



THE SUPREME COURT OF SEYCHELLES

PRACTICE DIRECTION No. 1 of 2020

To: All Legal Practitioners

Judges and Magistrates

Attorney General

Master

Registrar

In order to ensure the smooth and expedient running of the courts of Seychelles and to address the increase in absences recorded in the Supreme Court, Magistrates' Courts and Tribunals, I issue the following practice directive which is effective as of today:

1. All absences from the jurisdiction by legal practitioners must be communicated to the Office of the Chief Justice.
2. Where a legal practitioner has accepted instructions from a client and cannot appear or act personally on behalf of his/her client during any stage of proceedings and for any particular reason, including illness or absence from the jurisdiction, he/she is required, pursuant to Rule 8 of the Legal Practitioner's Act (Professional Conduct) Rules 2013 (Professional Conduct Rules), to brief another legal practitioner to appear on behalf of his/her client.
3. It is the duty of all legal practitioners, in terms of Rule 9 of the Professional Conduct Rules, to inform their clients of their legal rights and obligations and all issues of substantial importance in each matter in which the legal practitioner is instructed; and all significant developments in that matter. This includes instances where the legal

practitioner will be absent and where arrangements for substitution are made in terms of this practice directive and the Professional Conduct Rules.

4. It is the duty of all legal practitioners, in terms of Rule 14 of the Professional Conduct Rules, to act in the best interests of his or her client and to conduct litigation with diligence and not disregard time limits imposed by the court or seek or consent to any adjournment without proper cause.
5. With immediate effect therefore:
 - a. Civil or criminal cases will not be adjourned merely on the ground that Counsel is absent;
 - b. All absences and/or substitutions and preparedness of legal practitioners in the Supreme Court, Magistrates' Courts and Tribunals will be recorded and placed on record by the presiding judicial officer or member and shared with the Registrar of the Supreme Court.
 - c. Absences from court hearings and compliance with this practice directive shall, in terms of section 6A of the Legal Practitioners Act, be considered when the Supreme Court considers the renewal of Legal Practitioners' Licenses, suspension of Legal Practitioners' Licenses, the imposition of license conditions and any other sanction permitted under the law and Rules of Court.
6. Where Counsel defaults appearance in Court:
 - a. In criminal cases, accused persons will be asked to seek alternative Counsel;
 - b. Civil cases will be heard, listed for ex-parte hearing or dismissed for want of appearance.
7. This practice directive replaces Practice Direction 1 of 2017.



Dr. Mathilda Twomey

Chief Justice

Dated 14 January 2020.