

RECOMMENDATIONS FOR THE STRENGTHING OF THE RELATIONSHIP BETWEEN THE
THREE BRANCHES OF GOVERNMENT

LATIMER HOUSE PRINCIPLES SYMPOSIUM BARBADOS

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8 - 10 APRIL 2024

1. In order to enhance the separation of powers between Parliament and the Executive, the following may be considered: proportional representation, increasing the size of the back bench and ensuring that the Executive is never larger than the back bench, so as to increase fairness of representation in the House. (Principle 1)
2. Training of Parliamentarians to better understand the role of Parliament to provide checks and balances to executive action through bodies such as independent select parliamentary committees. (Principle 1 and Principle 7)
3. Recognition of the value of dialogue between the Judiciary and Parliament and that through constructive dialogue governance can be improved. Examples of devices that promote dialogue are suspended declaratory orders, a high level interbranch committee enabling dialogue between the three arms of government, a joint select committee for public consultation pursuant to a suspended court declaration. (Principle 2)
4. While it is the duty of Parliament to legislate, in certain sensitive matters it is observed that the Judiciary, when moved by a litigant with standing, may also have a duty determine the constitutionality of legislation. (Principle 2)
5. Consider whether the existing coverage of parliamentary privilege should be reviewed. E.g. defamation. (Principle 3)
6. The judiciary should be granted adequate resources to establish an autonomous and independent, administrative Office of the Judiciary with its own budget, subject to public accounting requirements. (Principle 4)



7. The Constitution should establish a tribunal to consider allegations of judicial misconduct. It should have a clear process for receiving, investigating and adjudication of complaints against the Judiciary. It should set out a clear process for the sanction and/or removal of judges. (Principle 4)
8. It is recommended that there should be diversity in representation in public office (Principle 5)
9. It is recommended that all branches of Government develop codes of conduct that are published and contain a complaints process. (Principle 6 & 7)
10. It is recommended that accessibility for the public and stakeholder groups into the process of drafting legislation be improved. (Principle 8)
11. We invite consideration of the televised broadcast of court proceedings. A group should be established to draft protocols for courts, lawyers and media, whilst ensuring that all precautions for the safety and security of judicial office holders and all court users are in place. (Principle 9)

