

**Opening Remarks by the Hon. Justice Sherman Moore,
Acting Chief Justice on the Official Opening
of the Supreme Court Complex
on Friday, 24 June 2011**

Protocols

Your Excellency, Honourable Prime Minister, Members of the Cabinet, Fellow Judges, Members of both Houses of Parliament, Registrars of the Supreme Court, Master of the High Court, Magistrates, the President and members of the Barbados Bar Association, distinguished guests, ladies and gentlemen.

Sir David Simmons is overseas and unable to be with us today. He has asked me to convey to you his regrets at not being able to share in the celebration of this most historic occasion.

It is a distinct honour and a privilege to be asked to make opening remarks at the Official Opening of this magnificent complex in which the Supreme Court of Judicature and Registration Department are now housed. Let me, in welcoming you, quickly retrace the steps that have

led to this historic occasion, outline the responsibility of those who serve the public from this building and pay tribute to our predecessors.

This occasion has been long in the making. I joined the Crown Law Office in April 1971 and from time to time I would hear comments about the need for a new building to replace the Law Courts at Coleridge Street. Throughout the years we received many promises. At last here we are. Your Excellency, on behalf of the judges and on my own behalf I welcome you most warmly to the promised land – our new home. You may behold it.

Though the plaque on the old Law Courts bears the date 1729, historian Mr. Warren Alleyne, S.C.M. noted that in 1730, at Coleridge Street, a building of large proportions, by the standards and the legal requirements of that time, was officially opened at a cost of £6000. It was constructed on the site formerly occupied by the Public Magazine. It was also a multi purpose facility which was originally called the “Town Hall Gaol”, where meetings of the Governor-in-Council were held. Interestingly enough, apart from accommodating sittings of the Courts of Justice, it was also used as the common jail. In 1735 statutory permission was granted to

the Provost Marshal to transfer the convicts into the accommodation reserved for them. This prompted Henry Nelson Coleridge to observe in 1832 that "*His Majesty's Council, the General Assembly, the judges, the juries, the debtors and the felons all live together in the same house...*" By 1876 the legislature and the prisoners were accommodated elsewhere leaving the building available exclusively for judicial business.

We are all familiar with the Registration Office. That office was established by Act of 1887 to perform the functions formerly divided up between the Record Branch of the Colonial Secretary's Department, the Prothonotary of the Court of Common Pleas, the Registrar of the Court of Chancery, the Registrar of Solicitors and the Clerk of the Crown and Peace. Over the succeeding years the Registration Office has become the nerve centre of the Supreme Court. Any matter requiring judicial consideration must commence there. The office has also shed some responsibility, e.g. matters relating to companies, trademarks, patents, copyright, industrial designs and other intellectual property have been transferred to the Corporate Affairs and Intellectual Property Office and the registration of land to the Land Registry.

In the 1950s, three significant statutes were enacted. They were the *Abolition of Grand Juries Act 1950*, the *Supreme Court of Judicature Act 1956* and the *Magistrate's Jurisdiction and Procedure Act 1956*. They brought about substantial changes in the administration of justice. As its title implies, the *Abolition of Grand Juries Act* abolished grand juries. Thenceforth accused persons would be committed to stand trial at the Assizes after a Preliminary Inquiry instituted by the *Magistrates Jurisdiction and Procedure Act 1956*.

The *Supreme Court of Judicature Act 1956* abolished the Court of Common Pleas, the Court of Chancery, and eight other courts and created a Supreme Court of Judicature comprising the High Court and Court of Appeal in which law and equity were now to be administered side by side.

In time, it became necessary to reconfigure the building to accommodate the ever increasing business of the courts and the growing staff of the Registration Department. Thus, Supreme Courts Nos. 3, 4, 5, 6 and 7 were created. This necessitated the removal of the Civil Magistrates Court and the public gallery of Supreme Court No. 1.

It was clear that that building could accommodate no further expansion and of course, the demands of justice in the 21st Century required new accommodation, hence this building. The building at Coleridge Street served us well over the years but had long since outlived its purpose.

We now have a building befitting the majesty of the law. It is the duty of all of us who are charged with the administration of justice to bring about the transformation that is necessary to meet our local, regional and international obligations.

We moved into this building on 5 October 2009. With our move to this building came the enactment of the *Civil Procedure Rules 2008* which are intended to transform the delivery of civil justice. The building is also equipped with state-of-the-art information technology which is required for the efficient and effective use of the *Civil Procedure Rules*. Those rules have removed from litigation much of the complexities evident in the 1982 rules. With the completion over time of the cases commenced under the old rules and the full implementation of the *Civil Procedure Rules*, litigation will be shorter, costs will be more predictable and unrepresented litigants should find the rules more user friendly.

In anticipation of the implementation of the rules, judges were sent to England on case management attachments to the Royal Courts of Justice. There were also seminars held in Barbados to sensitise Bench and Bar. More recently the staff of the Registration Department and the Judges have had the benefit of training in the application of the technology by members of the Eastern Caribbean Supreme Court. We owe a debt of gratitude to the Honourable Hugh Rawlins, Chief Justice of that Court.

With a new building incorporating state of the art technology, the storage and retrieval of files and legal documents of all kinds should no longer present a problem. It is therefore incumbent upon the staff of the Registration Department to ensure that misplaced files should rapidly become a thing of the past.

We, the judges also have a public duty to deliver justice in a timely manner. We have heard the complaints of the public and we are making every effort to address those complaints. The facilities provided in this new building are conducive to fulfilling our public duty.

I have been holding meetings with the judges to address the concerns expressed by the public and we have been putting systems in place to address complaints. We are committed to the overriding objective of the Civil Procedure Rules which is “to enable the Court to deal with cases justly”. That includes “ensuring that cases are dealt with expeditiously and fairly”. Given time, the legal profession and the public will be beneficiaries of those systems.

In the 21 months that we have been in occupation of this building we have had many visits from regional judges and judges from the United States of America, Canada and the United Kingdom. They have all commented most favourably on the high quality of the facilities provided in this impressive edifice. A fine building however is no more than a place from which justice is administered. We must not forget that we deal with human beings. We must therefore, be punctual and attend to the people’s needs with humanity, dignity and dispatch. The people expect and deserve accessible, speedy, efficient and effective justice. It is our duty to deliver. We have been given the tools. We must now do the job. The character of a community is defined by the quality of justice delivered to its citizens. Let us not be found wanting.

Fine buildings and statutes alone will not deliver justice. The high standard of justice for which Barbados is renowned has been achieved by dint of hard work, sacrifice and an adherence to those time honoured principles which have at all times characterized our profession and which we received at the time of settlement and to which we have always adhered.

Our predecessors in office, especially since the post independence period, lead by Sir William Douglas, Sir Denys Williams and most recently Sir David Simmons worked tirelessly in pursuit of justice and in defence of those time honoured principles.

We pledge that we will continue to uphold these fine traditions, usages and hallmarks. So that, in time, we will be able to transmit them to our successors pure and unsullied as we have received them.

I am advised and verily believe that when Sir William Douglas saw the plans for a new building to be constructed at the site of the Old Codd's House, he was very excited and uncharacteristically remarked "*We getting a new building.*"

Unfortunately, Sir William has long since been called to higher service but I am sure that by now the angels must have taken the good news to him and he would probably have remarked, again uncharacteristically, "*We get the building at last.*" May he rest in peace.

Your Excellency, ladies and gentlemen, on behalf of the Judiciary, Master of the Supreme Court and Registrars, I extend a most warm and sincere welcome to you on the occasion of the opening of the new Supreme Court Complex of Barbados.

I thank you.
