

Embracing the concept of e-Courts

Leela Ramdeen

Chair, CCSJ & Director, CREDI



get with the programme, as the saying goes. Our Chief Justice, Ivor Archie, agreed to share relevant information with Madam Justice Donna Prowell-Raphael. Thereafter the Head of iGovTT responded to a request from her for support and they formed an alliance. Staff at iGovTT went above and beyond the call of duty to assist the EOT.

Since the Rules of Practice and Procedure needed to be amended to allow for progress towards establishing an eCourt, Justice Prowell-Raphael approached HE President Paula-Mae Weekes ORTT, who approved the proposed amendments to facilitate eFiling and virtual hearings.

The amendments to the Rules were published in the T&T Gazette on 3 July 2020. A Part 26 was inserted in the Rules. Now all hearings can be conducted virtually, and the EOT has moved to eFiling and eService. A Practice Guide for Electronic Hearing was produced by the Judiciary in April 2020. The EOT's practice direction on virtual hearings was published in the Gazette on Thursday October 28, 2020.

The EOT has launched a YouTube channel to which some virtual hearings can be live-streamed. The EOT is aware that sensitive matters should not be live-streamed. In fact, matters will not be live-streamed if Attorneys-at-Law and the parties involved in a matter object to this being done. The public will be able to access matters on the YouTube Channel once a matter is not to be heard in camera. The EOT will inform the public of the

date when a matter will be transmitted via live-stream on YouTube. This Channel will certainly promote the visibility of the work of the EOT and build confidence among the citizenry about the workings of the EOT/how matters are adjudicated.

The EOT regime is not fully electronic. In-person hearings cannot be live-streamed. Funds are needed to provide the necessary equipment. The technical infrastructure is expensive e.g. cameras, TV screens for all involved. Hopefully, there will come a day when all documents can be filed virtually and will be paginated, and every document will form part of the Court bundle. Then everyone will be able to see the same document once he/she logs in. Although progress is slow, the EOT looks forward to total conversion when everything will be automated and digitised.

As Devesh Juvekar, Partner in a Mumbai-based Law Firm and others have said, there are many benefits of eCourts. ICT should "enable courts to make justice delivery system affordable and cost-effective. This would be beneficial for both improving the court processes and rendering citizen-centric services. E-courts are aimed to make legal processes easier and more user friendly. The primary intention of E-Courts is to make the justice delivery system affordable, transparent, speedy and accountable by limiting paper filings" (Juvekar). It is clear, though, that a Cyber Security Strategy will also need to be developed to combat Cyber Security threats.