

COURT OF APPEAL
Practice Direction No 1/2023
Resumption of In-Person Hearings

1. Introduction

- 1.1 This Practice Direction supersedes Practice Directions Nos 1-4/2020 and 1/2021 and is made with the concurrence of the President and Judges of the Court of Appeal.
- 1.2 Cognisant of the return of the nation to normal operations after the COVID-19 pandemic, this Practice Direction is intended to provide guidelines on the resumption of in-person hearings in the Court of Appeal.
- 1.3 This Practice Direction takes effect on 25 September 2023.

2. Hearings in open court

- 2.1 Unless otherwise directed by the court, all appeals, applications and motions scheduled for hearing in open court shall be conducted by way of in-person hearings. The court will however, unless it directs otherwise, continue to conduct the delivery of judgments by video conference or other electronic means.
- 2.2 Persons attending court in person are encouraged to maintain sanitising protocols as the outbreak of the COVID-19 virus, though no longer classified as a pandemic, is still affecting the nation.
- 2.3 Notwithstanding the resumption of in-person hearings for matters in open court, where the court deems it appropriate, the court may direct that a matter be conducted by video conference or other electronic means.

3. Hearings in chambers

- 3.1 Unless otherwise directed by the court, all in-person hearings in chambers will remain suspended until further order.
- 3.2 Hearings of applications for court orders, and case management conferences that are listed before a single judge of appeal will be conducted by way of an electronic or telephonic platform.
- 3.3 Parties with matters listed for hearing in chambers are to forward to the Registry their email and telephone contact information, making reference to the name of the matter, the application and/or appeal number, the name of

counsel with the conduct of the matter, and the date on which the matter is scheduled to be heard. This information is to be sent to registry@courtofappeal.gov.jm.

4. Protocol for video conferences

4.1.1 Where a matter is scheduled for hearing by video conference or other electronic means, the protocol for such hearings remains as follows:

4.1.1.1 Hearings by video conference or other electronic means are still court hearings. Therefore, persons participating in these hearings are expected to conduct themselves as they would if they were present in the courtroom. Persons are not to appear on the electronic platform from motor vehicles.

4.1.1.2 If the hearing is in open court, judges, attorneys and court assistants are to be robed, while all other persons participating must be appropriately attired.

4.1.1.3 All persons are expected to stand upon the entry of and for the exiting of the judges. However, all should remain seated during the hearing by video conference.

4.1.1.4 Cameras must remain on during the proceedings but microphones are to be muted when not addressing the court.

4.1.1.5 Cellular phones are to be turned off or placed on silent and should not be used during the hearing.

4.1.1.6 Persons are asked to be aware of their surroundings, ensuring that backgrounds that are visible to the court are appropriate. Additionally, persons are to ensure that there are no distracting sounds or activities in their background during the hearing.

4.1.1.7 There must be no video recording, audio recording, photographing, taking of screen shots or live-streaming of court hearings, whether being conducted by video conference or in person.

A handwritten signature in black ink, appearing to read 'Patrick Brooks', with a large, sweeping flourish extending to the right.

Patrick Brooks, OJ, CD
President of the Court of Appeal
15 September 2023