

CAYMAN ISLANDS



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PRACTICE DIRECTION NO. 6 OF 2014

PROCEDURE FOR MAKING SUMMARY COURT APPLICATIONS PURSUANT TO THE POLICE (AMENDMENT) LAW, 2014 ON WEEKENDS AND PUBLIC HOLIDAYS



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Procedure for making Summary Court Applications pursuant to the Police (Amendment) Law, 2014 on Weekends and Public Holidays

Where an application for an order to extend the period of time a person may be kept in detention by the police requires to be made to a Summary Court on a weekend or a public holiday, the following protocol will be observed:-

1. The responsible officer of the Royal Cayman Islands Police Service ("RCIPS") shall communicate the need for an application to Crown Counsel, who will in turn contact the "designated court officer" (that is, the person identified by the Court Administrator or Clerk of Court for that purpose) and for these purposes telephone and email contact details of the designated court officer will be provided by notice to all interested parties. An appointed time for appearance for a hearing before a Summary Court will then be provided.
2. The responsible officer of the RCIPS must notify the Defence Counsel identified by the detainee to represent him of the appointed time for attendance before the court.
3. When contacting the designated court officer, Crown Counsel will
 - a. confirm that notice of the intended application was served on the detainee
 - b. provide the name of Defence Counsel (if any) to be present, and
 - c. advise whether an Interpreter is required for the hearing.
4. The designated court officer will ensure that
 - a. the designated Magistrate is contacted as soon as possible after being advised of the time for the hearing
 - b. all necessary arrangements for the conduct of the hearing are made
 - c. Crown Counsel (and when known Defence Counsel) are advised of the courtroom and time fixed for the hearing
 - d. the attendance of a court Interpreter, should one be required, is arranged and
 - e. the attendance of a RCIPS Auxiliary Officer assigned to the courts as security officer is arranged.

5. The responsible officer of the RCIPS will transport the detainee to and (where an extension of the period of detention is allowed) from Court and will liaise with the RCIPS Auxiliary Officer for access to the Courthouse.

Dated this 30th day of April 2014

The Hon. Anthony Smellie, Q.C.
Chief Justice