



Date: 27 October 2015
Contact: E. Patricia Ebanks
Tel: (345) 938-2209

Cayman Judge Elected as CMJA Caribbean Region VP

Justice Richard Williams has been elected for the second time to serve as Vice President/Caribbean Region of the Commonwealth Magistrates and Judges Association (CMJA). The appointment took effect at last month's 17th Triennial CMJA Conference, at which Justice Williams was a panel presenter.

The five-day conference, on the theme of "Independent Judiciaries, Diverse Societies," opened on 13 September with a formal ceremony headed by New Zealand's Prime Minister, the Hon. John Key. Attending were judicial representatives of all ranks from across the Commonwealth, including the Caribbean British Overseas Territories.

The overall objectives of the CMJA, of which Cayman is an associate member, are to promote understandings of judicial independence issues among Commonwealth judicial officers in all capacities, and to support greater awareness of international treaties and law relating to the development and access to justice. The CMJA also aims to enhance networking within the association on judicial developments.

Setting the tone in welcome remarks to delegates, the Chief Justice of New Zealand, the Right Hon. Dame Sian Elias, GNZM, PC, said that "within each jurisdiction, diversity between people and cultures must be acknowledged and addressed by the legal order," and added: "An independent judiciary is essential to the rule of law in any society. And without the rule of law no nation and its peoples can flourish."

Related topics of particular local significance included a keynote on "Judicial Independence in a Changing Constitutional Landscape," which was presented by the Lord Chief Justice of England and Wales, Lord John Thomas. Perhaps equally significant in the context of the local Cayman dialogue was a panel session on "Applying Concepts of International Human Rights in the National or Domestic Courts," for which there were two presenters: The Right Hon. the Baroness Brenda Hale, of the UK Supreme Court, and Chancellor Carl Singh, of Guyana.

During his panel presentation, Justice Williams addressed the conference on the culture side of the theme on the topic of "Issues in gender-based violence," a subject area that was apparently as much a hot button issue at the conference as it is locally. Writing recently to Justice Williams, Judge Shamim Qureshi, director of programmes for the CMJA and a District Judge for England and Wales, said: "I am extremely pleased and grateful that you agreed to come as I know your speech was well received by the delegates. The session provoked a good discussion and, as always, it could have gone on for much longer but for the time constraints..."

Characterising it as manifesting itself in four spheres of behaviour -- verbal, psychological, physical and sexual -- Justice Williams focused on teen dating violence.

Also presenting on a topic of importance locally, another speaker from this part of the Commonwealth joining Justice Williams was the Turks and Caicos' Chief Justice Margaret Ramsay-Hale (who earlier served in Cayman as a Chief Magistrate/Acting Judge). In her keynote, Chief Justice Ramsay-Hale spoke on the topic of "Recruitment, Retention and Discipline of Judicial Officers in Small Jurisdictions." That session was chaired by Mr. Mark Guthrie, legal advisor, Rule of Law Division, Commonwealth Secretariat.

In other panel presentations and breakout sessions, topics ranged from court administration issues, environmental law, youth courts, cybercrime, options for judges taking control of cross-examination of vulnerable witnesses, using expert evidence in courts, and current developments in refugee/asylum laws.

In commenting on Justice Williams' appointment to the CMJA, Chief Justice Anthony Smellie said that this was a very welcome recognition of the judge's work with CMJA over his many years of service, not only in Cayman but also as a magistrate in the OECS (Organisation of Eastern Caribbean States) courts and as judge in the Turks and Caicos Islands. "I am confident that Justice Williams will continue to represent Cayman and the rest of the regional member states within CMJA with the high levels of commitment and enthusiasm that the appointment requires," the Chief Justice said.

Justice Williams, first elected to the three-year VP position in 2009, has been a CMJA Council member since 2006. As VP, he is responsible for ensuring that the CMJA Secretariat is aware of any developments in the Caribbean that may affect judicial independence, a responsibility requiring him to maintain contact with judicial bodies in the region and to receive their reports. He is expected to present regional reports at annual Council meetings invariably held at the CMJA annual conference.

Among some key accomplishments and areas of focus, the CMJA, founded in 1970, has been the repository of the Codes of Conduct/Ethics of judiciaries around the Commonwealth since 1998. Fighting corruption in the judiciary is listed as a priority.

The CMJA re-launched the Judicial Education Programme in 1999, and has established a Gender Section, leading to the organisation's involvement since 1994 in four regional judicial colloquia on women's rights. Those were followed by five Gender Section conferences in the Caribbean region.

Of significance as well, the CMJA also contributed to the April 1996 Commonwealth Law Ministers meeting, which established a new Ministerial Working Group on the Independence of the Judiciary in the Commonwealth, and to the subsequent Commonwealth Law Ministers Meeting. The CMJA continues to serve as liaison with the Legal and Constitutional Affairs Division of the Commonwealth Secretariat.

Given its mandate, educational programmes are a priority. These are organised by a full-time judge who provides voluntary assistance, a position in which Judge Qureski now serves..

Providing overall direction is the newly elected president of the CMJA, the Hon. John Lowndes, Chief Magistrate of the Northern Territory, Australia.

A copy of Justice Williams' presentation can be accessed at the Judicial website, at <https://www.judicial.ky/speeches-2-3> and details of the conference can be found at <http://cmja.biz/>.

Picture of Justice Williams below



■ Ends --