



# COURT HANDBOOK FOR SUPPORT STAFF & COURT USERS



Office of the Chief Justice  
Judiciary of Seychelles  
Ile du Port, Mahe  
Seychelles





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## FOREWARD

The efficient administration of the courts of justice is central to the delivery of an effective system of justice. Judges and Magistrates cannot do their work of hearing and determining cases in a timely and efficient manner without an effective system of court administration.

This system cannot be handled by staff who are merely members of the public service. Special skills are required by court administrators and support staff in areas relating to case management, knowledge of the law and legal procedures, and management of the courtroom. These require specialized training, both of the formal and on-the-job kinds.

Part of the on-the-job training is comprised of establishing standardized procedures, especially for court support staff. It was mooted that these procedures be formalized in a sort of manual which would be a reference handbook for both old and new staff recruited into these positions in the court system.

This Court Handbook for Court Support Staff is therefore conceptualized to meet that need for the formalization of court procedures, to provide on-the-job training for staff who work in the courts. It is expected that this handbook will serve as a working tool and guide to meet the need for developing better qualified court personnel.

Rony James Govinden, J.  
Chief Justice

## JUDICIAL OFFICERS

### JUSTICES OF THE COURT OF APPEAL



Justice A. Fernando  
President of the Court of Appeal



Justice  
Dr. Mathilda Twomey



Justice  
Justice Fiona Robinson



Justice L. Tibatemwa-Ekirikuninza  
(Non-resident Justice of  
Appeal- Appointed 2019)



Justice Samia Andre  
(Non-resident Justice of  
Appeal Appointed 2022)

Assistant Registrar of the Court of Appeal: Mrs Vivienne Vadivello



## SUPREME COURT JUDGES



Chief Justice R. Govinden



Judge Mohan Burhan



Judge G. Dodin



Judge Melchior Vidot



Judge Laura Pillay



Judge Ellen Carolus



Judge Brassel Adeline



Judge David Esparon



Master Natasha Burian

Registrar of the Supreme Court:

Mrs Juliana Esticot

Deputy Registrars:

Mrs. Jeanine Lepathy (Civil Division)  
Ms. Marie-Ange Barbe (Criminal Division)

Assistant Registrar:

Mrs. Edwige Aglae

## MAGISTRATES



Senior Magistrate  
Vipin Benjamin



Senior Magistrate  
Andy Asba



Magistrate  
James Camille



Magistrate  
Brigitte Confait



Magistrate  
Ananth Subramanian



Magistrate  
Emily Gonthier



Magistrate  
Kelly Louise



Magistrate  
Larah Michaud

## PART ONE

### THE COURTS

- ✦ The Courts in Seychelles are comprised of the following:
- ✦ Court of Appeal
- ✦ Supreme Court
- ✦ Magistrates Court (including the Juvenile Court)
- ✦ The Tribunals

COURT OF APPEAL

SUPREME COURT

MAGISTRATES COURT  
(including Juvenile Court)

#### TRIBUNALS

- Rent Board
- Family Tribunal
- Employment Tribunal
- Mental Health Care Tribunal
- Fair Trading Tribunal



### COURT SUPPORT STAFF

- Law Clerks
- Court Process Servers
- Court Orderlies
- Court Interpreters
- Court Reporters

### DUTIES OF COURT SUPPORT STAFF

🔪 **Law Clerks** – This cadre of support staff are tasked with the registration of court cases filed by litigants and lawyers; they also ensure that documents filed in court are properly processed and placed in files for transmission to the courts.

🔪 **Court Process Servers** – This cadre of support staff are tasked with the service of court processes on parties to disputes before the courts; and in collaboration with law enforcement authorities like the Police, they also carry out the execution and enforcement of courts' judgments and orders.

🔪 **Court Orderly** – This cadre of support staff is responsible for the court room during court proceedings under the direction of the Judge or Magistrate; they ensure that all the things required to enable the court effectively and efficiently dispose of its cases are in place.

🔪 **Court Interpreter** – As the name implies, this cadre of support staff is tasked with the interpretation of evidence given by parties and witnesses during trials and other proceedings in court where necessary.

🔪 **Court Reporter** – Also known as stenographers, this cadre of support staff is tasked with the recording and transcribing of evidence and other proceedings during the trial/hearing of cases in court.

### COURTS' OFFICES OPENING HOURS AND ACCESSIBILITY

*The Court offices operational hours are:*

🔪 Monday to Friday 08.00 am to 04.00 pm, except on Public Holidays.

🔪 All offices are to be manned during office operational hours.

🔪 Only Court staff are allowed within the Court's administration offices.

## COURT ADMINISTRATION OFFICES

- Court of Appeal
- The Court of Appeal Registry
- Supreme Court
- The Registrar's Office
- The Civil Registry
- The Criminal Registry
- The Cash Office
- Magistrate's Court Ile Du Port
- The Registry
- The Cash Office
- The Child Maintenance Payments and Collection Office
  
- Magistrates' Court, Anse Royale
- Magistrates' Court, Grand Anse, Praslin
- Registry/ Cash Office

## COURTS' LOCATIONS

- 📍 Court of Appeal Palais de Justice, Ile Du Port, Mahé  
☎ +248 422 4078
- 📍 Supreme Court Palais de Justice, Ile Du Port, Mahé  
☎ +248 428 5800
- 📍 Magistrates' Court Victoria, Palais de Justice, Ile Du Port  
☎ +248 422 4078
- 📍 Family Tribunal Supreme Court Annexe, Ile Du Port, Mahé  
☎ +248 428 5875 / +248 428 5868
- 📍 Employment Tribunal Supreme Court Annexe, Ile Du Port, Mahé  
☎ +248 428 5826
- 📍 Praslin Magistrates' Court Pension Fund Building, Grand Anse, Praslin  
☎ +248 423 3857

## LOCATION OF COURT ROOMS

### Palais De Justice

- Ground floor – Supreme Court Nos. **4, 5, 6 & 9**
- First floor – Court of Appeal & Supreme Court Nos. **1, 2, 7 & 8**

### Supreme Court Annexe

- Ground floor – Court No. **11**

### Magistrates Courts

- 1<sup>st</sup> floor – Courts **A, D & F**
- 2<sup>nd</sup> floor – Courts **B, C, E & G**

### Tribunals

- Juvenile Courts – *Palais de Justice, Courts 1 & 7*
- Family Tribunal – *Supreme Court Annexe, Court No. 10*
- Employment Tribunal – *1<sup>st</sup> floor, Magistrates Court Building*
- Rent Board Tribunal – *2<sup>nd</sup> floor, Magistrates Court Building, Court E*
- Mental Health Care Tribunal – *Magistrates Court, Anse Royale*
- Fair Trading Tribunal – *2<sup>nd</sup> floor, Magistrates Court Building, Court G*

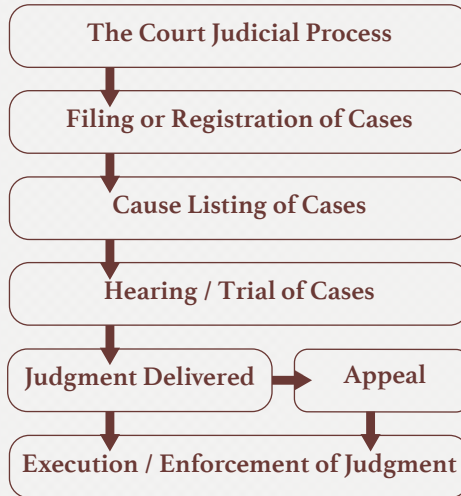
## THE REGISTRAR AND OTHER OFFICERS IN CHARGE

The Registrar and other officers in charge have a special responsibility to supervise the work of all staff under their control. This supervision is required to ensure that the necessary procedures are followed and that junior staff receive proper guidance in the manner in which they perform their duties. This would entail the following;

- ✎ The supervision of their staff.
- ✎ The rotation of staff to ensure that all staff have a sound knowledge of all aspects of Courts work.
- ✎ Ensuring punctuality at work.
- ✎ Counselling and discipline of their staff according to applicable regulations.
- ✎ Being responsible for the accounting for all monies received and paid.



## PART TWO



### ISSUING OF COURTS' DOCUMENTS

The preparation of courts' documents by Law Clerks is very important in the court process. All documents must be legible to prevent errors or confusion for those that use these documents. Documents that are issued by the courts must be checked and crosschecked by Law Clerks. The attention of the issuing or filing parties and/or the courts should be drawn to any errors identified. This would entail that Law Clerks shall ensure the following:

- ✎ Checking all documents to ensure that they comply with the rules
- ✎ Administrative irregularities should be noted on the documents and brought to the attention of the presiding Judge or Magistrate in a very timely manner.
- ✎ All handwritten documentation are written in a neat and legible style, and in language that the public understand.
- ✎ All documents filed must be accurately recorded on the files and registers
- ✎ All documents shall be properly prepared.
- ✎ Documents shall only be accepted for processing when the prescribed filing fees have been paid.
- ✎ Displaying of court fees on notice boards at the Cash Offices.

## PAYMENT PROCEDURES

Court staff who are responsible for handling monies are accountable for such monies, and for ensuring that proper accounting procedures apply. This entails that:

- ✎ Payments received shall be handled in accordance with the relevant financial regulations in force.
- ✎ All monies received shall be banked in accordance with the financial regulations in force.
- ✎ Court staff should never make personal use of the court receipts.
- ✎ Properly dated and signed receipts are issued by duly authorized court staff.
- ✎ Proper records of all receipts and payments are entered in the deposit books.
- ✎ All cash received are securely held in a safe place within the appropriate office, and under the supervision of the officer in charge.

## COURT CAUSE LISTS

All persons appearing before the courts have to be informed of the courts in which their cases are to be tried or heard in order that cases are expeditiously dealt with. This would entail the following;

- ✎ Cause lists shall be prepared and made available to court users and the public on a weekly basis.  
Cause lists are prepared in accordance with the courts' diaries.
- ✎ Court staff are to ensure that weekly cause lists are uploaded online and made available of weekly.
- ✎ Court staff are to ensure that the weekly cause lists containing case numbers, case names and the court rooms where the cases are being tried or heard are displayed on the notice boards on the courts' premises.

## RETENTION OF COURT FILES AND RECORDS

The record of courts proceedings and the retention of the courts' files is important for the efficient disposal of pending cases, as well as keeping a lasting record of court proceedings.

- ✎ This would entail that the Law Clerks ensure the following:
- ✎ Court files compiled are to be properly numbered, indexed and securely filed
- ✎ Hearing and mention dates are to be correctly recorded in the courts diary
- ✎ Courts files are kept in a secure place.
- ✎ Pending case files are kept in the registries until the cases are disposed of.
- ✎ Properly recording the movement of files in the appropriate registers.
- ✎ Court files are not to be taken away by the public, the police or legal practitioners.
- ✎ All authorized inspection of court files are done under the supervision of courts staff.
- ✎ Reporting to the Registrar or the officers in charge any unauthorized movement of court files by court staff.
- ✎ Courts proceedings are not to be released to any person without obtaining prior authorization from the Judge, Magistrate or Registrar.

## ISSUING OF WARRANTS

Warrants are important court documents that give the authority of the court for institutions such as the police and prisons to detain, arrest and imprison persons, depriving them of their liberty. It is therefore important that all warrants are accurately completed and recorded, and provided to the authorities in a timely manner. This would entail the following:

- Ensuring that issuance of committal and remand warrants are done immediately such orders are made by the courts, signed by the Judge or Magistrate, and handed over to the Police or the Prisons officers before they leave the court.
- Copies of warrants are to be kept on the courts' files.
- Ensuring that no duplicate warrants are issued except by the order of the Judge or Magistrate.
- Ensuring that all hand written warrants are recorded in a clear and legible manner.

## EXECUTION OF JUDGMENT/COURT ORDERS

The execution of Judgment and orders is fundamental to the courts' process. It is therefore necessary to ensure that all orders are prepared and sent for execution immediately after a request is made for execution of the order, except where a stay of execution has been ordered by the court.

## DESTRUCTION OF COURT RECORDS

Court records are a very important part of the court system and shall not be discharge except in the appropriate manner, and in accordance with the Judiciary's retention and archival policy. That would entail the following:

- Destruction or disposal of courts documents in accordance with the law, regulations or policies.

## THE COURT ROOMS

The court room should reflect an environment that commands respect by court users for the important work that is done in it. It should also be set up in as fusion that ensures that the court runs smoothly and without any unnecessary delays. That should entail the following by the Courts' Orderlies;

- Ensuring that the court rooms are clean at all times.
- Ensuring that all the furniture's are in the right positions as per the courts' set up, including the chairs and benches.
- Ensuring that the courts' diary, holy book, dictionary for translation, exhibit book and the necessary court forms are available in the court room at all times.
- Ensuring that the Judge or Magistrate are informed of all cases on the cause lists in a timely manner, and that all case files are easily available.
- Ensuring that up to date records of proceedings are kept on file for the attention of the Judge or Magistrate.
- Where applicable, ensuring that counsel's appearing before the court have their names noted on the appropriate case file for ease of reference of the Judge or Magistrate.
- Make themselves available on time for the day's proceedings.



## ORGANIZATION OF THE COURT ROOMS

Like the setting up of the court, the manner in which the court room is organized should reflect the importance of the work that is done within it. It is also important that the court room is organized to function efficiently in order to expedite the due process of the court without unnecessary delay, and assist all persons appearing in the court. This would entail that:

**The Court Orderly ensures that communication is effected in the languages of the court.**

*The Court Orderly's responsibilities are as follows –*

- ✚ Calling the cases in order of priority or as per seniority of counsel
- ✚ Directing persons where to stand when their cases are called
- ✚ Swearing in the witnesses
- ✚ Receiving and retaining exhibits
- ✚ Filling in the bail forms
- ✚ Facilitating the receipt of the bail warrant, remand warrant and sentence warrant by counsels/parties.
- ✚ Keeping order in the court room.
- ✚ Following the direction of the Judge or Magistrate in the control of the court room during sittings.
- ✚ Ensuring that there is complete silence and no unnecessary movements within the court room during sittings.
- ✚ Ensuring that children are only allowed in the court room if appropriately supervised by responsible adults.
- ✚ Ensuring that hats, caps, and turbans are not worn within the court room except on proven cultural or religious grounds.
- ✚ Ensuring that food are not brought within the courts room.

- ✎ Ensuring that the court room is not left unattended during sittings without the permission of the Judge or Magistrate.
- ✎ Ensuring that they bow to the Bench when entering or leaving the court room.

#### TRANSLATION DURING COURTS PROCEEDINGS

Accurate translations are fundamental to the court hearing process. Skills in translation are required of all Court Interpreters, or specially appropriated translators. That would entail the following:

- ✎ Provision of adequate training for Court Interpreters before they are allowed to translate in court.
- ✎ Ensuring that court evidence is translated accurately, and that summaries of questions and answers are not given.
- ✎ Ensuring that Court Interpreters maintain control of the translation process by indicating, where necessary, that all persons, including the Judge or Magistrate, counsel and witnesses pause their questions and answers, in order to ensure that accurate translations are given.
- ✎ Ensuring that, during court proceedings, all persons relay their questions and answers in clear, short and simple terms so as to ensure accurate translations.
- ✎ Ensuring that Court Interpreters remain impartial in the performance of their duties.

## COURT EXHIBITS

Court exhibits are an important part of the court process and important pieces of evidence that must be secured and maintained. That would entail that the Court Orderly;

- ✎ Ensures that the exhibits tendered in court are kept in safe custody, as well as keeping safe custody of the exhibit book.
- ✎ Ensures that all details of each and every exhibit including the case and PR number and detailed description of the exhibits are correctly recorded in the exhibit book.
- ✎ Ensures that the exhibits are safely and properly handed over to the Registrar, or the Deputy Registrar for physical verification at the conclusion of the day's proceedings.
- ✎ Ensures that he or she signs the sealed envelope or bag containing the exhibits upon handing over.
- ✎ Ensures that exhibits are safely transported from the exhibits room to the court room and back, with escorts as and when necessary.

## COURT SOCIAL SERVICES ENQUIRY REPORTS, PROBATION REPORTS AND OTHER REPORTS

Courts reports are an important form of assistance for the court in delivering just outcomes to cases. It is therefore important that courts' Social Services Enquiry reports and Probation Reports, where necessary, are made readily available. This would entail that the Court Orderly shall:

- Where the court makes an order for Social Services Enquiry Reports, Probation Reports, or any other reports, ensure that accurate, full and detailed information of the parties are supplied to the Social Services, Probation Services, or any professional individual or body from which the Report is sought.
- Ensure that the Social Services Enquiry and Probation Reports ordered by the Court are accurate and detailed.
- Ensure that the Social Services Enquiry Reports, Probation Reports and other Reports, are placed on the case file immediately upon receipt and brought to the attention of the presiding Judge or Magistrate in a timely manner.
- Ensure that the confidentiality of all reports are maintained, and should only be viewed by the presiding Judge or Magistrate who ordered the Report.
- Ensure that any request by any person concerning the reports is approved by the presiding Judge or Magistrate before such is made available to such person.

## ACCESS TO COURTS FOR PERSONS WITH DISABILITIES

Access to the court system is a fundamental right of all persons, and that includes physical access to the courts and court offices. All court staff must be aware that persons with disabilities have a right of access without impediment.

*This would entail the following;*

- ✎ Ensuring that all court facilities including entrances and public areas within the court are accessible to all persons, including those with disabilities.
- ✎ Ensuring that all court staff offer to assist all persons with disabilities to ensure that they have access to the courts and court facilities.
- ✎ In cases of emergency, court staff shall ensure that persons with disabilities are evacuated as a matter of priority through the safest and nearest exits.
- ✎ Court staff are to assist persons with disabilities in compliance with the general procedure for emergency evacuations.


## SECURITY

The court environment can be dangerous not only for court users but also for court staff. All necessary measures should be taken to ensure that the court is as safe an environment as possible, not only for the public, but also for court staff.

*That would entail the following procedures:*

- ✎ All court staff are to ensure that all court offices and courtrooms are secure.
- ✎ The Court Orderly shall ensure that the courtroom is closed and locked immediately after the court completes its sitting.
- ✎ A Court Orderly is to be present in all courts during sittings.
- ✎ A police escort should be arranged for the Judge or Magistrate if the path from their chambers to the court is not secure.
- ✎ That court staff be aware of possible security issues and report them to the Registrar.



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- ✎ The Registrar shall ensure that all security issues are addressed with the police and the Director of Operations and Logistics in the Judiciary.
  - ✎ Provision of separate rooms, where possible, to provide private and secure areas for vulnerable witnesses such as children, victims of sexual assaults and victims of domestic violence.
  - ✎ In case of emergencies e.g. fire, natural disaster or bomb threats, etc. court staff must be mindful and on the alert for any sound of alarm in the building. In addition, court staff are required to follow all directives from the Court Security officers and provide full cooperation.
  - ✎ The Court Orderly should assist evacuate staff, members of the public and other court users out the court rooms with the assistance of any police officers/escort officers in case there are detainees in court during this period.
  - ✎ A police officer, where possible, should be present at all times when the court is in session to ensure:
    - Control of access to the courtrooms
    - Sitting arrangements inside the courtrooms
    - Maintenance of law and order
    - Enforcement of orders by the Judges/Magistrates or the presiding person of the different tribunals.

## PART FOUR

### CODE OF CONDUCT

The manner in which court staff do their work reflects not only the importance of the work they do, but also should ensure that the independence of the Judiciary and the confidence of the public in the court system is maintained. That would entail the following;

- ✎ Court staff are not to show any favour to, or discriminate against, any person in the performance of their duties.
- ✎ Court staff are to be courteous and respectful to all court users at all times.
- ✎ Court staff are to be honest in the performance of their duties.
- ✎ Court staff are to maintain strict confidentiality regarding any information obtained by them in the performance of their duties.
- ✎ Court staff are to be punctual in their attendance at work, and must not be absent from their work stations without the prior authorization of the officer in charge.
- ✎ Court staff are to ensure that they adhere to the Judiciary's dress code to ensure they present themselves professionally to the general public, and to maintain the integrity of the Judiciary as a professional organization.

### RELATIONSHIP WITH STAKE HOLDERS

The court is an independent institution and any relationship with stakeholders (the lawyers, the Police, Social Services, Prison Service and the Media) should reflect that independence. The public perception should be that stakeholders do not receive favourable treatment from the court over and above other court users. This would entail the following;

- ✎ Ensuring that the independence of the court is not compromised when making with stakeholders, and as such court staff should not be perceived to be representing the interest of any stakeholders over and above other court users.
- ✎ Ensuring that court facilities are used by stakeholders only with the express permission of the Judge of the Magistrate or the Registrar.

- Ensuring that stakeholders fitting or representing documents to the court act according to the courts procedures, and under no circumstances should court staff accept any gifts or benefits from stakeholders for any preferential treatment.

## THE MEDIA

The Judiciary recognizes that the media perform an important and constitutionally mandate role to keep the public informed and to ensure transparency in the work of the Judiciary, and such are the public watch dog over government institutions. Media access to court proceedings are subject to the Judiciary media policy. That would entail the following;

- The court orderly carries out the instructions of the presiding Judge or Magistrate regarding any direction to be given to the media when covering any proceedings before the court as regards to –
  - Access to the court hearing
  - The use of cameras and video cameras inside the court room
  - Protection of Juvenile offenders and witnesses
  - Direct enquiries from the media shall not be entertained by the court orderly.





*Iustitia Prima*  
*Justice First*