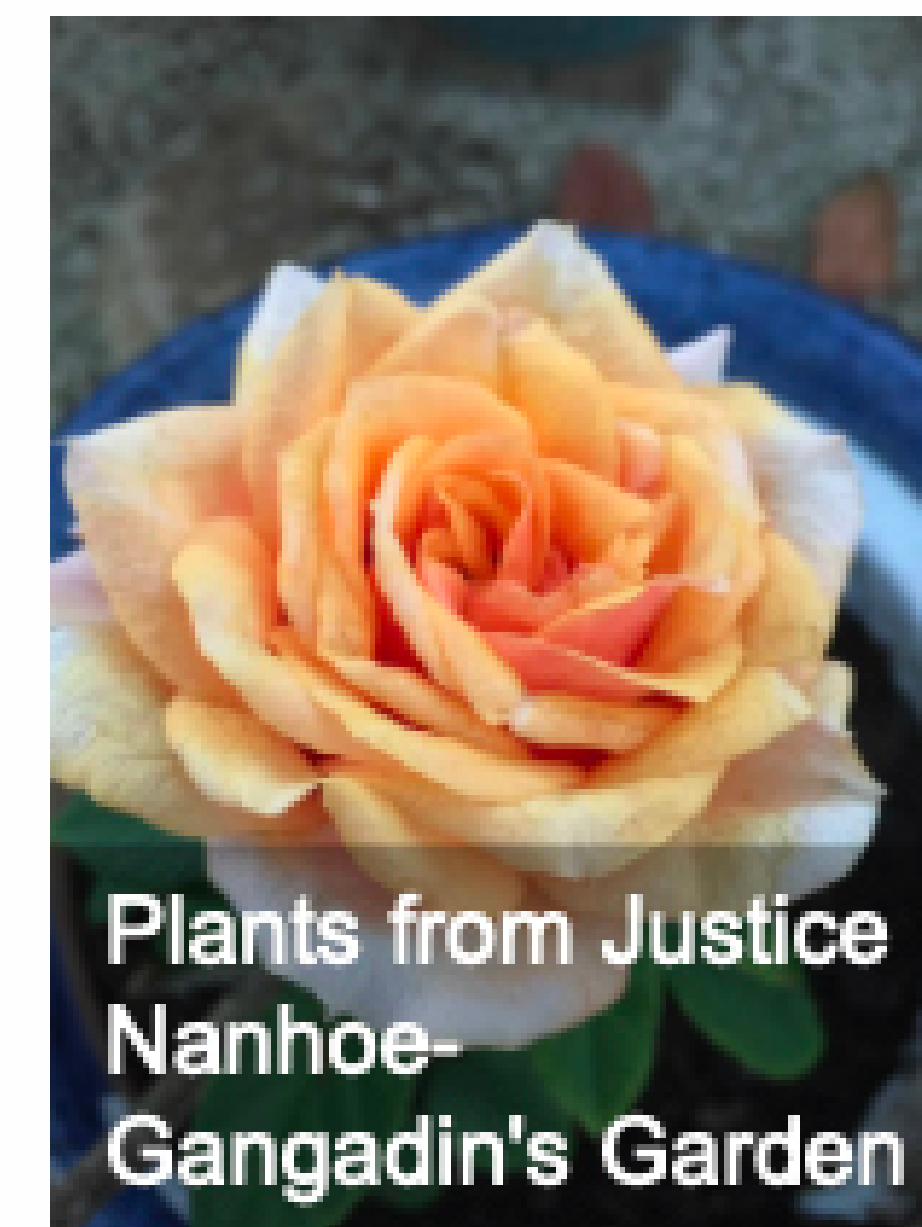
Justice Sandra Nanhoe-Gangadin and Her One Hour Garden Remedy

Justice Sandra Nanhoe-Gangadin started working in the Judiciary in 2010, and from 2014 as a High Court Judge in Suriname.

Justice Nanhoe-Gangadin has a beautiful garden consisting of flowering plants like roses, orchids, hibiscus and jasmine; fruit trees like cherry and lemon; herbal plants like lemon grass, mint and neem; and green plants such as palm trees and bamboo plants.

Justice Nanhoe-Gangadin uses gardening to manage the stress involved with her duties as a judicial officer. Justice Nanhoe-Gangadin spends time every day in her garden, watering her plants, pruning, fertilizing and reorganizing them. **She remarked that just one hour a day in her garden gives her the necessary energy to get going and is a wonderful break from sitting down indoors working for hours upon hours.** In the afternoon, simply sitting in her backyard,

immersed in the beauty of her garden brings her stress levels down at the end of a hectic day and clears her head. Her garden has helped her tremendously during COVID lockdowns as it is one of the reasons that she does not get bored.



Plants from Justice Nanhoe-Gangadin's Garden



Plant from Justice Nanhoe-Gangadin's Garden



Plant from Justice Nanhoe-Gangadin's Garden

Deputy Registrar Patricia Arana and Her Gardening Mission

Deputy Registrar, Patricia Arana from Belize started gardening in March 2020 during the COVID 19 pandemic. At this time, she also left her role in the Magistracy and began duty as a Deputy Registrar. **Gardening has helped Deputy Registrar Arana manage the judicial stresses associated with her role as Deputy Registrar and also more interestingly with the obvious stresses of assuming a new role during the COVID 19 pandemic where persons may not be readily available to ensure a smooth handover.**

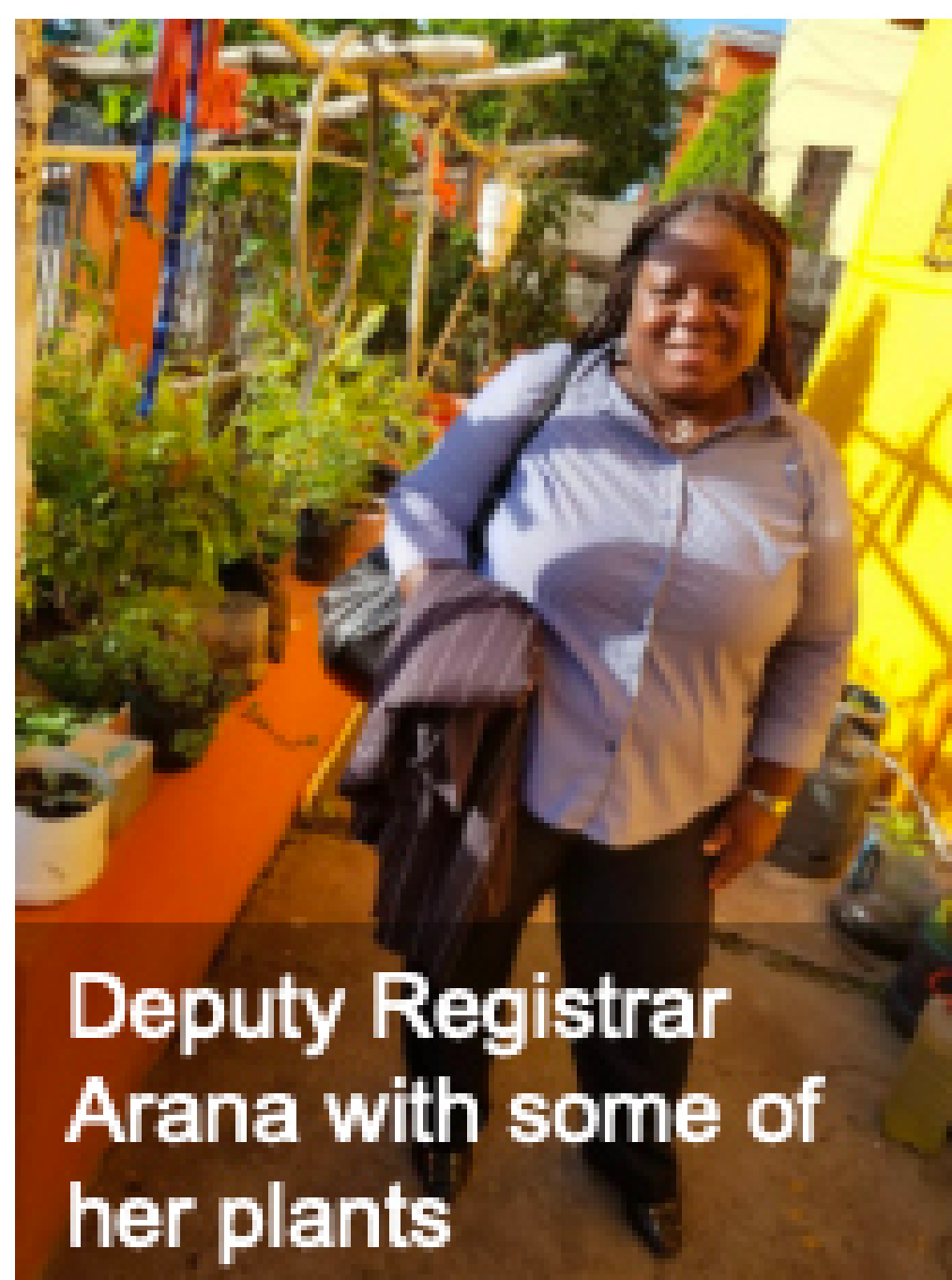
Deputy Registrar Arana has a lush garden consisting of seasonings such as basil, cilantro and oregano; medicinal plants such as fever grass (which can be used to counteract the effects of fever), polly redhead (which can be used as an antibiotic for cuts and bruises) and vervain (which can be used as a tea to build your immune system). She also has a range of beautiful flowers.

Gardening not only contributes to her mental wellbeing but also to her physical health.

Gardening improved her diet, as she eats vegetables and leafy greens that she grows in her garden. Using the produce from her garden to cook is a joy in itself, as it gives her a sense of self sustenance, security and satisfaction.

Deputy Registrar remarked that gardening keeps her in awe and appreciating the little things in life. She anticipates her flowers blooming. She recalled one time that her son brought an unknown plant home for her. She left it to grow and tended to it with eagerness and hope. She was thoroughly surprised and elated when the plant started to flower the most beautiful flowers yet.

Every time Deputy Registrar goes out into her garden, she goes with a mission, whether it be to weed her garden or to transplant a plant. Whilst in the garden she feels relaxed as gardening takes her mind off stresses and puts her in a lighter zone. **After gardening – she feels accomplished to have achieved her mission.**



Deputy Registrar Arana with some of her plants

Reflections

From the experiences of our Judicial Officers, I note several common themes. **The first theme being that gardening had a positive and therapeutic effect on the Judicial Officers. It helped them to manage their judicial stress and escape from the everyday hustle and bustle associated with their roles as Judicial Officers.** Gardening cleared their minds and allowed the Judicial Officers to relax and appreciate the beauty of nature and the moment. The gardens were a welcomed distraction from the more serious and heavy judicial duties. Gardening kept them mindful and appreciative.

The second theme is that the garden became uniquely their own and provided a setting for a multitude of relationships: most notably the relationships with self and nature. A garden is a product that is uniquely yours. It is an expression of your inner self, of your personality and it is linked to mindfulness and restoration. Gardening is a waltz between mankind and nature, where persons, in the words of American artist Elizabeth Murray, use flowers and plants as paint and the soil and sky as canvas.

Creating a garden is not only a treat for the eye but a sanctuary for the soul. There is nothing as awakening and grounding as putting your hands in the soil and watching with anticipation as life burst forth from the seeds you sow. Gardening demands that you immerse yourself in the moment. Immerse yourself in nature. Gardening forces you to develop patience and persistence as no matter how much you water your plant, it will take the time it needs to take to grow and develop. You cannot grow old whilst you have a garden as there is so much to anticipate. You can anticipate how the fruits will taste, how the flowers will bloom and where they will bloom.

Some say law is a 'jealous mistress' and that may be so, but I say that gardening is that much needed space, a personal oasis that keeps the 'jealous mistress' in check. It nurtures you whilst you are present and inspires and encourages you to pay attention to it and by extension yourself. From my conversations with these Judicial Officers, **I can say that gardening can be an effective pastime to both manage judicial stress and cultivate judicial wellbeing. I would recommend it to all.**

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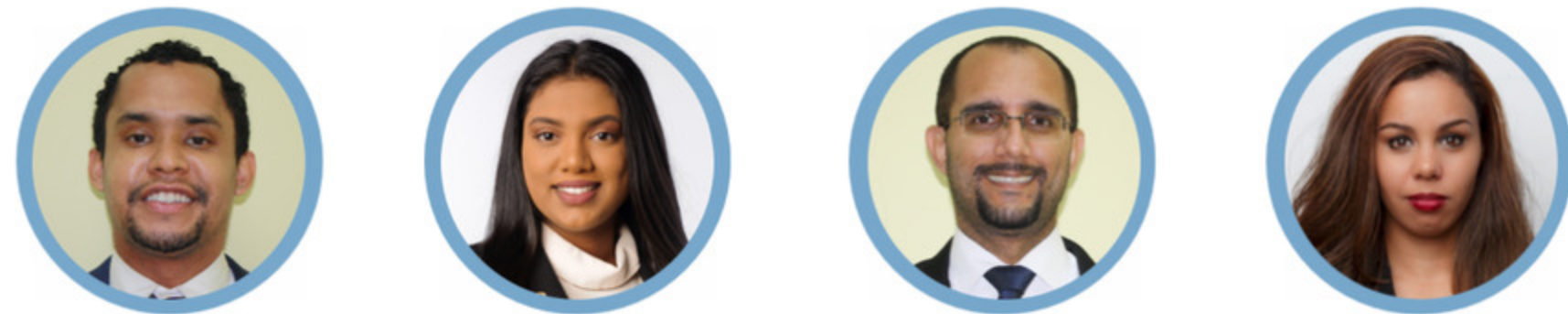
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Caribbean Legal Scholar Series: Professor Arthur Ralph Carnegie - A Founding Father of Caribbean Jurisprudence

Antonio Emmanuel with assistance from Krystal Sukra, Kurt da Silva, and Laurissa Pena



“Arthur Ralph Carnegie, the father of our jurisprudence, was a towering figure who gave lineage and flair and erudition to our profession. He was a prince of intellect, of wit, and of graciousness.”^[i]

No one who knew Professor Carnegie would dispute these fitting sentiments of adulation uttered by the Honourable Mr Justice Winston Anderson, Judge of the Caribbean Court of Justice. Having not been so privileged I can do little more than echo words of those so richly blessed to have enjoyed the benefit of his tutelage and camaraderie, and those words are interjected at various points in this brief account of his legacy. In 2011 news of his loss reverberated across the region, as with all fallen giants. **His demise created a chasm in the profession, which is now filled only by the volume of his scholastic work that remains. This work will and leave an indelible impression on Caribbean jurisprudence for years to come.**

A Legacy Begins

Born in Jamaica in 1936, young Professor Carnegie attended Jamaica College from 1946 to

1954. There, he won the coveted academic appointment as Assistant Master of the College, from 1955 to 1956. Three years later he graduated from the University College of the West Indies (UCWI), the forerunner of the University of the West Indies (“UWI”), earning first class honours in History. He went on to win the prestigious Rhodes scholarship, and then studied at Jesus College at Oxford, again earning first class honours, this time in Jurisprudence.

Professor Carnegie would go on to conduct research at Nuffield College, Oxford, where his students included the Honourable Mr Justice Rolston Nelson, former judge of the Caribbean Court of Justice. Beginning in the early 1960s, he occupied such lofty positions as Lecturer in Law, Fellow and Tutor in Law, Junior Dean, and Secretary to the Governing Body of Jesus College. Between 1965 and 1970, he served as University Lecturer, Law Moderator, and Member of the Board of the Faculty of Law of Oxford University.

His achievements were not confined to academia. In 1970, he served a Chancery pupillage with the late Lord Brown-Wilkinson, Lord of Appeal in Ordinary, and became a Barrister of England and Wales with membership at Gray’s Inn.

“But his love of learning was too joyously spontaneous to be imprisoned in a court-room. And his enduring love for this Caribbean and its people, taking their first tentative steps as independent sovereign states, was too acutely felt for him to follow the natural trajectory of a distinguished academic career in the United Kingdom. It was time to return home.”^[ii]

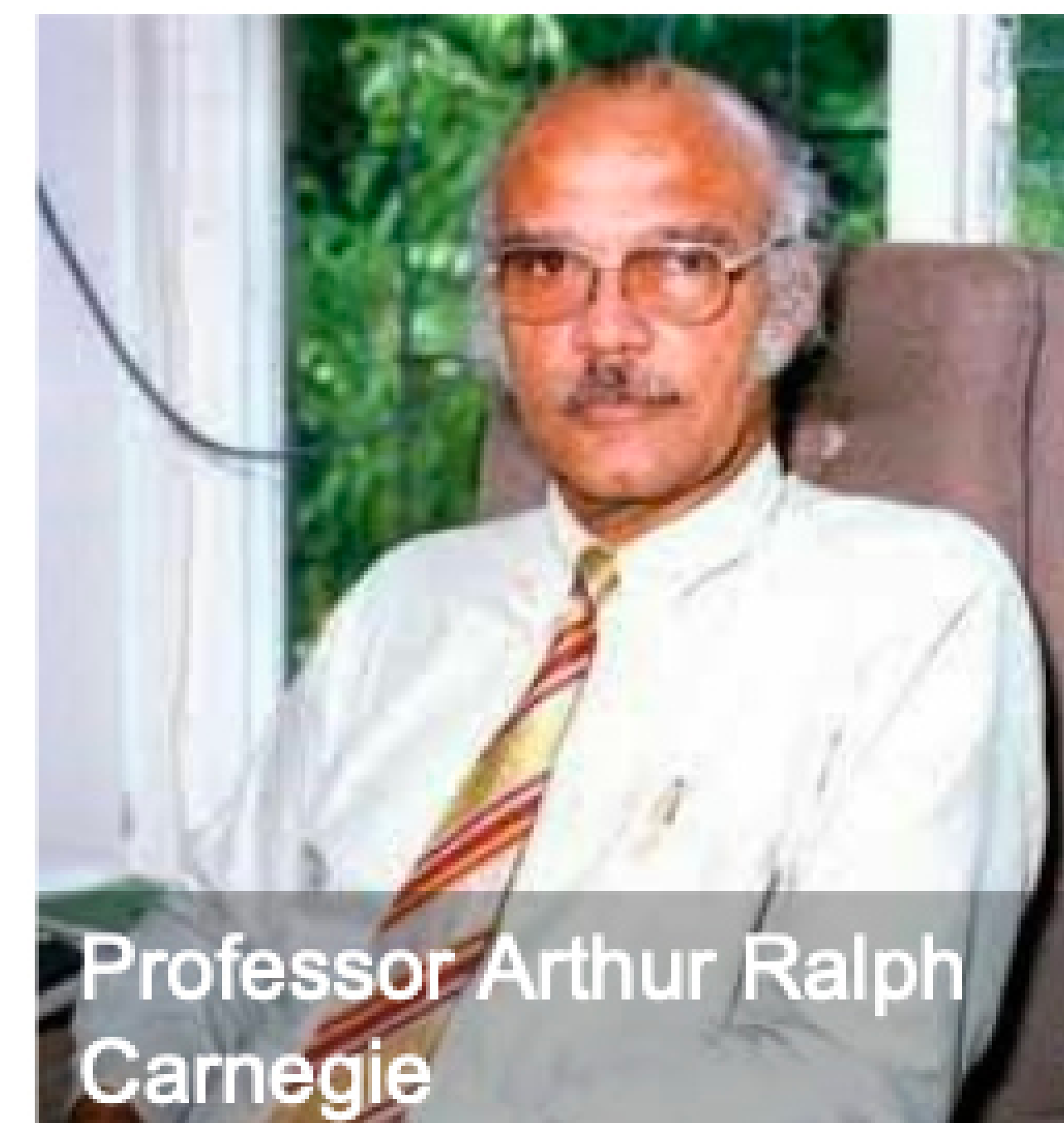
A Faculty is Formed

In 1970, Professor Carnegie joined the UWI Cave Hill Campus as one of the two founding professors at its Law Faculty.

“For forty years he drove generations of law

students to distraction with the brilliance of his intellect and his subtle and piercing wit. For forty years too, he dazzled the Caribbean with his scholarship; his supreme commitment to the University; his dedication to legal education, law reform, and regional integration; his debonair charm; and his stately deportment.”^[iii]

His former students include Prime Ministers; Attorney Generals; Members of Parliament; Ministers of Legal Affairs; Justices of the Caribbean Court of Justice; Chief Justices; Justices of Appeal; Justices of the High Court; Directors of Public Prosecution; Chairmen of the Council of Legal Education; Principals of the Norman Manley, Hugh Wooding, and Eugene Dupuch Law Schools; Deans of Law; Professors and Lecturers in Law; Attorneys-at-Law; PhD and LLM students. The Caribbean legal system owes an unpayable debt to Professor Carnegie whose teachings have undoubtedly influenced the hearts and minds of Caribbean attorneys and officeholders in these vital institutions.



Professor Arthur Ralph Carnegie

A Glimpse into the Classroom

The many who were lectured by Professor Carnegie were privileged. For those of us not fortunate enough to have been lectured by Professor Carnegie, the following anecdote from Justice Anderson may only add to our envy:

"I met Ralph in 1981, a decade after his return from England. Having heard that the great man was to take us in the law of contract, we held our collective breath in the law lecture theatre as the moment drew near. Professor Carnegie strolled in; pockets stuffed to overflowing; a picture of concentration; and bearing two large, travel-worn, briefcases; which he gently deposited at one side of the lectern. Our apprehension increased when he disappeared without a word, only to reappear shortly thereafter with an armful of law reports which he placed in precise formation on the table at the other side of the lectern.

Then he spoke.

He warned us that he was not going to be following the orthodoxy of the textbooks by teaching the basic elements of offer, acceptance, and consideration - the usual foundation for understanding the more advanced concepts in contract law:

'No, I am going to start with the doctrine of Common/Fundamental Mistake. Now some of you may think it is a mistake, to start with Mistake. But I assure you, you will not understand it, no matter when it is taught. So, we may as well get it out of the way!

For one full and frightful hour he sauntered the length of the lecture theatre, back and forth, sometimes restless in his exuberance, occasionally pausing to run his curved fingers through his hair, or to levitate a pen in the palm of his open hand, seemingly oblivious to the

briefcases, the law reports, or his lecture notes, as he expounded to us on the principles of Common/Fundamental Mistake in the law of contract. **Oh, he was such a great teacher, and a wonderful entertainer! His art in throwing down the gauntlet in challenge drew us to him.** I must confess that not many of us understood a word he said that day to us about "Mistake", but we were all very confident that he did."

A Tribute from UWI

Outside the classroom, Professor Carnegie acted as Principal and Pro-Vice Chancellor at the Cave Hill Campus, UWI, from 2000-2001 and served as Deputy Principal there for six years. He also served as Dean of the Law Faculty Cave Hill Campus for three terms: 1973-1976; 1982-1984; and 1986-1989. In 2006, Professor Carnegie retired. His contribution to the Law Faculty was so tremendous that in 2007, UWI paid tribute to him by renaming the Law Faculty's largest lecture theatre after him. At the ceremony Professor Sir Hilary Beckles noted that there was no greater evidence of the remarkable esteem in which Professor Carnegie was held than the unanimous agreement by so many legal luminaries to honour him in this way.^[iv]

Former President of the Commonwealth of Dominica, His Excellency, Dr. Nicholas Liverpool, delivered the main address and noted that the recognition was well worthy of the individual.

"His record of distinguished service to the Faculty and the University in general will long be remembered. His record speaks for itself. Here is an individual whose portfolio has gone way beyond the call of duty. His name and reputation straddle many departments of life in the region, and in very important areas, such as constitutional law, environmental law, the law of the sea and related treaties".^[v]



Former Dean of the Faculty of law, Professor Simeon McIntosh, echoed these sentiments stating that Professor Carnegie had, **"brought great honour and distinction to the Faculty through his outstanding service to the University and to the region as a whole. His contribution to legal education is unmatched; and the depth and breadth of his learning is simply mind boggling."**^[vi]

A Legacy of Service to the Region

Professor Carnegie's contributions were not confined to the Law Faculty. From 1995 to his retirement in 2006, he was the Executive Director of the Caribbean Law Institute Centre ("CLIC") a faculty research unit, which under his leadership, was designated by treaty an Associate Institution of the Caribbean Community. He served on the

Status of Women Commission of Barbados; the Judicial and Legal Service Commission of Barbados; the Constitution Review Commission of Barbados; the Grenada Constitution Review Commission; and the Constitution Review Commission of Antigua and Barbuda.

Beginning in 2005, he was the Drafting Consultant for the Task Force on OECS Economic Union; and the Community's adviser on the relationship between CARICOM and its Institutions. **In 2006, he was appointed Member of the CARICOM Technical Working Group on Governance. In 2007 he served on the Regional Judicial and Legal Services Commission. He also served on a CARICOM Technical Working Group reporting on CARICOM Governance and a Task Force on Economic Union for the Organisation of the Eastern Caribbean States.**

A Vast Body of Scholastic Literature

"The man was undoubtedly a genius. He must have written on nearly every conceivable aspect of the law needful to guide a young legal system such as ours, and he published in almost every law journal worthy of the name. Thus, he has left behind, a vast body of work, the aggregation of his forensic talents, his scholarship, his erudition, and his legal philosophy, all precisely indexed and cross-referenced, that will guide generations yet unborn."^[vii]

Professor Carnegie's articles feature in the Modern Law Review, the Caribbean Law Review, the Commonwealth Law Bulletin, International and Comparative Law Quarterly to name a few. Statements in his seminal work 'Floreath the Westminster Model? A Commonwealth Caribbean Perspective'^[viii] will be contemplated by academics for years to come and illustrate both his clarity of expression and his linguistic flair. Conducting a thorough exploration of Caribbean Constitutions, he would begin by expressing "No

statement could surely be more trite and elementary in relation to the Constitutions of the twelve Caribbean and circum-Caribbean States which are full members of the Commonwealth than the statement that they are all, with the exception of Guyana, Westminster Model Constitutions." and conclude by expressing "When we speak of our Westminster Model Constitutions, we are not being lawyers or even political scientists. We are at best being poets."

The enormity of Professor Carnegie's intellect and his unrivalled calibre is such that his academic work spanned decades. In that light, his extraordinary record of research and publication, and his contributions to various branches of law, may best be captured on a timeline of their production.

In the 1960s, his articles include 'Jurisdiction over Violations of Laws and Customs of War'^[ix], 'What is Lawful Obstruction?'^[x], 'Bailment and Contract in English Law Today'^[xi], 'An Implied Condition in Motor-Car Hire-Purchase'^[xii], and 'Terminability of Contracts of Unspecified Duration'^[xiii].

Snapshot of Judicial Review of Legislation in the West Indian Constitutions

JUDICIAL REVIEW OF LEGISLATION IN THE WEST INDIAN CONSTITUTIONS

A. R. CARNEGIE

THE EXISTENCE OF JUDICIAL REVIEW OF LEGISLATION

The independent West Indian states of Barbados, Guyana, Jamaica and Trinidad and Tobago are no exception to the general rejection by the majority of Commonwealth states of the fundamental doctrine of United Kingdom constitutional law, just as they are no exception to the general trend in patterning their institutions of government on the "Westminster model." None of the constitutions has attempted to perpetuate the doctrine of the legal omnipotence of Parliament acting by its ordinary procedure. All the constitutions with the exception of that of Trinidad and Tobago contain a "supreme law" clause, making law inconsistent therewith *pro tanto* void,¹ and two, including Trinidad and Tobago, provide that no bill shall become law unless passed in accordance with the constitution.² Quite apart from these provisions, the constitutions abound with restrictions on the legislative authority of Parliament³; and regardless of the view which might have been taken at the time of the drafting of the constitution of the United States,⁴ such restrictions today naturally suggest to the lawyer the existence of judicial review of legislation.

The existence of the right of the courts to declare unconstitutional legislation invalid would seem, however, rarely to be so obvious as not to be worth challenging in litigation. The battle over this issue which was fought in the United States in *Marbury v. Madison*,⁵ in South Africa in *Harris v. Minister of the Interior*,⁶ and in Ceylon in

¹ The author is Professor of Law, University of the West Indies.
² Barbados Constitution (S.I. 1966 No. 1455, Sched.), s. 1; Guyana Constitution (S.I. 1966 No. 575, 2nd Sched., as amended in accordance with the 2nd Sched. to the Constitution and by Guyana Acts, 16 of 1968 and 1 of 1969), s. 2; Jamaica Constitution (S.I. 1962 No. 1550, 2nd Sched., as amended by Act 15 of 1971), s. 2 (the adjective "supreme" is absent from the Jamaican provision).
³ Guyana Constitution, s. 79 (3); Trinidad and Tobago Constitution (S.I. 1962

A. R. Carnegie

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Bribery Commissioner v. Ranasinghe,⁷ has been fought again, with the same result, in the Trinidad and Tobago courts in *Collymore v. Attorney-General*.⁸ That the contest should have been considered worthwhile in the Trinidad and Tobago case seems strange, since the wording of the constitution, as it applied to the facts of that case, appears to have been much more explicitly in favour of the existence of a right of judicial review than were the provisions of the constitutions in the other leading cases cited. The plaintiff's complaint was one of violation of human rights: section 2 of the constitution expressly limited the area of operation of an Act of Parliament in contravention of human rights, while section 6 expressly conferred on the High Court original jurisdiction to hear applications for redress for breaches of provisions of the constitution which included section 2. It is hardly surprising that the Court of Appeal of Trinidad and Tobago rejected the argument that the human rights provisions in question were merely a guide to the interpretation of statutes, and not limitations on the competence of Parliament acting by its ordinary procedure.⁹

Although no court has yet held an Act of Parliament invalid in any reported post-independence case in a West Indian state, there can, it is submitted, be no real doubt that, in the light of decisions of these and other jurisdictions and of the common understanding of the legal profession, the courts would claim their competence to do so on the grounds of unconstitutionality.¹⁰

This does not mean, of course, that it is no longer possible to quibble as to the exact status in each of the constitutions of the doctrine of parliamentary sovereignty. The concept of sovereignty is never notable in any of its guises for its clarity of meaning, and this has led judges on occasion to try and reconcile the existence of judicial review of Acts of Parliament with the sovereignty of Parliament. Thus the Privy Council in *Bribery Commissioner v. Ranasinghe* took the trouble to assert that there was no inconsistency between calling a Parliament "sovereign" and holding it bound by the limitations of its constituent instrument, arguing in effect that the definition of Parliament may change for certain purposes without Parliament ceasing to be sovereign in the sense of being able to pass any legislation without recourse to any other agency.¹¹ On this latter

THE CARIBBEAN BILLS OF RIGHTS AND THE CONVENTION - COMPATIBILITY AND CONFLICTS

by
A.R. Carnegie*

THE SCOPE OF THE DISCUSSION

The title assigned here may be accused of being oversimplified shorthand, as is the nature of titles. I heard once that a distinguished political philosopher, whom I had the privilege of knowing, had submitted a manuscript to a publisher with the proposed title, "Some Problems of Political Theory from Machiavelli to Marx." The manuscript was accepted for publication, but the publisher is reported to have insisted that the title of the work should become "Man and Society"! Since there must be some of my audience who know the book in question, and its actual sub-title which lends some plausibility to this account, I hasten to add that I have not investigated the accuracy of this history of its title.

The problem of the precision of the title arises here in one aspect because of the technical difficulties of the term, "the Commonwealth Caribbean Bills of Rights." In the law of the Commonwealth Caribbean, the only Bill of Rights known by that name is the English Bill of Rights of 1689, to any extent that that statute might be recognized as law in the Commonwealth Caribbean jurisdictions. Clearly, however, what is expected from the title today is the analogue to the United States' Bill of Rights, the constitutionally protected catalogue of rights and freedoms. Such an analogue is easily identified as a chapter to be found in every one of the Commonwealth Caribbean constitutions, (in the case of Guyana, two chapters) with a title such as "Fundamental Rights and Freedoms of the Individual."¹

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¹ E.g., BARBADOS CONST., ch.3, *Protection of Individual Rights and Fundamental Freedoms*, reprinted in 2 CONSTITUTIONS OF THE COUNTRIES OF THE WORLD (A. Blaustein & G. Flanz, 1988) [hereinafter CONSTITUTIONS]; GUYANA CONST., ch. 2, *Principles and Bases of the Political, Economic and Social System*, and ch. 3, *Fundamental Rights and Freedoms of*

Snapshot of The Caribbean Bill of Rights and the Convention Compatibility

In the 1970s his work includes 'The Law in the English Speaking Caribbean.'^[xiv], 'Judicial Review of Legislation in the West Indian Constitution'^[xv], 'The Approach of Independence for the Associated States'^[xvi], 'The Law of the Sea Tribunal'^[xvii], and 'Commonwealth Caribbean Regionalism'^[xviii]

In the 1980s, his articles include 'The Law of The Sea: Commonwealth Caribbean Perspectives'^[xix], 'The Vienna Convention on the Law of Treaties and the Law of the Sea Lawmaking'^[xx], and 'The Caribbean Bills of Rights and the Convention--Compatibility and Conflicts'^[xxi].

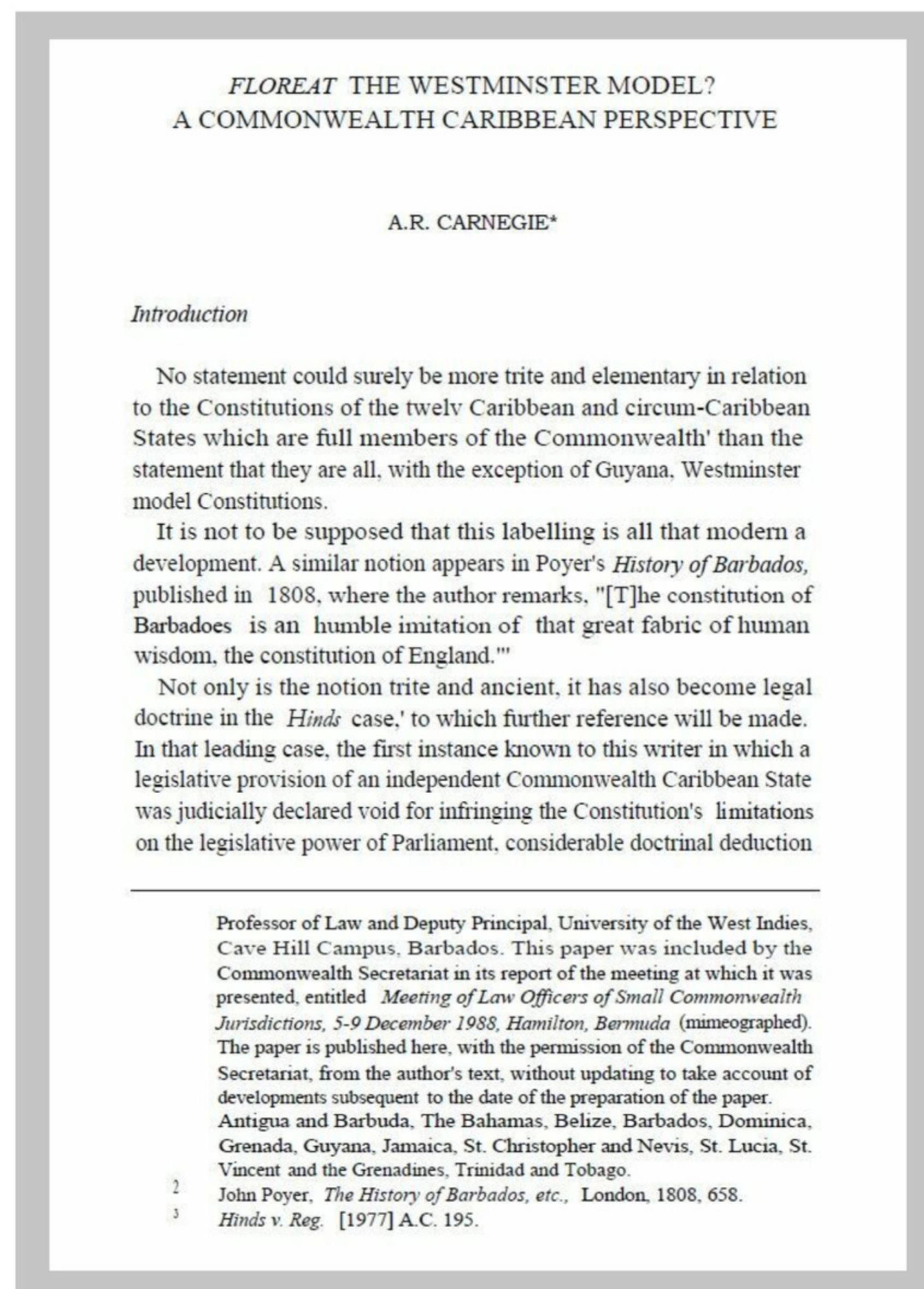
In the 1990s his articles include 'Police Powers - Sampling the Commonwealth'^[xxii], 'The Challenge of Environmental Law to the

Montenegro Bar Convention'^[xxiii], and the aforementioned 'Floreath the Westminster model?: a Commonwealth Caribbean perspective'^[xxiv].

In the 2000s his articles include 'The interface between International Law and National Law : a West Indian perspective'^[xxv], and 'International law and the Original jurisdiction of the Caribbean Court of Justice: Conflicts of Conflict Resolution Jurisdiction'^[xxvi]. Of special note are Professor Carnegie's commentaries on the Caribbean Court of Justice in 2008 in 'Charting the route from the Privy Council to the Caribbean Court of Justice', and in 2009 in 'How Exclusive Is Exclusive In Relation To The Original Jurisdiction Of The Caribbean Court Of Justice?: A Consideration Of Recent Developments'.

Professor Carnegie also wrote many books and publications which include contributions for the Government of Barbados^[xxvii], Commonwealth Caribbean legal essays^[xxviii],

The Caribbean Court of Justice in conjunction with the Judicial Education Institute of Trinidad and Tobago^[xxix] and for the CCJ Academy for Law's Eminent Caribbean Jurists series^[xxx].



Snapshot of Floreat The Westminster Model

A Beloved Legend

Professor Carnegie will be remembered fondly by those who knew him personally for 'his sweet and genteel character, his integrity, his stoicism, and his humility'. **'He was a man of deepest religious conviction, steadfast principles, and the highest integrity'. 'He was ever so courteous to**

all'.^[xxxii] He will be remembered for his love of his wife Jeniphier, and his children Martin, David and Helen. His love of travel to exotic countries as well as to familiar places in the Caribbean. His love of fine dining and exquisite wines. His love of reggae and the classics. And, above all, his love of all his students.

On his passing, **Professor Carnegie was fittingly described by Vice Chancellor of the UWI, Professor E. Nigel Harris as 'one of the Caribbean's greatest legal minds'.** 'A Caribbean trail was blazed by this mind which found extension to all parts of the world' said Professor Sir Hilary Beckles. Professor Celment Sankat described him as 'one of the Caribbean's leading minds and a willing resource up to his very last days'. 'Professor Carnegie was an institution builder par excellence, a reservoir of knowledge on the University and a brilliant legal mind' said former UWI Registrar William Iton. Professor

Velma Newton echoed these sentiments describing him as a 'brilliant and multi-talented scholar' with 'tremendous energy'.^[xxxii]

So voluminous were the tributes from the UWI community received upon his passing that they have been compiled into a book which is available at the UWI Cavehill Library entitled: In tribute to Professor A. Ralph Carnegie June 11, 1936-Jan. 7, 2011^[xxxiii]. A worthwhile read for all eager to further explore the story of the professor who 'became a beloved legend in his own lifetime'.^[xxxiv]



Interview with Prof Rose-Marie Belle Antoine on Prof Arthur Ralph Carnegie

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The Right to a Healthy Environment

From the CAJO's Environmental Sub-Committee

Sunil K Sookraj



The right to a healthy environment is a fundamental human right and should no longer be a debate or question in the minds of human rights activists or law makers.

Many may argue that the environment has not been given the kind of attention that it deserves. This may be because humans have never viewed the environment as a resource that generated the economic revenue to facilitate their pursuits and hence needed protection; or that the impact of environmental preservation and sustainability on human health, quality of life, disease prevention, agricultural economics, and financial sustainability has not yet been correlated by researchers and properly understood by governments. For far too long nations have given priority to other interests, whether it was the agricultural revolution, industrialisation or infrastructural development. One common theme in all of these developmental agenda is wealth generation. It appears from the deterioration of the environment, as measured by many scientists, that this development has occurred at the expense of the preservation of the natural environment. It can therefore be argued that this was indeed an error by humans,

and that a healthy environment is crucial to the sustainability of human, plant and animal existence on planet Earth. With the passage of time, and recent environmental disasters, humans are now being forced to become mindful of the environment and its protection.

Prior to the Declaration of the United Nations Conference on the Human Environment in 1972 commonly referred to as the Stockholm Declaration, the right to a healthy environment was not something that was a priority for many countries. **The indigenous peoples of the region and the world have always advocated that environmental issues are linked to the right to life.** The Stockholm Declaration gave us, for the first time, a formal recognition that: "Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations" (Stockholm Declaration [Declaration of the United Nations Conference on the Human Environment] 1972, UN DOC. A/CONF.48/14.Rev.1, Ch. 1, Principle 1).



Antigua

Source: caribjournal

In the decades since the Stockholm Declaration, the right to a healthy environment has expanded throughout the world with a majority of countries recognising it as a part of international law. More than 130 nations across Europe, Asia, Africa, the Americas, the Caribbean, and the Middle East have ratified regional human rights agreements recognising the right to a healthy environment. Decisions on this right have been issued by the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the African Commission on Human and Peoples Rights, the European Court of Human Rights and the European Committee on Social Rights.

Whilst this has been happening across larger regions, the reality is that there are many persons around the world who are not even aware that these international institutions exist and in many instances are unable to access same, for one reason or another. These institutions are critical to drive the movement of environmental awareness, change in behaviour, and to empower everyone when it comes to environmental rights and protection.

A reality that we all have to confront is that most breaches occur at a state or local level and it is indeed at this level that protections are most relevant and impactful. Within states, the constitution is the supreme law of the land. All other laws must be consistent with it or run the risk of being struck down as unconstitutional and illegal. Rights that are enshrined in a nation's

constitution are therefore very sacrosanct. Indeed, there are many nations of the world that have moved to incorporating rights to a healthy environment into its Constitutions. Today more than 150 out of 193 members of the United Nations have included explicit references to environmental rights in their constitutions.

Interestingly the only Caribbean countries that have environmental rights incorporated into their constitutions are Guyana, Jamaica, and Belize.

Guyana's 1980 constitution was amended in 2003 to include such a right. **Section 149J of Guyana's Constitution under the Protection of Fundamental Rights and Freedoms of the Individual**, provides that:

"(1) Everyone has the right to an environment that is not harmful to his or her health or well-being;
(2) The State shall protect the environment, for the benefit of present and future generations, through reasonable legislative and other measures designed to-
(a) prevent pollution and ecological degradation;
(b) promote conservation; and
(c) secure sustainable development and use of natural resources while promoting justifiable economic and social development"
 (Constitution of the Co-operative Republic of Guyana, Cap. 1:01 of the Laws of Guyana)



Kaieteur Falls, Guyana
 Credit: Bill Cameron

Jamaica's constitution was amended in 2012 and provides in section 13 (3) (l), Chapter III under the Charter of Fundamental Rights and Freedoms: **"the right to enjoy a healthy and productive environment free from the threat of injury or damage from environmental abuse and degradation of the ecological heritage"** (Jamaica (Constitution) Order in Council, 1962)

In the case of Belize, the constitutional provision seems to be more about allowing the State to take possession of property for protection of the environment. Section 17 (2) (m) (i) and (ii) of the Constitution provides that: "Nothing in this



Belize Barrier Reef
Source: caribjournal

Even so it is useful to look at some decisions from various courts that have interpreted the right to life, as incorporating within it the right to a healthy environment. The Constitution of India does not explicitly recognise the right to a healthy environment, but there are many judgements that have been delivered by India's Supreme Court that are worth mentioning. In the case of **Subhash Kumar v. State of Bihar** the Indian Supreme Court clarified the state of the law in India, ruling that:

"The right to live is a fundamental right under Article 21 of the Constitution and it includes the right to enjoyment of pollution-free water and air for full enjoyment of life. If anything

section shall invalidate any law by reason only that it provides for the taking possession of any property or the acquisition of any interest in or right over property – for so long as may be necessary for the purpose of an examination, investigation, trial or enquiry or, **in the case of land, the carrying out on the land – of work of soil conservation or the conservation of other natural resources; or of agricultural development or improvement which the owner or occupier of the land has been required and has without reasonable and lawful excuse refused or failed to carry out"** (The Constitution of Belize).

endangers or impairs that quality in derogation of laws, a citizen has the right to have recourse to Article 32 of the Constitution for removing the pollution of water or air which may be detrimental to the quality of life" (AIR 1991 SC 420).

In the case of **Virender Gaur v. State of Haryana** the Supreme Court of India expanded upon its articulation of the right, stating that the right to life **"encompasses within its ambit the protection and preservation of the environment, ecological balance, freedom from pollution of air and water and sanitation without which life cannot be enjoyed"** (1995 (2) SCC 577).

It is also very interesting to note the words of the Constitutional Court in Colombia. In the case of **Antonio Mauricio Monroy Cespedes**, the Constitutional Court stated that: **"Side by side with fundamental rights such as liberty, equality and necessary conditions for peoples life, there is the right to the environment...The right to a healthy environment cannot be separated from the right to life and health of human beings"** (Constitutional Court, Salsa de Revision de Tutelas, T92/93, Feb. 19, 1993).

The challenge for us in the Caribbean region is one that requires us to balance our economic progress with environmental protection and greater environmental rights for our region's citizens and residents. We must as a region however, recognise that our continued success depends on us protecting and preserving the environment. We cannot hope to be successful if we are to live in an environment that will not sustain a healthy life. **There is a growing jurisprudence on the environment in some courts within the region, including judgements of Chief Justice Sykes of Jamaica in cases impacting the environment.**

The time may be now for the governments of other Caribbean countries to embrace constitutional change to support a mandatory protection of the environment as a necessary right. Further, the impacts of climate change on the natural environment –global temperatures, flooding, ecosystem functioning, river flow; agriculture - land productivity, species loss; economic - tourism, natural disasters, loss of lives;

and increase in health costs due to asthma, malaria, cancer and other diseases; provides sufficient rationale for governments to take this important step. **Undeniably, we must accept that climate change affects each human being worldwide and that each country has a sacred responsibility to protect every living being by protecting the water that we drink and the air that we breathe. Collective responsibility therefore translates into global responsibility.**

It is now left to be seen when other countries in the region will make the progressive step to include provisions in their respective constitutions for greater environmental rights, similar to Guyana, Jamaica, Grenada and Belize. **Other constitutional references to the environment can be found in Haiti (article 52-1 h) and Suriname (article 6) as well as in the non-independent territories of the British Virgin Islands (article 29) and the Cayman Islands (article 18)** (ECLAC & CCJ Law Academy – UN publication: page 18).

Until such time therefore that regional governments can make these essential decisions about constitutional reform, it may be imperative that Courts in the region adopt a more proactive role in their decisions affecting prospective parties, and ensure that the right to life is interpreted as encompassing the right to live in a healthy environment. This is the only approach that will effect a paradigm shift that is necessary in order to truly guarantee our regions' inhabitants the right to a healthy life.

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Frying our Way to a Greener Tomorrow

Shasta Sankar



In an ever-changing world with new innovations on the horizon, there is one problem we are plagued with globally and that is pollution. **Pollution comes in many forms such as single use plastics, styrofoam, burning of fossil fuels and so on. However, there is one that you may not have paid much attention to that every society contributes to, and that is used cooking oil or Waste Vegetable Oil (WVO).**

One man however, in his quest for alternative fuels, came up with the initiative for using Waste Vegetable Oil (WVO) to power his vehicle which rippled into the establishment of EcoImpact. Mr. Troy Hadeed of Trinidad and Tobago started this Environmentally Sustainable Oil Recycling Company in 2009 and has since been steadily gaining traction both locally and internationally. Despite his homeland of Trinidad and Tobago not having a need for alternative fuels due to fuel subsidies, Mr. Hadeed's hope is that one day, **both his country along with the rest of the Caribbean can move away from fossil fuels to more environmentally sustainable practices.**

In keeping with its vision for a greener future, EcoImpact has made the environment a priority above all else and offers free collection of Waste Vegetable Oil (WVO) from their suppliers both large and small. This collection is done on a timely schedule; as well as, based on the convenience of each supplier, again showing their commitment to sustainability. While the food industry is a major contributor for Waste Vegetable Oil (WVO), EcoImpact is also allowing communities to get involved by setting up "Eco Oil Bins" at several locations and will add more sites upon request.

Once the Waste Vegetable Oil (WVO) reaches the facility, it undergoes a series of processes which cleans the oil and removes water, sediment and impurities to produce Biodiesel Feedstock. The oil is tested intermittently throughout the purification process to ensure it meets the International Sustainability & Carbon Certification. The final product is then traded on the international market across the United States of America and Europe where it can be converted into the alternative fuel known as "biodiesel".



Eco-Impact Co-CEO, Troy Hadeed and Manager, Nicholas De Freitas



Used cooking oil being processed for export

EcoImpact has taken the first step to a sustainable future for Trinidad and Tobago, and maybe one day, the Caribbean. Being able to produce the raw material needed for the manufacture of biodiesel can lead to the local production of biodiesel.

Biodiesel is an excellent alternative fuel to replace diesel as it is sustainable, renewable, biodegradable and burns cleaner than the fossil fuels that we have long been dependent on. Also, it can be used in diesel engines without the need for any modifications, thereby making the transition effortless.

Biodiesel use will help reduce carbon emissions and lower the demand for fossil fuel. When compared to regular diesel, it was found that biodiesel lowers particulate matter by 47% which in turn makes our air cleaner and reduces smog. EcoImpact continues its sustainable practices by also recycling several by-products obtained during the Biodiesel Feedstock production. For example, the containers in which the oils are

collected, such as plastic kegs and jugs, are also either recycled or repurposed.

Another initiative is the "Seal of Action" programme and logo, where their suppliers can advertise this logo on their places of business and websites to show their support and participation in Environmentally Sustainable Practices. This endeavour is hoped to bring more awareness to its cause and encourage others to get involved.

EcoImpact's efforts go even further, and as of May 2011 it has been a member of the international non-profit organization Carbonfund.org Foundation and helped to lower Trinidad and Tobago's Carbon Footprint by procuring Carbon Offsets.

As the world continues to look for solutions and new avenues for sustainability, we too can do our part for change, and it can be as simple as collecting and recycling our used cooking oil for a greener tomorrow.

The Constant Hum: Living with Anxiety

Elron Elahie



Famed rapper Eminem starts his chart-topper *Lose Yourself* with the line “His palms are sweaty, knees weak, arms are heavy” and, thanks to anxiety, I have not been able to relate to another song quite as strongly.

If depression is the cloud that forever looms, then anxiety is the constant hum.

In 2015 I was diagnosed with generalised anxiety disorder (GAD) – a type of worry that may be disproportionate to circumstances and one that can certainly be excessive and sometimes debilitating. Often GAD, or just ‘anxiety’ as I call it, can have distressing impact on the mental and physical state. **But what makes anxiety particularly insidious is that it infrequently gives warning, nor may it ever actually go away. The constant hum is one that plays regardless of what other sounds, joyful or otherwise, persist.**

But as you read this (of course as I type this) I am wrapped in a blanket of soft cotton and relative contentment. The anxiety that sits next to me is kept company by the warmth of my practicality, the softness of my reasoning, and the sturdiness of my discipline. Living with anxiety is just that – living with. Though it may look and be experienced differently and in any number of ways, and though it may birth challenges to what we may imagine as an ideal life, anxiety can be managed, grappled with, and even silenced. **I share, in this contribution, some of my experience with anxiety and offer for consideration some tools to help manage anxiety. Of course, none of this is a substitute for professional advice.** And I strongly recommend seeking such counsel if you feel overwhelmed or affected by immense worry and anxiety.

Being Anxious

When I entered into my late teens, I began experiencing immense episodes of worry. An almost obsessive cascading of unrelated questions would bombard my waking moments and I had to ensure that each was answered. And playing in the screen across from this question matinee was a pained anticipation of scenarios that may or may not happen. **So life-like were these imagined scenes, I often found myself immobilized and unable to engage the pragmatism and straight-forwardness that the people around me were somehow celebrating. My days were filled with an anticipation of dread. That if nothing terrible has yet happened, soon it will.** As I left teenage years and travelled into my twenties, the constant hum took on a different tune that would play at different intensities. What was confined to my mind now found its way to the rest of my body. The persistent threat that I felt I was under; the alarm of an imposter that played a convincing role of functional adult, would cause my stomach to turn. Sweat would coat my forehead and my feet shook at renewable energy-producing rates.

Looking Forward: Body and Breath

As I depart my twenties and look forward to what I jokingly call my pandemic thirties, I still live with the constant hum that I now sometimes sing along to. My body remains in constant negotiation with intense worry over things that may otherwise be terribly mundane and ordinary. **I have developed behaviours that are engaged only to answer to potentially irrational requests conjured by the part of my brain that tells me doing otherwise would result in catastrophe.** The sounds of police sirens unnerve me immensely and thinking about experiencing an earthquake brings me to tears. Twice now my entire body has broken out in hives, and I can no longer accompany my mother to her Saturday Pennywise (cosmetics and personal care store)

visits because crowds literally make me feel as though I’m being buried alive. Before each big meeting or work event, I have a predictably sleepless night and deep breathing is the only way to supply my lungs with sufficient oxygen. Simply put, anxiety, like eating or sleeping or drinking water, has become a part of my daily life. It has complicated my hourly living in ways that my careless abandon seven-year-old self would have never imagined. **But over the years, I have found that though it is not easy to live with, there are tools which I can engage to bring relief and manage anxiety.**

Tools to Manage Anxiety

I have to start by reiterating that these tools I offer are strictly from my experience and are not intended to replace advice from a medical professional. In fact, these tools have been informed by conversation and engagement with various medical professionals. I cannot emphasize just how much having their guidance and intervention has changed my life.

Narratives and Counter Narratives. One of the most insidious things about the constant hum is that when it begins to get louder, it is accompanied by lyrics of panic, despair, and loss of control. Often, in the throes of anxiety, internal monologues become corrupted, and chants of impending threat and doom play loudly at rapid speeds. In those moments, it becomes very easy to be overwhelmed by overwhelm and experience breakdown. But before the hum intensifies, equipping the brain with narratives and counternarratives constructed on practicality, reassurance, and calm helps to ward off the panic and distress that may otherwise roam freely. In my experience, writing down or committing to memory certain truths and assurances has proven particularly useful in resisting the temptation to completely crash. These may be different for each of us.



Source: Getty

I have found great success in reminding myself of the transience of moments, that no single moment is the sum of all moments, and reminding myself of all that I have been able to achieve as a signal that I am not as incapacitated as I may be convinced of. Recently, I have been experiencing intense anxiety whenever I have to submit an assignment. I'm almost in my second year of doctoral studies and yet the familiarity of summative assessment has not precluded feelings of vulnerability. But when I do start to hear the hum get louder, I close my eyes and recite all that I have been able to achieve which then begins to construct a shield that is marked with success rather than perceived impending failure. **By equipping myself with truths and assurances or narratives and prepared counter-narratives, I am able to formidably negotiate with the voices of doom and return to a place of suitable functionality.**

Lists. It might seem counterintuitive to use lists as a tool to combat anxiety as seeing how many things are yet to be done or achieved can be a trigger of its own. And for some, it is. But in my experience, creating lists prevents or helps with forgetting things that would otherwise pop up at a random time and send my mind into a spiral. As well, lists also help with self-accountability. If, at midnight I randomly begin to worry whether I've paid the electricity bill, rather than panicking to find the receipt or log into the user portal, my list (which I keep on my phone and synced to my computer) tells me that I've already done it. **Deadlines are also great triggers for anxiety so keeping lists, and of various detail, helps keep track of what has been achieved and what is left to be done. This way if the worry starts to quickly creep up, one flash of the list can easily begin to keep that panic at bay.**

Sources of Joy and Calm. Keep something that

warms you close. And I don't only mean comfortable socks or a plush blanket. **But creating a little database of things that bring you some type of relief or joy or distraction might help when you begin to feel the onset of overwhelm.** There are particular songs, video clips, and pieces of art that are filled with positive memories, feelings, and thought-triggers that I always keep on hand. And of course, most of these I keep on my mobile phone which is always close by. It is also often helpful to have the confidence and ear of a close friend or family member. In my experience, being able to message someone and share that I am feeling anxious allows for an exchange that either removes the feeling of isolation or allows for a more rational approach to the situation at hand. Of course, not everyone is well-equipped to navigate this, and trust is usually a pre-requisite. But where possible, having someone to communicate with during a moment of anxiety can be very helpful.

Identifying Triggers. While being aware of what your triggers may be doesn't stop them from being triggers, it can help with alerting you to avoid situations that can birth anxiety. **It's taken me quite some time to figure out what agitates the hum to make it louder, but I have certainly learned a lot about what affects me. By tracing my responses to different stimuli and situations, I have been able to confidently say what affects me and establish boundaries and limits.** I know that persistent, very loud sounds impair me greatly. I cannot successfully function in very crowded areas unless I'm consistently moving in a specific direction, public speaking causes my stomach to churn, and speaking on the phone isn't always the easiest thing for me to do. As such, I don't go to parties, I only go to usually-crowded places at off-peak times, and I try to use messaging applications as much as possible instead of phone calls.

I'm yet to figure out how to manage the public-speaking anxiety but for now, I make as many notes as I can so that I never feel underprepared. It's also important to note that triggers aren't stagnant, and you may develop triggers over time. But what that means is that we are forced to be reflective, whether we intend to or not, if we want to ensure we don't continuously find ourselves in triggering situations. **So many of us have developed anxieties around not wearing masks, going in public places, and sharing space with others due to the global pandemic. And for some of us, these may remain even after we can return to familiar modes of existing.** But it is important that we stay in-touch with ourselves so we can know, as far as possible, what works for us and what doesn't.

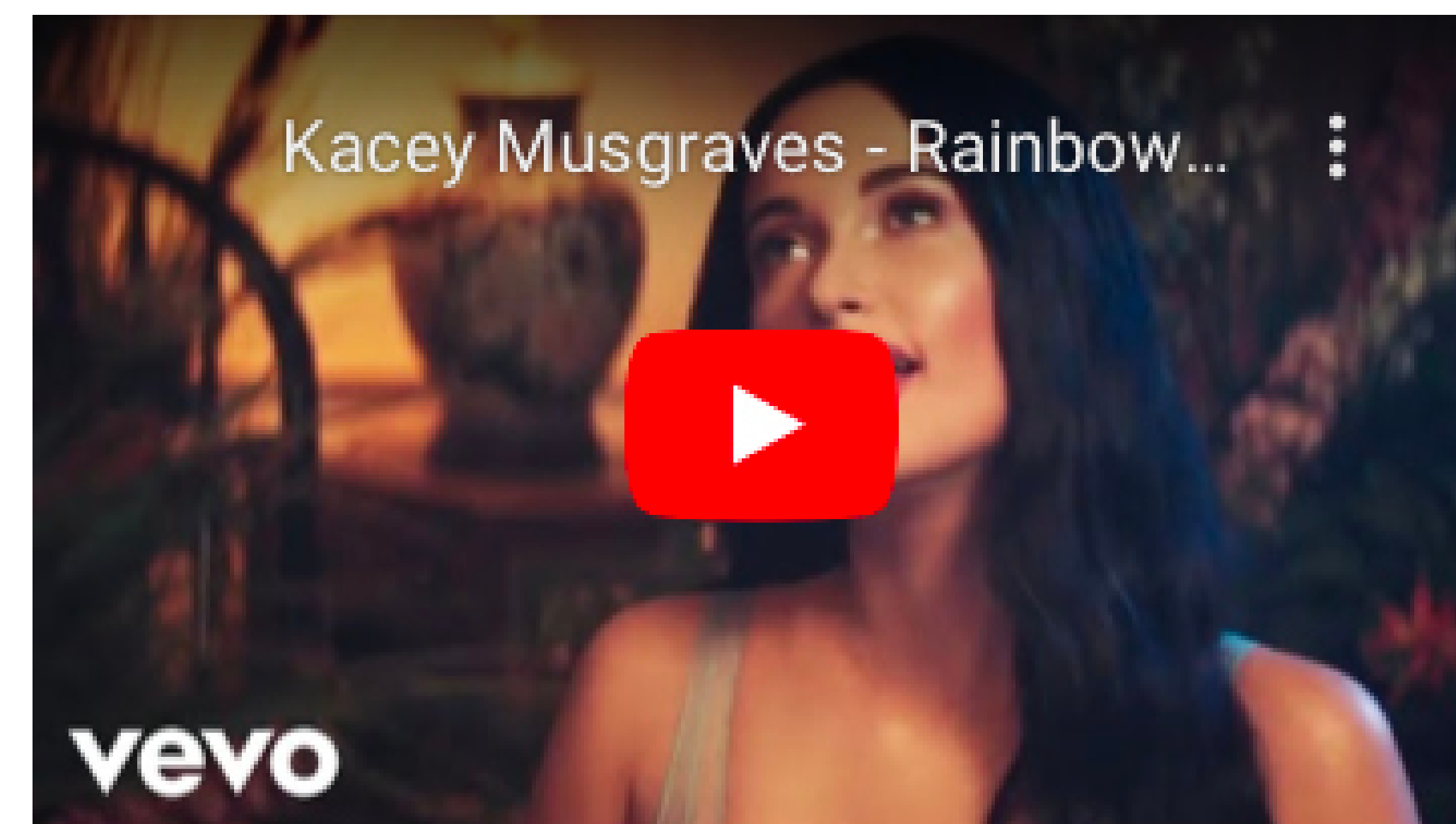
These tools seem simple and do not form an exhaustive list, but they have certainly aided my living with anxiety over the past decade. Importantly, seeing a mental health professional may reveal that medication can help with your anxiety. In many cases, and certainly in my experience, medication has been able to provide

relief where I otherwise couldn't.

Embracing the Hum: Living Life

But if you take anything away from this sharing, I want it to be that it is completely okay to be living with anxiety. It doesn't make you any less of a person, of a judicial officer, of a parent/child/sibling/spouse/friend. I spent a number of years dealing with a strange guilt and dismay over being an anxious person. And all it did was provide the anxiety with narratives to empower its effects. But when I began to see anxiety something I live with, in the same way I live with and navigate every other part of my construction, then I experienced a shift in how I relate to and negotiate with my experiences – how I relate to others, how I have shaped empathy, kindness, and compassion, and how I engage reflection and self-improvement.

I often tell people that anxiety has made me a better person. And while it seems an odd thing to assert, I certainly think it's true!



**Rainbow by Kacey Musgraves -
Music is a quickly accessible source of joy and calm**

Views from a Clinical Social Worker: Exploring our Mental Health

Akilah Riley-Richardson interviewed by Elron Elahie

With the focus of this Issue of the CAJO News on Judicial Officers' Mental Wellbeing, **the CAJO is delighted to have Clinical Social Worker and Trauma Professional, Akilah Riley-Richardson, share insights on mental health, how the global pandemic has impacted us, and how we can live in optimal wellness.**

Akilah is the Facilitation Lead at Dolly and Associates and has been in practice for over twelve years. She specialises in the following areas: Addiction, Couples Theatre in Education, Playback Theatre, Traumatic Incident Reduction, Emotionally Intelligent Leadership, Child Sexual Abuse, Psychosocial Support for the LGBTQI community, and Offender Rehabilitation.

The interview is separated into four segments. In the first segment, Akilah introduces her field of work and **shares insights on the impact that judicial officers' high pressure environment**

can have on their mental health.

In the second segment, Akilah talks about **how mental health issues manifest - providing critical understanding into the science and experience of different mental issues.**

In the third segment, Akilah explores **how the ongoing COVID-19 pandemic has exacerbated mental health issues** and the types of experiences that have been brought about as a result.

In the fourth and final segment, Akilah **discusses ways to improve mental wellbeing and how we can live in optimal wellness.**

To reach out to Akilah for professional services, contact her at akilah.riley@gmail.com or at 868-313-9895.



Segment 1 - Mental Health and the Work of a Judicial Officer



Segment 2 - How Mental Health Issues Manifest



Segment 3 - The Impact of the Pandemic on Mental Health



Segment 4 - Building Optimal Wellness

Gezond op de werkvloer!

Wat doet het Gemeenschappelijk Hof van Justitie om zijn medewerkers gezond te houden

Stay healthy at work!

How the Joint Court of Justice encourages better employee health

Desi Dijkhuizen

We brengen zo veel tijd door op de werkvloer dat een gezonde werkomgeving essentieel is. Dit levert meer werkplezier op en je kunt hierdoor meer werk verzetten; want wie prettig aan de slag kan, is productiever. Iedereen is op een of andere manier bezig met zijn gezondheid. De één wil alleen zijn eetgewoontes aanpassen en de ander wil meer gaan sporten. Veel bedrijven en organisaties besteden steeds meer aandacht om een gezond levensstijl op de werkvloer te verbeteren. Het Gemeenschappelijk Hof van Justitie is hierin geen uitzondering. Van het organiseren van presentaties over het creëren van een gezonde levensstijl, tot het aanbieden van sportmiddagen en het organiseren van wandelingen in de mondi; het Hof besteedt hiermee aandacht aan het verbeteren van de mentale en fysieke gezondheid van zijn medewerkers.

In maart 2021 heeft bewegingswetenschapster Jacqueline Hol op de vestiging van Curaçao een presentatie gehouden over het creëren van een gezonde levensstijl. De enthousiaste medewerkers van het Hof hebben een enquête ingevuld over fitness en gezonde voeding. "Ik werd aangenaam verrast door de enthousiasme op het Hof. De onderzoeksresultaten wijzen erop dat de meerderheid een gezonde levensstijl hebben. Er zijn weinig mensen die roken en de meesten doen aan sport. Binnen het Hof werken diverse culturen samen, met verschillende gewoontes. Het is belangrijk om van elkaar te leren, wandelingen en kooklessen te organiseren en onderwerpen bespreekbaar te maken" vertelt Hol.

Since the average person spends most hours of the days at the office, having a friendly, safe, comfortable place to work is extremely important. A positive environment breeds employees who perform better, exceed expectations, achieve goals, are self-motivated and work more efficiently. Health is everyone's concern. Eating a healthy diet as well as exercising can lead to a better physique. More and more companies are finding that healthier employees are also happier and more productive. The Common Court of Justice is definitely no exception. From coordinating healthy lifestyle presentations, to organizing bootcamp trainings and nature walks; the Court is therefore devoting attention to improve the mental and physical health of its employees.

In March 2021, sports scientist Jacqueline Hol held a presentation at the Court in Curaçao about developing healthy lifestyle habits. The employees were very enthusiastic about this topic and they completed a questionnaire about fitness and healthy nutrition. "I was pleasantly surprised by the eagerness of the employees of the Court of Justice. The result of the research indicates that the majority of the team have a healthy lifestyle. Few people smoke and most participate in sporting activities. As people from different cultural groups work together, it is important to learn from each other, to organize walks and cooking lessons and to make topics negotiable," says Hol.



Jacqueline Hol delivering her presentation

Stress management, voeding en beweging zijn alle drie erg belangrijk voor een goede gezondheid. **Het aller moeilijkste is de gedragsmodificatie en dat is echt per individu anders. Als mensen gezond leven, zitten ze ook beter in hun vel. Dit merken we zowel privé als in hun werkomgeving. Een gezonde medewerker heeft meer energie, produceert meer en is minder ziek.** Tevens kan de medewerker beter met stress omgaan en is een betere teamspeler. Dit brengt natuurlijk met zich dat het ziekteverzuim lager wordt en de kwaliteit van het werk natuurlijk ook beter wordt.

Stress management, nutrition and exercises are vital for maintaining your overall health. **The most difficult thing is the behavioral modification and that is really different for each individual. The benefits of being fit are numerous for both the employer and the employee. A healthy lifestyle will help you feel better and will give you more energy in your private and work environment.** Also, a fit employee is less likely to get sick. Other benefits include having employees with more energy. This energy allows the employee to stay focused at work. Leading a life with a good attitude and less stress is also a benefit of a healthy and fit employee.



Jacqueline Hol presenting to the Joint Court staff

Meer bewegen is een vorm van gedragsverandering wat meestal niet vanzelf ontstaat. Hierdoor werd voor de lockdown actief meegedaan aan de bootcamp lessen van Patricia Buyne, hoofd van de Front Office afdeling. Patricia heeft tevens een sport achtergrond en geeft les op verschillende sportscholen. **“Net voor de lockdown waren we met veel enthousiasme na kantoortijd begonnen aan bootcamp lessen op het Plechi Wilhelmina van het Hof. We hebben een lekker ritme opgebouwd en hebben we elkaar ook kunnen motiveren om samen aan een gezondere levensstijl te werken. Door de lockdown is er natuurlijk hier verandering in gekomen, maar ik hoop dat we spoedig weer aan de slag kunnen!”** zegt Buyne.

Aangezien er een groot enthousiasme heerst op kantoor, is ze niet alleen haar afdeling gaan motiveren met ‘workout challenges’, maar ook andere afdelingen hebben aangesloten bij haar fitness opdrachten. “Ik kan niet wachten om met ons allen weer fit te worden na de lockdown!”

Doing more exercise is a form of behavioral change that usually does not happen automatically. Before the lockdown, the employees of the Court of Justice in Curaçao actively participated in the bootcamp lessons of Patricia Buyne, head of the Front Office department. Patricia also has a background in sports and teaches at various gyms on the island. **“Just before the lockdown, we started with great enthusiasm with bootcamp lessons after office hours at the Plenchi Wilhelmina at the Court. We have built up a nice rhythm and we have also been able to motivate each other to work together on a healthier lifestyle. The lockdown has of course changed this, but I hope we can restart our exercise routine soon!”** Buyne says.

Because of the great enthusiasm at the office, she has not only started motivating her department with “workout challenges”, but other departments have also joined her fitness assignments. “I cannot wait to get back in shape with the team!”

We moeten er wel rekening mee houden dat de pezen weer op gang moeten komen. Wie te snel wil, raakt gefrustreerd en mogelijk geblesseerd. Sporten met collega’s maakt het niet alleen gezelliger, maar het is ook automatisch een stok achter de deur” voegt ze toe. Ook op Aruba werden tot 2019 zumba lessen gegeven door Nohely Noel-van der Biezen. “Het waren echt leuke tijden! Ons team vond het geweldig om samen fit te worden. Wegens drukte hebben we een (te lange) pauze genomen, maar we gaan binnenkort de draad weer oppakken!”

Om een gezonde levensstijl op werk te blijven stimuleren is het volgens Hol belangrijk om de volgende tips in acht te nemen:

- 1. Zorg voor een gezonde werkomgeving, dus gezonde voeding in de kantines (die ook lekker zijn), maar ook voldoende planten en een schone werkomgeving.**
- 2. Zorg voor een ergonomische werkomgeving, zodat gewrichtsklachten minimaal zijn. Laat mensen regelmatig even opstaan om met elkaar te overleggen en niet alles via mail, app en zoom te doen (elk half uur even opstaan voorkomt veel klachten). Maak problemen tussen collega’s bespreekbaar, want collega’s die elkaar niet aardig vinden verhogen het stress niveau op kantoor.**
- 3. Hou rekening met time management door kort en krachtig te vergaderen om onnodig tijd te verliezen. Motiveer bijscholing, zodat werknemers gemotiveerd en efficiënt blijven.**

Gedrag aanpassen is erg moeilijk en wordt door veel factoren bepaald. Uiteindelijk is de motivatie van de persoon en de mate waarin deze wordt gestimuleerd in huis- en werkomgeving erg belangrijk. Gezonde mensen presteren beter en ze melden zich veel minder vaak ziek. De investering die gedaan wordt op de werkvloer om een gezonde leefstijl te stimuleren, zal zeker dubbel en dwars terugverdiend worden!

We have to take into account that the tendons need to get back to normal again. If you want to achieve fast results, you will become frustrated and possibly injured. Remember to take it slow! When co-workers exercise together, encouragement and motivation increase exponentially!” she adds. Zumba lessons were also taught in Aruba by Nohely Noel-van der Biezen until 2019. “These were really fun times! Our team loved getting fit together. Due to a very tight schedule we had to take a break, but we will soon start again with a fit and entertaining zumba schedule!”

To continue to promote a healthy lifestyle at work, according to Hol it is important to take the following tips into consideration:

- 1. Provide a healthy working space with healthy and delicious food options in the lunchroom. Also, office plants and a clean environment are needed.**
- 2. Provide an ergonomic working environment, so that joint complaints are minimal. People need to get up regularly to consult with each other. There is no need to do everything via email, app and zoom (getting up every half hour prevents many complaints). Make problems negotiable between colleagues, because colleagues who do not like each other increase the stress level in the office.**
- 3. Take time management into consideration by holding short and powerful meetings in order to waste time unnecessarily. Motivate further training to keep employees motivated and efficient.**

Changing behavior is very difficult and is determined by many factors. Ultimately, the motivation of the person and the extent to which it is stimulated in the home and work environment is very important. Healthy people perform better and they report sick much less often. The investment that is made in the workplace to promote a healthy lifestyle will certainly pay off!

CAJO Regional Training Update: Ethics and Judgment Writing

Kerine Dobson and Elron Elahie



Training Programme on Ethics for the Trinidad and Tobago Office of Procurement Regulation (OPR)

On 18 May 2021 the CAJO in collaboration with the United Nations Office on Drugs and Crime (UNODC) Global Judicial Integrity Network (GJIN) delivered the final component of a two-part course in Committee Conduct & Ethics for the Trinidad and Tobago Office of Procurement Regulation (OPR). This was the second course facilitated by CAJO at the OPR's request and followed the delivery of the Writing for Clarity course delivered in 2020.

The session, titled Committee Conduct & Ethics – Part II, was attended by twenty-eight (28) officers from the OPR's Board, Management and Secretariat Staff complement. Given the heightened Covid-19 related restrictions and safety concerns, the course was delivered entirely using a virtual platform.

In designing and delivering the second module of the course, special attention was given to making it relatable to and appropriate for the OPR seeing that it is an Executive body with specific adjudicatory functions and not part of the judiciary.

While noting the clear implications of this distinction, the content was designed to focus on core principles of ethics that would be applicable to the OPR in executing its adjudicatory functions and also highlight the resources available to the OPR through the GJIN.

The 2-hour session was **conceptualised and facilitated by The Honourable Mr Justice**

Adrian Saunders, President of the Caribbean Court of Justice who is also CAJO's immediate past Chair and a Member of the Advisory Board of GJIN, and Ms Tatiana Veress, Crime Prevention and Criminal Justice Officer with the United Nations Office on Drugs and Crime (UNODC). This module focused on building upon the knowledge that participants would have previously acquired upon completing the UNODC's e-learning course on Judicial Conduct and Ethics.

Completion of the e-learning course, evidenced by the Certificate awarded at the end of the course, was made a pre-requisite to this module of the course. In addition to re-iterating the main concepts covered in the e-learning course, the session also introduced additional concepts surrounding recusal, use of social media and gender-related integrity issues.

Part II of the Committee Conduct & Ethics course was a facilitator-led 'deep-dive' into the subject of judicial ethics in which a variety of approaches to the teaching-learning experience were utilized in an effort to engage participants and to ensure optimal assimilation of the information.

Among the approaches used were group discussions about general open-ended questions and group-specific hypotheticals in discrete breakout rooms, and plenary discussions where groups shared their responses with the larger group.

Participants were divided into four (4) groups and each group was asked to identify a group leader and rapporteur prior to the session. This approach was intended to allow for a more seamless discussion and presentation given the virtual setting.

The breakout rooms were designed for open discussion among OPR staff without the intervention of the facilitators. Facilitators offered comments on group responses during the plenary segment.

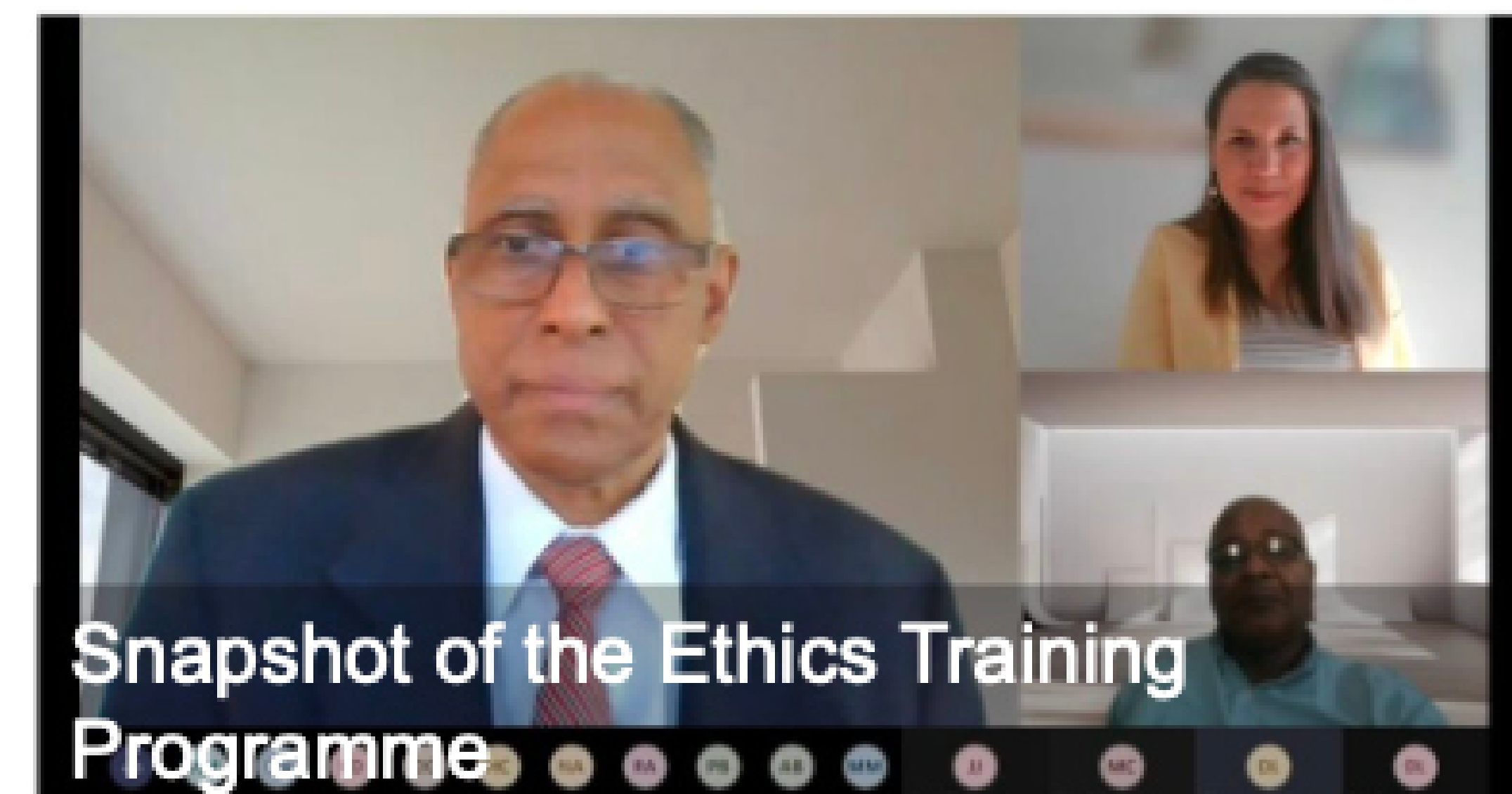
Engagement, both among the participants within their groups as well as between the facilitators and participants, remained high throughout all three (3) segments of the session. Feedback solicited through an anonymous survey administered after the session revealed overall satisfaction with the course in terms of delivery, content and administration. Most participants rated the overall session as being 'excellent' and 'extremely organised'. Many participants indicated that they would have preferred a longer session and several attendees indicated an interest in/preference for having a face-to-face session.

In recognition of their participation in the course, Certificates of Completion were issued to each

participant. Certificates were also issued to the thirty-two (32) OPR officers who participated in the Writing for Clarity course. **The CAJO once again wishes to thank the UNODC and GJIN for their continued support and willingness to collaborate with us on training activities in key areas including ethics. We look forward to many more opportunities for collaboration in the future.**

Finally, the CAJO wishes to record its deepest appreciation to the staff of the Caribbean Court of Justice (CCJ) who offered logistical and technical support to the CAJO, helping to ensure that the hosting and delivery of the Committee Conduct & Ethics course was the success that it was.

In particular, we wish to thank Mrs Ria Mohammed-Pollard, Communications and Information Manager; Ms Danielle McConney, Public Education and Communications Officer (ag); Mr Paul AQUI, Multimedia Officer; Mrs Candace Simmons-Peters, Executive Assistant (Judicial) to The Hon Mr Justice Peter Jamadar; Ms Debra Gibbs, Executive Assistant (Judicial) to the President of the CCJ, The Hon Mr Justice Adrian Saunders; Ms Candis Cayona, Senior Executive Assistant; and Ms Kerine Dobson, Legal Officer.



Virtual Judgment Writing Refresher Course

On Thursday 27th May, 2021 from 1:30 - 4:00 p.m., the CAJO hosted a **Judgment Writing Refresher Course facilitated by the Hon Mr Justice Dennis Morrison.**

The course was open to judicial officers and key judicial research counsel from across the region. The session was very well-attended with 185 participants engaged in the course.

The programme was designed for both first-time and repeat judgment writing training participants as Justice Dennis Morrison shared both principles of judgment writing and practical tools.

This judgment writing course was the first in a series of virtual sessions from the CAJO as part of its 2021 virtual conference year.

Of course, the CAJO hopes that soon it will be able to host its in-person conference in St Lucia.

Session Feedback Insights

The session feedback form contained eight (8) questions; half of those questions engaged quantitative measures and the other half engaged qualitative assessments. For questions that asked participants to rate various elements using a Likert scale (1 to 5), 5 was the highest rating. Seven of the eight questions were required to be filled for successful submission. The question asking for final comments remained optional.

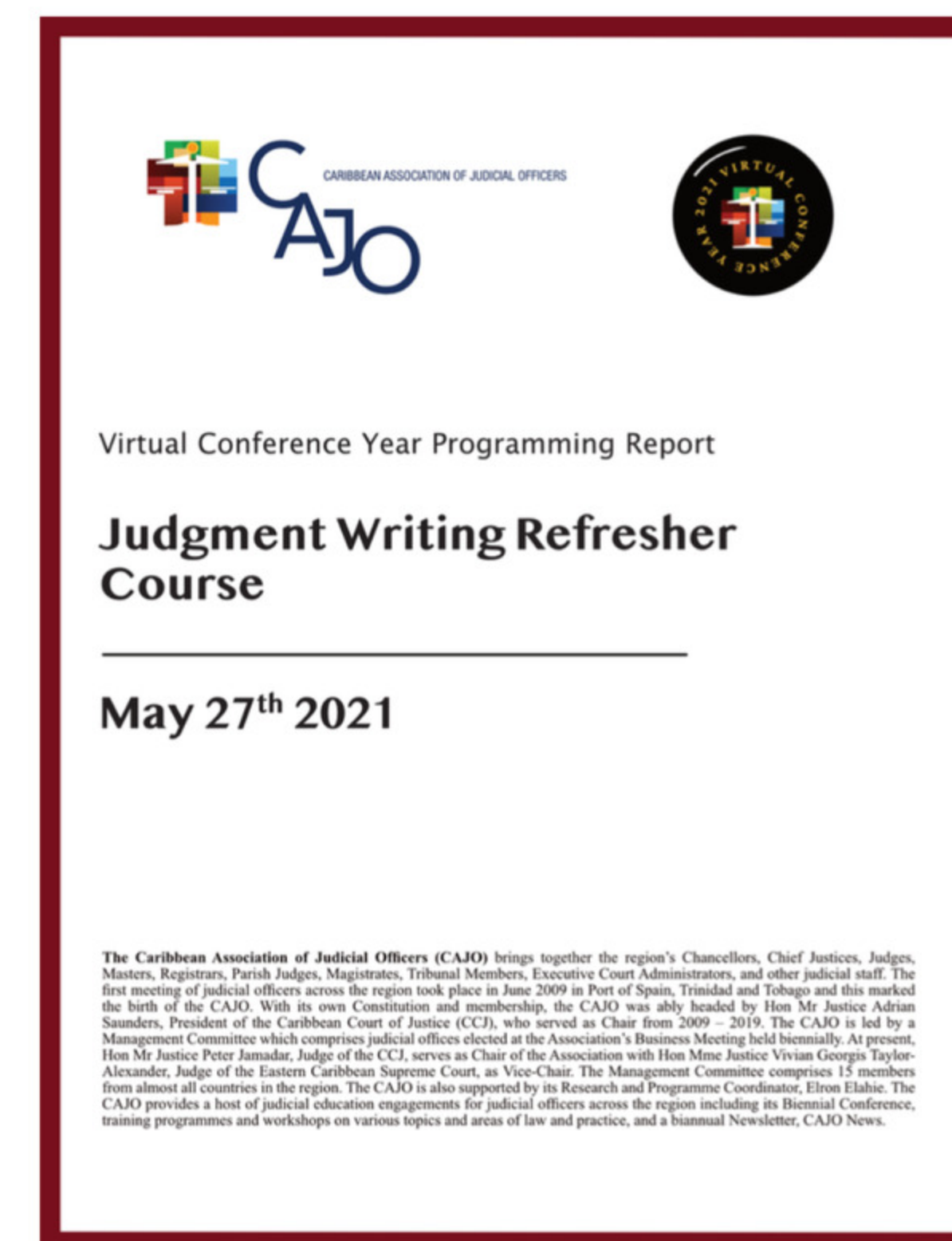
Overall, the session was rated quite well with 94% of participants stating that they'd rate their benefit from the session as either a 4 or 5 (on a scale of 1-5, with 5 being the highest).

Participants were asked to rate, on a scale of 1-5 with 5 being the highest, three areas of the session: Information Shared, Quality of Delivery, and Engagement. None of the participants rated any of these as 1, and a nominal percent of participants gave a rating 2 and 3 for each of the three areas. Between 15% and 25% of participants rated a 4 for each area, and over 70% gave scores of 5

All participants shared that they would recommend the session to their colleagues. Further, 99% of participants rated the CAJO a 4 and 5 as a judicial education provider.

When asked for their comments on the session with regard to what was most useful from the session, a most significant learning, participants mentioned **the teaching on how to organise judgments, the use of an issue-driven template, and the clinical attention that needs to be paid when constructing sentences.**

The full report can be accessed by clicking the image on the next page.



The CAJO is also happy to share the video recording of the entire Judgment Writing Refresher Course which can be accessed below.

Deepest appreciation is had for Justice Dennis Morrison as well as all participants who took the time to attend and meaningfully engage.



CAJO Supports COVID-19 Vaccination of Judicial Officers

The COVID-19 pandemic has been nothing short of disorienting for judiciaries and judicial officers across the region. However, amid the chaos and uncertainty, regional judiciaries have swiftly adapted and continued to ensure the administration of justice.

Almost one year into the global pandemic, vaccines have been introduced and preliminary trial data shows promising results. **The increasing availability of COVID-19 vaccinations across the Caribbean has begun to provide some reprieve from the burden of the virus.**

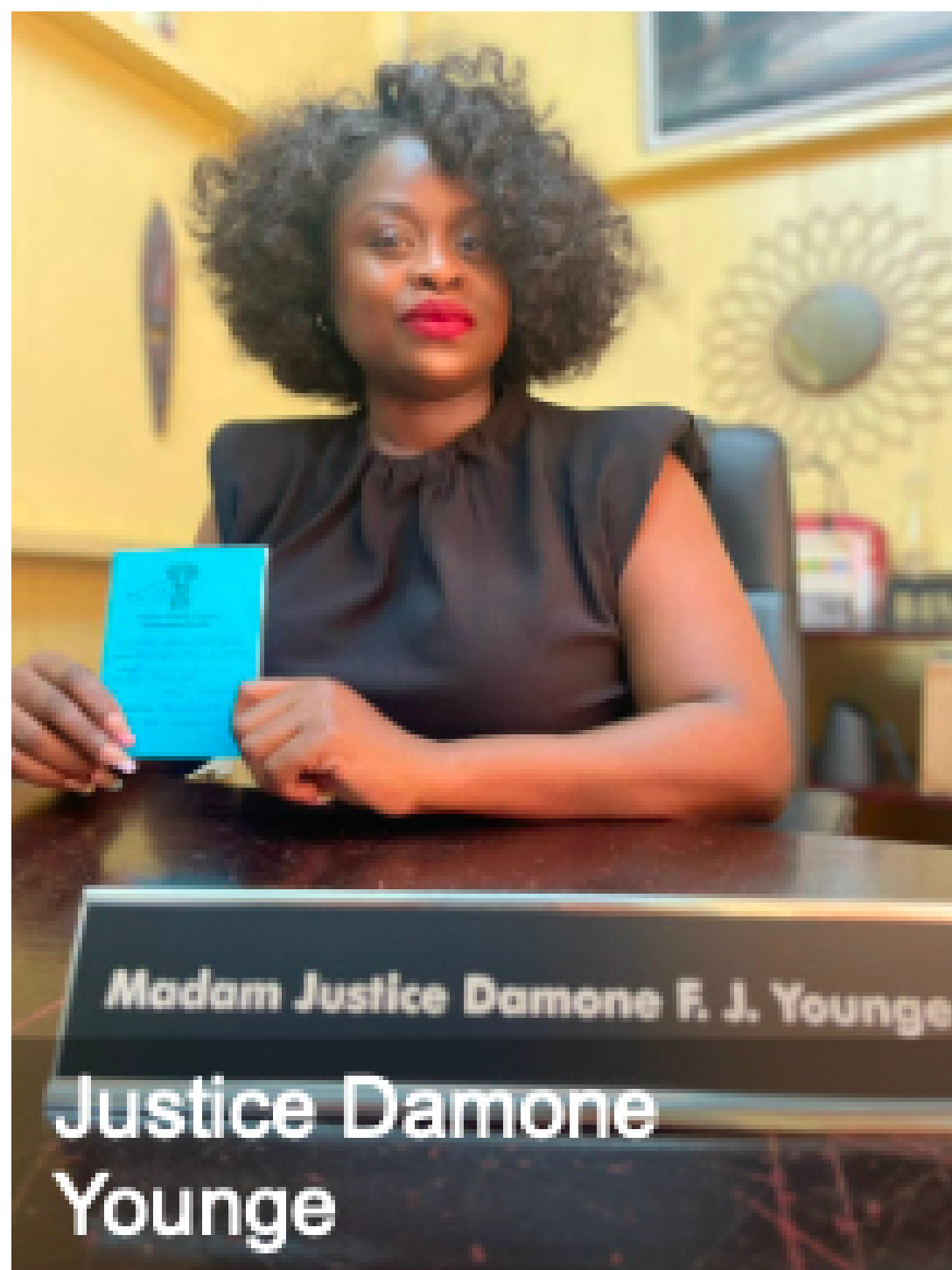
The CAJO is delighted that judicial officers across the region are getting vaccinated so that they protect not only their health, but that of their

loved ones and court users who must interact with them. Indeed, getting vaccinated benefits the entire community.

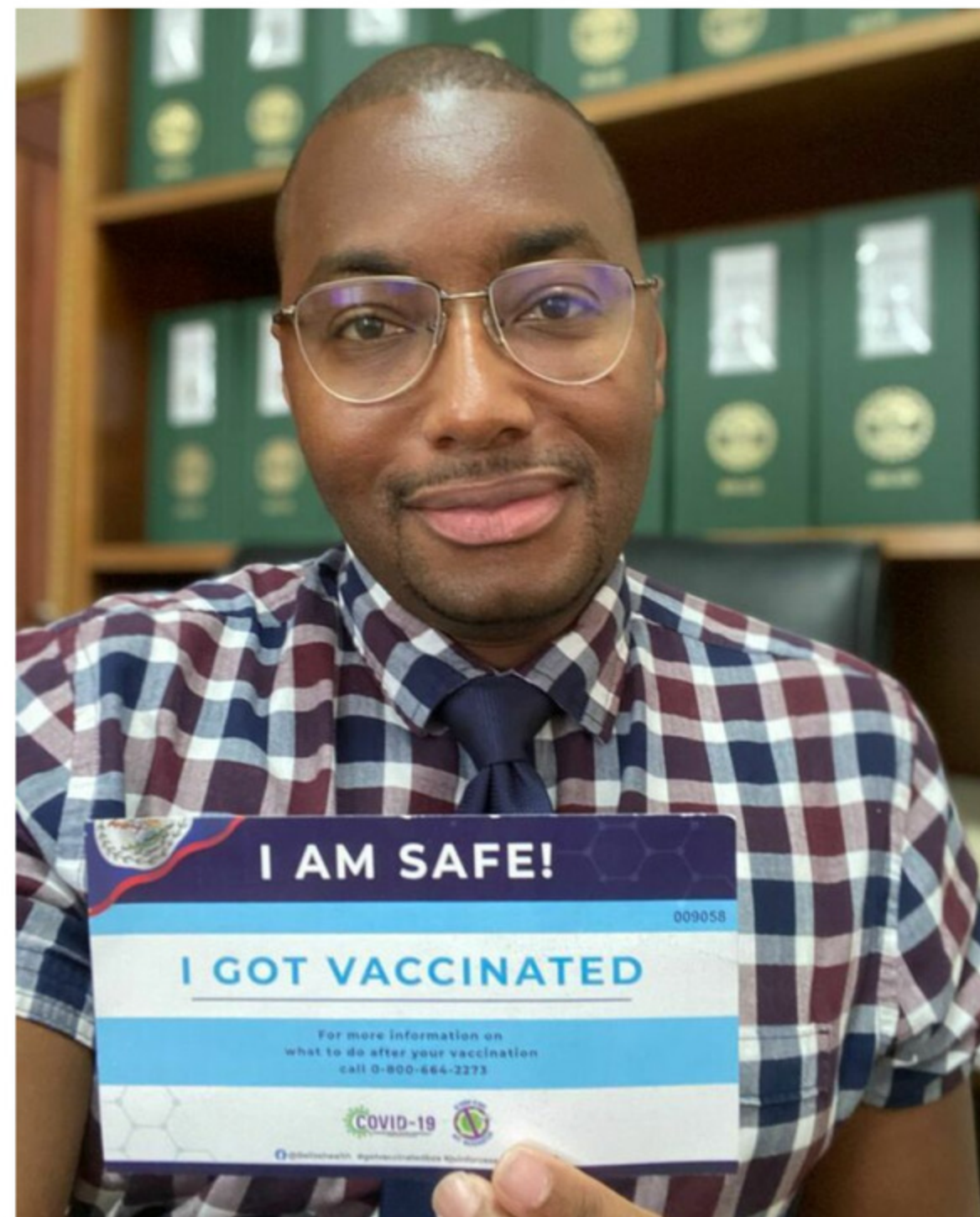
The CAJO supports judicial officers receiving the vaccine, whichever may be available, as a means towards reducing the grave impact of the virus. Of course, the CAJO also supports informed decision-making and thus recommends that judicial officers seek advice from a physician if there are any questions or concerns about receiving the vaccine.

As part of showing support for judicial officers receiving the vaccine, the CAJO collected photos from regional judicial officers as they received their vaccines and showed their support.

Belize



Madam Justice Damone F. J. Young
Justice Damone Young



Justice Westmin James

Guyana

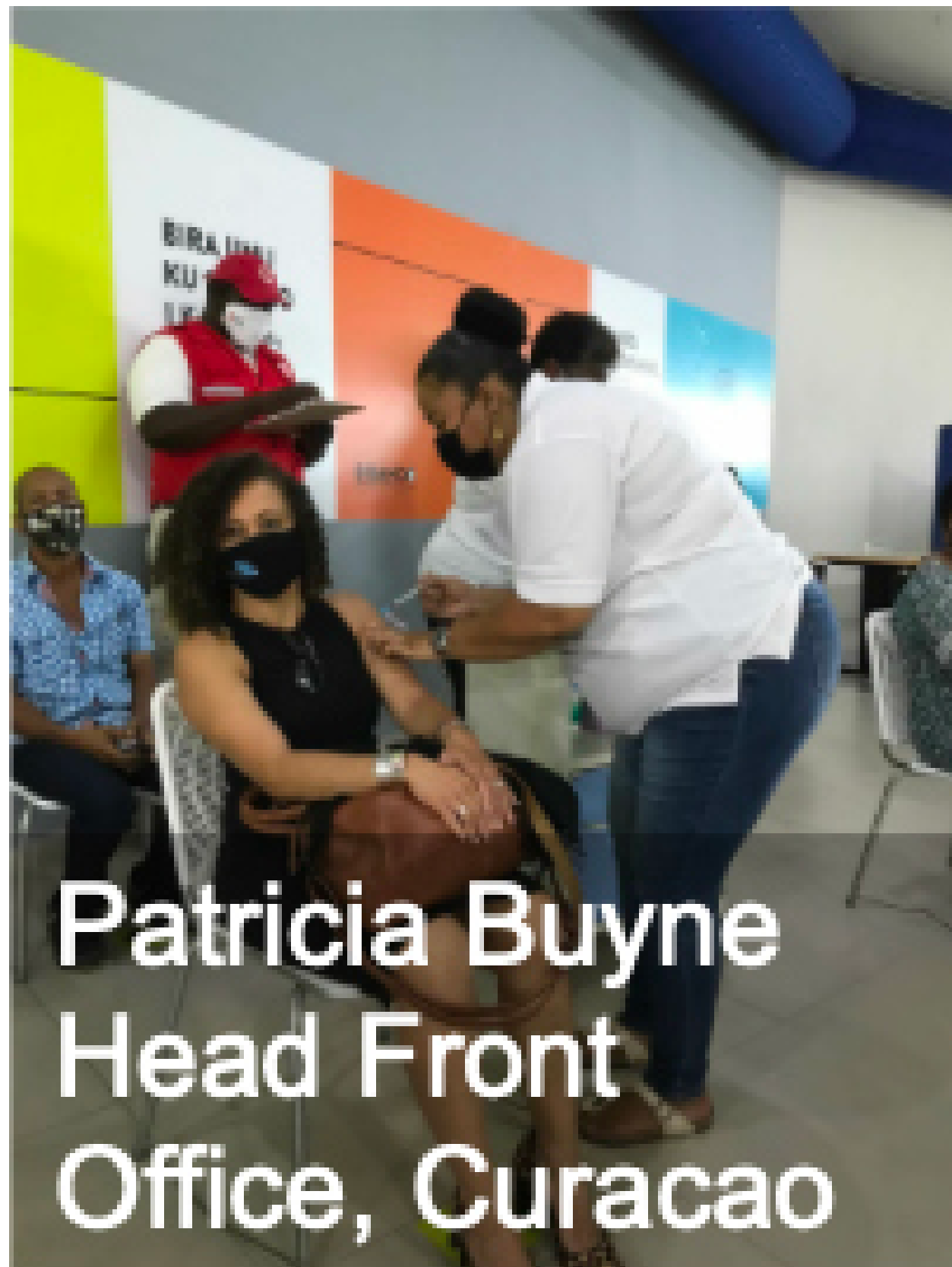


From left: Justice of Appeal Rishi Persaud, Chief Magistrate Ann Mc Lennan, Chief Justice Roxane George, Justice Nareshwar Hamanan, Justice Damone Young, Justice Brassington Reynolds



Staff Members from the Court of Appeal displaying their Immunization Cards after being fully vaccinated

Joint Court of Justice



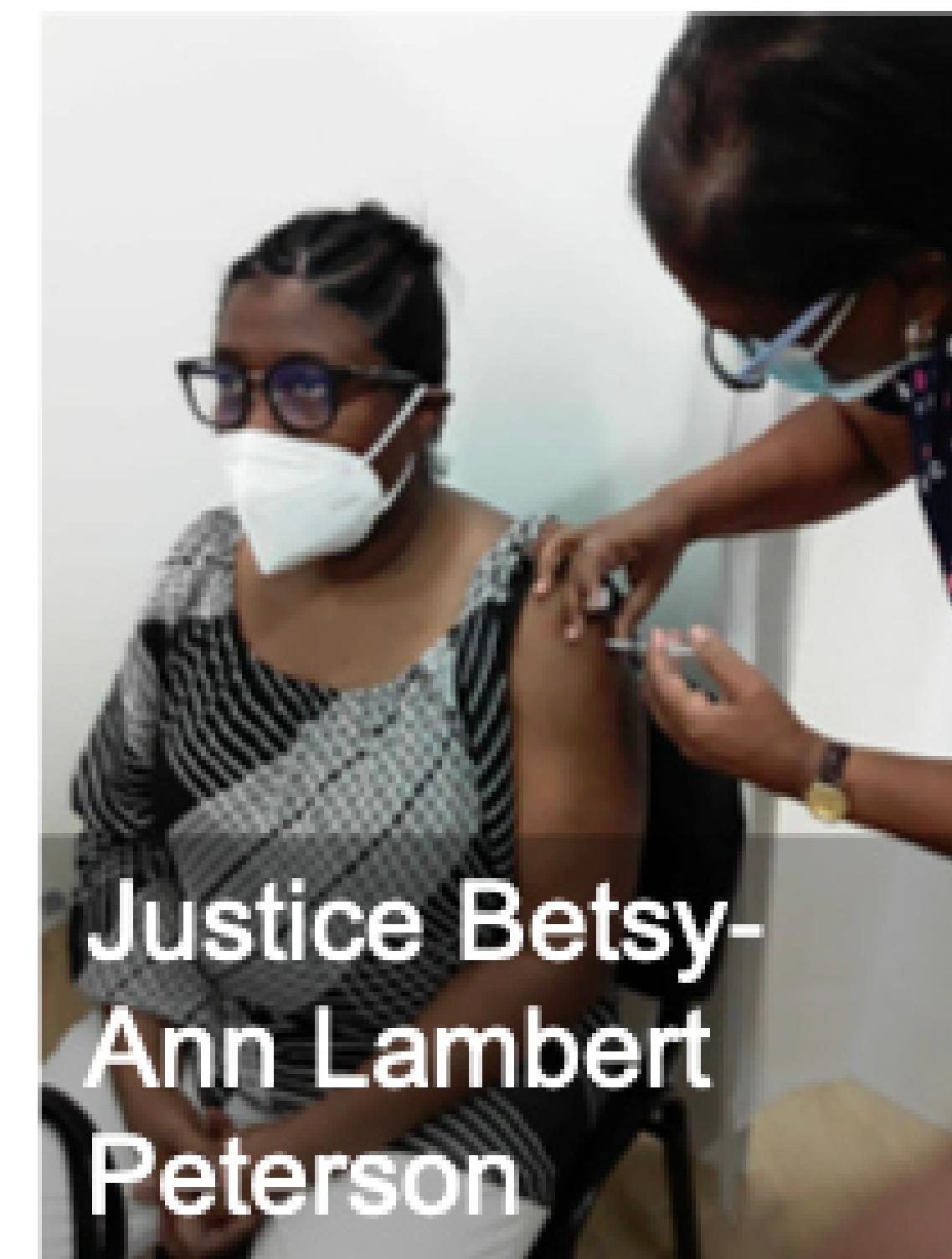
Patricia Buyne
Head Front
Office, Curacao

Suriname



Justice Sandra Nanhoe-Gangadin

Trinidad and Tobago



Justice Betsy-
Ann Lambert
Peterson

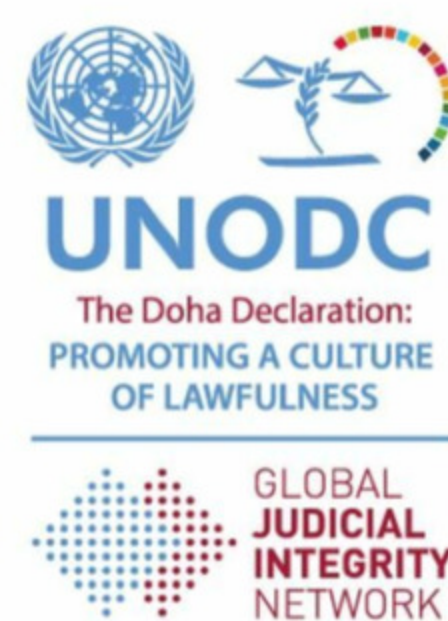
Also, as the World Health Organisation recommends, **being vaccinated does not mean that we can throw caution to the wind and put ourselves and others at risk**, particularly because research is still ongoing into how much vaccines protect not only against disease but also against infection and transmission.

There is quite a lot of available information on COVID-19 vaccinations. However, misinformation is also quite common. As such, the CAJO recommends getting COVID-19 vaccination from reputable sources.



The Global Judicial Integrity Network: A Platform to Strengthen Judicial Ethics and Prevent Judicial Corruption

The GJIN Team



Ethics and integrity are fundamental for the exercise of justice in all its forms. With this in mind, **the Global Judicial Integrity Network was created with the aim of supporting judges and judiciaries in addressing these challenges to strengthen judicial integrity and prevent corruption in justice systems.**

Since its launch, in April 2018, the Network has reached nearly 200,000 participants from 189 countries. This number is growing and reflects the commitment of the actors involved in this initiative, from judges and presidents of supreme courts to judicial councils, judicial associations and relevant judicial experts, among others. This experience illustrates how the Network addresses a real and pressing need worldwide.

The Second High-Level Meeting of the Global Judicial Integrity Network: momentum for the future of judicial integrity

The year 2020 started with the fruitful second **High-Level Meeting of the Global Judicial Integrity Network** that took place in Doha in February. This **High-Level Meeting, hosted by the Chief Justice and the Supreme Judiciary Council of the State of Qatar, gathered over 700 participants from 118 countries and 50 judicial associations and organizations, including 37 Chief Justices.** It represents the largest gathering of judges ever assembled under the auspices of the United Nations.

The meeting provided a valuable opportunity to take stock of the Network's achievements and discuss judicial integrity-related topics. Several

knowledge products and tools of the Network were officially launched during the meeting, namely the Judicial Ethics Training Tools; the Guidelines on the Use of Social Media; the Guide on How to Develop Codes of Judicial Conduct; and the Paper on Gender-Related Judicial Integrity Issues. The meeting also created a space to identify new priority areas for 2020-2021, as manifested in the Doha Declaration on Judicial Integrity that was adopted at the meeting.

It was announced that the **Advisory Board** was strengthened by two new members — Hon. Vanessa Ruiz, Judge of the Court of Appeals of the District of Columbia of the United States and the President of the International Association of Women Judges, and Hon. Mathilda Twomey, former Chief Justice and current Justice of the Supreme Court of Seychelles. The Advisory Board met in the margins of the Meeting to discuss the next two years, taking into consideration the recommendations made by Meeting participants. That discussion formed the basis for the **2020-2021 workplan of the Network.**

New materials and knowledge products to enrich the work of the Network.

In 2020, the Global Judicial Integrity Network progressed on the development of a new knowledge product on the **role of judicial immunity in safeguarding judicial integrity and independence.** The purpose of this paper is to provide a succinct, yet comprehensive, collection of the key messages on the topic.

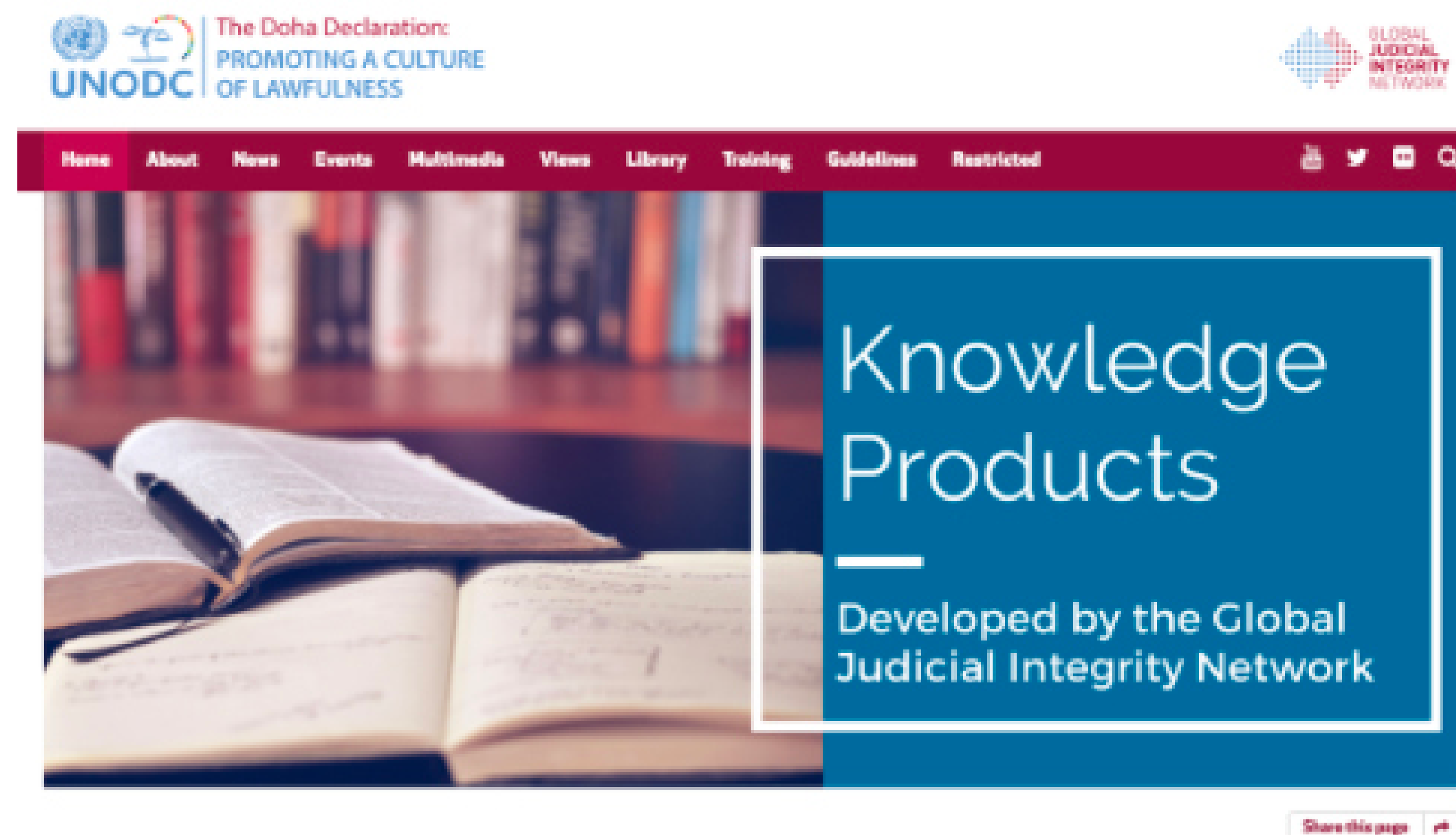
The idea behind the paper is that it can be used as a whole, but the key messages can also be extracted and used individually, for example as part of judiciaries' public outreach or education efforts. The document will be officially launched and published later this year.

Significant work has also been undertaken on the topic of ethical considerations in the **use of artificial intelligence (AI) in the judiciary** in terms of the research and drafting of a discussion guide and guidelines. **This work focuses on integrity challenges in the development and implementation phases of the use of AI, and aims to address specific themes, such as access to justice, transparency, accountability and data privacy. Expert consultations are planned for 2021.**

UNODC, in its capacity as the secretariat of the

Network, also submitted a proposal to create global recommendations to prevent gender discrimination and biases in judicial AI systems at the 2020 AI for Good Global Summit, which was organized by the International Telecommunication Union and XPRIZE Foundation. The proposal was one of the winners in the Gender Equity Breakthrough Track and will complement the overall work of the Network on the use of AI.

The Network has also begun work on **open justice and public confidence.** In this regard, the Network is collecting good practices, including on the relationship of the judiciary with the media. Judicial transparency and community outreach contribute to ensuring public confidence. With this in mind, the Network will continue to support judiciaries, as well as consider developing materials to promote open justice.



Global Judicial Integrity Network
Snapshot of GJIN's Website

to confidence in the rule of law. With this in mind, boosting judicial integrity is an integral part of the Doha Declaration's Global Programme.

Network activities to continue to strengthen judicial integrity during the pandemic

During the COVID-19 pandemic, the Network launched an ongoing [webinar series](#) to promote dialogue on judicial integrity-related challenges. In total, twelve webinars have been held since the beginning of this initiative. To promote multilingualism, some of the webinars were held in Portuguese and Spanish. Overall, 1,600 participants have attended the webinars, with 130 attending each session on average. **Some of the topics covered by the webinars include: the use of artificial intelligence in the administration of justice; the investigation of judicial misconduct; and the existing challenges and practices concerning financial disclosures by judges.**

The Network has hosted other online events, including a meeting for partner institutions that took place in October 2020. Around 25 associations and institutions participated in the meeting and discussed good practices in response to emerging challenges to judicial integrity. In October 2020, together with the United Nations Special Rapporteur on the Independence of Judges and Lawyers, the Network also held a side event at the Conference of Parties to the UN Convention against Transnational Organized Crime on the effects of organized crime and corruption on judicial integrity. In December 2020, the Network held a workshop at the International Anti-Corruption Conference on transparency techniques in the judiciary.

Virtual activities have continued in 2021, with a training on the use of social media by judges, as well as two events within the UN, such as the side event at the [UN Congress on Crime Prevention and Criminal Justice](#) on Strengthening Accountability, Integrity and Efficiency within Judiciaries and an event on judicial well-being at the [UN Commission on Crime Prevention and Criminal Justice](#).

The website has continued to be a leading global platform for judicial integrity. Overall, 66,000 users accessed the website in 2020 and the website was enriched with a lot of new content and functionalities. Moreover, there has been a focus on multilingualism, including translating webpages into other languages, and adding resources in additional languages. Six new podcast episodes and 21 opinion pieces were published in 2020. 15 of the opinion pieces were part of a new series on access to justice during the COVID-19 pandemic.

With the motto “by judges, for judges” in mind, the Network launched a [new interactive webpage “Voices”](#) that showcases participants’ opinions about judicial integrity challenges and the services of the Network. The page includes quote boxes, word clouds, an interactive map and more. Together with the existing initiatives, the “Voices” page allows Network participants to be heard and feel like part of our global community.

Partners and training sites for the strengthening of judicial integrity

Since its launch, the Network has been strengthening its alliances with important partners. Thanks to fruitful collaborations, the Network was promoted at several international events that have taken place in 2020 and 2021. The Network has also supported or contributed to several national events, in particular on judicial ethics training and other aspects of judicial integrity.

Despite the pandemic, 2020 and 2021 are proving to be very successful years for the judicial ethics training initiative of the Network. In 2020 and 2021, 20 new jurisdictions committed to implement the [Judicial Ethics Training Tools](#), thus, increasing the overall number of sites to 68.

The training sites have continued to be active in delivering training courses despite distancing limitations. For instance, Jamaica organized a virtual ethics training for judges. **To date, around 6,800 judges have been reached by the Judicial Ethics Training Tools, and there have been over 15,000 views of the e-learning pages.** These increasing numbers demonstrate the growth of the training programme and the broad applicability of the Tools globally.

Two online meetings of training focal points were organized – one in June 2020 on general experiences and good practices in implementing the tools and one in October 2020 that looked at how to train judges during the pandemic. The meetings have been helpful for gathering insights about existing challenges and opportunities and have proven once again the dedication of focal points and judicial trainers to share their

knowledge for the benefit of judges worldwide.

Next Steps for the Global Judicial Integrity Network

Since its launch, the Global Judicial Integrity Network has continued to work with judges and members of the judiciary worldwide to strengthen judicial integrity by sharing best practices and providing technical assistance to judiciaries on the new judicial integrity challenges they encounter.

The Global Network is a network by judges for judges, so we invite you to join, register as a participant, use it and enrich it. Please visit our website at www.unodc.org/ji/ or contact us at unodc-judicialintegrity@un.org to learn more.

The screenshot displays the website's interface, featuring a dark red navigation bar with links for Home, About, News, Events, Multimedia, Views, Library, Training, Guidelines, and Restricted. Below the navigation bar is a grid of video thumbnails, each with a title and a brief description. The thumbnails include:

- Global Judicial Integrity Network: Good Practices in Judicial Training** (2020-10-20): A video featuring Judge Elise Samuel Boonkamp, Director of the Judicial Training Institute in Mozambique, discussing good practices in judicial training.
- Global Judicial Integrity Network Third Anniversary Event** (2020-10-20): A video celebrating the Network's third anniversary with interventions from key international partners.
- How to Use Social Media to Bring the Public Closer to the Court** (2020-10-20): A video focusing on how some jurisdictions in the United States use social media to foster judicial transparency and open justice.
- High-Level Policy Dialogue Between the Judiciaries of Iraq and the State of Qatar** (2020-10-20): A video covering a high-level discussion to mark the Judiciary of Iraq bringing the Global Judicial Integrity Network's Judicial Ethics Training Tools to the fore.
- Celebrating Three Years of the Global Judicial Integrity Network** (2020-10-20): A video celebrating the Network's third anniversary and its achievements.
- UN Crime Congress Auxiliary Event: The Global Judicial Integrity Network** (2020-10-20): A video discussing the Network's role at the UN Crime Congress.
- Rule of Law Conversations: Egypt - The Rule of Law: A Pillar of Democracy** (2020-10-20): A video featuring UNODC's new interview series, 'Rule of Law Conversations'.
- Promoting peace, justice & the rule of law: the journey of UNODC's Doha Declaration Global Programme** (2020-10-20): A video celebrating the Doha Declaration Global Programme's 10th anniversary.

At the bottom of the screenshot, a banner reads: **Snapshot of resources available on GJIN's website**.

UPDATES FROM ACROSS THE REGION

BELIZE

Digital Transformation of Courts in Belize

The Belize Courts launched its new electronic filing platform on Monday, April 26, making it a leader, in a move by APEX, the Caribbean Agency for Justice Solutions, to digitally transform judicial systems in the Caribbean.

The launch represents a partnership between the Government of Belize and APEX to provide a solution that will improve the quality and efficiency of the provision of legal services in Belize. The virtual event featured Acting Chief Justice, Hon. Michelle Arana; Acting President of the Court of Appeal, Hon. Minett Hafiz-Bertram; the Registrar General, Ms. Trienia Young, and Executive Director of APEX, Mr. Bevil Wooding.

The agreement, signed earlier in 2021, was for APEX to provide an e-Filing system for the courts, as well as a case management system for the Court of Appeal. Mr. Wooding said that within days of signing the agreement, the Court and APEX formed a project committee and began work to implement the e-filing solution.

“Our collaboration with APEX resulted in the implementation of an e-Filing system for the Belize

Supreme Court and Court of Appeal in under six (6) weeks. This is a remarkable achievement for Belize and for APEX” Chief Justice Arana stated.

Her Ladyship added that the new e-filing platform, which uses the Curia court management system developed by APEX, will allow for faster processing of court documents by the Registry, and significant time and cost savings for lawyers and litigants.

“The new system will allow users to securely access case files anywhere and at any time. This is a significant step in our journey to modernizing our systems and equipping our Courts with the tools and capabilities to deliver quality justice services to all” she concluded.

Indeed, this project, which is being executed under the auspices of the Attorney General's Ministry through the visionary leadership of the Hon. Attorney General, Hon. Magali Marin Young SC has resulted in a service that stands to benefit Belizean people for years to come.



Bevil Wooding, Executive Director Apex and Magali Marin-Young, Attorney General of Belize (Photo: Loop News)

BELIZE

New Governor General of Belize

Thursday, May 27th, will go into the history books as the day that Belize installed its third and **first Indigenous American Governor General in the Commonwealth, Froyla Tzalam**. The historic moment took place at the House of Culture, where Tzalam was sworn in as the new representative of Her Majesty **Queen Elizabeth II**-Belize's Head of State.

Local and international organizations and officials congratulated Tzalam, a Mopan Maya woman of the village of San Antonio in the southern **Toledo District**, on her installation as Governor General. Her designation for the post received no opposition as she is recognized as an active Belizean in history, indigenous rights, and the **Maya culture** with high academic degrees in Anthropology and Rural Development.

During the installation ceremony, Prime Minister Honourable John Briceño said Tzalam is an outstanding Belizean woman of extraordinary skills and talent. Briceño also recognized former Governor General Sir Colville Young for his contribution to the youth and the arts.

After Tzalam was sworn in as Belize's Governor General, she gave a speech. She thanked Prime Minister Briceño and his government for her appointment and Belizeans who have shown their support. Tzalam said that following her, any child can now aspire to hold such high office in Belize regardless of their background. The new Queen's representative said she would do her best to do as much as possible for the country and Belizeans. **“I will do my part to empower Belize at all levels, from the individual to the national,” said Tzalam. “It is also my hope that time will permit me to carry out more than my constitutional duties. I will use my interest in strengthening local communities to build a nation that can overcome challenges.”** Tzalam said she would be visiting different parts of the country to meet with people and learn about them.

The ceremony included cultural presentations like the **Maya Deer Dance**, along with **Garifuna** and Creole presentations. The entire ceremony can be viewed at <https://bit.ly/2QXrjPZ>.

This excerpt was taken from the San Pedro Sun, For the full article, click here.



Governor General Froyla Tzalam

JURIST PROJECT

GUYANA LAUNCHES PUBLIC EDUCATION AND ENGAGEMENT PROGRAMME

In an effort to ensure that justice remains accessible, **the Guyana Supreme Court of Judicature has embarked on a public education and engagement programme which allows the courts to continue functioning while maintaining a safe environment for the public and preventing the spread of COVID-19.**

Titled: "We can still hear you," the programme was launched virtually in December, 2020, by the Supreme Court in collaboration with the Canadian-funded Judicial Reform and Institutional Strengthening (JURIST) Project.

Under the campaign, the Supreme Court launched a website www.supremecourt.gy which provides a tool for matters to be filed online in an effort to reduce visits to court registries throughout Guyana.

The website and social media platforms such as Facebook, are providing the Supreme Court with an opportunity to keep the public informed with information relating to the court and its services. Additionally, the courts have installed signage in all buildings that advises/reminds citizens of COVID-19 safety guidelines.

Speaking during the launch of the programme, the Honourable Mme. Justice Yonette Cummings-Edwards, OR, CCH, Chancellor of the Judiciary (ag), said the COVID-19 pandemic potentially sought to disrupt the delivery of justice to our citizens. She noted that the pandemic made it difficult for matters to be filed, cases to be heard, decisions to be communicated and remedies to be implemented.

The Chancellor stated that conscious of citizen's

needs, the Supreme Court of Judicature of Guyana took swift action to ensure that matters could still be heard so that justice was neither delayed nor denied. "We ensured that even though one had to maintain social distancing, there was no a legal distance between you and the court and your matter to be heard. There was no legal isolation either," she explained.

She continued: "As we worked to keep the wheels of justice turning through the use of Zoom, Microsoft Teams, Skype, GoToMeeting and other online platforms, there was immediately evident, the need to ensure that citizens were aware of this fact. There was the need for citizens to be aware also that their access to justice was not compromised and that the work of the court was ongoing." Justice Cummings-Edwards added that it was through their partnership with the Canadian-funded JURIST Project that the judiciary was able to quickly develop and implement a public communications campaign.

"This campaign sought to give citizens everywhere the assurance that, COVID-19 notwithstanding, access to justice was still important and could be realized. Our campaign was implemented through traditional radio and on social media. It included upgrade to signage around our court buildings to advise, educate and remind citizens of the need to wash or sanitize their hands, wear a mask and maintain physical distance from each other," she highlighted.

She admitted that while the judiciary's move into social media pages and the website for communicating court information was new for them, it was quite successful.

One of the social media posts for the campaign, reached of over 60,000 persons in less than one week. It received 1,134 likes, comments and shares and 1,632 photo views. It generated 4,327 other clicks, and with boosting had more than 73,000 impressions.

"This gives another dimension to the aphorism that justice must not only be done but must manifestly seen to be done. It also reinforces the fact and benefits of improved communication and dissemination of information on the judicial system. In putting into the public sphere the information that society needs to know about the court, public confidence in the administration of justice is engendered. The public education program is definitely an important step in this regard," the Chancellor underscored.

Her Excellency Lilian Chatterjee, outgoing High Commissioner of Canada to Guyana and Suriname, explained the need for the public to understand the value of the judicial system and how it works. "If the public does not understand the value of the judicial branch they would not be willing to support it through their taxes and other funding or serve their role on juries or trust the decisions that come from the system," she lamented. "A strong judiciary is one that listens to those they serve," the High Commissioner emphasised as she commended the Guyana judiciary for launching the programme which seeks to ensure the "wheels of justice are still turning" despite the pandemic.

The Honourable Mme. Justice Roxanne George-Wiltshire, Chief Justice of Guyana (ag), said access to justice in the context of the pandemic continues to be expanded as the judiciary employs a range of technologies and platforms for hearing matters, embracing flexibility about where judges, magistrates, plaintiffs, defendants, complainants, accused, or the police could be located at the time

of the hearings or trials.

She noted that Practice Directions detail the cases that are considered urgent and which would be given priority in terms of hearing dates. "I particularly highlight domestic violence applications as being in this category of urgent cases because by their very nature, these matters require special urgency due to the possible risks to family members including vulnerable women or young children," she explained. She continued that while the Ministry of Health's COVID-19 guidelines meant the restriction of the opening hours of the registries and court offices and the enforcement of limits on how many persons could be physically in such registries and offices, the judiciary set up a number of email addresses, and later a filing mechanism to which Chancellor Cummings referred, so that there was and continues to be increased access to our registries and offices.

"While the pivot to a COVID-19 communications campaign was an imperative at the time, the overarching communications project to build public trust and confidence in the judiciary remains a very important task under our engagement with JURIST. As we return to the implementation of the core communications strategy, we will build on the 'We Can Still Hear You' campaign so as to educate and therefore foster enhanced access to justice and thereby increased trust and confidence in the judiciary and judicial system," Justice George-Wiltshire assured.

Newest CAWJ Patron, the Hon. Mme Justice Maureen Rajnauth-Lee

Imagine being viciously assaulted by an ex. Imagine seeing that same ex walking around freely on the streets after making bail. Fast forward eight years later, the case has not yet been heard in the courts.. That ex is still free. This may be your story, one not unfamiliar to other women and girls in the Caribbean.

The Caribbean Association of Women Judges (CAWJ) brings together the expertise of women judges throughout the region with a specific focus to promote a greater understanding and better resolution of legal issues facing women and girls. The establishment of the Caribbean chapter was the brainchild of the Hon. Mmes Justices Joan Charles and Maureen Rajnauth-Lee after attending a biennial conference of the International Association of Women Judges in Seoul, South Korea in 2010. These two professional women judges were juggling full-time jobs and families but wanted to have a Caribbean version. Finally, in 2014, the organisation was launched in a ceremony held at the Hyatt Regency in Trinidad and Tobago. As a founding member of both the Trinidad and Tobago Association of Women Judges and CAWJ, the Hon. Mme Justice Rajnauth-Lee served as Vice-President in both organisations. Rest assured that men judges can also join the CAWJ.

On 22 May 2021, the Hon. Mme Justice Rajnauth-Lee was installed as a Patron of CAWJ in a virtual ceremony due to restrictions caused by the COVID-19 pandemic. Speaking at her installation, CAWJ President, the Hon. Mme Justice Charles gave her a glowing review saying, "I can attest to her honesty, integrity and nobility of character, which all make her peculiarly suitable to be appointed" as Patron. In her new role, the Hon. Mme Justice

Rajnauth-Lee is recognised as a person of distinction in the Caribbean and in the industry and lends her name to the organisation. She follows an illustrious line of patrons: the first-ever was former CCJ Judge, the Hon. Mme Justice Desiree Bernard, who was installed in 2015. Also, she joins retired Chief Justice of Jamaica, Justice Zaila McCalla, who was recently installed. Her role as Patron will develop over time, but the Hon. Mme Justice Rajnauth-Lee fully supports the outreach work that CAWJ undertakes, like working against sextortion and the trafficking of women and girls in the region. She noted with dismay the spike in domestic and intimate partner violence since the onset of the coronavirus. Sexual violence against minors, especially girls, also concerns her, so much so that she highlighted these viewpoints in her concurring CCJ judgment in ***Pompey v The Director of Public Prosecutions***. She understands that occurrences like these are "not something someone experiences and walks away from whole."

While the CAWJ has a particular focus on issues that affect women and girls, it has received the full support of several men in the judicial fraternity, such as the Hon. the Chief Justice of Trinidad and Tobago, Mr Justice Ivor Archie; former CCJ President, the Right Hon. Sir Dennis Byron; and current CCJ President, the Hon. Mr Justice Adrian Saunders. The CAWJ has had the opportunity to hold meetings during the biennial conferences of the Caribbean Association of Judicial Officers (CAJO) and to highlight the important work of the CAWJ among the wider CAJO membership..

Amid six men judges on the CCJ bench, the Hon. Mme Justice Rajnauth-Lee maintains a delicate balance as the lone woman judge, saying, "I always consider myself a judge first."



Snapshot of a CAWJ's Biennial General Meeting



Justice Rajnauth-Lee installed as CAWJ Patron

The Caribbean Court of Justice Judicial Training Series 2021

On 7 April 2021, the Caribbean Court of Justice (CCJ) launched its 2021 Judicial Training Programme for staff. **These training sessions were conducted in alignment with the CCJ's Strategic Issue 1 (Communications), to ensure a well-informed staff equipped to be ambassadors in support of the Court's communications programme, and Strategic Issue 3 (High-Performance Environment) to foster an environment of trust in which all staff are empowered to contribute to the growth of the Court.**

The programme was the brainchild of the President of the CCJ and was spearheaded by Hon. Mr Justice Peter Jamadar. As Justice Jamadar would say, it represented the start of creating a knowledge product for us to share with future CCJ staff and also with staff of other courts in the region.

The idea behind the programme was to have each staff member positioned to appreciate and understand better some of the main aspects of what informs the core judicial work of the Court. The training series was supported with the invaluable assistance of Ms Patrice Valentine (Human Resources Officer) and Mr Paul Aqai (Court Multi-Media Officer) from the Human Resources and IT Departments, respectively.

The training sessions, which commenced on Wednesday 7 April and ended on Wednesday 2 June 2021, were masterfully facilitated by CCJ judges, Heads of Units and staff, with one course by Hon. Justice Gregory Smith and Ms Lynn-Marie Edwards of the Trinidad and Tobago Judiciary. The training comprised a series of fifteen (15) webinars that were hosted via Microsoft Teams. Each webinar was scheduled on Mondays and

Wednesdays between the hours of 1 pm to 4 pm and lasted approximately two to three hours, with a short break. All sessions were recorded and will be prepared and packaged for future use. Over the course of two months, the following webinars were presented:

Introduction to CURIA (a case management system implemented by the CCJ)

Mrs Heather Dyer Thompson and the Registry Unit (Ms Jacqueline Swaby, Ms Choyce Walcott-Mathurin and Mr Anil Ramsahai)

Writing for Clarity: Self-Directed

The Hon. Mr Justice Peter Jamadar

Introduction to the CCJ's Judgement Writing Protocol

The Hon. Mr Justice Denys Barrow

Introduction to Library Services

Library Unit (Ms. Sheryl Washington-Vialva, Ms. Le Shaun Salandy and Ms. Jacinth Smith)

Ideologies of Research

The Hon. Mr Justice Denys Burgess and Ms. Krystal Sukra

Research Resources

Ms. Sheryl Washington-Vialva

Forms of Legal Argumentation

The Hon. Mr Justice Peter Jamadar, Ms. Candace Simmons and Mrs. Laurissa Pena

Introduction to Style Guide

The Hon. Mr Justice Denys Barrow, Ms. Krystal Sukra and Ms. Andrea Sohun-Cooper

Writing for Clarity: Macro-Organisation
The Hon. Mr Justice Gregory Smith (JA) and Ms. Lynn Marie Edwards Judicial Research Counsel(JRTT)

Statutory Interpretation
The Hon. Madam Justice Maureen Rajnauth Lee and Mr. Antonio Emmanuel

Constitutional Interpretation
The Hon. President Mr. Justice Adrian Saunders and Mr. Kurt Da Silva

Treaty Interpretation
The Hon. Mr Justice Winston Anderson, Ms. Krystal Sukra and Mr. Antonio Emmanuel

Writing for Clarity: Micro Organization
The Hon. Mr Justice Gregory Smith (JA) and Ms. Lynn Marie Edwards Judicial Research Counsel (JRTT)

CCJ Rules: Original Jurisdiction and Appellate Jurisdiction

The CCJ Rules Committee (The Hon. Mr. Justice Jacob Wit, The Hon. Madam Justice Maureen Rajnauth Lee, The Hon. Mr Justice Denys Barrow, Registrar Ms. Jacqueline Graham, Deputy Registrar

Ms. Gizel Thomas-Roberts, Ms Jacqueline Swaby, Mr. Anil Ramsahai and Mr Kurt Da Silva)

Introduction to Relevant Civil Law Principles
The Hon. Mr Justice Jacob Wit and Ms. Krystal Sukra

The programme was a resounding success. The webinars, via its Virtual Classrooms, were highly engaging, incorporating the use of music, video, PowerPoint presentations, live polls, and interactive question and answer segments.

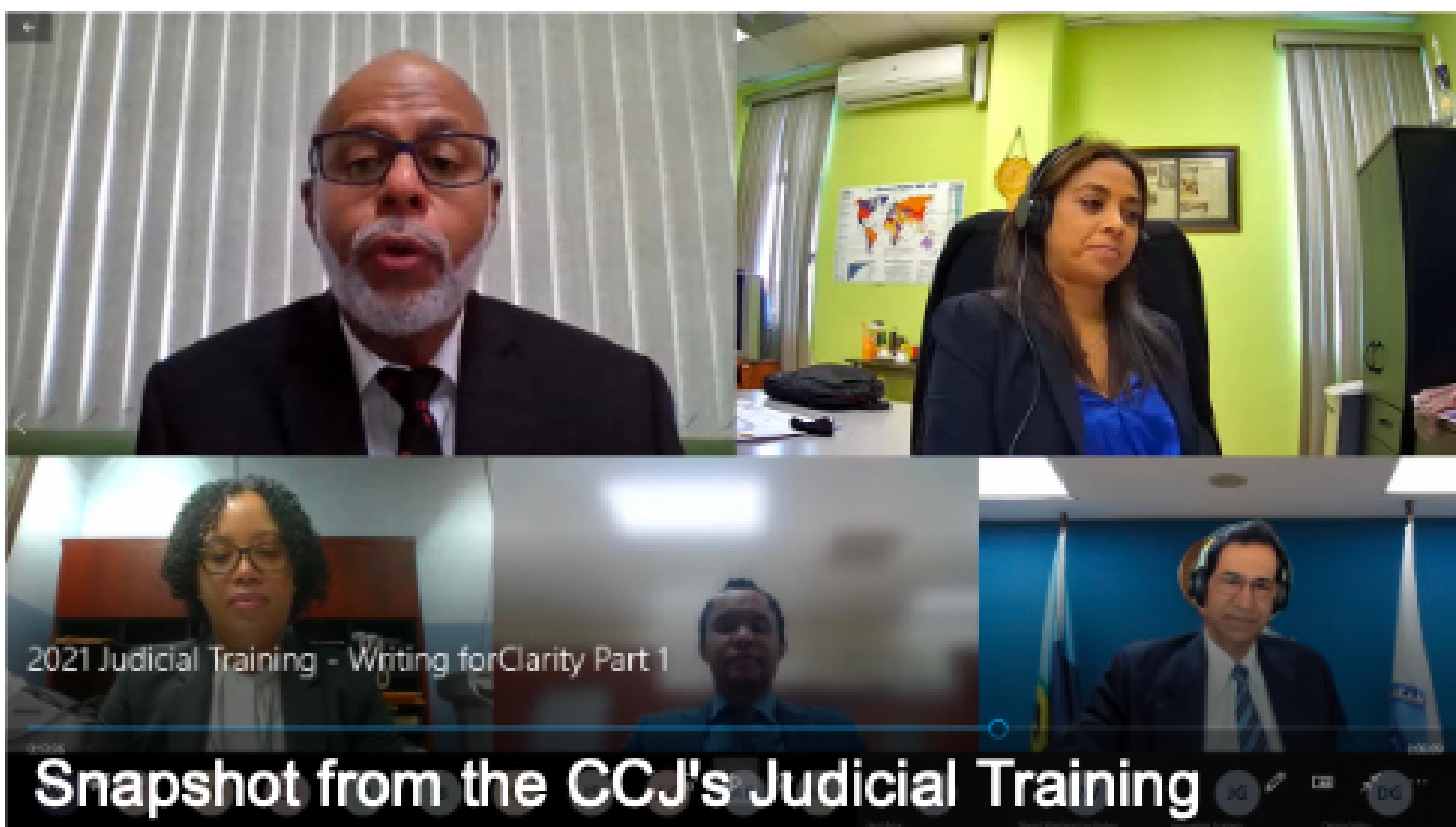
A total of 69 CCJ staff (judges included) participated in at least one 2021 Judicial Training Series session. That is, 80% of staff participated in at least one session. A total of 48 employees (56 %) participated in 5 or more sessions (as an attendee or a facilitator). A total of 12 employees participated in all 15 sessions (as an attendee or a facilitator). And the average size of all sessions held was 36 participants. Indeed, the largest turnout was 44 participants for the President's session on Principles of Constitutional Interpretation. This was considered outstanding, as these sessions were put on during working hours when staff had their full workloads to deal

The Caribbean Court of Justice Judicial Training Series 2021

In addition to sensitisation and training around core judicial topics, this educational initiative achieved the following invaluable accomplishments. **It brought all staff together in a learning environment in which they played the roles of both facilitators and learners. As such, the sessions engendered enhanced respect, regard, and appreciation for the value of all staff and their functions at the CCJ.** Also, and because the sessions were so engaging, interactive, and welcoming, a real sense of organisational camaraderie blossomed over the course of the two months of training. And as is to be expected of Caribbean peoples, these sessions showcased the imaginative creativity and talents of the CCJ staff – and did so in a formal teaching/learning environment.

As the President noted, despite very weighty content the training was presented in a manner that would engage everyone. It has imparted and sharpened our knowledge and brought us more closely together. The recordings will ultimately be archived as a prized knowledge product, in effect, safeguarding our institutional knowledge and making it available to others.

Indeed it was a memorable experience, these two months of Judicial Training. They will undoubtedly serve to sustain the standards of judicial excellence that the CCJ has set for itself as an apex court in the Region.



The CAJO Welcomes Its Research and Programme Coordinator and Executive Administrator

The CAJO welcomes Elron Elahie as its Research and Programme Coordinator.

Elron had been functioning in the same role with the CAJO since November 2019 but on a voluntary basis as he was employed with the Caribbean Court of Justice. Since departing the CCJ in May 2021, Elron has formally joined the CAJO team and coordinates the Association's publications, research interventions, and training programming for 2021.

Elron has a Bachelor of Laws (Hons) from University College London (UCL) and obtained a Masters in Human Rights and Global Ethics in 2020 from the University of Leicester. He is currently a PhD Candidate in Interdisciplinary Gender Studies at the UWI STA. Elron is also a Director of Trinbagonian feminist LGBTI+ NGO, CAISO: Sex and Gender Justice.

Elron is a familiar face to the CAJO family and he continues to work with regional judicial officers to ensure that the CAJO's work is achieved.



Elron Elahie

The CAJO welcomes Mrs Laurissa Pena as its new Executive Administrator.

In April 2021, Laurissa joined the Caribbean Court of Justice as a Judicial Counsel and was appointed Executive Administrator of CAJO.

Laurissa obtained First Class Honors in her Bachelor of Laws degree. She then pursued her Legal Education Certificate with Hugh Wooding Law School and was admitted to practice as an Attorney at Law in Trinidad and Tobago in 2016. Laurissa also has a Bachelor of Science in Business Management with a Minor in International Relations. She completed a mini pupillage with Peter Knox Q.C. at 3 Hare Court, London and soon after, joined Allum Chambers and worked with several senior attorneys.

Laurissa joined the firm of Alexander, Jeremie and Company in 2019 where she was responsible for a commercial portfolio and several appeals before the Court of Appeal and Privy Council. She worked on several important and novel cases.



Mrs Laurissa Pena

CAJO Delivering Regional Training Using its Virtual Classroom

In March 2021, the CAJO deployed its fully outfitted virtual classroom funded by the JURIST Project. Designed in response to the shifting landscape of adult education delivery given the COVID-19 travel restrictions, **the CAJO's virtual classroom combines a number of pieces of technological equipment to deliver virtual training that transcends the usual computer-desk environment.**

The first iteration of the CAJO's virtual classroom was engaged in a 2020 Judgment Writing training programme delivered to Trinidad and Tobago's Office of Procurement Regulation. Using the Caribbean Court of Justice's equipment, the CAJO's Research and Programme Coordinator, Elron Elahie, and the CCJ's Multimedia Officer, Paul AQUI, were able to use existing equipment that

allowed for the facilitators to utilise conference room space, cameras, television-screens, and audio-video equipment to deliver lecture and in-person style training to participants in the comfort of their homes.

This virtual classroom is critical to the CAJO's innovative and sustainable delivery of judicial education and training across the region. It allows participants to attend and interact with facilitators in a user-friendly setting while providing a space for facilitators to be more interactive, vibrant, and impactful; moving beyond the now normative 'sitting in front the computer' method of delivery. Learning and participation thus do not suffer from a lack of in-person engagement.



Snapshot of the CAJO's Virtual Classroom Setup

Desirous of expanding its own capacity as an established leader of Caribbean judicial education and training, **the CAJO was financially supported by the JURIST Project to secure the necessary equipment to fashion this virtual space. The virtual classroom better positions the CAJO to move judicial education boldly forward in sustainable ways as the region, and entire world, balances building capacity and expertise while protecting health and cutting costs.** Moreover, the development of this capacity allows for the CAJO to expand its reach and bring more opportunities for training, education, and access to knowledge products to more judicial officers and institutions across the region.

The CAJO received all equipment in late March 2021. In May and June 2021, the virtual classroom was successfully utilised for the CCJ's 2021 Judicial Training Series. The CCJ's Multimedia Officer, Paul


AQUI, expertly managed the technical setup and running of the classroom. Participants in the Writing for Clarity sessions, facilitated by Justice Gregory Smith and Ms Lynn-Marie Edwards, and the Legal Argumentation session, facilitated by Justice Peter Jamadar and assisted by Ms Laurissa Pena, were able to be part of the virtual classroom learning. Ms Candace Simmons and Mr Shasta Sankar were also part of a volunteer technical team to assist with the virtual classroom training delivery.

Deepest gratitude goes out to the JURIST Project and Global Affairs Canada who have consistently supported the work of the CAJO and judiciaries across the region. The CAJO is delighted to deliver some of its 2021 training using its virtual classroom and looks forward to regional engagement and participation.




CCJ's Multimedia Officer, Paul AQUI, managing the CAJO's Virtual Classroom


UPCOMING CAJO EVENTS



CARIBBEAN ASSOCIATION OF JUDICIAL OFFICERS
CAJO



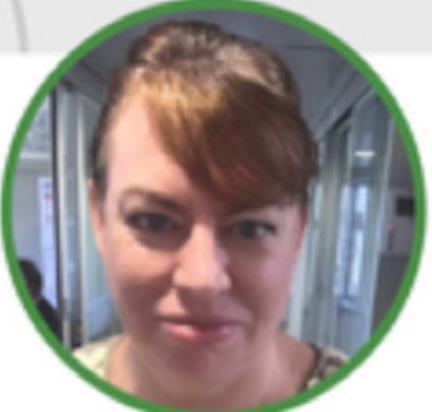
Gemeenschappelijk
Hof van Justitie




HOF ACADEMY
JOINT COURT
OF JUSTICE

International Public and Private Law from the Civil Law Perspective


Relevance for Caribbean Judicial Practice



Prof Flora Goudappel
Dean, School of Law,
University of Curacao



Mr Rogier van den Heuvel
Attorney-at-law



Mr Justice Jacob Wit
Judge, Caribbean Court
of Justice

Exploring Public and Private International Law, the panel will discuss and offer for consideration principles and nuances of Civil law which are significant for developing Caribbean judicial practice.

Saturday 3rd July, 2021
10:00 a.m. – 12:30 p.m. AST
Via Microsoft Teams

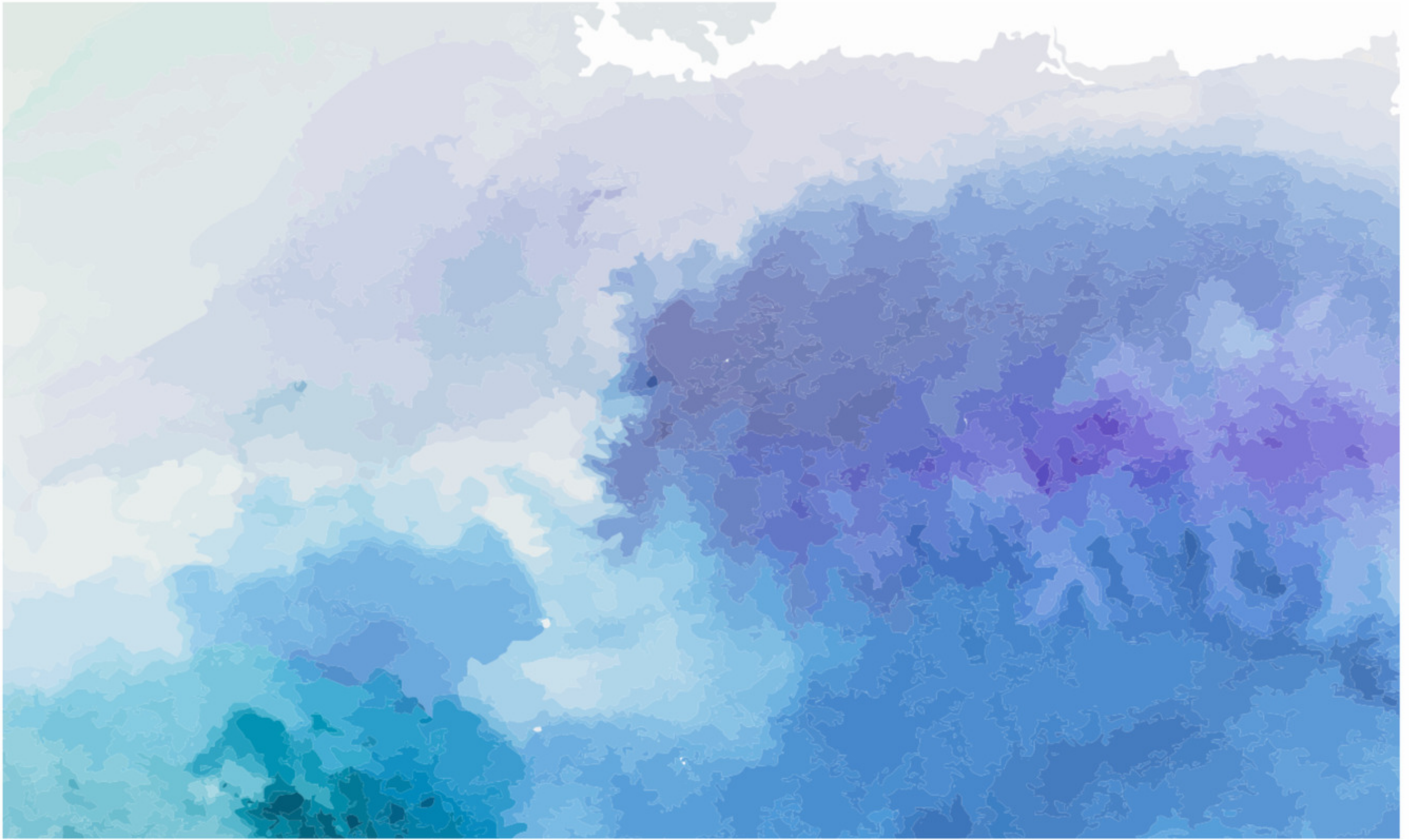
FUTURE PROGRAMMING

September 2021
Judge Alone Trials (Bench-Bar Panel)

Friday 29th October 2021
CAJO One-day Virtual Conference

November 2021
Judicial Stress, Wellbeing, and Mindfulness

Look out for emails from The CAJO for more information



CARIBBEAN ASSOCIATION OF JUDICIAL OFFICERS
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