

PRESS RELEASE
BY
THE PRESIDENT OF THE COURT OF APPEAL
23 June 2008

On Friday 20 June 2008 the president of the Court of Appeal made a press statement seeking for the cooperation of the Bar to provide information relating to outstanding appeals at the Court of Appeal. The news report appeared on the following day, i.e. Saturday. The full text of the press statement was emailed to the personal email address of the President of the Bar.

In the New Sunday Times publication yesterday reported that the President of the Bar urged for the appointment of senior lawyers to assist the disposal of cases. Although the report relates to the request of the Court of Appeal for information on the pending appeals, the President of the Bar did not comment on the lack of cooperation from members of the Bar to provide the requested information. Perhaps more effort is needed to persuade her members to cooperate.

Cases involving assigned counsels referred to by the President of the Bar are only in respect of some criminal cases. What are more important are the civil cases. There are about 10,000 civil cases as compared to 900 criminal cases.

The President of the Bar also referred to appointment of senior lawyers to become Judicial Commissioners to assist in disposal of cases. This is a separate issue from the Court of Appeal's request from the lawyers.

As far as civil cases are concerned, only the lawyers handling the cases can ensure that the records of appeals are complete before the registry can call the case for management and to fix a date of hearing.

Otherwise it means that the Registrar will have to go through every single one file and call up every lawyer handling the file to know the status of those files. Obviously, it is easier and speedier for each lawyer to give information on his files than for the Registry to go through all the files.

There are a lot of appeals that had been filed but parties do not wish to proceed. There are also instances where the judgments had been written by the High Court judges but are not filed at the Court of Appeal. All these add in to delay in fixing dates of hearing of appeals.

Lest it was misunderstood, the purpose of this information is to enable the Court of Appeal to prioritise certain type of cases which can and need to be disposed of speedily. As mentioned earlier, these include simple civil interlocutory applications.

We would like to reiterate and continue to request the members of the Bar to assist the Court of Appeal in the provision of these information.