



EQUAL OPPORTUNITY TRIBUNAL

COURT OPERATIONS ELECTRONIC AND IN-PERSON HEARINGS

Practice Direction No. 3

This Practice Direction is issued pursuant to Part 26 of the Equal Opportunity Tribunal Rules, 2016 (as amended).

The objective of this Practice Direction is to provide for adequate and appropriate measures for court operations including electronic and in-person hearings with effect from 13th July, 2020 at the Equal Opportunity Tribunal.

Accordingly, the following measures shall take effect:

EFFECTIVE DATES

1. This Practice Direction comes into effect on 13th July, 2020 until further notice or otherwise suspended.
2. For the avoidance of any doubt, this Practice Direction revokes and replaces the Practice Direction published in Gazette No. 50 of 2020.
3. Paragraphs 4-7 of this Practice Direction shall cease to have effect on such date as the Judge/Chairman may direct by further Practice Direction.

ENTRY TO COURT LOCATIONS

4. Any person seeking to enter the court building during the Covid-19 pandemic period must wear an appropriate¹ mask and is required to comply with all health and safety protocols in place, including the screening of persons entering the court building, use of hand sanitizers and social distancing. Additional specific protocols will be in place at designated areas, locations, departments or offices within the court building.
5. Any person who displays flu-like symptoms, or who otherwise fails to meet the screening standard required for entry, may be denied entry to the court building with the alternative of pursuing any necessary business with the Tribunal via electronic means.
6. Anyone with legitimate court business who is ill, is advised to stay at home and request an adjournment by calling the court office or by sending an e-mail to eot.courtstaff@gov.tt.
7. Non-compliance with the above may result in one being denied entry to court facilities.

¹ An appropriate mask is a mask that covers one's nose and mouth in such a fashion as to prevent the escape of droplets from one's nose and mouth.

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HEARINGS TO BE CONDUCTED BY ELECTRONIC MEANS

8. The following categories of hearings may be conducted by electronic means:
 - a. Directions Hearings - including Initial Hearings, Case Management Conferences, Status Hearings, Pre-Trial Reviews;
 - b. Delivery of Judgments;
 - c. Applications including urgent applications; and or
 - d. Any other hearings which the Judge/Chairman deems appropriate for hearing by electronic means.
9. The Judge/Chairman sitting alone may preside over hearings conducted by electronic means.
10. All matters will be heard at pre-scheduled appointed times. In any case in which a hearing or any part of a hearing is to be conducted in person, it will be scheduled by appointment.

IN-PERSON HEARINGS

11. The general rule is that the Tribunal will, as far as possible, seek to deal with the categories of hearings listed in paragraph 8 matters by electronic means.
12. Where in any matter it is necessary to:
 - a. take the evidence of a particular witness in person;
 - b. have anyone appear in person because it is impossible for them to appear otherwise; and or
 - c. produce any physical evidence in court which in the interest of justice cannot be produced otherwise.the Tribunal may conduct that part of the hearing in person.
13. The Tribunal shall schedule times for in person hearings in such manner as to ensure that there is no congregating of persons.
14. All persons required to attend in person, will be provided with the scheduled time for their appearance.
15. Attendance in the courtroom for an in-person hearing must be limited to each party and their attorney(s)-at-law and any witness under examination where applicable. Persons not directly involved in the proceedings may not enter or sit in the courtroom without the prior approval of the Judge/Chairman.
16. Witnesses waiting to give evidence in an in-person hearing must remain seated in the designated area until they are required in the courtroom.

Dated this 10th July, 2020

/s/ Donna Prowell-Raphael
Judge/Chairman, Equal Opportunity Tribunal