

The Virgin Islands Consortium

Chief Justice Of Eastern Caribbean Supreme Court Scolds Bad Behaving Lawyers; Calls For Safeguarding Of Judicial Integrity

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TORTOLA -- Chief Justice of the Eastern Caribbean Supreme Court, Janice Pereira, has urged the legal profession to uphold the integrity of the Judiciary.

The Chief Justice's remarks came during the special sitting of the Supreme Court to officially open the 2015-2016 Law Year on Thursday, September 17.

The Chief Justice delivered her address in Grenada, which was simulcast in the British Virgin Islands as well as eight other member states and territories of the Organisation of

Eastern Caribbean States.

During the hour-long address, Pereira stressed the need for a holistic approach to safeguard the individual and institutional independence of the Judiciary. She stated that the existence of an independent, effective and competent legal profession is a key element in safeguarding and promoting the independence of the Judiciary.

The Chief Justice stated, "This is significant because the role played by the legal profession is critical to the proper functioning of the justice system. Whether the wheels of justice move along a smooth and effective pace or they grind as if along a gravel path, depends to a considerable extent on how well the legal practitioner performs his or her role in the conduct and pursuit of the causes before the court."

Pereira said that the service of the legal profession to society is very critical and important but over the years it has come under much scrutiny and criticism.

"Disbarment, suspensions, and other sanctions against members of the legal profession are becoming all too common place. This begs the question, what happened along the way," she said, adding, "It is the solemn obligation of every member of the profession, individually and collectively, to safeguard the integrity of the profession."

The Chief Justice stated that the role of the Bar Association is pivotal in advancing the course of judgment and that it is necessary to have a fully functional bar association to which every legal practitioner is a part. "The time is come when we must move away from the culture where only an interested few, champion the cause for all. The Bar must never underestimate the power it holds as a collective body," she stated.

Scolding to Lawyers

The Chief Justice also blasted bad-behaving lawyers saying there are a number of complaints about attorneys having no respect for their clients, colleagues as well as the court.

She lamented that some lawyers are not punctual; some are not prepared to represent their clients when cases are mentioned; and an increasing number are even representing clients without valid practicing certificates.

"In most of our member states, the Legal Profession Act which governs many aspects of the legal profession mandates that an attorney at law must possess a practicing certificate.

However, there are an increasing number of attorneys who commit a great disservice to the profession, the client and the court by sneaking their way before the court knowing fully well that they are in contravention of this requirement," said the chief justice.

She urged lawyers to put an end to such deceitful and dishonest practice.

"It is discourteous to the court. Critically, it is an act of dishonesty in the context of the legal profession. It is also most unfair and deceitful to your clients who have a legitimate expectation that, by agreeing to take a brief, you have proper locus standi before the court. It is unfair to your colleagues who are actually compliant."

However Chief Justice Pereira applauded attorneys who have demonstrated exemplary performance and conducted themselves in a respectful manner while contributing immensely to the jurisdiction of the region.

The Chief Justice provided comprehensive updates on all projects and initiatives over the past year including the Family, Commercial, Civil and Criminal Divisions of the Court. Updates on access to justice, the use of technology, the jury process and training were also provided.

The Commercial Court in the British Virgin Islands was singled out as having a model court in many effects and a replica is set to be created in St. Lucia.

Feature Image: Chief Justice of the Eastern Caribbean Supreme Court, Janice Pereira.