

Prime Minister, the Most Hon. Portia Simpson Miller, says it is the duty of Parliament to guarantee the people a right of access to a final court of appeal that is within their reach.

“After all, we have been told in no uncertain terms by the highest authority in the United Kingdom, that we are encouraged to make use of the Caribbean Court of Justice (CCJ), instead of continuing to call upon the time of their judges who could be addressing concerns of other British subjects,” Mrs. Simpson Miller said.

The Prime Minister was delivering a Statement to the House of Representatives on July 3, on the tabling of the CCJ Bills.

She argued that the Parliament can present “no greater gift to the vast majority of our people than for them to be able to exercise a right that they have been denied for almost 180 years.”

“To insist on any other procedure other than that which has been laid down by our highest court is to dismiss our obligation to obey the rule of law,” Mrs. Simpson Miller said.

She urged the Opposition Jamaica Labour Party to, “think on these things and come together with the Government to achieve this milestone, to cross this bridge which we are called upon to traverse before Jamaica reaches its 51st year of independence.”

For his part, Opposition Spokesperson on Justice, Delroy Chuck, said the Opposition is in agreement that the Judicial Committee of the Privy Council should be replaced.

However, he said that Jamaicans should have a role to play in deciding whether the country should have the CCJ as its final appellate court.

In her response, Mrs. Simpson Miller said it is hoped that, “we all will avail ourselves to have some discussion on the matter and I hope before we have the debate.”

The Government tabled three Bills in the House of Representatives on July 25, aimed at replacing the Judicial Committee of the Privy Council with the CCJ as Jamaica’s final appellate court.

The Bills are: An Act to Amend the Judicature (Appellate Jurisdiction) Act, which seeks to amend the Judicature (Appellate Jurisdiction) Act in order to repeal the provisions for appeals to Her Majesty in Council and to replace those provisions with provisions for appeals to the Caribbean Court of Justice’; and ‘An Act to Amend the Constitution of Jamaica, which seeks to amend section 110 of the Constitution to repeal provisions relating to appeals to the Privy Council and replace them with provisions establishing the CCJ as Jamaica’s final court.

There is also: An Act to make provisions for the implementation of the agreement establishing the CCJ as both a court of original jurisdiction, to determine cases involving the Caribbean Community and International treaties, as well as a superior court of record with appellate jurisdiction.