



EASTERN CARIBBEAN SUPREME COURT

**CODE OF JUDICIAL
CONDUCT
2021**



Preface

The *Universal Declaration of Human Rights* recognises as fundamental the principle that everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of rights and obligations and of any criminal charge.

The *International Covenant on Civil and Political Rights* guarantees that all persons shall be equal before the courts, and that in the determination of any criminal charge or of rights and obligations in a suit at law, everyone shall be entitled, without undue delay, to a fair and public hearing by a competent, independent and impartial tribunal established by law and to a decision in a timely manner.

A competent, independent and impartial judiciary is important to the protection of human rights which ultimately depends upon the proper administration of justice and the courts fulfilling their role in the Constitutions of the member states and territories of the Eastern Caribbean Supreme Court.

The public must have confidence in the judicial system and in the moral authority and integrity of the judiciary. It is therefore essential that judicial officers, individually and collectively, respect and honour their judicial office and strive to enhance and maintain confidence in the judicial system at all times.

The Bangalore Principles of Judicial Conduct¹ outline six basic values which have been adopted and are explored in this Code. The core values are:

1. Independence
2. Propriety
3. Integrity
4. Impartiality
5. Equality
6. Competence and Diligence

The objective of this Code of Judicial Conduct is to establish standards for ethical conduct of judicial officers and to provide guidance to judicial officers and regulate judicial conduct. The publication of this

¹chrome-extension://gphandlahdpffmccakmbngmbjnjjiahp/https://www.unodc.org/pdf/crime/corruption/judicial_group/Bangalore_principles.pdf.

Code is to assist members of the public, the executive, legislature and members of the legal profession to know and better understand what guides judicial conduct and to assist in holding the judiciary accountable at all times to maintain the highest standards of conduct in the dispensation and administration of justice. It should be borne in mind that it is generally impossible to compile complete lists of pre-determined activities which judicial officers are forbidden from pursuing. The principles set out in this Code therefore serve as guidance for the standard of conduct expected of judicial officers in their day-to-day work, or during off duty activities. It must also be noted that while a breach of any of the principles outlined in this Code may not by itself lead to disciplinary sanctions being pursued against a judicial officer, a breach of the Code may in certain circumstances give rise to grounds under the Eastern Caribbean Supreme Court Order for pursuing such disciplinary action.

Paragraph 21 of the Commentary on the Bangalore Principles of Judicial Conduct states as follows and is an apt assessment of the need for a code to guide judicial conduct. It states:

“The necessity to identify standards of conduct appropriate to judicial office has been explained by a judge in the following terms:

No one doubts that judges are expected to behave according to certain standards both in and out of court. Are these mere expectations of voluntary decency to be exercised on a personal level, or are they expectations that a certain standard of conduct needs to be observed by a particular professional group in the interests of itself and the community? As this is a fundamental question, it is necessary to make some elementary observations.

*We form a particular group in the community. We comprise a select part of an honourable profession. We are entrusted, day after day, with the exercise of considerable power. Its exercise has dramatic effects upon the lives and fortunes of those who come before us. Citizens cannot be sure that they or their fortunes will not some day depend upon our judgment. They will not wish such power to be reposed in anyone whose honesty, ability or personal standards are questionable. It is necessary for the continuity of the system of law as we know it, that there be standards of conduct, both in and out of court, which are designed to maintain confidence in those expectations. (7. J.B. Thomas, *Judicial Ethics in Australia* (Sydney, Law Book Company, 1988), p.7.)*

Application:

This Code is applicable to all judicial officers within the Member States and Territories of the Eastern Caribbean Supreme Court. Judicial officer for the purposes of this Code includes Court of Appeal Judges, High Court Judges, Masters, Magistrates, the Chief and Deputy Chief Registrar of the Court of Appeal and Registrars/Deputy or Assistant Registrars of the High Court whether temporary or permanent except where expressly stated otherwise. All judicial officers shall subscribe to this Code of Judicial Conduct.

This code of Judicial Conduct shall come into effect on 14th June 2021.

Hon. Dame Janice M. Pereira, DBE, LL.D
Chief Justice



PRINCIPLE 1

INDEPENDENCE

Statement of Principle:

Judicial independence is a pre-requisite to the rule of law and a fundamental guarantee of a fair trial. A judicial officer should therefore uphold and exemplify judicial independence in both its individual and institutional aspects.

Code:

Independence in Discharge of Judicial Duties

- 1.1 A judicial officer shall be, and be seen to be, independent of all sources of power or influence in society, including the media and commercial interests.
- 1.2 A judicial officer shall always take care that his or her conduct, official or private, does not undermine his or her institutional or individual independence, or the public appearance of independence.
- 1.3 A judicial officer shall apply the law as he or she understands it without fear or favour and without regard to whether or not the decision is popular.
- 1.4 A judicial officer shall at all times be alert to, and wary of, subtle and sometimes not so subtle attempts to influence him or her.
- 1.5 A judicial officer shall take care that communications with litigants, politicians, officials and other persons do not raise reasonable concerns about his or her independence.
- 1.6 In the performance of judicial activities, a judicial officer shall be independent of judicial colleagues and solely responsible for his or her decisions. However, a judicial officer is not restrained from consulting with colleagues when challenging legal issues arise as that is important in the maintenance of uniformity and standards.

Threats to Independence in Discharge of Judicial Duties

1.7 A judicial officer should be vigilant with respect to any attempts to undermine and should be a staunch defender of his or her own institutional and operational independence.

1.8 A judicial officer who becomes aware of unlawful or improper conduct in connection with the discharge of judicial duties will have to consider whether that conduct should be reported to the Chief Justice, or in the case of the magistrate to the Chief/Senior Magistrate, and whether it should be disclosed publicly by making a statement in open court or in some other way which is consistent with this Code.

Constitutional Independence

1.9 A judicial officer shall be and be seen to be independent of the legislative and executive branches of government.

Public Education

1.10 A judicial officer should take advantage of appropriate opportunities to help the public understand the fundamental importance of judicial independence in view of the public's own interest.



PRINCIPLE 2

PROPRIETY

Statement of Principle:

Propriety and the appearance of propriety are essential to the performance of all of the activities of a judicial officer, both on and off the bench.

Code:

General

2.1 A judicial officer shall avoid impropriety and the appearance of impropriety in all of his or her activities.

2.2 A judicial officer shall conduct himself or herself in a way that is consistent with the dignity of judicial office.

2.3 Save in exceptional circumstances and with the approval of the Chief Justice, a judicial officer shall not offer any comment, further clarification or explanation in the public arena on judicial decisions emanating from the Eastern Caribbean Supreme Court

2.4 A judicial officer shall be mindful of offering comments which may tend to disparage, criticise or otherwise undermine decisions of fellow judicial officers including the office of the Registrar.

2.5 A judicial officer should avoid unnecessary criticism in the exercise of the judicial function.

2.6 A judicial officer shall, in his or her personal relations with individual members of the legal profession who practise regularly in the judicial officer's court, avoid situations which might reasonably give rise to the suspicion or appearance of favouritism or partiality.

2.7 Save in exceptional circumstances or out of necessity, a judicial officer shall not participate in the determination of a case in which any member of his or her family represents a litigant or is associated in any manner with the case.

2.8 A judicial officer shall not allow his or her residence to be used by a member of the legal profession to receive clients or other members of the legal profession.

2.9 A judicial officer, like any other citizen, is entitled to freedom of expression, belief, association and assembly, but in exercising such rights, a judicial officer shall always conduct himself or herself in such a manner as to preserve the dignity, impartiality and independence of the judiciary or the public perception of such qualities.

2.10 A judicial officer shall abstain from membership of groups or organisations or participation in public discussion which, in the mind of a reasonable, fair-minded and informed person, might undermine confidence in his or her impartiality. A judicial officer shall not hold membership in any organisation that practises invidious discrimination on the basis of race, gender, religion, caste, ethnic background, nationality, disability, sexual orientation, sexual preference or behaviour.

2.11 A judicial officer shall not allow his or her family, social, political or other relationships to improperly influence his or her judicial conduct or judgment.

2.12 A judicial officer shall not use or lend the prestige of the judicial office to advance his or her private interests, a member of his or her family or of anyone else, nor shall a judicial officer convey or permit others to convey the impression that anyone is in a special position improperly to influence him or her in the performance of judicial duties.

2.13 A judicial officer shall keep confidential all information which comes to his/her knowledge in relation to any appointment process.

2.14 A judicial officer may give evidence to a court or tribunal as a character witness. Nonetheless judicial officers should exercise great circumspection before voluntarily agreeing to give such evidence. A judicial officer must in particular avoid giving any perception of improperly using his or her judicial status which may be perceived as evidence given for the purpose of bolstering a party's creditability merely by virtue of the office.

2.15 Subject to the proper performance of judicial duties, a judicial officer may with the approval of the Chief Justice, or in the case of the magistrate with the approval of the Chief Justice through the Chief/Senior Magistrate:

2.15.1 write, lecture, teach and participate in activities including but not limited to those concerning the law, the legal system, the administration of justice or related matters;

2.15.2 appear at a public hearing before an official body concerned with matters relating to the law, the legal system, the administration of justice or related matters;

2.15.3 serve as a member of an official body devoted to the improvement of the law, the legal system, the administration of justice or related matters; or

2.15.4 engage in other activities if such activities do not detract from the dignity of the judicial office or otherwise interfere with the performance of judicial duties.

2.16 A judicial officer may form or join associations of judicial officers or participate in other organisations representing the interests of judicial officers to promote professional education and training and to protect judicial independence.

2.17 A judicial officer and members of his or her family, shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judicial officer in connection with the performance of judicial duties.

2.18 A judicial officer shall not knowingly permit court staff or others subject to his or her influence, direction or authority, to ask for, or accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done in connection with his or her duties or functions.

2.19 Subject to the law and to any legal requirements of public disclosure, a judicial officer may receive a small token, gift, award or benefit as appropriate to the occasion on which it is made provided that such small token, gift, award or benefit might not reasonably be perceived as intended to influence the judicial officer in the performance of judicial duties or otherwise give rise to an appearance of partiality and in any event shall not exceed an approximate value of \$500.00.

2.20 A judicial officer may receive compensation and reimbursement of expenses for the extra or non-judicial activities permitted by this Code, if such payments do not give the appearance of influencing the

judicial officer in the performance of judicial duties or otherwise give the appearance of impropriety, subject to the following restrictions:

- (a) such compensation and reimbursement shall not exceed a reasonable amount, nor shall it exceed what a person who is not a judicial officer would receive for the same activities; and
- (b) reimbursement shall be limited to the actual cost of travel and accommodation reasonably incurred by the judicial officer and, where appropriate to the occasion, by his or her family.

Use of Social Media

2.21 With the proliferation of social networking sites which have transformed electronic communication, a judicial officer must assess carefully social interactions with individuals or organisations to consider whether such communication will erode confidence in the judicial officer's ability to maintain the dignity of his or her office.

2.22 In light of this, a judicial officer shall:

- 2.22.1 have regard to the Eastern Caribbean Supreme Court Social Media Policy for Judicial Officers;
- 2.22.2 maintain dignity in every comment, photograph and any information shared on social media;
- 2.22.3 not foster social media interactions which may convey the impression that any person is in a position to influence the judicial officer in the discharge of his or her duties;
- 2.22.4 not make comments on social media about any matters pending before him or her or in any court and which may be construed as affecting the outcome or impairing the fairness of the hearing of any particular case;
- 2.22.5 avoid expressing views or sharing personal information online that can potentially undermine judicial independence, integrity, propriety, impartiality, the right to fair trial or public confidence in the judiciary. The same principle applies to judicial officers regardless of whether or not they disclose their real names or judicial status on social media platforms;
- 2.22.6 not engage in exchanges over social media sites or messaging services with parties, their representatives or the general public about cases before or likely to come before them for decision;
- 2.22.7 be circumspect in tone and language and be professional and prudent in respect of all interactions on all social media platforms;
- 2.22.8 treat others with dignity and respect and not use social media to trivialize the concerns of others or make remarks that discriminate on any prohibited ground; and

2.22.9 not use his or her social media accounts to directly or indirectly advance his or her own or a third-party's financial or commercial interest.

Non-Judicial Activities

2.23 A judicial officer may engage in such non-judicial activities that do not, in the minds of right-thinking members of the community:

- (a) cast reasonable doubt on the judicial officer's capacity to act impartially as a judicial officer;
- (b) compromise the dignity of the office of the particular judicial officer; or
- (c) interfere or be in conflict with the performance of the judicial duties or the office of the judicial officer.

Membership in Civic and Charitable Organisations

2.24 A judicial officer shall refrain from conduct such as membership of groups or organisations or participation in public discussion which, in the mind of a reasonable, fair-minded and informed person might undermine confidence in his or her ability to be impartial.

2.25 A judicial officer may however be a member or serve as an officer, director, trustee or non-legal advisor of an educational, religious, charitable, fraternal or civil organisation not conducted for economic or political advantage, subject to but not limited to the following prohibitions:

- 2.25.1 A judicial officer shall not serve as an officer, director, trustee or non-legal advisor if it is likely that such organisation will be engaged in proceedings that would ordinarily come before him or her or will be regularly engaged in litigation in any court;
- 2.25.2 A judicial officer shall not solicit funds or actively engage in fundraising activities for any such organisation, or use or permit the use of the prestige of the judicial office for that purpose, lest it be seen as inappropriate use of judicial prestige in support of the organisation or creating a sense of obligation in donors but the judicial officer may assist such an organisation in planning fund-raising and may participate in the management and investment of the funds solicited by the organisation;
- 2.25.3 A judicial officer shall be listed only by name and office or other position held in the organisation on the stationery of the organisation;
- 2.25.4 A judicial officer shall not personally participate in membership solicitation of such organisation if the solicitation might be perceived as coercive or is essentially a fundraising mechanism.

Governmental Activities

2.26 A judicial officer shall not appear at a public hearing before an executive or legislative body or official except:

- (a) on matters concerning the law, the legal system, the administration of justice or related matters with the concurrence of the Chief Justice, or in the case of the magistrate with the concurrence of the Chief Justice after consultation with the Chief/Senior Magistrate; or
- (b) when acting in a personal capacity in a matter involving the judicial officer or his or her interests.

2.27 Except as is consistent with, or as provided for by the Constitution or any other law, and with the approval of the Chief Justice, a judicial officer shall not accept appointment to a governmental committee or commission of inquiry that is concerned with political matters or matters which may affect the public perception of the independence, impartiality, and integrity of the judiciary as a whole other than for the improvement of the law, the legal system or the administration of justice.

2.28 A judicial officer may be a member or serve as an officer, director, trustee or non-legal advisor of an organisation or governmental agency devoted to the improvement of the law, the legal system or the administration of justice provided that such organisation or agency is not likely to be engaged in litigation before any court.

Financial/Fiduciary Activities

2.29 A judicial officer shall not engage in financial and/or business dealings that:

- (a) may tend to be reasonably perceived to exploit his or her judicial position; or
- (b) tend to reflect adversely on impartiality; or
- (c) involve the judicial officer in frequent transactions or continuing business relationship with lawyers or other persons likely to come before the court in which the judicial officer serves.

2.30 A judicial officer shall not serve as an officer, director, partner, adviser, employee or other active participant of any commercial enterprise other than a commercial enterprise controlled by the judicial officer's immediate family.

2.31 A judicial officer shall manage the judicial officer's investments and other financial interests in such a manner as to minimize the number of cases in which the judicial officer is disqualified. As soon as the judicial officer can do so without serious financial detriment, he or she should divest himself or herself of investments or other financial interests that might require frequent disqualification.

2.32 A judicial officer shall not accept, and shall urge members of his or her family and household not to accept, a gift, bequest, favour or loan from anyone except:

- (a) a gift incidental to a public testimonial, books, recordings and other resource materials supplied by publishers on a complimentary basis for official use, or an invitation to the judicial officer to attend a Bar-related function or an activity devoted to the improvement of the law, the legal system or the administration of justice;
- (b) a gift, award or benefit incident to the business, profession or other separate activity;
- (c) ordinary social hospitality;
- (d) a gift from a relative or friend for a special occasion such as a wedding, anniversary or birthday, if the gift is commensurate with the occasion and the relationship;
- (e) a gift, bequest, favour or loan from a relative or close personal friend whose appearance or interest in a case would in any event require disqualification;
- (f) a loan from a commercial lending institution in the ordinary course of business on the same terms generally available to persons who are not judicial officers;
- (g) a scholarship or fellowship awarded on the same terms and based on the same criteria applied to other applicants; or
- (h) any other gift, bequest, favour or loan only if the donor is not a party or other person whose interests have come or is likely to come before the judicial officer.

2.33 Information acquired by a judicial officer confidentially in his or her judicial capacity shall not be used or disclosed by the judicial officer in financial dealings or for any other purpose not relevant to his or her judicial duties.

2.34 A judicial officer shall not serve as executor, administrator or other personal representative, trustee, guardian, attorney or other fiduciary except for the estate, trust or person of a member of his or her family or a person not a member of the judicial officer's family with whom he or she had maintained a longstanding personal relationship of trust and confidence, and then only if such service will not interfere with the proper performance of judicial duties.

2.34.1 The same restrictions on financial activities that apply to a judicial officer personally shall also apply to the judicial officer while acting in a fiduciary capacity.

Participation in Alternative Dispute Resolution

2.35 A judicial officer shall not act as an arbitrator, mediator or conciliator or otherwise perform judicial functions in a private capacity unless expressly authorised.

Practice of Law

2.36 For the purposes of this clause, 'court' means the Court of Appeal, High Court, Magistrates' Court and Boards and Tribunals exercising a discretionary or quasi-judicial function and 'judicial officer' does not include magistrates and registrars.

2.37 A judicial officer shall not practise law whilst being the holder of judicial office. Notwithstanding this prohibition, a judicial officer may act for himself or herself in his personal affairs. The judicial officer may, without compensation give legal advice to, draft or review documents for a member of his or her family.

2.38 After ceasing to hold permanent office or in the case of a judicial officer who has held consecutive acting appointments totaling ten (10) years, a former or retired judicial officer or such acting judicial officer shall not:

- (i) appear as an advocate or participate in the actual conduct of any proceeding whether as associate counsel or counsel on record;
- (ii) submit an expert opinion or appear as an expert; or
- (iii) submit any written submissions in any litigation

in any court within the Eastern Caribbean Supreme Court before the expiration of five (5) years from the date of demitting office or such other period as provided in the Legal Profession Act or other relevant legislation of the particular Member State or Territory, but is not otherwise precluded from giving opinions and doing non-contentious work.

Chambers, Resources or Staff

2.39 A judicial officer shall not use judicial chambers, resources or court staff to engage in activities not permitted by this Code, except where such activities are related to judicial activities and not purely personal or non-judicial activities.

Political Activity

2.40 A judicial officer shall refrain from conduct that, in the mind of a reasonable, fair-minded and informed person, might give rise to the appearance that he or she is engaged in political activity.

2.41 A judicial officer shall not:

- (a) be a member or hold any office in a political organisation;
- (b) make speeches for a political organisation or candidate or publicly endorse or oppose a political organisation or candidate;
- (c) take part publicly in controversial discussions of a partisan political nature;
- (d) solicit funds for or pay an assessment or make a contribution to a political organisation or candidate;
- (e) attend political gatherings; or
- (f) purchase tickets for political party dinners, or other functions.

2.42 A judicial officer shall resign from judicial office when he or she decides to become a candidate in a general election for any political office.

2.43 A judicial officer shall also consider whether mere attendance at certain public gatherings might reasonably give rise to a perception of ongoing political involvement or reasonably put in question his or her impartiality on an issue that could come before the court.



PRINCIPLE 3 INTEGRITY

Statement of Principle:

Integrity is vital to the proper discharge of the judicial office and is vital to maintaining public trust and confidence in the judiciary.

Code:

3.1 A judicial officer shall ensure that his or her conduct is above reproach in the view of reasonable, fair-minded and informed persons.

3.2 The behaviour and conduct of a judicial officer must reaffirm the public's faith in the integrity of the judiciary. Justice must not only be done but must also be seen to be done.

3.3 A judicial officer in addition to observing the standards of these guidelines personally shall encourage and support their observance by their colleagues and other judicial officers.



PRINCIPLE 4 IMPARTIALITY

Statement of Principle:

Impartiality is indispensable to the proper discharge of the judicial office and applies not only to making of the decision itself but also to the process by which the decision is made.

Code:

4.1 A judicial officer shall:

- (a) perform his or her judicial duties without favour, bias or prejudice;
- (b) not be swayed by partisan interests, public clamour, or fear of criticism;
- (c) be patient, dignified, respectful, and courteous to all those who appear before him or her in an official capacity; and
- (d) avoid public comment on the merits of a pending or impending action.

4.2 A judicial officer shall ensure that his or her conduct, both in and out of court, maintains and enhances the confidence of the public, the legal profession and litigants in the impartiality of the judicial officer and of the judiciary.

4.3 In the performance of his duties, a judicial officer shall not, whether by words or conduct, display any bias or prejudice towards any person or group.

4.4 Except as set out below, a judicial officer shall not initiate, permit, or consider ex parte communications or consider other communications concerning a pending or impending matter that are made outside the presence of the parties or their lawyers. If a judicial officer receives an unauthorised ex parte communication bearing on the substance of a matter, the judicial officer should promptly notify the parties of the subject matter of the communication and allow the parties an opportunity to respond, if requested.

4.5 A judicial officer shall not engage in independent and personal investigation of the facts of any case before him or her without prior knowledge and consent of the parties involved.

4.6 A judicial officer who is called upon to approve, make or participate in the making of appointments should make any such decisions on the basis of merit only avoiding favouritism.

4.7 A judicial officer shall refrain from conduct such as membership in groups or organisations or participation in public discussion which, in the mind of a reasonable, fair minded and informed person, would undermine confidence in his or her impartiality with respect to issues that could come before the courts.

4.8 A judicial officer shall hear and decide matters assigned to him or her, unless he or she is disqualified from doing so in keeping with the provisions of this Code.

4.9 A judicial officer shall, so far as is reasonable, so conduct himself or herself as to minimise the occasions on which it will be necessary for him or her to be disqualified from hearing, ruling or adjudicating in a cause or matter.

4.10 A judicial officer shall disqualify himself or herself in a proceeding in which his or her impartiality might reasonably be questioned, including but not limited to instances in which:

(a) the judicial officer has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceedings;

(b) the judicial officer served as lawyer in the matter in controversy, or a lawyer with whom he or she previously practised law served during such association as a lawyer concerning the matter, or the judicial officer or such lawyer has been a material witness;

(c) the judicial officer knows that, individually or as a fiduciary, he or she or a member of his or her family, has a financial interest in the subject matter in controversy or is a party to the proceedings, or any other interest that could be affected substantially by the outcome of the proceedings;

(d) the judicial officer or a member of his or her family, or a person known by the judicial officer to be related to him or her:


(i) is a party to the proceedings, or an officer, director, or trustee of a party;

(ii) is known by the judicial officer to have an interest that could be substantially affected by the outcome of the proceedings; or

(iii) is, to the judicial officer's knowledge, likely to be a material witness in the proceedings;

- (iv) one of the lawyers appearing in the matter before the judicial officer is a member of his or her family;
- (v) the judicial officer has expressed an opinion concerning the merits of the particular case in controversy.

4.11 A judicial officer who would otherwise be disqualified on the foregoing grounds may, instead of withdrawing from the proceedings, disclose on the record the basis of such disqualification. If, based on such disclosure, the parties, independently of the judicial officer's participation, agree in writing or on the record that the judicial officer may participate or continue to participate in the proceedings, the judicial officer may do so.



PRINCIPLE 5 EQUALITY

Statement of Principle:

Ensuring equality of treatment to all before the courts is an indispensable precept that governs the due discharge of the duties before the court.

Code:

5.1 A judicial officer should be aware of and understand differences arising from various sources including but not limited to race, gender, age, religious affiliation, culture, national origin, disability, sexual orientation, gender identity, marital status, social, political and economic status and other like causes.

5.2 In the discharge of his duties, the judicial officer must ensure that these differences do not result in discrimination or impartial treatment of any person with a legal interest in a proceeding, as well as his or her counsel.

5.3 A judicial officer should accord to every person who has a legal interest in a proceeding, and that person's lawyer, the full right to be heard according to law.



PRINCIPLE 6

COMPETENCE AND DILIGENCE

Statement of Principle:

Competence and diligence are prerequisites to the due performance of the functions of a judicial officer

Code:

6.1 A judicial officer shall:

- a) maintain professional competence in the law and has a duty to inform himself or herself of developments in the law;
- b) diligently perform their judicial duties, which, broadly defined, include not only the adjudicative function, but other judicial and administrative tasks essential to the proper operation of the courts;
- c) contribute to the improved development of the law and the administration of justice;
- d) hear and decide matters assigned to him or her expeditiously and fairly;
- e) maintain decorum in all judicial proceedings;
- f) be patient, dignified, respectful, and courteous to all those who appear before him or her;
- g) avoid public comment on the merits of a pending or impending action; and
- h) endeavour to perform all judicial duties, including the delivery of reserved judgments, with reasonable promptness, that is, within three months and before the expiration of six months from the date on which a judgment was reserved and in any event in accordance with time standards set by the Chief Justice, or in the case of the magistrate in accordance with any time standards set by the Chief/Senior Magistrate. If the judicial officer exceeds this deadline, he or she is obliged to inform the Chief Justice, or in the case of the magistrate, the Chief/Senior Magistrate, of the reasons for the delay.

APPENDIX

DEFINITIONS

“**Court**” means the Eastern Caribbean Supreme Court and where the context requires means District or Magistrates Courts.

“**Court staff**” means all staff employed with the Court or otherwise performing duties for the Court.

“**Judicial officer**” includes a Justice of Appeal, High Court Judge or Master of the Eastern Caribbean Supreme Court, Magistrate and Registrar.

‘**A member of the judicial officer’s family**’ or ‘**judicial officer’s family**’ includes:

- (a) a judicial officer’s wife, husband, partner, son, daughter, son-in-law, daughter-in-law, sibling, grandchild, parent, grandparent, or
- (b) any other close relative or person
 - (i) who is a companion or employee of the judicial officer; and
 - (ii) who lives in the judicial officer ’s household.

“**Propriety**” means conformity with conventionally accepted standards or behavior or morals or rules of behavior conventionally considered to be correct.

For the purposes of this Code:

- (a) “**fiduciary**” includes such relationships as executor, administrator, trustee, and guardian;
- (b) “**financial interest**” means ownership of a legal or equitable interest, however small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that:
 1. ownership in a mutual or common investment fund that holds securities is not a “financial interest” in such securities unless the judicial officer participates in the management of the fund;
 2. an office in an educational, religious, charitable, fraternal, or civic organisation is not a “financial interest” in securities held by such organisation;
 3. the proprietary interest of a policy holder in a mutual insurance company, or a depositor in a financial institution or credit union, or a similar proprietary interest, is a “financial interest” in the organisation only if the outcome of the proceedings could substantially affect the value of the interest;
- (c) ownership of government securities is a “financial interest” in the issuer only if the outcome of the proceedings could substantially affect the value of the securities.