Head 03: Judiciary

Total Allocation - $504,831,700.00

A summary of the Judiciary’s Expenditure, Divisions and Projects

Financial Scrutiny Unit, Parliament of the Republic of Trinidad and Tobago
Publication

An electronic copy of this Guide can be found on the Parliament website: www.ttparliament.org

All correspondence should be addressed to:
The Secretary
Standing Finance Committee
Office of the Parliament
Levels G-7, Tower D
The Port of Spain International Waterfront Centre
1A Wrightson Road Port of Spain Republic of Trinidad and Tobago
Tel: (868) 624-7275; Fax: (868) 625-4672
Email: standingfinance@ttparliament.org
Table of Contents

About this Guide........................................................................................................................................3
Department’s Overview ............................................................................................................................4
Courts and Divisions under Judiciary ........................................................................................................5
Structure of the Judiciary ...........................................................................................................................8
Auditor General Report Findings for the Fiscal year 2018 ........................................................................9
Key Statement from 2018 Standing Finance Committee Debate .............................................................10
2018/2019 Budget Supplementations .........................................................................................................11
The Judiciary’s total allocation as a percentage of the National Budget for the period 2014 to 2020. .12
Where the Judiciary spends its money ......................................................................................................13
  2019-2020 Estimates of Expenditure ........................................................................................................13
Summary of Recurrent Expenditure for the period 2014-2020 ................................................................14
Analysis of Recurrent Expenditure ..........................................................................................................15
Staff and Pay ...........................................................................................................................................20
Expenditure Unique to the Judiciary ...........................................................................................................21
Summary of Development Programme Expenditure for the period 2014-2020 ......................................22
Public Sector Investment Programme 2019/2020 - Projections ...............................................................23
Noteworthy Development Programme Estimates in 2019-2020 ..........................................................24
New Projects from the Financial Year 2019-2020 ..................................................................................25
Major Programmes and Development for the Period 2018 to 2020 ......................................................26
General Useful Information .....................................................................................................................26
About this Guide

This guide provides a summary of expenditure for the Judiciary for the period 2014-2020. It provides Members of Parliament and stakeholders with an overview of the Department’s responsibilities. The primary purpose of this guide is to consolidate the information contained within the various Budget Documents pertaining to the Judiciary and provide readers with an analysis of same. This guide is based primarily on:

- the Draft Estimates of Recurrent Expenditure;
- the Draft Estimates of Development Programme;
- the Public Sector Investment Programme; and
- the Auditor General’s Report on the Public Accounts of the Republic of Trinidad and Tobago for the fiscal year 2018.
Department’s Overview

Mission
The Judiciary works towards the resolution of conflict in the society by resolving disputes which arise out of the operation of laws and involve the application of remedies and the punishment of offenders.

Vision
The Judiciary of Trinidad and Tobago provides an accountable court system in which timeliness and efficiency are the hallmarks, while still protecting integrity, fairness, equality and accessibility and attracting public trust and confidence.

Court Executive Administrator (Accounting Officer): Master Christie-Anne Morris-Alleyne
Registrar and Marshal: Mrs. Nirala Bansee-Sookhai

The Judiciary of the Republic of Trinidad and Tobago, headed by the Chief Justice, comprises the Supreme Court of Judicature (the Court of Appeal and the High Court and the Magistracy (the Courts of Summary Criminal Jurisdiction and the Petty Civil Courts). The Judiciary is the third arm of the State. Similar to most democratic countries, the Judiciary of Trinidad and Tobago is established by the Constitution to operate independently from the Executive as a forum for the timely resolution of legal disputes between individuals and bodies including the state. The Chief Justice bears overall responsibility for furthering the mission and vision of the Judiciary, and is in charge of the general administration of justice in Trinidad and Tobago.

1 Judiciary Website accessed September 26, 2019: http://www.ttlawcourts.org/
Courts and Divisions under Judiciary

The following lists the various Courts under the Judiciary:

**Supreme Court**
The Supreme Court is the highest court of record in Trinidad and Tobago. It operates under its own rules and practice directions. Empowered by Section 99 of the Constitution, the Court consist of a Court of Appeal and a High Court. “There shall be a Supreme Court of Trinidad and Tobago consisting of a High Court and a Court of Appeal with such jurisdiction and powers as conferred on these Courts respectively by this Constitution or any other law.”

**High Court**
The High Court, with locations at the Hall of Justice and the Family Court in Port of Spain, San Fernando and Scarborough, Tobago, exercises original jurisdiction over indictable criminal matters, family matters, and in civil matters (inclusive of interlocutory applications and informal motions in Chamber Courts).

**Court of Appeal**
The Court of Appeal has appellate jurisdiction over both the Magistracy and the High Court, inclusive of the Magisterial and High Court Sections of the Family Court. At present, an appeal from the Court of Appeal in Trinidad and Tobago lies to the Privy Council as of right, or with the leave of that Court.

---

Magistracy
The Magistracy exercises original jurisdiction in relation to summary criminal matters. The Magistrates’ Courts also facilitate Preliminary Inquiries into serious criminal matters to determine whether a prima facie case has been established against an accused person before he or she can be indicted for trial at the High Court Division of the Supreme Court. The Petty Civil Court Division of the Magistracy deals with civil matters involving small money claims of less than $15,000.00.5

Family Court
First established as a Pilot Project in 2004, The Family Court has jurisdiction over specific family matters at the High Court and Magistrates’ Court levels. The Court adopts a participatory approach in dispute resolution and, therefore, is a special problem solving Court, intended to develop, implement and evaluate alternative approaches and improve services to citizens seeking help from the Judiciary in dealing with family disputes.6

Department of Court Administration
The Department of Court Administration provides the specialist staff needed to administer the Courts. It operates as an extension of the Judge’s mandate for managing the Courts and their cases under the direction of the Chief Justice. With a range of specialised units under its purview, the DCA’s role involves the study, review, implementation and management of the systems, procedures and processes utilised to manage cases brought before the courts. It also ensures that case flow management techniques are adequately supported for minimum delay between the filing and disposition of a case, while ensuring due process is afforded equally to all who appear before the courts. In this regard, the DCA’s role has not only been to ensure that cases are managed efficiently and effectively from commencement to disposition, but also, and most importantly, to preserve through that management, impartiality and integrity in the adjudication process as gatekeepers of the principles of due process.7

Judicial Education Institute

7 Judiciary website accessed September 25, 2019 http://www.ttlawcourts.org/index.php/court-admin/overview#
JEI began operations in 2003 and provides training and educational programmes for judicial officers, court administrators and support staff. By doing so, it assists the Judiciary to perform in a manner that upholds its independence and integrity and ensures public trust and confidence in the administration of justice. Continuous judicial education is essential for the Judiciary to fulfil its mandate to the public and its stakeholders to deliver justice in an effective and efficient manner, while sustaining public trust and confidence. It is out of this necessity that the Judicial Education Institute of Trinidad and Tobago (JEITT) was created – a distinct but integral part of the Judiciary, committed to the establishment's core objective: the administration and achievement of justice. In each of its training programmes and lectures, the JEITT operates with the following Mission Statement in mind:

"To promote excellence in the administration of justice in the Republic of Trinidad and Tobago through continuous training and development of Judges, other judicial officers and non-judicial staff attached to the Judiciary."

The training and development programmes delivered are the hallmark of the Institute as it strives to improve the functioning and competence of the Judiciary and its judicial officers, keeping all au courant with changes that may influence the Judiciary's operations. Focusing on the vision "Transformation through Education," the JEITT facilitates the objective of the Judiciary becoming a high-performing, professional organisation.8

---

Structure of the Judiciary
**Auditor General Report Findings for the Fiscal year 2018**

**Appropriation Accounts - pg. 24**

At the Judiciary, there were numerous differences between the expenditure accounting records, that is the Vote Books, Schedules of Account, Abstracts of Payments and the Appropriation Account.

**Note 2 1 (i) – Total Outstanding Commitments – pg. 25**

At the Judiciary, differences totalling $1,545,294.06 between the Vote Book and the disclosure of commitments at Note 2 1 (i) to the Appropriation Account were noted.

**Note 2 1 (ii) – Contracts already entered into but not yet completed – pg. 26**

Seventeen contracts at the Judiciary totalling $28,810,502.25 as disclosed in the Note 2 1 (ii) to the Appropriation Account could not be verified as documentation to substantiate the disclosure was not provided.

**MJ1 – CHIEF MAGISTRATE – MAGISTRACY - JUDICIARY SJ1 – REGISTRAR - SUPREME COURT - JUDICIARY – pg. 32**

Statements of Receipts and Disbursements in respect of revenue of $92,924,151.04 as reported in Treasury’s Consolidated Revenue Statement, were not produced for audit examination.

---

**Key Statement from 2018 Standing Finance Committee Debate**

During the Standing Finance Committee debate of 2018, the following statement was made in relation to the emphasis of the Judiciary for fiscal year 2019:\(^{10}\):

“We are very pleased to say that in particular, under the Family and Children Division, that the two Children Courts are in active gear. We have had a significant amount of redevelopment already organized for the proclamation of the Criminal Division and we intend to approach this Parliament to consider further divisioning aspects. We, of course, have on the horizon the introduction of specialist courts under the provisions of the Criminal Division and in anticipation of that, the Judiciary has taken the opportunity to rationalize its accounting in meeting with a commitment given by the Minister of Finance in his first budget presentation which was for judicial autonomy. In that journey towards judicial financial autonomy, we have come forward with certain amendments which will no doubt form the subject matter of questioning from my friends opposite and in those circumstances, we are very pleased to receive the questions that Members may have relative to the Judiciary.”

- Attorney General & Minister of Legal Affairs

\(^{10}\) Hon. Faris Al-Rawi, Standing Finance Committee Hansard for Judiciary 11 Oct 18, Accessed September 30, 2019
2018/2019 Budget Supplementations

During fiscal 2018/2019, it was necessary to have a Supplementation of Appropriation of resources to fund urgent and critical Recurrent and Capital Expenditure in areas where insufficient or no allocation was provided. The source of these additional funds was the Consolidated Fund.

The Judiciary requested and was granted the following supplementations:

**Recurrent Expenditure - $57,682,800**

- 02/001/08 – Rent/Lease – Rent/Lease – Office Accommodation and Storage - $13,000,000
  The sum is required to pay outstanding bills to TSTT for the provision of CCTV Camera services.

- 02/001/16 – Contract Employment - $31,682,800
  The sum is required to facilitate payment of salaries and arrears of salaries to contract officers of the Family Court due to the revised terms and conditions of employment. Funds are also required to meet the cost of filling critical vacant positions at the Criminal Division, these positions include Managerial positions such as Criminal Administrator, District Court Managers and Assistant Court Managers.

- 02/001/23 – Fees - $13,000,000
  The sum is required to pay fees for the renewal of subscription for software used at the Family Court, and pay for services provided by funeral homes and interpreters.

---

The Judiciary’s total allocation as a percentage of the National Budget for the period 2014 to 2020.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Allocation</th>
<th>National Budget</th>
<th>Percentage of National Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$31,255,164.00</td>
<td>$65,020,886,424.00</td>
<td>0.05%</td>
</tr>
<tr>
<td>2015</td>
<td>$51,541,240.00</td>
<td>$61,966,922,675.00</td>
<td>0.08%</td>
</tr>
<tr>
<td>2016</td>
<td>$13,015,316.00</td>
<td>$56,573,913,053.00</td>
<td>0.02%</td>
</tr>
<tr>
<td>2017</td>
<td>$456,831,700.00</td>
<td>$54,883,153,410.00</td>
<td>0.83%</td>
</tr>
<tr>
<td>2018</td>
<td>$428,196,222.00</td>
<td>$54,211,726,813.00</td>
<td>0.79%</td>
</tr>
<tr>
<td>2019</td>
<td>$434,973,400.00</td>
<td>$54,149,378,860.00</td>
<td>0.80%</td>
</tr>
<tr>
<td>2020</td>
<td>$504,831,700.00</td>
<td>$58,058,338,392.00</td>
<td>0.87%</td>
</tr>
</tbody>
</table>

Total allocation for the Department as a percentage of the National Budget illustrated an increase in the allocation to the Judiciary by 0.07% between the period 2018/2019 and 2019/2020.

---

12 For the Fiscal Years 2014-2018, actual figures were used to calculate the total allocation. However, estimates were used to calculate the total allocation for the Fiscal Years 2019 and 2020.
13 Total Allocation for the Judiciary = Recurrent Expenditure + Consolidated Fund Expenditure
14 The National Budget = Total Recurrent Expenditure + Development Programme Expenditure: Consolidated Fund
Where the Judiciary spends its money

2019-2020 Estimates of Expenditure

The budget allocation of $\text{504,831,700}^{15}$ for the Judiciary is comprised of:

- The Draft Estimates of Recurrent Expenditure in the sum of $\text{452,231,700}$; and
- The Draft Estimates of Development Programme - Consolidated Fund in the sum of $\text{52,600,000}$.

The Estimates of Recurrent Expenditure include:

- 01 Personnel Expenditure; - $\text{174,080,000}$;
- 02 Goods and Services; $\text{261,685,200}$;
- 03 Minor Equipment Purchases; $\text{3,600,000}$; and
- 04 Current Transfers and Subsidies; $\text{12,866,500}$.

The Judiciary’s:

- Total allocation as a percentage of National Budget = 0.87%;
- Recurrent Expenditure as a percentage of the total Recurrent Expenditure budget is 0.81%; and
- Consolidated Fund as a percentage of the total Consolidated Fund allocation is 2.1%.

---

Summary of Recurrent Expenditure for the period 2014-2020

Judiciary's Recurrent Expenditure for the period 2012-2018

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Expenditure</td>
<td>186,345,794</td>
<td>191,832,063</td>
<td>165,046,193</td>
<td>161,600,324</td>
<td>169,269,201</td>
<td>172,399,600</td>
<td>174,080,000</td>
</tr>
<tr>
<td>Minor Equipment Purchases</td>
<td>5,117,779</td>
<td>4,163,983</td>
<td>4,917,329</td>
<td>3,095,262</td>
<td>1,340,720</td>
<td>1,492,200</td>
<td>3,600,000</td>
</tr>
<tr>
<td>Current Transfers and Subsidies</td>
<td>9,971,503</td>
<td>8,117,822</td>
<td>7,420,780</td>
<td>4,022,340</td>
<td>1,853,652</td>
<td>2,007,500</td>
<td>12,866,500</td>
</tr>
<tr>
<td>Total Allocation</td>
<td>411,033,819</td>
<td>411,133,227</td>
<td>396,886,942</td>
<td>386,776,111</td>
<td>405,401,935</td>
<td>416,517,800</td>
<td>452,231,700</td>
</tr>
</tbody>
</table>

Analysis of Recurrent Expenditure

Recurrent Expenditure refers to the payments for expenses which are incurred during the day-to-day operations of the Judiciary for Personnel Expenditure, Goods and Services, Minor Equipment Purchases, Current Transfers and Subsidies.

- Recurrent Expenditure for Fiscal Year 2019/2020 is $452,231,700. This represents 0.81% of the total Recurrent Expenditure for the financial year 2019/2020.

- Recurrent Expenditure for Fiscal Year 2018/2019 was $416,517,800 (revised). This means that the Recurrent Expenditure for Fiscal Year 2019/2020 increased by $35,713,900 when compared to Fiscal Year 2018/2019.

- The largest portion of the allocation has consistently gone to sub-head Goods and Services. This figure has been steady at around 55% of the total allocation for the years 2014 to 2020.

- For fiscal 2020, Personnel Expenditure percentage will be 38% of the Judiciary’s total recurrent allocation.

- Minor Equipment Purchases has remained approximately 1% from 2014 to 2020

- Furthermore, Current Transfers and Subsidies has been fluctuating over the period 2014-2020. For fiscal 2019/2020, it accounts for approximately 3% of recurrent expenditure for the Judiciary, which takes into account subsidies, grant and other benefits to Commonwealth Bodies and Other Transfers.

- The percentage allocation of expenditure for the four (4) different sub heads has increased over the period 2014 to 2020.

Total allocation for the Judiciary to the national budget illustrated an increase of 0.07% between the period 2018/2019 and 2019/2020.
2016 ACTUAL

- Personnel Expenditure: 42%
- Goods and Services: 55%
- Minor Equipment Purchases: 1%
- Current Transfers and Subsidies: 2%

2017 ACTUAL

- Personnel Expenditure: 42%
- Goods and Services: 56%
- Minor Equipment Purchases: 1%
- Current Transfers and Subsidies: 1%
2020 ESTIMATE

- **Personnel Expenditure**: 38%
- **Goods and Services**: 58%
- **Minor Equipment Purchases**: 1%
- **Current Transfers and Subsidies**: 3%
Staff and Pay

The allocation of staff expenditure for the year 2020 was $315,244,000, which represents an increase of approximately 3.3% from the last fiscal year 2019. The following chart provides a breakdown of all expenditure related to staff from 2018 to 2020.

---

**Expenditure Unique to the Judiciary**

Unique Expenditure refers to expenditure items incurred by the Judiciary that may not feature in other ministries or departments. The following graph illustrates the money expended on the development of Public Buildings\(^{18}\) during 2012 – 2018.

---

**Development of Public Buildings during 2014 to 2020**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Buildings</td>
<td>15,117,284</td>
<td>41,235,377</td>
<td>354,101</td>
<td>5,547,079</td>
<td>11,212,351</td>
<td>7,587,700</td>
<td>43,600,000</td>
</tr>
</tbody>
</table>

\(^{18}\) Development of Public Buildings refers to works done on the Hall of Justice, Magistrates’ Courts, Supreme Courts, Family Courts as well as the provision of accommodations for Court Administration, Judges, Magistrates and the Chief Justice.
Summary of Development Programme Expenditure for the period 2014-2020

Development Programme is a capital expenditure aimed at improving and enhancing development in different areas of Trinidad and Tobago which includes; human resources, economic and social development.

The allocation to the Judiciary for development programmes and projects for fiscal year 2019/2020 = $52,600,000. These funds are disbursed directly from the Consolidated Fund.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>005 Multi-Sectoral and Other Services - Consolidated Fund</td>
<td>26,137,385</td>
<td>47,377,257</td>
<td>8,097,987</td>
<td>22,082,969</td>
<td>22,794,287</td>
<td>18,455,600</td>
<td>52,600,000</td>
</tr>
</tbody>
</table>
The Public Sector Investment Programme (PSIP), which represents the capital expenditure component of the National Budget, is the instrument used by Government to effect its vision and policies. It is a budgeting and strategic planning tool made up of projects and programmes, designed to realise the goals set out in the Government’s overarching policy.

The PSIP budget document provides a detailed description of the programmes and projects and includes a review of the implementation of projects and programmes in the previous financial year and highlights the major projects and programmes to be implemented in the upcoming financial year. The Public Sector Investment Programme is intended to achieve:

- the country’s social and economic development goals; and
- enhance the quality of life of all citizens.

In fiscal 2020, the focus of the Judiciary will be in the:

- Rehabilitation of the Hall of Justice, Port of Spain and Tobago;
- Refurbishment of Magistrates’ Courts;
- Construction of Video Conferencing Centre at Golden Groove Arouca;
- Improvement of Law Administration; and
- Establishment of the Juvenile Court.

---

Noteworthy Development Programme Estimates in 2019-2020

The table below lists the projects that have been noted due to uncharacteristic variances in estimates for funding:

<table>
<thead>
<tr>
<th>Sub-head /Item/Sub-item /Group /Project Desc.</th>
<th>Project</th>
<th>2018 Actual</th>
<th>2019 Revised Estimate</th>
<th>2020 Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>005-06A-003</td>
<td>Development of Customer Care in the Nation’s Court Buildings</td>
<td>-</td>
<td>-</td>
<td>$500,000</td>
</tr>
<tr>
<td>005-06F-006</td>
<td>Restoration of the San Fernando Supreme Court Building</td>
<td>$786,756</td>
<td>$234,600</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>005-06F-010</td>
<td>Implementation of a Comprehensive Security System in the Judiciary</td>
<td>$1,724,303</td>
<td>$855,000</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>005-06F-013</td>
<td>Construction of Judges’ and Magistrates’ Housing in Tobago</td>
<td>$515,452</td>
<td>$680,700</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>005-06F-020</td>
<td>Provision of Accommodation for the San Fernando Family Court - Corner of Lord and Paradise Streets, San Fernando</td>
<td>-</td>
<td>$115,900</td>
<td>$5,000,000</td>
</tr>
</tbody>
</table>

---

New Projects from the Financial Year 2019-2020

The following new projects that received funding in the 2019/2020 financial year\(^\text{21}\):

<table>
<thead>
<tr>
<th>Sub-head / Item / Sub-item / Group / Project Desc.</th>
<th>Project - Item</th>
<th>2020 Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>005-06F-025</td>
<td>Refurbishment and Expansion of the Siparia Magistrates’ Court</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>005-06F-026</td>
<td>Construction of Video Conferencing Centre at Golden Grove Arouca(^\text{22})</td>
<td>$5,000,000</td>
</tr>
</tbody>
</table>


\(^{22}\) Transferred from Head- Ministry of National Security
# Major Programmes and Development for the Period 2018 to 2020

The following table illustrates the major programmes and projects under the Judiciary and the actual and estimated expenditures for the last three (3) years.²³

<table>
<thead>
<tr>
<th>Development Programme 2018</th>
<th>PROJECTS</th>
<th>2018 Actual</th>
<th>2019 Revised Estimate</th>
<th>2020 Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>005-06A-001</td>
<td>Development of Judiciary Information Systems</td>
<td>$4,612,641</td>
<td>$4,203,000</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>005-06A-017</td>
<td>Establishment of a Juvenile Court of Trinidad and Tobago</td>
<td>$6,551,662</td>
<td>$2,689,200</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>005-06F-001</td>
<td>Rehabilitation of the Hall of Justice, Trinidad</td>
<td>$5,220,831</td>
<td>$2,990,300</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>005-06F-003</td>
<td>Refurbishment of Magistrates’ Courts</td>
<td>$993,328</td>
<td>$139,300</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>005-06F-009</td>
<td>Provision of Accommodation for the San Fernando Magistrates’ Court</td>
<td>$1,678,516</td>
<td>$2,115,800</td>
<td>$5,000,000</td>
</tr>
</tbody>
</table>

## General Useful Information

- Indian Courts, INDIA: [http://indiancourts.nic.in/](http://indiancourts.nic.in/)

- Courts and Tribunal, Judiciary, UK: https://www.judiciary.gov.uk/
- Department of Justice, CAN: http://www.justice.gc.ca/eng/csj-sjc/just/07.html
- Ministry of Justice, Jamaica: http://moj.gov.jm/
- Supreme Court of Jamaica: http://supremecourt.gov.jm/content/legal-system