

## **Press Release by the Hon. Chief Justice**

### **The Courts' response to the Shelter in Place Regulations**

Saturday, March 28, 2020, the Government put into force the Public Health (Prevention, Control and Suppression of COVID-19) Regulations 2020, outlining managed restrictions on movement for the public and businesses alike for a period of ten days for the time being.

Within the confines of these new regulations, the Court's objective continues to be to administer justice in the essential areas, even while minimizing risk to the health of members of staff, jurors, the attorneys, other members of the public, police and prison officers, probation officers and other representatives of the various agencies who must interact with the Courts for the delivery of justice.

To facilitate this, many of our administrative services continue, albeit through telephone, email or utilizing other technological methods.

Of particular note, court users who are under court ordered financial provision may now make these payments online into court through their local bank. Please check the Online Payments section of our Coronavirus Continuity of Operations page. Up to date information on our services may be viewed on this page which is linked to the pop up page as you log onto our site [www.judicial.ky](http://www.judicial.ky).

All Court Divisions have also established telephone and email helpdesks to allow court users to maintain contact with us on a daily basis. For convenience, these are listed at the end of this press release.

Now, I turn attention to the modified procedures of the Courts whilst the country complies with the shelter in place regulations.

### **The Court of Appeal –April-May 2020 Session**

- As a result of the prevailing travel restrictions, the President and Justices of Appeal will not be travelling to preside in Court in Cayman for this upcoming session. However, video-link arrangements are being made to allow the Court to be convened with the President and Justices presiding from the United Kingdom.
- For information on these arrangements please contact the Registrar of the Court of Appeal at: [jenesha.simpson@judicial.ky](mailto:jenesha.simpson@judicial.ky).

### **Grand Court Criminal Division.**

- All jury trials are suspended until further notice. Jurors who are scheduled to attend court on April 1st are no longer to attend and must regard themselves as being on standby for call out until the end of their session which expires on July 1st. The Court will communicate updates in due course.

Judge alone trials will continue to be scheduled through video link connections to the attorneys and the HMP Northward. These arrangements will be co-ordinated by the Case Progression Officer who may be contacted at [Grandcourtcriminal@judicial.ky](mailto:Grandcourtcriminal@judicial.ky)

Attorneys and the RCIPS are reminded to adhere to the Criminal Practice Rules recently promulgated.

### **Grand Court Family Division**

- The Grand Court Family Division, will where possible continue hearings through video link services. Comprehensive updated Practice Directions on hearing and video-link procedures for this Division are set out in our Coronavirus Continuity of Operations page under the “Court Attendance” section: [www.judicial.ky](http://www.judicial.ky). All court users and attorneys are encouraged to visit this page as soon as possible for court business scheduled for next week. Court users may contact this Division by email at [Suzanne.Miller@Judicial.ky](mailto:Suzanne.Miller@Judicial.ky) or telephone 244- 3883 for relevant information.

### **Grand Court Financial Services Division (FSD)**

- In the FSD the use of video-conferencing and teleconferencing will be encouraged and implemented where possible. The practice is particularly well established in the FSD where Judges frequently preside over interlocutory proceedings in Court from the UK (and other places) by video-link. However, given the travel bans, it now seems likely that substantive trials will also have to be taken by these means as much as possible, even where the designated judge resides overseas.
- And so, in keeping with Grand Court Rules Order 33 rule 1, the Secretary of State for Foreign Affairs has confirmed, through the Office of the Governor that he consents to Grand Court judges presiding from the UK for trials in Cayman by way of video-link. Updated Practice Directions on Video-link Proceedings will be issued shortly.
- Parties and their attorneys are advised to contact the FSD Registrar and/or Listing Officer to identify those cases which must proceed by way of video-link and to confirm the arrangements with the designated Judges: [bridget.myers@judicial.ky](mailto:bridget.myers@judicial.ky) or [yasmin.ebanks@judicial.ky](mailto:yasmin.ebanks@judicial.ky).
- Subject to the directions of the Judge in each case, the use of electronic bundles is especially encouraged at this time to reduce the need for photocopying and circumstances for the transmission of COVID-19.

## **Grand Court General Civil and Admiralty Divisions**

- Until further notice matters in these Divisions will also continue to be listed and heard as usual via video link where possible.
- Applications may also be taken administratively without a hearing when first notified to the Listing Officer and approved by the Judge assigned to case management in these divisions. Contact for such applications may be made with the Listing Officer: [yasmin.ebanks@judicial.ky](mailto:yasmin.ebanks@judicial.ky) or [joanne.cox@judicial.ky](mailto:joanne.cox@judicial.ky).
- The use of video-conferencing and teleconferencing is also encouraged in these Divisions, as is the use of electronic court bundles (subject to the requirements of the designated Judge). Updated Practice Directions will be issued shortly.

## **The Magistrates' Courts- Criminal Division**

The following instructions apply for matters listed before the Magistrates' Courts during Shelter in Place.

- All traffic ticket offences may be resolved by payment into court of the amount of the ticket fine before 10:00am on the date of return of the ticket. Payments may be made online by following the instructions posted on the Courts Coronavirus Continuity of Operations page, however online payments must be made 48 hours before the deadline for payment to ensure payment is cleared into Judicial Administration's before the deadline expires.
- When payments must be made in person or where an extension of time for payment is needed call: 244-4114 or write by email to: [onlinebanking@judicial.ky](mailto:onlinebanking@judicial.ky). Specific instructions which must be strictly followed, will then be given and recorded.
- All other traffic cases for mentions, sentences or trials are adjourned for 28 days from their scheduled date for further mention. Respondents must appear at Court on that date unless otherwise sooner notified by the Court.
- All criminal cases (mentions, sentences, preliminary inquiries, case management hearings, reviews and trials) are adjourned for 28 days from their scheduled date for further mention. Defendants and other persons required to attend must attend on that date unless otherwise sooner notified by the Court.
- Drug Rehabilitation Court clients shall report to Court on 9 April 2020 at 2 pm. Those clients on random protocol must continue reporting during this adjournment.
- Matters in the Special Domestic Violence Court listed on 1 April 2020 are adjourned to return on 22 April 2020 at 10 am. Special Domestic Violence matters listed on 3 April 2020 are to return on 17 April 2020 at 10 am.
- All matters currently listed in March and April 2020 before the Youth Court will be listed for mention on Friday 24 April 2020 at 10am and all young offenders must attend that day.
- The Fairbanks Cayman Islands Custody Detention Center has been designated as a Court until further notice. This will allow for the taking of bail applications and first mentions from the facility by a Magistrate conducting the proceedings by way of video-link.

### **Magistrates' Courts Children and Family Division**

- All Children Law matters are adjourned for 28 days from their currently scheduled listing.
- All family law matters will return within 28 days of their current scheduled date. All maintenance payments shall continue to be made as previously ordered. Payments may be made online. Instructions for payment are available the Coronavirus Continuity of Operations webpage or you may contact: [onlinebanking@judicial.ky](mailto:onlinebanking@judicial.ky) or call 244-3807. Where payments must be made in person information will also be available at those contacts.

## JUDICIAL ADMINISTRATION HELP DESK CONTACTS

Department/ Enquiry	Help Desk Telephone	Email
Finance Centre	244-3890 917-6650	invoices@judicial.ky
Online Banking	244-4114 9176533 917-6738	<a href="mailto:onlinebanking@judicial.ky">onlinebanking@judicial.ky</a>
Criminal Registry	244 3867 327-5723	<a href="mailto:Criminalregistry@judicial.ky">Criminalregistry@judicial.ky</a>
Civil Registry/ FSD Registrar	244 3842 327-6878	<a href="mailto:Civilregistry@judicial.ky">Civilregistry@judicial.ky</a>
Court Attendance	Criminal -244-8867 Civil – 244 3842	Courts@judicial.ky
Coroners	244 3867	<a href="mailto:coroners@judicial.ky">coroners@judicial.ky</a>
Court Funds	244-3807 327-5625	<a href="mailto:onlinebanking@judicial.ky">onlinebanking@judicial.ky</a>
Court of Appeal	244-3808	Jenesha.Simpson@Judicial.ky
Family Support Unit Help Desk	244 3896 327-5678	<a href="mailto:family@judicial.ky">family@judicial.ky</a>
Grand Court Case Progression Officer	<b>244-3871</b>	<a href="mailto:Grandcourtcriminal@judicial.ky">Grandcourtcriminal@judicial.ky</a>
<b>Grand Court Family Division</b>	<b>244-3883</b>	<b>Suzanne.Miller@judicial.ky</b>
Legal Aid	244 3829 326-0512	<a href="mailto:legalaids@judicial.ky">legalaids@judicial.ky</a>
Listing	244-3841	<a href="mailto:yasmin.ebanks@judicial.ky">yasmin.ebanks@judicial.ky</a>
Jury	244 3867	<a href="mailto:jury@judicial.ky">jury@judicial.ky</a>

**Hon Anthony Smellie**

**Chief Justice**

**28 March 2020**

**Grand Cayman.**