

PRACTICE DIRECTION (NO 12) OF 2020
SUPREME COURT OF JUDICATURE OF JAMAICA, THE REVENUE COURT, THE
CIRCUIT COURT DIVISION OF THE GUN COURT, AND THE HIGH COURT
DIVISION OF THE GUN COURT

This Practice Direction is issued by the Honourable Chief Justice and applies to virtual hearings in Open Court and Chambers, in all divisions of the Supreme Court of Judicature of Jamaica, the Revenue Court, the Circuit Court Division of the Gun Court, and the High Court Division of the Gun Court.

GENERAL

1. This Practice Direction takes effect on Monday, September 21, 2020.
2. The Practice Direction applies to all virtual hearings in Open Court and Chambers.
3. All hearings to which this Practice Direction applies are formal court hearings and all formalities are expected to apply as if the hearings were conducted in-person.
4. The hearings will be password protected.
5. The video hearing link, link ID, and link password will be provided to those expected to join the proceedings and are not to be distributed to persons other than those who will be present at the hearing.
6. For all hearings being done by telephone conference call, video-conference call or any other form of electronic communication, the participants are to select a quiet space that is free of distractions and interruptions.
7. There shall not be any video recording, audio recording, photographing, publishing, copying, screen shooting, livestreaming, broadcasting, re-broadcasting or any other form of recording and/or distribution of any part of the proceedings;

any violation of this rule is a contempt of court punishable by fine and/or imprisonment.

8. The Judge shall indicate when he/she is ready to proceed and shall ask each person present to identify himself/herself. Each person shall identify himself/herself by name, indicate their specific geographical location and the nature of their interest in the proceedings.
9. When the participants have introduced themselves, the applicant, in the case of applications, shall begin submissions and where there are cross applications the Judge shall determine the order in which the applications are to be heard.
10. All oaths or affirmations are to be administered by the court clerk who must be present throughout the entire proceedings and cannot leave the proceedings for any reason without the express permission of the Judge.

DEFINITION

11. "Judge" in this Practice Direction means Judge of the Supreme Court, Master-in-Chambers, or Registrar of the Supreme Court.
12. "Virtual hearing" means any hearing by means of teleconferencing, videoconferencing or any other means of electronic communication.

VIDEO CONFERENCE - OPEN COURT AND CHAMBERS

13. Judges, attorneys-at-law, court clerks, litigants, witnesses, and any other participants are to be dressed appropriately, as if the hearing were in a physical Court Room or Chambers as appropriate. Judges and attorneys-at-law must be robed for hearings in Open Court. The Practice Direction governing the dress of attorneys-at-law applies.

14. Attorneys at law, the parties and any other persons who are present virtually are to remain until the end of the proceeding unless the Judge grants permission for them to leave.
15. Each person participating in a video hearing will need a device with both a microphone and camera.
16. The parties and their attorneys-at-law will be connected to the video conferencing platform provided by the court and placed in the virtual waiting room at least fifteen (15) minutes before the scheduled commencement of the hearing.
17. The parties will be transferred to the virtual hearing room at least five (5) minutes before the scheduled commencement of the hearing.
18. On entry into the virtual hearing room, the parties are to ensure that the microphones on their devices are turned off and the cameras turned on.
19. All persons present in the virtual hearing room must have their device cameras turned on throughout the duration of the hearing.
20. The Judge shall be connected to the virtual hearing room after all other persons are in the hearing room.
21. The parties are to be identified, on screen, by their names and their designated role in that particular hearing. For example, “John Brown, Claimant,” “Mary Smith, Claimant’s counsel,” or “Latoya X, Defendant” or “first claimant”, or “second claimant”, or “first defendant” or “second defendant” as the case may be.
22. Adequate lighting must be present at the place where each participant in the virtual hearing room is located; and the face of the Judge, attorneys-at-law, court clerks, litigants, witnesses and any other participant must be clearly visible.

23. The parties may use a “share screen” function to display any material relevant to the proceedings but before doing so, the permission of the Judge must be requested and received.
24. For the avoidance of confusion, no person is to begin speaking unless acknowledged by the Judge. After being so acknowledged, the speaker will engage the microphone on his or her device.
25. No person present is to address the Judge unless the Judge acknowledges that person and grants permission to speak.
26. The Judge shall indicate when the hearing is complete.

TELECONFERENCE - OPEN COURT AND CHAMBERS

27. The participants in the teleconference must be connected to each other before the Judge joins the call.
28. When the Judge joins the call, he/she is to proceed to identify himself/herself and shall thereafter indicate when the formal hearing is to proceed.
29. Only one person is to speak at any time. The other parties are to minimize interruptions and await their turn to speak. Each speaker must identify himself/herself each time he/she begins to speak.
30. Counsel and the parties shall not speak out of turn or speak over each other.
31. No person present is to address the Judge unless the Judge acknowledges that person and grants permission to speak.

32. The Judge shall indicate when the hearing is complete.

DATED THIS 17TH DAY OF SEPTEMBER 2020

A handwritten signature in blue ink that reads "Bryan Sykes". The signature is written in a cursive, flowing style.

BRYAN SYKES OJ, CD

CHIEF JUSTICE