

Integrated Family Courts

Strengthening Family Justice Systems
in Trinidad and Tobago and Beyond



The Commonwealth

EQUAL ACCESS TO JUSTICE BEST PRACTICE GUIDES

Integrated Family Courts

Strengthening Family Justice Systems
in Trinidad and Tobago and Beyond



The Commonwealth

Suggested citation: Commonwealth Secretariat (2026), *Integrated Family Courts: Strengthening Family Justice Systems in Trinidad and Tobago and Beyond*. <https://thecommonwealth.org/publications/integrated-family-courts-trinidad-and-tobago>

© Commonwealth Secretariat 2026

All rights reserved. This publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or otherwise provided it is used only for educational purposes and is not for resale, and provided full acknowledgement is given to the Commonwealth Secretariat as the original publisher.

Views and opinions expressed in this publication are the responsibility of the author and should in no way be attributed to the institutions to which they are affiliated or to the Commonwealth Secretariat.

Wherever possible, the Commonwealth Secretariat uses paper sourced from responsible forests or from sources that minimise a destructive impact on the environment.

Published by the Commonwealth Secretariat.

Contents

Foreword	v
Acknowledgments	vi
Acronyms	vii
Executive Summary	ix
1. Integrated Family Courts: Development and Essential Features	1
1.1 Historical foundations	1
1.2 Toward the unification of family matters	2
1.3 A strategic policy response	2
1.4 A comparative analysis of IFC models	3
1.5 Key features of effective IFCs	5
1.6 Key benefits	5
1.7 Challenges in implementation	6
1.8 Conclusion	6
2. Historical Context of Trinidad and Tobago's Integrated Family Court	7
2.1 Background	7
2.2 The Family Court Pilot Project (2004–2016)	8
2.3 The Juvenile Court Project and the birth of the Children Court (2014–2018)	15
3. The Establishment of the Family and Children Division	21
3.1 Background	21
3.2 Enactment of the Family and Children Division Act	22
3.3 Establishing the Family and Children Division (post-2016)	24
4. Current Judicial and Administrative Practices in the FCD	34
4.1 Programmes and services	35
4.2 Ongoing challenges in addressing domestic violence and gender equality in the Family Court	37
4.3 Stakeholders' perspectives on the family and children courts	38
4.4 Opportunities for strengthening the FCD	42
5. General Good Practices in Implementing Integrated Family Courts	45
6. Conclusion	48

Foreword

The Commonwealth is a voluntary association of 56 countries with a combined population of 2.7 billion, working together to advance shared values and goals that promote peace, democracy and development. Although its roots are historical, emerging from the British Empire, today it serves a modern purpose grounded in co-operation and mutual support. The core purpose of the Commonwealth includes promoting democracy and good governance, advancing sustainable development, protecting human rights, fostering trade and economic co-operation, empowering youth and civil society, building peace and security, and strengthening cultural and people-to-people ties. Its existence therefore serves to support its members through shared values, practical co-operation and mutual respect, and creating a network where countries can learn from each other, collaborate and uplift their people.

To advance the realisation of the goals set out in the 2019 Declaration on Equal Access to Justice and Sustainable Development Goal (SDG) 16, the Commonwealth Heads of Government considered and endorsed the Declaration and Plan of Action on Equal Access to Justice, which had been developed by the Commonwealth Secretariat. This was during their June 2022 meeting in Kigali, Rwanda. At their subsequent meeting in Zanzibar in March 2024, law ministers agreed to the development of the *Commonwealth Best Practice Guides on Access to Justice* as part of the implementation of the Declaration and Plan of Action. This series of guides is developed pursuant to the law ministers' endorsement of the need for a practical, experience-based guide to support member countries in developing their own approaches.

This guide explores Trinidad and Tobago's adoption of the Integrated Family Court (IFC) model, which aims to deliver holistic, child and family-centred justice systems that place equal access to justice at their core. It analyses the development, implementation and current operation of the IFC model in Trinidad and Tobago, and assesses the model's principles, effectiveness and potential to help inform future reforms across the Commonwealth. This aligns with the core objective of the Equal Access to Justice Declaration and Plan of Action, whose aim is to promote people-centred justice and development.

We hope that it will enable chief justices, attorneys general and other relevant officers to develop and sustain people-centered approaches to justice in their respective jurisdictions.

Acknowledgments

The Commonwealth Secretariat is deeply grateful to The Hon. Mr Justice Archie, who served as Chief Justice of Trinidad and Tobago at the time the research underpinning this guide was conducted, for his leadership and support. We also extend our sincere appreciation to Wendy Lewis Callender, Deputy Court Executive Administrator, Family and Children Division; Stephanie Burke, Family Court Administrator; Carlene Cross, Children Court Administrator; and the Judges and Masters of the Family and Children Division of the High Court of Trinidad and Tobago. Their engagement and openness enriched the development of this guide.

The Secretariat further acknowledges the valuable contributions of the staff of the Family and Children Division of the High Court of Trinidad and Tobago; the staff of the Children's Authority of Trinidad and Tobago; the members of the Child Protection Unit of the Trinidad and Tobago Police Service; the members of the Father's Association of Trinidad and Tobago; the members of the Single Mother's Association of Trinidad and Tobago; and the staff of the Domestic Violence Hot Line. Their practical insights and lived experience provided critical perspectives on child protection and family justice.

We also gratefully acknowledge the contributions of the Trinidad and Tobago Prisons Service; the Office of the Prime Minister (Children and Gender Division); the Legal Aid and Advisory Authority; the Office of the Solicitor General (Children's Attorneys); and the Coalition Against Domestic Violence (CADV).

We are grateful to Robert Hann of Bob Hann and Associates (Ontario, Canada), Stephanie Daly, Attorney at Law, and the members of the Family Court Monitoring Committee for their thoughtful contributions and technical expertise.

The Commonwealth Secretariat further acknowledges the team in Trinidad and Tobago who conducted the research on which this guide is based – namely Christie-Anne Morris-Alleyne, former Court Executive Administrator, Jamie Philbert, Kernika Wells Adolphe, and Keisha Derrick. Their unpublished study, *The Family and Children Division of the High Court of Trinidad and Tobago: A Study Commissioned by the Commonwealth Secretariat* (2024), provided the empirical foundation and analytical insights that informed the development of this guide.

In particular, we thank our colleagues in the Commonwealth Secretariat, Rule of Law Section, led by Latoya McDowald-Hurley, for their assistance and support, as well as the invaluable advice and direction provided during the development of this publication. The Secretariat worked closely with the consultant, Dr Corlane Barclay, and is grateful for her professionalism, dedication and time in translating the research findings into practical guidance through the development of this guide.

Finally, the Secretariat conveys its heartfelt thanks to all Commonwealth member countries for their unwavering support, which has continually enabled the Secretariat to deliver on its various mandates, including support for justice reforms.

Acronyms

ADR	alternative dispute resolution
CADV	Coalition Against Domestic Violence
CHINS	children in need of supervision
FCD	Family and Children Division of the High Court
IFC	Integrated Family Court
JEITT	Judicial Education Institute
SMATT	Single Mothers Association of Trinidad and Tobago
SRL	self-represented litigant
SSU	Social Services Unit
TFATT	the Father's Association of Trinidad and Tobago
TT.jim	Trinidad and Tobago Judicial Information Management System
UNDP	UN Development Programme
USAID	US Agency for International Development
UFC	Unified Family Court
VACC	Virtual Access Customer Centre

Executive Summary

The purpose of this guide is to support the establishment and refinement of Integrated Family Court (IFC) systems that deliver holistic, child and family-centred justice systems that place equal access to justice at their core. This report provides an analysis of the development, implementation and current operation of the IFC model in Trinidad and Tobago, with a focus on its transformation into the Family and Children Division of the High Court (FCD). Derived from a commissioned study,¹ the analysis draws on historical context, institutional experience and stakeholder insights to evaluate the IFC's principles, effectiveness and potential to help inform future reforms across the Commonwealth.

Trinidad and Tobago's phased approach to IFC implementation, beginning with the Family Court Pilot Project (2004–2016), followed by the Juvenile Court initiative (2014–2018) and culminating in the establishment of the FCD, offers valuable lessons in institutional design and adaptive reform. At every phase, the system was guided by the principle that justice should be equally accessible, responsive and effective for all families, regardless of socio-economic status, location or vulnerability. The experience affirms the importance of:

- piloting innovations before national rollout
- creating child and family-friendly court environments
- developing internal policies and protocols that reflect international standards
- prioritising judicial leadership and interagency co-operation
- institutionalising training, monitoring and evaluation mechanisms.

A comprehensive review of the evolving family justice landscape reveals the critical need for legislative reform and systemic transformation to achieve a fully unified family justice system. Key elements driving this transformation include integrated jurisdiction, interdisciplinary staffing,

holistic services, stakeholder collaboration, digital innovation and cultural adaptability. These components are interdependent and collectively essential for delivering timely, equitable and developmentally appropriate outcomes for families and children.

Integrated jurisdiction and case management

IFCs that consolidate jurisdiction over all family-related matters enable consistent decision-making, eliminate redundant proceedings and improve the co-ordination of services. Streamlining case management through a single legal forum helps reduce procedural delays, simplifies navigation for families and ensures more coherent interventions across civil, criminal and child protection matters.

Specialised and multidisciplinary staffing

Effective family justice systems require not only legally trained personnel but also the integration of professionals from social work, psychology, mediation and child development. Judges and court staff with family law expertise, working alongside mental health practitioners and mediators, ensure responses are trauma-informed and tailored to the needs of children and vulnerable parties. This interdisciplinary approach fosters a more supportive and empathetic legal environment.

Access to holistic and co-ordinated services

Sustainable outcomes in family law depend on the availability of wrap-around services, such as counselling, parenting programmes, educational support and substance rehabilitation. These services must be accessible, culturally appropriate and continuously evaluated to ensure relevance and effectiveness. A holistic approach acknowledges the complex, intergenerational nature of many family justice issues and supports families beyond the courtroom.

Stakeholder collaboration and systemic co-ordination

Successful IFC models rely heavily on interagency co-operation. The Trinidad and Tobago experience illustrates both the benefits and challenges of stakeholder engagement. While collaborative frameworks enhance service delivery and policy coherence, gaps in communication and overlapping

1 Morris-Alleyne, C-A, Philbert, J, Wells Adolphe, K and Derrick, K (2024, unpublished), *The Family and Children Division of the High Court of Trinidad and Tobago: A Study Commissioned by the Commonwealth Secretariat*, Commonwealth Secretariat.

responsibilities can undermine efficiency. Ongoing dialogue, shared objectives and joint training are critical to maintaining functional partnerships.

Technology and innovation in service delivery

Digital transformation plays a vital role in increasing access to justice. The implementation of hybrid hearings, virtual family access centres and digital case management systems enhances efficiency, particularly in remote or under-resourced areas. These tools also support transparency and help track case progress in real time, which is essential for continuous quality improvement.

Cultural and legislative adaptability

Legislative reform is foundational to system redesign, yet it must remain responsive to social change. In Trinidad and Tobago, the creation of the FCD marked a major reform milestone. However, stakeholder feedback indicates the need for continued legal updates to address evolving societal challenges such as domestic violence, child exploitation and the rights of transitioning youth. Adaptable legislation ensures that the family justice system remains relevant, inclusive and forward-looking.

Trinidad and Tobago's development of an Integrated Family Court system through the FCD provides a replicable framework for other jurisdictions seeking to modernise their family justice systems and promote equal access to justice. The lessons and practices highlighted in this guide emphasise the importance of co-ordinated service delivery, legislative clarity, institutional commitment and a persistent focus on the best interests of children and families. This best practice guide serves as both a reference and a roadmap for jurisdictions seeking to transform family justice systems into equitable, accessible and human-centred institutions.

The remainder of the report is organised as follows.

- The **introduction** outlines the historical foundations of the IFC model, its guiding principles and the strategic policy responses that have shaped its design and function. It also highlights the key features and benefits of effective IFC systems, such as integrated jurisdiction, multidisciplinary staffing and co-ordinated services, while acknowledging persistent implementation challenges. A comparative analysis of IFCs in different countries is also discussed.
- A detailed **historical context** traces Trinidad and Tobago's journey from the Family Court Pilot Project through the establishment of the Children Court under the Juvenile Court Project. The evolution of court procedures, the creation of safe spaces, and the introduction of child justice guidelines and protocols are examined to show the foundation on which the FCD was built.
- **The establishment of the Family and Children Division (FCD)** is discussed next, beginning with the enactment of the Family and Children Division Act and progressing through key structural, operational and legal milestones. This section analyses the integration of IFC features, institutional learning and early outcomes from both the Family Court and the Children Court.
- **Current judicial and administrative practices** provide insight into the ongoing programmes, services and challenges faced by the FCD. Particular attention is given to domestic violence, gender equality and stakeholder perspectives, highlighting both areas of progress and opportunities for strengthening court practices and service delivery.
- The report also distils **general good practices** in implementing IFCs, informed by both local experience and global benchmarks. These practices support recommendations for improved co-ordination, sustained stakeholder engagement, digital innovation and cultural adaptability within family justice systems.
- The **conclusion** emphasises the importance of continuous reform, legislative responsiveness and system-wide collaboration to ensure that the FCD can deliver child-focused, trauma-informed and developmentally appropriate justice.

1. Integrated Family Courts: Development and Essential Features

The concept of the family has undergone a significant transformation in recent decades, shaped by evolving social norms, increasing cultural diversity and emerging legal challenges. As a result, the scope of family law and the legislative frameworks that support it have expanded to reflect and address the complexities of contemporary family structures and the disputes that arise within them. These legal adaptations aim to provide inclusive and equitable protection, facilitate resolution and ensure that the justice system remains responsive to the dynamic needs of modern society.

Modern family law now encompasses a wide spectrum of both traditional and emerging issues, including:

- marriage and divorce
- child custody, support and welfare
- adoption and surrogacy
- domestic violence
- inheritance and property rights
- reproductive rights and technologies
- gender equality
- digital and cross-border family matters.

In this evolving context, the *Integrated or Unified Family Court (IFC)* model has emerged as an effective and necessary response to the increasingly multifaceted challenges faced by families. IFCs provide a holistic, streamlined and family-centred judicial approach, designed to address the full range of legal and social issues affecting families under one judicial umbrella. By consolidating jurisdiction and integrating support services, IFCs directly confront many of the systemic shortcomings of traditional family justice systems. These include the following.

- Court processes that are often time-consuming, costly, cumbersome and duplicative.
- Inadequate focus on the best interests and developmental needs of children.
- Underutilisation of alternative dispute resolution mechanisms.
- Poor co-ordination in cases involving the same family across different courts.
- Judges who may lack the interest, appropriate temperament or specialised understanding required for family law matters.
- Insufficient attention to the needs of low-income and self-represented litigants.¹

As noted by IFC practitioners and scholars,² the implementation of an IFC model often leads to greater efficiency and more consistent, co-ordinated decision-making. An additional, well-documented benefit is the reduction in costs for clients, attorneys and the court system, which is attributed largely to the specialisation and increased effectiveness of dedicated family court judges.

1.1 Historical foundations

The call for non-traditional approaches to handling family matters is not new. In fact, the limitations of the traditional court system have been acknowledged for decades and across legal systems and jurisdictions. For instance, in 1959, Roscoe Pound³ highlighted the inadequacy of traditional court systems in addressing the multifarious needs of families:

-
- 1 That is, individuals who choose to represent themselves in court proceedings.
 - 2 For example, Babb, B A (2013), 'Unified family courts: An interdisciplinary framework and a problem-solving approach'. 65–82, in Wiener, R. and Brank, E. (eds), *Problem Solving Courts*. Springer. https://doi.org/10.1007/978-1-4614-7403-6_5.
 - 3 Morris-Alleyne et al. (2024, unpublished)

'A system of courts devised to deal with the typical single issue [...] is not adequate to the troubles of a family in the complex society and manifold, diversified, and complicated activities of today... In a unified judicial system, the family court will involve simplification and so reduce the cost of public administration of justice...'

Pinpointing the precise origin of integrated family courts is challenging, as their development has been gradual and often intertwined with broader judicial and social reforms rather than marked by a single, definitive starting point. However, the genesis of the modern IFC model in the Commonwealth can be traced to a 1974 pilot project in British Columbia, Canada, which sought to consolidate family-related legal matters within a unified judicial framework.⁴

The historical development of IFCs within Commonwealth countries reflects a concerted effort to reform family justice systems to better meet the needs of families and children. From the pioneering efforts in British Columbia to the establishment of specialised family courts in several countries, IFCs have evolved into a cornerstone of family justice, aiming to provide holistic, accessible and child-centred legal solutions.

1.2 Toward the unification of family matters

IFCs reflect a shift from fragmented legal responses to a more integrated approach, where legal and social systems collaborate to support families holistically. IFCs operate under a single-court system with jurisdiction over all cases involving children and family disputes, enabling courts, social services and informal proceedings to work together to provide tailored resolutions that meet families' diverse needs. Thus, an IFC can be broadly described as:

*'A specialized court that consolidates jurisdiction over a wide range of family-related legal matters and co-ordinates judicial, social, and support services within a single system, in order to resolve disputes in a holistic, efficient, and family-centred manner.'*⁵

4 Government of British Columbia (n.d.), '1974: Unified Family Court Pilot Project', <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/corrections/about-us/history/family-justice/1974>.

5 Morris-Alleyne et al. (2024, unpublished)

Unlike traditional legal systems that segment family-related issues, such as divorce, child custody, spousal support, domestic violence and child protection, across multiple courts (for example, civil, criminal, juvenile), IFCs centralise these proceedings under a single jurisdiction. This model presents several benefits and offers a holistic, process-oriented approach that prioritises efficiency, accessibility, consistency and the integration of judicial, legal and social services.

In essence, an IFC is a specialised court with comprehensive jurisdiction over all legal matters affecting families. It is designed not only to adjudicate disputes but to serve as a centralised, co-ordinated institution that integrates judicial, administrative and social services to achieve more meaningful outcomes for families. In this regard, IFC upholds the principle of equal access to justice.

1.3 A strategic policy response

IFCs have become an increasingly vital component of Commonwealth jurisprudence, as jurisdictions strive to improve equal access to justice and ensure more responsive family law systems. The traditional fragmented court structure, where different aspects of family matters (for example, custody, maintenance, protection) are adjudicated in separate forums, has long been criticised for causing duplication, delay, jurisdictional conflict and inconsistent outcomes. IFCs overcome these shortcomings by consolidating legal authority and streamlining case processing.

As such, IFCs represent not only a judicial innovation but also a strategic policy response that seeks to achieve the following.

- **Promote procedural efficiency by reducing duplication and delays.** Several countries have merged previously separate courts into a single-entry system, significantly reducing delay by removing duplicative filings and creating unified case pathways. Further, procedural efficiencies can be achieved through centralising jurisdiction and implementing integrated case management tools that eliminate fragmented litigation and streamline case processing.
- **Enhance consistency and fairness in decision-making.** IFCs seek to improve legal consistency by assigning all related family matters (for example, custody, protection

orders, maintenance) to the same judge where feasible or resources permit. This continuity reduces the risk of contradictory rulings and enhances judicial fairness.

- **Increase accessibility for all litigants, especially self-represented individuals.** In many family courts, particularly in developing jurisdictions, a significant number of litigants appear without legal representation. To address this, several jurisdictions have implemented measures to make the court process more accessible and less intimidating for self-represented (*pro se*) individuals. For example, in British Columbia, Canada, the use of Family Justice Centres provides free legal information and dispute resolution support, empowering self-represented individuals to navigate the court process more confidently.⁶ Simplified forms and user-friendly procedures have also been key enablers in making justice more accessible.
- **Integrate therapeutic and social support services.** Active collaboration among key stakeholders, such as social workers, psychologists and probation officers, to ensure that families receive not just legal adjudication but also holistic support, is an essential component of IFC systems. For instance, in Australia, courts often include family consultants and independent children's lawyers (ICLs)⁷ who provide assessments and recommendations, ensuring that legal decisions are informed by psychosocial realities. This therapeutic jurisprudence approach recognises that court orders alone are insufficient without supporting the broader needs of families.
- **Centre decision-making in the best interests of children.** The use of facilities such as child-friendly interview rooms and child advocates ensures that children's voices are heard in proceedings affecting them. For example, in the UK, the Children and Family Court Advisory and Support Service (CAFCASS)⁸ supports courts in making child-

centred decisions by providing independent assessments and safeguarding advice. These practices ensure that judicial decisions do not merely resolve disputes but promote long-term developmental well-being for children.

1.4 A comparative analysis of IFC models

Across multiple jurisdictions, IFCs or equivalent integrated models have been established to address the complex and overlapping legal needs of families through a co-ordinated, multidisciplinary approach. While models differ in structure and jurisdictional scope, they share core objectives such as streamlining case processing, improving access to support services, and enhancing outcomes for families and children. The experiences of the United States are highlighted due to the breadth of active research and experimentation with IFC models, while select Commonwealth jurisdictions are also examined to highlight key lessons and innovations that contribute to the development of effective IFCs.

The experiences of the United States, Australia and Canada demonstrate that while Unified Family Courts (UFCs) can vary in structure, their underlying philosophy – a centralised, multidisciplinary and child-focused approach – is widely shared. Each country has taken steps to consolidate jurisdiction, simplify court processes and embed social services into family law proceedings.

United States of America

Several states in the US have implemented IFCs to consolidate family-related legal matters and improve service delivery. Notably, the Family Court Pilot Program of the 17th Judicial District was designed in 2000 to 'create an environment where agencies and individuals work together to improve the delivery of services to families who need them'.⁹ In Indiana, three separate pilot projects were launched in 2000, each adopting a slightly different UFC design. Kentucky established 14 pilot IFCs, each encompassing a broad jurisdiction over issues such as divorce, custody, support, domestic violence, adoption, status offences, truancy, dependency,

6 Government of British Columbia (n.d.), 'Family Justice Centres'. <https://www2.gov.bc.ca/gov/content/life-events/divorce/family-justice/who-can-help/family-justice-centres>

7 Independent Children's Lawyers (n.d.) 'Independent Children's Lawyers', ICL website. <https://icl.gov.au/>.

8 CAFCASS (n.d.) *Home*, webpage. www.cafcass.gov.uk.

9 Thoennes, N (2001), 'Family Court Pilot in Colorado's 17th Judicial District', Centre for Policy Research. <https://centerforpolicyresearch.org/wp-content/uploads/FamilyCourtPilot.pdf>.

neglect and abuse. These courts aimed to centralise jurisdiction over most, if not all, family matters to improve consistency and efficiency.

Overall, findings across states suggest that IFCs provide increased access to support services, improve client satisfaction and strengthen the use of alternative dispute resolution (ADR) mechanisms.¹⁰

Van Horn and Hitchens¹¹ emphasise the potential of family courts to act as collaborative community partners, despite often being seen as coercive institutions. They argue that courts are well-positioned to connect families with critical services, particularly those involving abused or neglected children, or families dealing with mental health, substance abuse and domestic violence challenges. As they state:

'Courts are among the institutions in society where troubled children and families are most likely to be found... Their parents also need services to improve their parenting skills... and to help them escape from dangerous environments...'

Australia

Australia's experience with integrated family justice is centred on the Family Court of Australia, established by the Family Law Act 1975 and operational since 1976. This court was designed as a specialist federal court of record, with judges appointed specifically for their training, experience and temperament in handling family law matters.¹²

Although the Family Court had many attributes of an IFC, such as multidisciplinary practices and a child-centred approach, it was not formally classified as an IFC due to jurisdictional fragmentation. A dual system prevailed: two federal courts dealt with parenting and property

disputes, while state and territory courts retained jurisdiction over child protection and domestic violence matters.¹³

In response to systemic inefficiencies in the federal family law system, the Australian Government undertook major reforms in 2021, unifying the Family Court of Australia and the Federal Circuit Court under a single administrative structure known as the Federal Circuit and Family Court of Australia. This structural reform introduced:

- a single entry point for federal family law matters
- unified rules, forms and procedures
- strengthened judicial appointment criteria
- a streamlined appeals process.¹⁴

These changes were aimed at reducing delays, improving cost efficiency and enhancing consistency in dispute resolution. These goals align closely with the core principles of IFC systems. However, it remains the case that federal courts deal with parenting and property disputes, and state and territory courts retain primary jurisdiction over child protection and domestic violence matters.

Canada

The concept of a unified family court system in Canada emerged in the early 1970s. In 1974, the Law Reform Commission of Canada published a report recommending the establishment of a unified family court to address the fragmented nature of family law proceedings and reduce the adversarial nature of proceedings.

Following this recommendation, pilot projects were initiated in four jurisdictions: Hamilton, Ontario (1977), Saskatoon, Saskatchewan (1978), Fredericton, New Brunswick (1979) and St John's, Newfoundland (1979).¹⁵ Following favourable evaluations of each pilot project, the IFCs in these jurisdictions were made permanent. Since then, the model has been sustained and expanded within

10 American Institutes for Research (2002), *Unified Family Court Evaluation Literature Review*, American Institutes for Research, Washington, DC.

11 Van Horn, P and Hitchens, D J (2007), 'Partnerships for young children in court: How judges shape collaborations serving traumatized children', in Osofsky J D (ed.) *Young children and trauma: Intervention and treatment*, The Guilford Press, 246–261.

12 Nicholson, A and Harrison, M (2003), 'Specialist but Not Unified: The Family Court of Australia', *Family Law Quarterly*, 441–457.

13 Lorimer, C (n.d.), 'Law and Bills Digest'. *Reform of family law*. www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/BriefingBook46p/FamilyLaw

14 Australian Government Attorney-General's Department (n.d.), 'Structural reform of the federal courts'. www.ag.gov.au/legal-system/courts/structural-reform-federal-courts.

15 Department of Justice Canada (2009), *Unified Family Court, Summative Evaluation: Background And Context*. www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/09/ufc-tuf/p2.html.

the original four provinces and introduced in Prince Edward Island, Manitoba and Nova Scotia. Currently, there are 39 IFCs operating across seven provinces.

Canadian IFCs integrate federal and provincial jurisdictions into a single court, providing 'one-stop shopping' for families dealing with diverse legal issues.¹⁶ These courts aim to reduce procedural complexity, increase judicial specialisation and enhance access to family justice services.

These IFCs have been shown to successfully resolve matters more efficiently, offer more consistent judicial decision-making and improve access to social support. The Canadian model is particularly notable for its emphasis on intake services as a gateway to both the court and the Family Justice Services (FJS) network. Intake processes help determine the most appropriate dispute resolution path and refer parties to mediation, counselling or judicial adjudication, depending on the case needs.

*'IFCs were expected to enhance the resolution of family issues by addressing the fragmentation of jurisdiction, the conflicting philosophies and procedures of the courts, and the lack of auxiliary support services for families.'*¹⁷

This integrated intake design ensures that families receive timely, appropriate interventions and supports the co-ordination of legal and non-legal services in a manner aligned with the principles of a unified system.

1.5 Key features of effective IFCs

A set of core features that characterise an effective IFC are presented.¹⁸ These include the following.

- **Specialised structure.** IFCs may exist as standalone courts or as specialised divisions within general courts, staffed by judges with expertise in family law.

- **Comprehensive subject-matter jurisdiction.** These courts have authority over a full spectrum of family-related legal issues, including divorce, custody, child protection, adoption and domestic violence, enabling integrated and coherent responses.
- **Case management and co-ordination.** A hallmark of IFCs is early and ongoing judicial engagement through models such as 'one judge–one family' or dedicated case teams, which help ensure continuity, accountability and familiarity with each family's circumstances.
- **Holistic and therapeutic approaches.** Emphasising therapeutic jurisprudence, IFCs integrate social services, including mediation, counselling, parenting education and substance abuse programmes, to address the broader emotional and relational dimensions of family conflict.
- **Alternative dispute resolution (ADR).** These courts prioritise non-adversarial approaches to conflict, such as mediation and collaborative law, fostering co-operation and reducing litigation stress.
- **Child-centred focus.** A consistent feature is prioritising the welfare and developmental needs of children in all proceedings, aligning judicial decisions with the principle of the child's best interests.
- **Accessibility and user-friendliness.** IFCs seek to be approachable and comprehensible to all litigants, with particular attention to the needs of marginalised, unrepresented and vulnerable parties.
- **Integrated information and service systems.** Effective co-ordination requires integrated case-tracking and information-sharing systems, as well as unified access to social and legal services.

1.6 Key benefits

IFCs deliver clear benefits across several key areas, including the following.

- **Access to justice.** Streamlined procedures reduce legal complexity and increase accessibility, particularly for self-represented or low-income parties to the proceedings.

16 Law Reform Commission (1974), *Report on Family Law*, Law Reform Commission of Canada, Ottawa.

17 Department of Justice Canada (2004), *RMAF for the Unified Family Court: Background and Context – Unified Family Court, Summative Evaluation*. www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/09/ufc-tuf/p2.html.

18 Babb, B A (1997), 'Fashioning an interdisciplinary framework for court reform in family law: A blueprint to construct a unified family court', *Southern California Law Review*, Vol. 71, 469.

- **Judicial consistency.** Consolidated case management minimises contradictory rulings and fosters trust in the legal system.
- **Holistic family support.** By addressing both the legal and social dimensions of family crises, IFCs produce more sustainable and rehabilitative outcomes.
- **Efficiency and cost reduction.** Unified proceedings eliminate duplication, reduce court backlogs and lead to faster resolution of cases, lowering costs for families and court systems.
- **Child-centred outcomes.** Courts can prioritise the best interests of children across multiple legal dimensions simultaneously, resulting in more protective and supportive interventions.

1.7 Challenges in implementation

Despite their advantages, research and cases have shown that IFCs face several systemic and operational barriers. These include the following.

- **Resistance to change.** Legal professionals and institutional stakeholders may resist reforms that disrupt entrenched practices.
- **Funding constraints.** Establishing and maintaining IFCs requires substantial investment in infrastructure, personnel and services.
- **Technological disparities.** Inconsistent access to digital platforms limits the scalability of tech-based solutions, especially in rural or underserved regions.
- **Jurisdictional fragmentation.** In federated systems like the US and Canada, aligning federal and provincial/state responsibilities can be even more complex and politically sensitive.
- **Uneven implementation.** Disparities in resource allocation and policy priorities can lead to a two-tiered system, with rural and underserved communities lacking access to IFCs.
- **Public awareness.** A limited understanding of IFC availability and benefits can reduce public engagement with these courts.

- **Self-representation.** An increasing number of claimants and respondents without legal representation places pressure on court staff and requires additional support structures.

1.8 Conclusion

IFCs represent a transformative shift in the administration of family justice. While challenges remain, particularly with respect to sustainable funding, interagency co-ordination and public trust, their demonstrated potential to deliver better outcomes for children and families affirms their essential role in building equitable, modern justice systems.

These IFC systems emphasise the integration of legal proceedings with supportive services such as counselling, mediation and child welfare intervention. The operationalisation of IFCs across jurisdictions also offers important lessons on institutional design, interagency co-ordination, judicial specialisation and access to justice, providing valuable insights for countries seeking to modernise their family court systems in line with evolving social and legal needs.

This guide provides an in-depth examination of IFCs, focusing on their structure, guiding principles and effectiveness, with particular attention to the experiences and implementation in Trinidad and Tobago. Based on the commissioned study of the Family and Children Division of the High Court of Trinidad and Tobago,¹⁹ the case study highlights key principles of best practice, including judicial specialisation, integrated service delivery and one judge–one family models, while distilling critical lessons learned through policy development, institutional reform and stakeholder engagement. These insights serve as valuable reference points for Commonwealth jurisdictions considering or currently embarking on the development of their own IFC systems, offering guidance on both strategic design and practical execution. By presenting practical strategies and challenges encountered during implementation, it serves as a valuable resource for law ministers, policy-makers, judicial officers, legal professionals and other stakeholders navigating the transition to an effective, integrated family justice model.

19 Morris-Alleyne et al. (2024, unpublished)

2. Historical Context of Trinidad and Tobago's Integrated Family Court

2.1 Background

Before the formal establishment of the Family Court in Trinidad and Tobago, the justice system was ill-equipped to effectively handle the unique and sensitive nature of family-related disputes. The court structure operated within a rigid civil–criminal classification, and family matters, such as divorce, custody, maintenance and domestic violence, were handled across disparate courts, often within the same physical and procedural spaces as criminal trials. This blending of case types exposed vulnerable parties to additional trauma and insecurity, particularly in domestic violence cases, where battered spouses might be forced to share courtrooms or waiting areas with their abusers without any safeguards in place.

The courtrooms, workflows and institutional processes were not designed to accommodate the therapeutic, non-adversarial handling that family cases require. Judges and staff had not been trained in handling family law matters or child psychology, and there was no dedicated space for private consultations or child-friendly accommodations. As a result, litigants experienced confusion, intimidation and distress, and court operations suffered from inefficiencies, delays and a general lack of co-ordination. Shared infrastructure such as information and communication technology (ICT) systems and public spaces further strained the ability to deliver timely and appropriate outcomes in these matters.

The adversarial and legalistic nature of the proceedings compounded the problem. Lawyers, influenced by combative civil litigation norms, often exacerbated tensions rather than facilitating reconciliation. As a result, the courtroom became a site of emotional escalation rather than conflict resolution. Families were frequently involved in multiple cases across several courts, facing logistical and emotional challenges in accessing unco-ordinated services from geographically dispersed agencies.

This troubling state of affairs was sharply recognised by then Chief Justice, the Honourable Mr Justice S Sharma, in his 2003–2004 Law Term address.²⁰ He lamented the dysfunction of the Matrimonial Proceedings and Property Act and the failure of existing rules to achieve conciliatory outcomes.

'Over the years, experience has shown that the matrimonial rules, which underpinned the Matrimonial Proceedings and Property Act Ch. 45:51, had fallen woefully short of the intended objectives. Instead of promoting conciliation and settlements in the family unit, matters turned out to be bitter, hostile and acrimonious... The real disputes between the parties were often lost in legal entanglement, and high posturing between their lawyers, which often infected the parties.'

Justice Sharma also highlighted systemic delays and inefficiencies, especially in the Port of Spain Matrimonial Chamber Court, where a four-month wait was typical just to obtain a first hearing. Adjournments were frequent and the cumulative delay made the justice process disheartening for many families. He firmly declared the need for a Family Court, describing its creation as essential to ensuring *'an expeditious, efficient, and fair disposition of family litigation'* due to its deep societal implications.

The need for reform stemmed from a range of entrenched issues within the family justice system, including the following.

- A significant backlog and procedural delays in the High Court.
- An adversarial culture that promoted hostility over resolution.

²⁰ Sharma, the Honourable Mr Justice S (2003, September 16), 'Opening of the 2003–2004 Law Term in the Supreme Court', speech delivered at the Hall of Justice, Port of Spain, Trinidad and Tobago. www.ttlawcourts.org/index.php/law-library/special-collections/cj-law-term-speeches.

- Lack of access to integrated social services, leaving root issues unresolved.
- Rising domestic violence incidents with inadequate protective infrastructure.
- Non-conducive, high-stress environments for handling sensitive family disputes.
- High caseloads that prevented adequate attention to individual family cases.
- Fragmented handling of child-related matters, including abductions.

The groundwork was thus laid for the Family Court pilot of 2004, which sought to reimagine the justice system's approach to family matters, placing emphasis on rehabilitation, support and resolution rather than legalism and conflict.

2.2 The Family Court Pilot Project (2004–2016)

In 2003, the Family Court Committee ('the Committee'), tasked with designing a court structure tailored to the needs of Trinidad and Tobago, recommended the establishment of a well-resourced, dedicated pilot Family Court. This pilot was to incorporate key elements of an IFC, with social services integrated as a core component of its structure.

The Committee proposed that the pilot embody five essential characteristics of an IFC.

1. Broad and specialised jurisdiction
2. Co-ordinated services
3. Trained and sensitised judicial and support personnel
4. Access to court-related services such as mediation and counselling
5. The strategic use of technology

While the ideal IFC model was envisioned to cover a wide range of matters, including matrimonial disputes, domestic violence, juvenile delinquency, substance abuse, child protection and other family crisis issues, the Committee recommended that the initial Port of Spain pilot exclude juvenile court jurisdiction – that is, cases involving children charged with criminal offences. It was also agreed that the pilot would not exercise criminal jurisdiction, except for breaches of domestic violence orders in cases already before the court.

The Committee provided detailed guidance on the categories of matters envisioned for the Family Court.

- **Matrimonial matters.** These include divorce, division of matrimonial property, ancillary relief, separation, annulment, custody, visitation rights, child maintenance and alimony.
- **Domestic violence cases.** These involve temporary injunctive relief and contempt proceedings for breaches of protection orders.
- **Child protection.** These cases involve abuse, neglect, foster care, termination of parental rights and adoption.
- **Family crisis cases.** These include delinquency proceedings, truancy, runaway and 'beyond control' proceedings.

The Committee anticipated that the pilot would serve as a valuable learning model, informing the eventual development of legislation to create a permanent, specialised court with jurisdiction over all family matters and criminal offences involving children under the age of 14.

As stated in its recommendation:

'On account of the success of the pilot project and lessons learnt, the intention was to establish the Family Court, and to make its services available at several locations in Trinidad and Tobago. The objective was for all family matters exercisable by the High Court and the Magistrates' Court to be exercisable in the Family Court and all the essential elements and resources appropriate to the operation of a Family Court be combined into one entity including a social service unit, a mediation unit and such other units and services as are critical to the resolution of a family's problems...'

This vision for national expansion was rooted in the pilot's broader ambition, not simply to trial a dedicated Family Court structure, but to act as a broad-based testing ground for judicial innovation and systemic reform within the judiciary. At the 10th Anniversary of the Family Court, the former Court Executive Administrator and member of the Family Court Committee reflected on this multi-layered approach and highlighted the breadth of reforms.

'The pilot project aimed to inform the national design of the Family Court system. In addition to testing the court structure itself, the pilot

encompassed a wide range of innovations. These included: court-annexed mediation, full IT integration in a magistrate's court, digital audio recording, and caseload management rules. Infrastructure and operational elements were also trialled – such as court finishes, unified court design, colour-coded file folders, streamlined workflows, and records and vault management systems. Further initiatives included enhanced customer service, cash receipt systems, security protocols, a specialised library and intranet, new listing and statistical systems, and improved public education strategies. Importantly, the pilot also tested staff alignment with the court's underlying philosophy.²¹

The integration of IFC features

The Family Court Committee recognised that it was not necessary to adopt all the characteristics of an IFC, but components that were necessary to meet the local context, needs and judicial traditions of the jurisdiction. The five hallmarks that the Committee thought were necessary to employ are discussed below.

Jurisdiction

A Unified Family Court has jurisdiction over matrimonial matters, domestic violence, juvenile delinquency, substance abuse, child protection and family crisis cases. As previously highlighted, it was proposed that the Family Court pilot should not, at that time, absorb the juvenile court jurisdiction, or generally have a criminal jurisdiction, save in respect of domestic violence matters in which there was a violation of order, where it may be appropriate for the breach to be dealt with by the same magistrate who granted the order.

Co-ordination of services

The proposal indicated that the pilot should facilitate the co-ordination and management of the various adjunct agencies that provide services to children and families. The improved co-ordination and management should help make relevant information for decision-making more accessible, and it should encourage the numerous disciplines that work with children and families in the legal system to work together. The co-ordination of

services was to be accomplished through a family court manager. The Family Court should have on staff a core of probation/social service personnel.

Judicial and support personnel

The optimal Unified Family Court model has a 'one judge—one family' system. It was, however, stated that the 'one judge—one family' model was not practical for Trinidad and Tobago. Nonetheless, as far as is possible, judges and magistrates handling some aspects of a family litigation should be made aware of all pending matters in the courts that involve all the family members.

It was recommended that a considerable emphasis be placed on training and continuing education of the judges, magistrates and staff. It was further recommended that the judges and magistrates in the court should always be people with an interest in family work and with an appropriate temperament. They should also remain there long enough to allow them to become knowledgeable about the laws and issues in question and become sensitised to the problems and crises of families in court.

Court-related services

The pilot was intended to have services that included mediation where appropriate, social services liaisons to community agencies, guardianship, probation, volunteer services, community outreach programmes, enforcement of family support, substance abuse counselling and budget management counselling. The Office of the Court was to also serve as liaison to agencies that provide other services such as individual and group counselling, alternative dispute resolution, and forensic psychiatric and crisis intervention services.

Technology

The installation of a uniform shared record-keeping system that is family-based and easily accessible to judges and staff was considered essential. Automated case tracking would facilitate the capability of court staff to track family court cases and produce statistical reports which monitor the status of each case in the pilot.

The case management information system was intended to provide this service by subdividing the matrimonial module to allow a new module for the pilot. It was also recommended that audio digital recording and possibly video recording of evidence and video conferencing should be considered for the pilot.

21 Morris-Alleyne et al. (2024, unpublished)

Other features

Several other features were introduced and tested during the Family Court pilot.²²

- Court annexed mediation.
- Full information technology in a Magistrates' Court.
- Audio digital recording with central transcription.
- Physical building features that facilitate maintenance and are suitable for the courts sitting within them.
- Case-flow management rules of courts.
- Multi-door courthouse.
- New streamlined workflows.

Court procedures in family matters

An overview of key reforms to family law procedures based on the *Greenslade Report on the Review of Civil Procedure* (1998) is presented below. The Greenslade Report advocated for more efficient, co-ordinated and child-focused processes within the family justice system. To support these reforms, procedural guidance was developed for both represented and unrepresented parties (*pro se* litigants), as well as for matters requiring mediation or social service involvement. Recognising the evolving needs of family justice, new rules were also introduced, most notably the Family Proceedings Rules (1998) and the Children Court Rules (2016). These rules reflect a significant shift toward a more rehabilitative, transparent and child-focused legal system, emphasising access to justice, efficiency and the fair treatment of all parties involved. An organised summary of these procedural reforms is presented below.

The Greenslade Report (1998)

The *Greenslade Report on the Review of Civil Procedure* (1998), authored by Justice Richard Greenslade under the Judicial Sector Reform Project, highlighted the urgent need for procedural reform within the family jurisdiction of the court system. Among its major recommendations was

the establishment of a Family Division, governed by its own set of rules and underpinned by a distinct ethos sensitive to the nature of family law.

A key issue identified in the report was the lack of integration between the divorce process and ancillary matters such as custody and financial arrangements. The divorce procedure was deemed excessively resource-intensive, particularly in light of the minimal real control exercised by the court. Consequently, a more streamlined and co-ordinated system for handling divorce and related matters was proposed.

Family Proceedings Rules (1998) (as of June 2003)

The Family Proceedings Rules of Trinidad and Tobago, introduced as a pilot project in May 2004, were formulated based on the recommendations of the Greenslade Report and subsequent input from the Rules Committee. As outlined by then Chief Justice Michael De La Bastide,²³ the goals of these rules, along with the Civil Proceedings Rules 1998, included the introduction of case management, the reduction of time between case initiation and trial, the encouragement of settlements, greater openness in litigation, shorter trials, cost control, reduction of inequality between litigants, procedural simplification, and the use of plain language.

The overriding objective of the Family Proceedings Rules is to ensure that the court handles family matters justly and, in any proceedings involving children, prioritises the child's welfare above all else. The rules mandate that the court must adhere to this overriding objective when exercising discretion or interpreting the rules. Comprising 38 parts, the rules address service, child-related applications, directions hearings, case management, sanctions, disclosure, evidence, wardship proceedings and costs.

Proposed divorce procedure

Assuming the respondent does not wish to contest the divorce, the proposed streamlined system includes the following.

1. Filing of petition

The petition must be accompanied by a detailed statement outlining current and proposed arrangements for the children. The statement may

22 Morris-Alleyne, C-A (2004), 'Feature – Family Court', *The Lawyer*, Vol. 7 No. 4, 5–6.

23 De La Bastide, the Honourable Justice M (1998), 'Law Term Opening Speech, Supreme Court', 16 September.

be signed by both spouses. Where divorce is based on separation and consent, a joint petition may be considered.

2. Service of petition

The petition and statement of arrangements are served with notice of a 'directions hearing' approximately eight weeks later.

3. Response by respondent

Either an appearance is entered or proof of service is filed. The respondent may indicate agreement or disagreement with the statement of arrangements and file an alternative statement.

4. Supporting evidence

The petitioner may submit evidence supporting the petition and proposed arrangements for the children.

5. Applications by either party

Either party may submit applications regarding children or financial matters.

6. Directions hearing

This hearing is intended to do the following.

- Pronounce the decree (nisi or judicial separation) based on:
 - proof of petition service
 - establishing grounds for divorce
 - consideration and approval of child arrangements.
- Identify unresolved issues (children or finances).
- Clarify the parties' wishes and needs.
- Encourage settlement.
- Refer to an on-site family mediator.
- Issue directions to prepare for hearings.
- Fix dates for hearings.

7. Hearings

Hearings on finances or child matters (before or after decree absolute).

8. Finalisation

Paper application for decree absolute once child arrangements are approved.

Proposed procedure for child disputes

The report proposed a streamlined procedure for addressing child-related applications, either when filing for divorce or during its course. The primary objective was the welfare of the child or children involved. It was emphasised that children should ideally have relationships with both parents and continue to be cared for by them, even if the circumstances of their living arrangements changed post-separation. The focus should be on the rights of the child rather than those of the parents.

Timely resolution of child disputes was considered crucial, although the report acknowledged that some cases required a slower, more thoughtful approach. Reducing parental conflict was also key, as unresolved tension could harm the children. Parents were to be encouraged to share in the responsibilities and duties of raising their children. The court was advised to avoid letting parties base their cases on past misconduct and instead promote a forward-looking, child-focused dialogue.

Settlement was to be encouraged, not only to reduce legal costs and save court time but primarily because it served the best interests of the child. Mediation was highlighted as an effective means of facilitating agreement or narrowing the areas of disagreement. Costs, whether borne by the family or the state, should be minimised due to the typically limited resources available.

Based on these principles, the report recommended that an early 'directions hearing' take place within six weeks of the application's filing. The goal was to establish what each parent wanted and what compromises they were willing to make. Where no agreement was reached, the judge would issue firm and clear directions, discouraging focus on past conflicts and guiding the parents toward constructive, future-oriented planning. Where appropriate, the child's views might be considered. The court could also request factual investigations from probation officers and aim to bring the case to hearing as soon as practical, given the emotional strain often experienced by the parents. Interim arrangements for access and maintenance by the non-custodial parent would also be addressed.

Pro se litigants

Unrepresented individuals (*pro se* litigants) would first be assisted at reception. They would then be directed based on their needs, either to the correct hearing or meeting room, to an intake officer if they



Image courtesy of the Family and Children Division, Judiciary of Trinidad and Tobago.

seemed unsure, or to the counter if they appeared confident in understanding what they required. This structure aimed to improve access and assistance for those navigating the legal system without formal representation.

Referrals by judicial officers

If the judicial officer believed that mediation would be beneficial to resolving the matter, they would refer the case accordingly and adjourn the hearing to allow for the mediation process to take place. This referral system was intended to facilitate early resolution and minimise adversarial proceedings.

Similarly, if the judicial officer believed that the involvement of a probation or social services officer could assist the parties, they would refer the matter to the relevant professional or to the social services co-ordinator and adjourn the case as necessary. These referrals were especially useful in cases involving vulnerable children or complex family dynamics.

Parties represented by attorneys

Attorneys were required to file documents at the designated court counter. In matters governed by the Family Proceedings Rules (FPR), the applicable FPR procedures were to be followed. For other applications, such as those involving maintenance, custody, access or domestic violence, the filing officer would process the documents, collect the necessary fees and record the event in the case

management information system (CMIS). On average, approximately 45 such applications were processed per day.

Creating a safe space for families in crisis

The pilot Family Court required a dedicated facility with sufficient parking and a purposefully designed internal layout to meet the needs of families. The goal was to move away from the traditionally austere court setting and create a more welcoming, calming atmosphere. This was achieved through soothing wall colours, planters and park-style benches.

The courtrooms were designed as multi-use hearing rooms, intended to reduce intimidation. Litigants were seated around an oval table, with the judicial officer at the head, at the same level as the parties. This setup fostered a sense of equality, encouraged open communication and promoted a collaborative rather than adversarial tone.

As noted by Family Court Judge, Justice Joseph Tam:²⁴

'If you come looking for a traditional courtroom, you will not find it. Much credit must go to those persons responsible for the deliberate creation of the physical infrastructure of the Family Court. ... [I]n respect of the ambience, especially in the Courtroom, is that the room makes it difficult to

24 Tam, J (2004), 'Feature-Family Court, The Family Court-High Court Jurisdiction', *The Lawyer*, Vol. 7 No. 4, 7-9.

raise your voice or to shout. It discourages you. It encourages you to want to settle. It puts you in the right frame of mind to settle. Less voice-raising and less shouting equals less argument and less disagreement. ...'

Customers attending hearings were guided to separate waiting areas. Those with children could access dedicated children and youth waiting rooms, where children aged 3 months to 17 years were cared for free of charge. These rooms provided stimulating, age-appropriate activities such as reading, crafts, group discussions and educational programmes. This support allowed parents to focus on their legal matters, knowing their children were safe.

Specially trained customer service staff, easily identifiable in red jackets, were on hand to assist. Great care was taken to ensure accessibility for all users; signage included Braille and high-contrast fonts, and all areas were wheelchair accessible. Child-friendly fixtures and family washrooms with diaper-changing stations were also provided.

The pilot court included an on-site library for judicial officers, attorneys and staff, focusing on family law and socio-legal materials. This facility supported the court's integrated approach, which brought together judicial, mediation and social services under one roof.

Social workers and counsellors were located on-site to provide support to litigants. Despite the calming environment, the planners recognised the need for robust security, given the emotional nature of family disputes. Measures were implemented to prevent violence and ensure children left the building with the person the court ordered, regardless of who had brought them. Universal screening procedures

were adopted and systems were introduced for secure communication between judicial officers, waiting rooms and security personnel.

Security staff were selected for their temperament and trained in conflict resolution and working with families. Over time, it became clear that some hearing rooms needed to provide greater protection for vulnerable parties. As a result, new facilities included a mix of courtroom layouts, some of which allow both parties to see the judge but not each other while maintaining fair communication.

The shift to virtual and hybrid hearings provided a further option for parties who felt intimidated in physical courtrooms. Many users appreciated this format, as it allowed them to avoid face-to-face confrontation. The judiciary also introduced Virtual Access Customer Centres (VACCs) across the country that equipped booths with court technology to enable litigants without personal resources to attend hearings virtually, with on-site customer support.



Challenges experienced during the Family Court pilot

The Family Court pilot faced several obstacles that hindered its capacity to address the full spectrum of family justice issues. In addition to the need to properly address juvenile delinquency matters, the persistently high volume of domestic violence cases appearing before the Magistrates' Courts highlighted a critical gap in the jurisdictions originally covered by the IFC. This underscored the urgency for a specialised entity to address both juvenile justice and family-related criminal matters.

Domestic violence

One of the core limitations of the Family Court pilot was its exclusion of criminal matters. As a result, cases involving domestic violence – particularly where breaches of restraining orders led to criminal proceedings – were only heard in the Family Court when inherently connected to other family law matters.

This limitation was largely attributed to space constraints and the experimental nature of the pilot. The Family Court Committee provided the following explanation:

'It is fully appreciated how prevalent domestic violence is, how important it is to address this issue, and also that other family proceedings may arise in households where domestic violence is a factor.'

The Committee emphasised that domestic violence fell within both the short-term and long-term objectives of the Family Court, but clarified that:

'The Pilot Project is not the final version of the Family Court structure that will be recommended. As its name suggests, it is a pilot structure which we hope to monitor and adjust during the two years that it is to be in operation.'

The Family Court's emphasis on a settlement-oriented approach and a less adversarial, more welcoming environment influenced the decision to house the court at the National Insurance Property Development Company Limited building in the capital, Port of Spain (NIPDEC House) rather than within the traditional Hall of Justice. The design of the pilot facility aimed to:

'Provide the kinds of facility that it is hoped will lead to a more comfortable environment for the resolution of family disputes.'

Given the volume of cases (over 2,000 filed in the Port of Spain High Court Registry and several thousand more in the St George West Magistrates' Court in 2002), domestic violence applications were excluded from the mediation process to ensure manageable caseloads and effective monitoring. The Committee made clear, however, that:

'This does not mean that domestic violence is being ignored... we will walk before we run.'

Additionally, removing many family matters from the Magistrates' Court was seen as an opportunity to improve the facilities for domestic violence cases. The Committee acknowledged:

'The situation at 9.00 a.m. outside the domestic violence court has been degrading to all concerned, because of acute overcrowding.'

Plans were developed for improved scheduling, enhanced physical accommodations and better access to counselling, as mandated by the Domestic Violence Act, 1999.

The Family Court Monitoring Committee was of the view that domestic violence should be dealt with by the Family Court as the court is rolled out and once the physical facilities enable its appropriate separation from other family matters.

Tools for determining parental relationships

The pilot also faced limitations in dealing with parentage determination. While the Status of Children Act (1981) abolished the legal distinction between legitimate and illegitimate children, the technology for parentage testing was still evolving.

Initially, the law permitted blood tests to establish or exclude paternity. However, such tests often yielded inconclusive results. From 1985 onward, DNA testing emerged internationally as a more definitive method, but under the Status of Children Act, the testing of blood samples could only be carried out by persons authorised by the relevant minister.

In practice, only one haematologist was authorised, resulting in significant delays. Moreover, DNA results were only admissible when all parties consented.

Although the Administration of Justice (Deoxyribonucleic Acid) Act, passed in 2000 and amended in subsequent years, addressed DNA in criminal matters, no provision was made for civil use. This gap persisted until 2016, when the Status of Children Act was amended to allow the use of DNA evidence in civil paternity cases.

Juvenile offenders and children deemed 'beyond control'

Another significant limitation of the Family Court pilot was its exclusion of juvenile criminal matters. The Family Court did not handle children over the age of 14 charged with offences. While the court attempted to include 'beyond control' matters (that is, matters in which a parent or guardian sought the order of the court to have their child deemed beyond control), it was inadequately equipped to address the complex needs of these children.

One tragic example cited involved the suicide of a child who had come before the court on a 'beyond control' application.²⁵ This outcome highlighted systemic failures, including as a result of systems and procedures which were set by the Family Court but were not being adhered to by associated services who brought children to the court.

These challenges underscore the need for clearer multi-agency protocols and the enforcement of rules across supporting institutions. The limitations also revealed that the resources afforded to the Family Court were insufficient to properly address the needs of children acting out and thus deemed 'beyond control'.

Over time, it became apparent that both 'beyond control' cases and matters involving juvenile offenders under the age of 14 would be more appropriately addressed in a dedicated Children Court with specialised, child-focused resources. The rationale for this development was grounded in a rehabilitative philosophy, promoting:

- problem-focused intervention
- behavioural change
- non-incarcerative measures
- accountability through action
- recognition of treatment success
- charge dismissal upon programme completion
- children's right to be heard.

25 The term 'beyond control' has since been replaced by the term 'child/ren in need of supervision'. Section 50A of the Children Act 2012 states, 'Where a parent, guardian or person with responsibility for a child alleges that he is unable to control the child, he may apply to the Court for an Order deeming the child to be a child in need of supervision'.

2.3 The Juvenile Court Project and the birth of the Children Court (2014–2018)

In response to the growing number of cases involving children, and in alignment with international best practices and lessons learned from the Family Court Pilot Project, recommendations were made for the creation of what was initially conceptualised as a Juvenile Court.

On 24 November 2014, the Trinidad and Tobago Juvenile Court Project was officially launched by the Judiciary of the Republic of Trinidad and Tobago. The project was a collaboration between the Judiciary of Trinidad and Tobago, the United Nations Development Programme (UNDP) and the United States Agency for International Development (USAID). It involved extensive consultation with various stakeholders, including government agencies, non-governmental organisations and community groups, to ensure a comprehensive and inclusive approach to juvenile justice reform.

Expected outcomes included the following.

- **Strengthened legal framework.** This was to be achieved by enhancing the legal and institutional framework to better address the needs of children in conflict with the law and enhancing the judiciary's capacity to address juvenile matters through a rehabilitative and restorative framework.
- **Reduced recidivism.** By focusing on rehabilitation, the project aimed to decrease the likelihood of reoffending among juveniles.
- **Improved reintegration.** This was to be achieved by providing support services to facilitate the reintegration of juveniles into society, helping them lead productive and law-abiding lives.²⁶

A central component of the project was preparing the judiciary to utilise the various rehabilitative 'sentencing' options available under the Children Act and the Children's Authority Act. This included developing processes to allow for early diversion of children from the formal court system while ensuring alignment with constitutional rights and protections.

26 Trinidad and Tobago Judiciary (no date), 'Juvenile Court Project', webpage. www.ttlawcourts.org/index.php/court-admin/projects/juvenile-court-project.

To support these goals, the judiciary undertook several initiatives.

- Preparation for the use of validated risk assessment tools.
- Engagement of social workers and other professionals in the assessment of children.
- A review of the Judges' Rules, specifically as they apply to children.
- Development of procedural rules to guide juvenile matters through the court system, with ongoing stakeholder consultation.

The project emerged from a recognition that the traditional criminal justice model, which lacked co-ordination and preventive mechanisms, had failed to adequately address the needs of juvenile offenders. Experience and stakeholder engagement revealed several systemic issues: young offenders placed with adult inmates were at risk of adopting negative behaviours; children with varying risk levels were often grouped together, increasing the likelihood of reoffending; and lack of structured social and educational support created further challenges, contributing to a cycle of generational disconnection. Additionally, incarceration, the most expensive response to juvenile crime, had proved the least effective.

The need for a Children Court grounded in rights-based, child-sensitive and restorative principles became increasingly evident. The judiciary, through the Juvenile Court Project, thus sought to implement a modern, rehabilitative model, guided by international juvenile justice standards. This model emphasised:

- behavioural change
- use of non-custodial interventions
- accountability through action
- recognition of successful treatment
- withdrawal of charges upon successful completion of court-ordered programmes
- targeted responses for high-risk and persistent child offenders.

To achieve these objectives, the project focused on:

- establishing at least two Children Courts to operationalise the Children Act 2012

- conducting a pilot Peer Resolution Programme (for minor offences, the Children Court may invite trained youth volunteers, aged 13–17, to recommend appropriate, constructive sanctions for child respondents).
- implementing a public education and sensitisation initiative to build awareness of juvenile justice reform.

The earlier Family Court pilot provided critical insights that informed the development and administration of the Children Court, as later articulated in the Family and Children Division Bill. Ultimately, the Children Court was conceived to function as a co-ordinating hub for legal and social services, similar to the structure of the Family Court. Guided by restorative justice principles, it was intended to deliver services with full consideration for the developmental needs of children and the potential long-term impact of state interactions on their lives.

The Children Court also played a vital role in supporting the implementation of a comprehensive suite of child-focused legislation and amendments, including:

- *The Children Act, 2012*
- *The Children's Authority Act, 2000*
- *The Children's Community Residences, Foster Care and Nurseries Act Chap 46:11*
- *The International Child Abduction Act, Chap. 12:08*
- *The Miscellaneous Provisions (Children) Act*
- *The Trafficking in Persons Act, 2011*
- *The Adoption of Children (Amendment) Act, 2015*
- *The Family and Children Division Act, 2016*
- *The Age of Marriage (Amendment) Act*
- *The Motor Vehicles and Road Traffic (Amendment) Act*
- *The Domestic Violence Act.*

By 2018, Children Courts had been established in North and South Trinidad, as well as in Tobago, marking a major step forward in the justice system's responsiveness to children. Simultaneously, the rollout of Family Courts across the country began in earnest. At the time of writing, Family Courts

were operational in Port of Spain and Princes Town, with additional courts slated to open in San Fernando (late 2024) and in North-East Trinidad, expanding national access to specialised family justice services.

Children Court Rules (2016)

The Children Court Rules were developed as a key deliverable of the Juvenile Court Project, representing a new and rehabilitative approach to handling matters involving children. The rules aim to ensure the child's voice is heard and respected in legal proceedings and to define the roles, authority and jurisdiction of the registrar and the master within the Children Court.

The overriding objective of the rules is to promote justice in child-related cases by treating child offenders fairly, facilitating rehabilitation, encouraging responsible behaviour, promoting accountability and protecting the wider community. The rules require the court to uphold this objective when exercising discretion, interpreting the rules or practice directions, and managing cases.

A distinctive feature of the rules is the introduction of the Monitoring Phase. Under this provision, the court may continue supervising the child post-sentencing through regular monitoring hearings involving the child and their family or support network. The court may also appoint a child probation officer to oversee the child's compliance with sentencing requirements, conduct risk assessments and carry out any other functions directed by the court.

Child justice guidelines and protocols

Key protocols, standards and rules that govern the treatment and representation of children within the justice system of Trinidad and Tobago are outlined. These include the Trinidad and Tobago Inter-Agency Protocols, which promote co-ordinated responses to students in conflict with the law; the Draft Guiding Principles and Standards for the Representation of Children, which aim to ensure effective legal advocacy tailored to children's unique needs; and the Judges' Rules for Children (2016), a code of practice that guides police and other officials in handling children during criminal investigations and proceedings. Collectively, these frameworks reflect a rights-based, child-sensitive approach to justice that balances accountability with rehabilitation and care.

Trinidad and Tobago Inter-Agency Protocols (2017)

The Trinidad and Tobago Inter-Agency Protocols were developed under the Juvenile Court Project in July 2017 to address students in conflict with the law. These protocols stem from the broader Multi-Agency Protocols and were created in recognition of the unique and frequent interactions between the Ministry of Education and the Trinidad and Tobago Police Service.

They specifically guide responses when a child:

- a. is about to commit an offence
- b. is found committing an offence
- c. has committed an offence and evidence must be secured.

The aim of the protocol is to foster greater efficiency and effectiveness through the integration, co-ordination and collaboration of key agencies within the child justice system while maintaining each agency's independence and distinct role.

The signatories to the protocol include the Ministry of Education, the Division of Education, Innovation and Energy (Tobago House of Assembly), the Trinidad and Tobago Police Service, and the Children's Authority of Trinidad and Tobago.

The protocol outlines the legal framework and responsibilities of each agency in relation to the following scenarios.

- a. Use or possession of tobacco or alcohol products.
- b. Reporting an offence to the police.
- c. Notification of a parent or guardian.
- d. Investigation of the offence.
- e. Arrest of a child.
- f. Interviewing a child suspect.
- g. Search of a person or property.
- h. Police procedures for reporting to the school.
- i. Treatment of victims and witnesses.

To ensure accountability and continued effectiveness, the signatories agreed to establish a Protocol Review Team, which meets annually to

review implementation. Each agency is required to assign a representative and an alternate to form a Monitoring and Evaluation Working Group.

Draft Representation of Children: Guiding Principles and Standards

This working draft, prepared by the Trinidad and Tobago Juvenile Court Project, outlines national standards for the representation of children before all courts and tribunals in Trinidad and Tobago. Its purpose is to ensure effective, zealous and constitutionally sound legal representation for children.

The document acknowledges that children differ significantly from adults – physically, morally, cognitively and emotionally. It acknowledges the complex nature of attorney–child relationships and underscores the critical role of legal counsel in safeguarding the rights of child clients. Once finalised, these principles aim to establish a trusted cadre of legal professionals who can reliably advocate for children involved in the justice system.

At the time of writing, the draft was under review and consultation with stakeholders in the child justice sector.

Judges’ Rules for Children (2016)

Effective from November 2016, the Judges’ Rules for Children serve as a code of practice to guide police officers and other relevant personnel in handling child offenders. Developed by the judiciary,

these rules ensure that investigations and criminal proceedings involving children are conducted with fairness, sensitivity and legal integrity.

The Judges’ Rules cover a range of procedures, including:

- a. stop and search of a child
- b. questioning prior to search
- c. non-intimate searches
- d. intimate and strip searches
- e. arrest procedures
- f. interviews and interrogations
- g. comfort and refreshment provisions
- h. fingerprinting
- i. identification procedures
- j. collection of DNA samples (intimate and non-intimate)
- k. right to legal representation
- l. procedures for release or custody
- m. maintenance of custody records
- n. general record keeping
- o. consequences of breaching the rules.

These rules serve not only as guidance but as enforceable standards to protect the rights and dignity of children in contact with the law.



Images courtesy of the Family and Children Division, Judiciary of Trinidad and Tobago.

Creating a safe space for youths

The Children Court handles cases involving children accused of offences, from minor offences to serious crimes, for those under 18 years old. Its buildings reflect the unique needs of child-centric justice, offering waiting areas with varied levels of security and support.

The court's philosophy guides the architectural design and includes considerations such as:

- separate circulation routes for different groups
- accessibility for persons with disabilities
- built-in security features
- flexible layouts and user-friendly spaces
- integrated technology infrastructure.



Images courtesy of the Family and Children Division, Judiciary of Trinidad and Tobago.

Facilities include courtrooms, hearing rooms, public and private waiting areas, children's holding rooms and meeting rooms. These spaces also support the work of administrative staff, social workers and justice sector personnel, including police officers, the Children's Authority, probation officers and legal aid counsel.

Children's courtrooms are purposefully child-friendly, using bright, engaging colours and less formal designs to reduce intimidation and make the process more approachable for young users.

3. The Establishment of the Family and Children Division

3.1 Background

The creation of the Family and Children Division (FCD) of the High Court represents the culmination of several decades of policy, legislative and institutional evolution (Table 3.1). This journey reflects:

- persistent challenges in securing legislative consensus
- a strategic use of pilot projects to test and refine the model
- a clear shift toward problem-solving, multidisciplinary justice
- the importance of harmonising social services and judicial functions for family and child justice.

The Family and Children Division Act, 2016, stands as a transformative statute, enabling the judiciary to address family and juvenile matters with the nuance, specialisation and care they require.

Table 3.1. Key events in the creation of the FCD

Year/Date	Milestone	Details
2003	Family Court Committee formed	Committee was tasked with designing a pilot Family Court structure for Trinidad and Tobago; emphasised co-ordinated services, trained personnel and integrated social support.
17 May 2004	Launch of the Family Court Pilot Project	Pilot Family Court opened in Port of Spain to serve High Court and Magistracy matters with unified registry, social services, court-annexed mediation and caseload reforms.
2004–2014	Expansion and Evaluation of Family Court Pilot Project	Lessons learned informed plans for national rollout; tested tech-based innovations, customer service philosophy and specialised judicial training.
24 November 2014	Launch of the Juvenile Court Project	A USAID- and UNDP-funded initiative aimed at establishing Children Courts and supporting the Children Act, 2012; promoted diversion, risk assessment and restorative justice.
2012–2015	Enactment of supporting legislation	Key children and family legislation passed, including the Children Act, 2012, Children's Authority Act and Adoption of Children Amendment Act.
2016	Enactment of the Family and Children Division Act (Act No. 6 of 2016)	Established the Family and Children Division (FCD) of the High Court with two sub-divisions: Family Court and Children Court. Created formal administrative structures.
28 February 2018	Establishment of the FCD	Proclamation of the Family and Children Division Act, leading to the establishment of the FCD.
	Official opening of the Children Court	Children Courts established in North and South Trinidad, and Tobago; focused on rehabilitative, rights-based judicial treatment of minors.
2018–2024	National expansion of Family Courts	Family Courts opened in Princes Town; plans for additional courts in South and North-East Trinidad to ensure nationwide access.

The Family and Children Division (FCD) of the High Court, established by the Family and Children Division Act, 2016, became operational in March 2018, and serves as a specialised arm of the judiciary dedicated to family- and child-related matters.²⁷ The FCD structure reflects a modern, specialised approach to the adjudication of family-related matters, emphasising accessibility, child-centred justice and integration of support services. It consists of the following.

- **Family Court.** This court addresses family disputes such as divorce, custody, maintenance and domestic violence.
- **Children Court.** This court handles cases involving children in need of supervision, child protection and juvenile offences.
- **Court Administration Department.** This arm provides administrative support, including case management, social services and policy development.

The FCD has exclusive jurisdiction over a range of family matters, including:

- divorce and separation
- custody, access and guardianship of children
- spousal and child maintenance
- adoption
- domestic violence
- paternity and affiliation proceedings
- protection and care of children under the Children Act.

The FCD hears both civil and criminal matters related to the family, integrating legal, social and psychological dimensions into its operations.

The FCD is staffed by a multidisciplinary team, including:

- judges and masters assigned specifically to family law matters
- family court mediators
- social workers and psychologists

- court-annexed support services (CASS) professionals
- registry officers and case managers.

These professionals collaborate to provide comprehensive support, including counselling, mediation, risk assessments and parental education programmes.

3.2 Enactment of the Family and Children Division Act

The Family and Children Division Act, 2016, establishes a specialised division within the High Court to address family- and child-related matters. Proclaimed on 28 February 2018, the Act aims to provide a dedicated legal framework for resolving family disputes, safeguarding children's rights and promoting rehabilitative justice.^{28, 29}

The Act formally establishes the Family and Children Division (FCD or 'the Division') of the High Court, comprising the Family Court, the Children Court and the FCD Court Administration Department. The Act further defines the jurisdiction and functions of the Division in which the Family Court handles civil matters such as divorce, custody and maintenance, while the Children Court addresses cases involving children in need of care and protection and those accused of criminal offences. The section also outlines the powers of the courts to issue orders aimed at protecting children and promoting rehabilitation.

The administrative infrastructure of the Division mandates the establishment of a specialised Court Administration Department tasked with case management, record keeping and provision of support services, including mediators and social workers. Reflecting the judiciary's commitment to restorative justice and amicable settlement, the Act explicitly promotes the use of alternative dispute resolution (ADR) mechanisms such as mediation and counselling.

27 The Judiciary of Trinidad and Tobago (2020), 'Family and Children Division: Overview', www.ttlawcourts.org/index.php/2020-01-28-18-30-04/2020-01-28-18-52-21/overview.

28 Parliament of the Republic of Trinidad and Tobago (2016), *The Family and Children Division Act, 2016*, Act No. 6 of 2016. www.ttparliament.org/wp-content/uploads/2022/01/a2016-6.pdf.

29 Judiciary of Trinidad and Tobago (2020), 'Family and Children Division: Overview'. www.ttlawcourts.org/index.php/2020-01-28-18-30-04/2020-01-28-18-52-21/overview.

In recognition of the paramount importance of child welfare, the Act enables the Children Court to issue protection orders, appoint guardians *ad litem*,³⁰ and place children into state or supervised care, thereby reinforcing the best interests of the child as the guiding principle. The Act also includes enforcement mechanisms, which outline penalties for obstruction of justice, non-compliance with court orders and provision of false information, ensuring accountability within the system.

The Act also addresses procedural and administrative matters such as confidentiality of proceedings, representation of parties, and the issuance of regulations and rules to support the Division's operations.

The expansive definitions of 'children matter' and 'family matter' ensure that Children Court can comprehensively address all legal issues where a child's well-being, safety or legal status is involved and that the Family Court handles a wide array of civil and protective issues within the context of family and domestic life:

"children matter" includes any—

- (a) children charge matter;*
- (b) children care matter;*
- (c) children drug matter;*
- (d) children mental health matter;*
- (e) matter which is not a family matter within the meaning of this Act, but the primary issue in the matter is the care and protection of a child;*
- (f) matter, in relation to a child, where there is an application for and issuance of a Protection Order and its enforcement under the Domestic Violence Act, and where the child is a victim or an affected bystander; and*
- (g) matter in which a child is required to appear in Court;*

"family matter" means any cause, matter or legal proceeding—

- (a) concerning—*

- i. any applications under the Matrimonial Proceedings and Property Act;*
 - ii. maintenance;*
 - iii. guardianship;*
 - iv. wardship;*
 - v. custody and access;*
 - vi. applications for orders made to the Family Court under section 25 of the Children's Authority Act;*
 - vii. adoption;*
 - viii. civil child abduction;*
 - ix. succession and inheritance, excluding probate and the administration of estates; and*
 - x. any matter in relation to the application for and issuance of a Protection Order and its enforcement under the Domestic Violence Act other than those which are children matters; and*
- (b) arising out of the written laws listed in Schedule 1 or any other written law and which is connected with, or arises out of a matrimonial, familial or other domestic relationship and is not a matter in which a child is charged or arrested;'*

Schedule 1 of the Act lists the specific statutes that govern family matters for the purposes of the Act. These laws cover a wide range of familial, matrimonial and child-related legal issues. The key areas addressed include the following.

- **Marriage and divorce laws**, such as the *Marriage Act*, *Muslim Marriage and Divorce Act*, *Hindu Marriage Act* and *Orisa Marriage Act*.
- **Matrimonial and domestic relationships**, through the *Married Persons Act*, *Matrimonial Proceedings and Property Act* and *Cohabitation Relationships Act*.
- **Maintenance and support enforcement**, addressed by the *Attachment of Earnings (Maintenance) Act* and *Maintenance Orders (Facilities for Enforcement) Act*.

30 A guardian *ad litem* is a person appointed by a court to represent the best interests of a child during legal proceedings.

- **Child welfare and custody**, including the *Children Act*, *Adoption of Children Act*, *Children's Authority Act* and the *Family Law (Guardianship of Minors, Domicile and Maintenance) Act*.
- **Inheritance and succession**, via the *Administration of Estates Act* and *Succession Act (Part VIII)*.
- **Domestic violence and protection**, under the *Domestic Violence Act*.
- **Other child-related legislation**, such as the *Infants Act*, *Status of Children Act*, *Children's Community Residences*, *Foster Care and Nurseries Act*, *International Child Abduction Act*, and parts of the *Occupational Safety and Health Act* related to minors.
- **Age and legal status**, as provided for in the *Age of Majority Act*.

3.3 Establishing the Family and Children Division (post-2016)

The journey toward a unified Family and Children Division was marked by two distinct reform periods: the Family Court Pilot Project (2004–2016) and the Juvenile Court Project (2014–2018). Both projects served as critical phases in transforming Trinidad and Tobago's justice system, culminating in a modern, rehabilitative and accessible court structure that better reflects the needs of families and children. In short, these two court initiatives culminated in the formal establishment of the Family and Children Division through the 2016 Act.

As a result, the Family and Children Division of the High Court was established by the Family and Children Division Act No. 6 of 2016, creating two key sub-divisions: the Family Court and the Children Court. The Children Court was formally established and opened on 28 February 2018, completing the structure of the new Division.

In addition, the legislation established an administration department for the FCD, the Family and Children Court Administration Department as a sub-department of the Department of Court Administration. According to section 7 of the Act, the Family and Children Court Administration Department shall comprise:

- the Central Coordinating Office
- the Family Court Administrative Office

- the Children Court Administrative Office.

The Central Coordinating Office shall comprise:

- the Social Services Unit
- the Human Resource Management Unit
- the Finance, Accounts and Investment Unit
- the Communications and Information Unit
- the Records Management, Court and Law Reporting Unit
- the Children's Authority Liaison Unit
- the Statistical and Evaluation Unit
- such other units as may be determined by the Chief Justice.

The Family Court Administrative Office shall comprise:

- the Family Court Office
- the Family Mediation Unit
- sub-units of the Central Coordinating Office Units
- such other units and sub-units as may be determined by the Chief Justice.

The Children Court Administrative Office shall comprise:

- the Children Court Office
- the following units: (i) the Peer Resolution Centre Coordination Unit; (ii) the Children Drug Treatment Process Unit; (iii) the Auxiliary Programmes Coordination and Monitoring Unit; (iv) the Children Court Information Technology Unit; and (v) the Children Court Witness Support Unit
- sub-units of the Central Coordinating Office
- such other units and sub-units as may be determined by the Chief Justice.

Section 8 of the Act outlines certain governance and accountability matters of the Family and Children Court Administration Department.

- **Leadership structure.** The Family and Children Court Administration Department is overseen by the deputy court executive administrator, who is supported by both a family court administrator and a children court administrator.

- **Administrative offices.** The Family Court Administrative Office is managed by the family court administrator, while the Children Court Administrative Office is led by the children court administrator.
- **Reporting hierarchy.** The deputy court executive administrator reports to the court executive administrator, and the family court administrator and children court administrator report to the deputy court executive administrator. The deputy court executive administrator holds overall administrative responsibility for the Division, while the family court administrator and children court administrator manage their respective offices.
- **Qualifications.** All three administrative positions must possess appropriate training and experience as mandated by the judiciary.
- **Staffing and assignments.** The department must be staffed with enough qualified personnel, as determined by the court executive administrator. The deputy court executive administrator has the authority to assign personnel within the Family and Children Court Administration Department to either the Family Court or the Children Court.
- Inefficiencies in the court process.
- Inadequate attention to child-related issues.
- Underutilisation of alternative dispute resolution mechanisms.
- Lack of co-ordination in litigation involving the same family.
- Insufficient judicial training and temperament for family matters.
- Barriers faced by unrepresented and under-resourced litigants.

In response, the FCD introduced a range of targeted interventions, including specialised rules of procedure, court-annexed mediation, modern case management systems and structured training programmes for judicial officers. These reforms aimed to streamline processes, enhance child-focused justice, foster holistic dispute resolution and ensure accessible and equitable legal services.

These reforms and the outcomes from both courts are examined below.

Family Court

This section outlines key issues encountered, interventions implemented and the outcomes observed for the Family Court.

Issues, interventions and outcomes

The FCD was established to address long-standing challenges within the family and juvenile justice systems. Six critical areas of concern were identified in family matters.

1. Court process inefficiencies

Issue	Interventions	Outcomes
The traditional court process was often time-consuming, expensive, cumbersome and duplicative, leading to delays and increased costs for families and children seeking justice.	To address these challenges, the Family Proceedings Rules and the Children Court Rules were introduced. The Family Proceedings Rules aimed to streamline court procedures to reduce time and costs, while the Children Court Rules focused on establishing appropriate procedures for dealing with children in the legal system.	Both sets of rules were successfully implemented. However, there are opportunities to review and update them to ensure compliance with time standards, affordability and the elimination of inefficiencies. Additionally, enhancing collaboration between agencies interacting with the court could further improve outcomes for children and families.

2. Inadequate attention to child-related issues

Issue	Interventions	Outcomes
There was insufficient attention to child-related issues within the legal system, leading to fragmented services and a lack of holistic support for children and families.	The establishment of the Family Court introduced a holistic approach to addressing family issues, integrating various support services within the court system. Additionally, the implementation of a Children Court provided a specialised forum for dealing with matters concerning children.	While the Family Court's holistic approach has been effective, connectivity between divisions and collaboration with external agencies, such as non-governmental organisations (NGOs), can be improved. Establishing formal working groups and protocols for continuous collaboration would enhance the effectiveness of interventions.

3. Underutilisation of alternative dispute resolution (ADR)

Issue	Interventions	Outcomes
There was insufficient use of alternative dispute resolution methods, such as mediation, leading to prolonged litigation and adversarial proceedings.	The Mediation Act was passed to certify mediators, ensuring quality control and greater trust in mediation services. Court-annexed mediation was introduced as a standard component of the dispute resolution process, with provisions for referrals to both internal and external certified mediators.	While mediation has been successfully implemented, there are opportunities to increase its use as a viable alternative to trials. Challenges include delays in certifying mediators and inadequate remuneration, which impact the availability and effectiveness of mediation services.

4. Lack of co-ordination in family-related litigation

Issue	Interventions	Outcomes
There was a lack of co-ordination in litigation involving the same family, leading to inconsistent decisions and fragmented services.	The introduction of a case management information system allowed for the identification of associated cases, ensuring they were assigned to the same judge for consistent handling.	The implementation of the case management system has improved co-ordination; however, further enhancements are needed to ensure timely access to information and efficient assignment of resources.

5. Inadequate continuing training and support for judicial officers

Issue	Interventions	Outcomes
Some judges lacked the appropriate temperament and understanding for presiding over family cases, affecting the quality of decisions and the overall judicial process.	The Family and Children Division Act mandated appropriate training and temperament for all judges, judicial officers and staff. Additionally, job descriptions were updated to reflect these requirements.	While training has been provided, there is a need for continuous professional development, including training in therapeutic jurisprudence, to better equip judicial officers in handling family and children law matters.

6. Challenges faced by unrepresented parties

Issue	Interventions	Outcomes
Unrepresented litigants, particularly those from disadvantaged backgrounds, faced barriers in accessing justice, including a lack of legal representation and understanding of court procedures.	Provisions were made for litigants in person to be assisted by a special unit within the court in preparing their documents. Informational materials were provided to guide individuals, and state legal aid was made available for qualifying litigants.	While assistance has been provided, there is a need for increased public engagement and information dissemination to ensure that unrepresented litigants are aware of and can access available services. Additionally, the means test for legal aid may require reassessment to reflect changing socio-economic conditions.

Children Court

This section outlines key issues encountered, interventions implemented and the outcomes observed for the Children Court.

1. Inefficiencies in the court process

Issue	Interventions	Outcomes
The court process was often time-consuming, expensive, cumbersome and duplicative, especially in matters involving children.	The introduction of the Children Court Rules provided a structured and efficient framework for handling juvenile matters. These rules establish timelines for filings, hearings and case management while also offering guidance on electronic evidence, special measures for vulnerable children and standardised forms for legal submissions. Importantly, these rules work alongside the Criminal Procedure Rules 2023 , ensuring up-to-date best practices are applied in juvenile justice.	The rules have proved effective in streamlining procedures and improving case flow. Matters involving children that were previously heard in District Courts alongside adults are now redirected to the Children Court, allowing for more appropriate handling. However, continued review and refinement are necessary to ensure consistency and jurisdictional clarity across all courts.

2. Inadequate attention to child-related issues

Issue	Interventions	Outcomes
Child-related legal matters lacked focused attention, resulting in fragmented services and outcomes that did not fully consider the rights and needs of the child.	A dedicated Children Court was established to provide a holistic, rehabilitative approach to juvenile justice. This was part of a broader strategy initiated through the Juvenile Court Project (JCP) to address children's rights comprehensively and facilitate access to services such as diversionary programmes, psychological support and family engagement.	This intervention has been highly successful, marking a significant departure from punitive models of justice to one that is rehabilitative and rights-based. Nonetheless, continued cross-agency collaboration is needed to strengthen service delivery and consistency in case outcomes.

3. Underutilisation of alternative dispute resolution (ADR) and diversionary programmes

Issue	Interventions	Outcomes
There was limited use of non-litigious mechanisms to resolve disputes or address root causes of juvenile delinquency and family conflict.	The FCD employed a suite of ADR methods, including mediation, drug treatment programmes, peer resolution and various forms of counselling (individual, co-parenting, family and relationship-building).	ADR has been embraced within both the Family and Children Courts, helping to reduce trial rates and encourage more constructive resolutions. However, greater uptake of ADR, especially at earlier case stages, would further minimise adversarial proceedings. The success of peer resolution programmes at the Children Court is particularly noteworthy.

4. Lack of co-ordination in litigation involving the same family

Issue	Interventions	Outcomes
Matters involving the same family were often handled separately, leading to fragmented decisions, inefficiencies and sometimes conflicting orders.	A case management and docket system was introduced to identify related matters and assign them to the same judge or judicial officer, improving consistency and efficiency.	While this approach has improved co-ordination, challenges remain. In particular, resource limitations and 'forum shopping' ³¹ persist. The expansion of Family and Children Division Courts in underserved regions is underway, which is expected to further streamline the co-ordination of related matters.

31 Forum shopping involves applicants filing related cases in different courts based on procedural preferences or perceived advantages.

5. Lack of judicial sensitivity and appropriate temperament

Issue	Interventions	Outcomes
Some judges presiding over family matters lacked the temperament or training required given the sensitive nature of these cases.	Extensive training programmes were implemented for judges, judicial officers and staff. These programmes emphasised trauma-informed practice, child psychology and therapeutic jurisprudence. They have been updated periodically.	Initial training was impactful, leading to improved judicial handling of sensitive matters. However, regular and in-depth refresher training is recommended every few years. The judiciary continues to explore mechanisms for ongoing professional development and support, including measures to address vicarious trauma.

6. Inadequate support for poor and unrepresented litigants

Issue	Interventions	Outcomes
Access to justice was limited for individuals who could not afford legal representation, particularly in family law matters.	The Family Court provides a dedicated unit to assist litigants in person, along with simplified forms and procedures. Additional support includes Virtual Access Customer Centres (VACCs) for remote filing and information, public education campaigns, legal aid partnerships, and collaboration with the Hugh Wooding Law School Legal Aid Clinic.	These interventions have significantly improved access for self-represented litigants. However, further simplification of procedures and greater public engagement are needed. Focus groups suggest that underserved populations, especially those without internet access, still face barriers. A review of the legal aid means test is also necessary to reflect modern economic conditions.

Summary

The Family Court and Children Court have made significant strides in addressing key issues within the judicial system, but their effectiveness differs in certain areas. Both courts provide valuable lessons on the importance of ongoing reforms and the need for targeted interventions to fully address the needs of families and children within the justice system.

Table 3.2. Summary of issues and interventions in the FCD

Issue	Family Court – Intervention	Family Court – Outcome	Children Court – Intervention	Children Court – Outcome
1. Time-consuming, expensive and duplicative court processes	Implementation of Family Proceedings Rules to streamline processes, reduce duplication and introduce time standards.	Improved efficiency, but opportunities remain to refine rules for specific case types and enhance compliance.	Implementation of Children Court Rules and linkage with Criminal Procedure Rules 2023 to set time frames and consolidate applications.	Effective application with improved speed and clarity. More consistent processing of cases involving children. Ongoing need to improve interagency integration.
2. Inadequate attention to child-related issues	Adoption of a holistic family-centred approach across family matters; cross-agency interactions initiated, though still inconsistent.	Improved recognition of child-focused outcomes, but inconsistent collaboration. Need for protocols to strengthen agency alignment.	Establishment of a dedicated Children Court with a whole-of-society approach. Focus on the rights of the child and rehabilitative outcomes.	Highly successful; enhanced access to diversionary programmes and improved life outcomes for children. Further interagency collaboration is still required.
3. Insufficient use of ADR and diversionary programmes	Enacted Mediation Act, introduced court-annexed mediation, hired mediators and enabled referrals from intake stage.	Increased ADR access, but low uptake due to delays in certification and inadequate compensation for mediators.	Use of ADR programmes such as mediation, peer resolution, counselling and drug treatment from inception.	Peer resolution particularly effective; continued praise for ADR use. Desire for increased ADR uptake at earlier stages.
4. Lack of co-ordination of litigation involving the same family/child	Case management information system to track and assign associated family cases to one judge.	Improved co-ordination, but needs system upgrades and review of automated linkages between family and child matters.	Case management and docket system promote joint hearing of related matters; District Court referrals enabled.	Co-ordination better when matters remain in Children Court. Referrals from District Courts enhance consistency. Still resource limitations in new court locations.
5. Inappropriate temperament or lack of understanding by judges	All roles defined with temperament criteria; continuous training mandated. However, concerns over burnout and suitability for some judges remain.	Initial training effective; need for periodic reassessment and support for vicarious trauma. Improved recruitment and training continue.	Specialised training for judges and judicial officers in child psychology, trauma and restorative practices.	Significant improvements in judicial approach. Need for ongoing, focused retraining every 2–3 years noted.
6. Inadequate attention to poor and unrepresented litigants	Established support unit, provided simplified forms and legal aid options, and partnered with Law School for additional assistance.	Greater support for litigants in person. Still gaps in outreach and complexity of processes. Virtual Access Customer Centres (VACCs) show promise but need more visibility.	Children appearing unrepresented are given assistance; District Courts now refer children to Children Court for access to its services.	Simplified procedures help access. More outreach and simplification still needed, especially in District Courts.

The integration of IFC features

To determine the extent to which Trinidad and Tobago's FCD embodies the principles and elements of an IFC, the following evaluation assesses the FCD's alignment with recognised UFC components. These include structural unification, judicial continuity, integrated services, early intervention, caseload management, user accessibility and a therapeutic court environment.

Table 3.3 presents an examination of each IFC element as identified in the literature,³² its implementation status in the FCD, specific court practices or structures, and relevant contextual commentary highlighting strengths, challenges and areas for future enhancement.

32 See for example Babb BA (1997), 'Fashioning an interdisciplinary framework for court reform in family law: A blueprint to construct a unified family court', *Southern California Law Review*, Vol. 71, 469.

Table 3.3. IFC features in FCD

IFC element grouping	Element description	Used in FCD
1. Features of unification	Single designated court for all family and child matters	Yes, under the FCD Act; phased implementation ongoing.
	One judge/team per family where possible	Partially used; challenges with blended families and procedural issues.
	Standard definition of family used	No formal definition; cultural and legal terms like 'domestic' and 'familial' used.
	Single point of social service referral	Yes; managed by the Social Services Unit (SSU), though national services not always accessible.
	Dedicated intake services	Yes; intake officers assist early in the process and offer service guidance.
	Dedicated facilities	Yes; court facilities are purpose-built to support family services.
	Dedicated support services for children and families	Yes; SSU provides in-house and external referrals for therapeutic support.
	Established case timelines	Yes; governed by Family Proceedings and Children Court Rules with ongoing review.
	Integrated information systems	Yes, but systems for Family and Children Courts are separate; full integration planned.
2. Other essential features	Specialist training for staff and judiciary	Yes; JEITT offers training. More frequent and specialised content recommended.
	Specialised family court structure with equal resources	Yes; FCD is equal in status and resources to generalist courts.
	Full jurisdiction over family and child matters	Yes; conferred by the FCD Act, though not fully implemented nationwide.
	Unified case management and judicial assignment	Yes; matters assigned to a judge from inception using case management software.
	Court-provided or facilitated social services	Yes; SSU facilitates in-house and external services.
	User-friendly access for self-represented litigants (SRLs)	Yes; services available via court office and email; SRLs common in domestic violence and maintenance cases.
	Therapeutic and culturally sensitive court approach	Yes; court design and service model support therapeutic jurisprudence.
3. Court structure	Specialised separate division within judiciary	Yes; formalised under the FCD Act.
	Specialised judges assigned to family matters	Yes; judicial officers are designated to family and children matters.
4. Comprehensive jurisdiction	FCD jurisdiction over all family and children matters	Yes; includes High Court and Summary Court jurisdiction under the FCD Act.
5. Specialised case management	Early hands-on processing and assignment	Yes; automated assignment and early judicial contact used.
	Linking litigants to needed services	Yes; SSU connects families to counselling, mediation, etc.

IFC element grouping	Element description	Used in FCD
	Ongoing management and tailored legal outcomes	Yes; promotes rehabilitation and family restoration.
6. Services	Court-supplied and connected services	Yes; internal and external service providers are engaged.
	Community involvement with court services	Yes; collaborations underway with community programmes.
	Timely service delivery through referral system	Yes; guided by court rules and co-ordinated by SSU.
7. User-friendly court	Accessibility for all, including SRLs	Yes; support provided through walk-in and digital channels.
	Comfortable and non-intimidating physical design	Yes; layout intended to be therapeutic and welcoming.

The application of IFC principles within the FCD demonstrates meaningful progress toward a unified, therapeutic and responsive justice system for families and children. The FCD has successfully implemented several foundational elements of the IFC model, including the establishment of a specialised court structure, the provision of dedicated facilities and social support services, and the introduction of case management and intake systems designed to guide families through the legal process in a supportive manner. Timelines for case flow, judicial training and access to services for self-represented litigants further reflect the Division's commitment to procedural fairness and accessibility.

However, certain elements remain underdeveloped or inconsistently applied, such as the uniform definition of 'family', full integration of case management information systems across the Family and Children Courts, and universal rollout of the court's jurisdiction nationwide. Cultural complexities, evolving family structures and resource limitations challenge the consistent application of some IFC features, particularly around judicial continuity and service accessibility. While the foundation of the IFC model is clearly embedded in the FCD's design and operations, continuous improvements are required, especially in interagency co-ordination, digital integration and service delivery mechanisms, to fully realise the IFC vision of a holistic, family-centred justice system.

Key lessons

The principal lessons derived from the IFC implementation are summarised below.

1. Standardise implementation

- The IFC model should be implemented across all locations to ensure standardised procedures and best practices in handling family and child matters.
- Strong court administration is required to maintain standards, processes and procedures across the system.

2. Invest in resources and workforce capacity

- The IFC model must be sufficiently resourced to meet increasing caseloads and service demands.
- Adequate numbers of judges, judicial officers, court staff, social workers, attorneys, prosecutors, police, psychologists, mediators and counsellors are essential to support the system.
- Maintaining a high-performing IFC model requires continuous support and dedicated technological, human and operational resources.
- Judicial and staff rotation may be considered to address psychosocial needs, given their exposure to challenging and traumatic cases.

3. Modernise data management and information systems

- Improved statistical data collection and reporting across all IFC agencies are essential.
- Case management information systems should allow for efficient access to information across courts and agencies, replacing manual systems to improve decision-making and streamline service delivery for families.

4. Optimise judicial processes

- The judiciary/court should assess whether to retool the service delivery model so that *pro se* litigants undergo intake, with the possibility of diverting certain cases to pre-litigation settlement processes, thereby reducing the court's workload.
- IFC protocols and working groups are critical for:
 - improving communication and collaboration among agencies
 - streamlining procedures, processes and standards
 - ensuring the resolution of family conflicts with a child-centred approach
 - facilitating access to the most appropriate treatment and educational programmes.

5. Increase public awareness and accessibility

- Work must be undertaken to increase awareness, understanding and literacy regarding the IFC system, ensuring that the public is informed about available options for managing family conflicts.
- Socio-economic factors, including literacy, parenting styles, income disparities and geographic locations, impact access to and the delivery of justice. Justice sector organisations must adopt a whole-of-society approach in collaboration with state and community organisations.

6. Enhance holistic support and wrap-around services

- Wrap-around social services are critical to the success of the IFC model, necessitating:
 - strong internal referral processes and partnerships with external social service agencies
 - rigorous internal monitoring, standards-setting and programme assessment.
- Ideally, internal wrap-around services should be maintained to the highest possible extent.
- Training for judges, judicial officers and court staff should include accommodations for psychosocial support and acknowledging their exposure to emotionally demanding cases.

7. Ensure personnel fit

- The importance of fit and temperament for everyone working in this court system is crucial in optimising services.

4. Current Judicial and Administrative Practices in the FCD

The Family and Court Division (FCD) represents a significant step forward in the country's efforts to modernise its approach to family and juvenile justice. Established to provide a more responsive, accessible and rehabilitative court experience, the FCD integrates legal, social and psychological services under one unified system. This modern court model emphasises child-sensitive environments, multidisciplinary collaboration, and the use of technology to enhance efficiency and support vulnerable families and children. The following summary outlines the key structural and operational features that define the FCD's current innovative approach to delivering justice.³³

1. **Multiple court locations.** The FCD has enhanced access to justice by establishing several court locations across the country.
 - **Children Court:** St Clair (Port of Spain), Fyzabad and Scarborough (Tobago).
 - **Family Court:** Port of Spain, Princes Town and Scarborough (Tobago). Plans are underway to open an additional location in southern Trinidad.
2. **Specially designed court environments.** The FCD courts are designed to be more comfortable and less intimidating.
 - **Hearing rooms:** Facilitate open discussions, allowing parties to feel heard.
 - **Child and youth waiting rooms:** Provide safe, youth-friendly spaces for children awaiting hearings.
3. **One-stop-shop court systems.** The FCD integrates a team of professionals, including judicial officers, social workers, psychologists, family mediators and court administration personnel, to provide comprehensive support services. This collaborative approach aims to help court customers resolve conflicts and improve social functioning.
4. **Automated court services.** The FCD utilises technology to enhance court services.
 - **Remote hearings:** Conducted via telephone and video conferencing.
 - **E-filing:** Court applications can be filed online through the Judiciary's e-services platform.
 - **Online payments:** CourtPay facilitates the payment of court-ordered maintenance, lawyers' practising fees and court fines.
5. **Automated and timely court processes.** Each court is fully computerised, with automated case management systems improving the speed and efficiency of routine operations. Digital voice writing using transcription software enhances the creation of electronic court records.
6. **Fair and reliable judicial process.** The FCD issues various court orders to help customers resolve conflicts and improve social functioning, including psychological assessments, family and individual counselling, mediation, and programmes targeting issues such as domestic violence, parenting and drug abuse.
7. **Specialised staff.** The FCD is staffed with more than 500 qualified professionals specially trained to operate in a child- and family-sensitive, rehabilitative environment.
8. **Responsive customer education and service.** To assist individuals unfamiliar with the court process, the FCD provides proactive customer education and service.
 - **Court services officers:** Greet customers and provide information and support.
 - **Intake conference:** A court representative explains the court process and guides the next steps in the case.

33 Judiciary of Trinidad and Tobago (2020), 'Family and Children Division: Overview'. www.ttlawcourts.org/index.php/2020-01-28-18-30-04/2020-01-28-18-52-21/overview.

4.1 Programmes and services

Family Court

The Family Court operates under the Family and Children Division of the High Court, Judiciary of Trinidad and Tobago.³⁴ It is a problem-solving court designed to resolve family conflicts holistically, offering specialised support services as needed. Matters handled by the court include divorce, legal custody, maintenance, property disputes and access to children.

In addressing these issues, the Family Court facilitates a wide range of services, including the following.

- Filing of new court applications and variations to existing court orders.
- Requests for certified copies of court orders.
- Access to domestic violence court services, including protection orders.
- Registration for online payment of court-ordered maintenance.
- Enforcement of maintenance orders, including the preparation of warrants.
- Family mediation to assist in resolving disputes.
- Supervised access visits for parents or guardians.
- Psychosocial enquiries to inform court decisions.
- Referrals for psychosocial assessments and evaluations related to court matters.
- Counselling services for children, parents, guardians and other family members.
- DNA testing as ordered by the court.
- Divorce proceedings and finalisation.
- Assistance with the adoption process.

The Family Court functions as a 'one-stop-shop', providing a comprehensive range of legal and support services under one roof. Mediation and counselling services are readily available, and the court can refer parties to these resources. When

additional support is needed, such as psychological or psychiatric assistance, referrals are made to appropriate external service providers.

A core principle of the Family Court is to promote collaboration and reduce intimidation, creating an environment that supports constructive conflict resolution. To this end, the court is fully computerised and uses the Trinidad and Tobago Judicial Information Management System (TT.jim). This system enables fast and efficient handling of core operations, such as case filing, processing and information retrieval.

Court proceedings are conducted in hearing rooms, which are designed to be comfortable, private and less formal than traditional courtrooms. These spaces encourage open discussion, reduce stress and allow parties to speak directly with the judge or master in a respectful setting that empowers all involved.

To further support families, the Family Court provides child-friendly waiting areas for children whose parents or guardians are attending court hearings, filing documents or meeting with the Social Services Unit. These rooms are supervised by trained court staff and are equipped with books, toys and educational materials to keep children engaged in a safe and welcoming environment.

The Family Court also provides guidance and support to help ensure that all parties, whether represented by an attorney or not, can effectively participate in the legal process. Individuals who choose to represent themselves in court proceedings are referred to as 'self-represented litigants'. As a self-represented litigant, the individual may file an application and have their matter heard.

34 Judiciary of Trinidad and Tobago (2020), 'Family Court Overview'. www.ttlawcourts.org/index.php/2020-01-28-18-30-04/2020-01-28-18-53-05/family-court-overview.

Figure 4.1. Family Court milestones

2004	2018	2018	2019	2021
Established as a pilot project to test alternative approaches to family and child justice, and to be the first problem-solving court in Trinidad and Tobago.	The FCD was established, and the Family Court moved from having a dual jurisdiction (that is, a Magistrate's Court and High Court in the same building) to a single High Court jurisdiction.	CourtPay for court ordered maintenance was launched.	Family Court, Tobago was launched	Family Court, Princes Town was operationalised.

Source: adapted from Judiciary of Trinidad and Tobago (2020), 'Family Court Fact Sheet'. www.ttlawcourts.org/images/FCD/Family%20Court%20Fact%20Sheet.pdf.

Children Court

The Children Court is a specialised court for individuals under the age of 18.³⁵ It became operational on 28 February 2018, and handles matters involving children who are:

- accused of breaking the law
- in need of supervision (CHINS)
- in need of care and protection.

Additionally, the Children Court hears cases related to children's drug use and mental health concerns. The types of matters filed at the Children Court are highlighted below.

Children's Authority applications

The Children's Authority of Trinidad and Tobago (CATT) may bring various applications under its mandate as the guardian of the nation's children, pursuant to the Children's Authority Act Chap. 46:10 and related legislation. These include applications for:

- wardship
- interim supervision orders
- care orders
- recovery orders
- private applications.

Private applications are criminal complaints filed by private individuals rather than law enforcement. Such matters may include accusations of criminal behaviour and applications for protection orders.

Child in need of supervision (CHINS) applications

Under Section 50A of the Children Act (2012, as amended), a parent, guardian or responsible adult who is unable to manage a child's behaviour may apply to the Children Court for an order deeming the child to be in need of supervision.

Criminal indictable matters

These involve serious criminal offences. Indictable matters begin with a preliminary inquiry or committal proceedings before a Master of the Children Court. The master determines whether there is a prima facie case. If so, the Director of Public Prosecutions (DPP) files an indictment and the matter proceeds to trial before a judge.

Criminal summary matters

These are less serious offences, typically governed by the Summary Offences Act Chap. 11:02. They are tried directly by a Master of the Children Court without the need for a preliminary inquiry.

Child participation and the intake conference

Children appearing before the court must attend an intake conference, during which a court representative engages with the child to understand the circumstances leading to their court appearance. The Children Court may appoint a children's attorney to ensure the child's voice is heard throughout the legal process.

35 Judiciary of Trinidad and Tobago (2020), 'Children Court Overview'. www.ttlawcourts.org/index.php/2020-01-28-18-30-04/2020-01-28-18-54-02/children-court-overview.

A problem-solving approach: support and accountability

As a problem-solving court, the Children Court provides both accountability and support for child offenders and CHINS. While custodial sentences are used when necessary, the court also offers a variety of non-custodial interventions aimed at rehabilitation and reintegration.

These include the following.

- **Individual counselling.** Social workers conduct assessments to identify challenges and develop intervention plans. Counselling helps children better understand themselves, set goals and work through emotional or behavioural issues.
- **Family counselling.** Family therapy supports improved communication, addresses special challenges (such as illness or trauma) and fosters a healthier home environment.
- **Parent counselling.** Educational sessions equip parents with the tools to respond constructively to their child's needs, improve their parenting skills and build stronger parent-child relationships.
- **Court-annexed peer resolution.** In minor offence cases, the Children Court may invite trained youth volunteers (aged 13–17 years) to recommend appropriate, constructive sanctions for child respondents.

Specialised programmes

These programmes include the following.

- **Children Drug Treatment Court Process.** This programme supports children facing drug-related offences or substance use issues. It offers structured treatment options to help youth manage or overcome addiction.
- **Life Lessons Programme.** Children are taught essential life skills, values and strategies to face life's challenges and adopt healthier behaviours and attitudes.
- **Imani Healing Circle.** Focused on boys, this programme helps participants reflect on and process difficult life experiences, offering support and tools for positive change.

- **A Girl Like Me – Girls Circle.** Designed for girls, this programme addresses issues that negatively affect their lives. It helps participants build decision-making skills, confidence and emotional resilience.

4.2 Ongoing challenges in addressing domestic violence and gender equality in the Family Court

Despite legislative reforms and institutional efforts, ongoing challenges persist, particularly in the equitable handling of domestic violence and gender-based family matters. Two critical areas highlight these issues: the failure of key stakeholders to adequately protect victims of domestic violence, and concerns regarding gender bias in custody decisions by the Family Court. These issues are examined here, underscoring these systemic shortcomings and efforts at redress.

Failure of key stakeholders in domestic violence matters

In *Tot Lampkin v The Attorney General of Trinidad and Tobago*,³⁶ the High Court found that the state failed to protect Samantha Stacey Isaacs, a victim of prolonged domestic violence, resulting in her death in 2017. Despite multiple reports to the Trinidad and Tobago Police Service (TTPS) and an application for a Protection Order, neither the police nor the judiciary acted with due diligence.

The court ruled that the TTPS and judiciary violated Samantha's constitutional rights, including the right to life, equality before the law and protection of the law, and respect for family life as guaranteed under sections of the Constitution. Declarations of these violations were made, and compensation was awarded to her mother and guardian of her son.

In response to such failures, the judiciary established a Domestic Violence Process Review Committee in 2020. It recommended procedural reforms, infrastructure improvements and stakeholder training. Legislative amendments to the Domestic Violence Act in 2020 enabled Emergency Protection Orders, mandatory reporting and a Domestic Violence Register. Remote services and specialised hearing rooms were also

³⁶ *Tot Lampkin (Administratrix ad litem) v The Attorney General of Trinidad and Tobago* (CV2021-03178).

introduced. In 2021, more than 500 justice sector stakeholders were trained through the Spotlight Initiative.³⁷

Gender bias in family court custody decisions

The Single Fathers Association of Trinidad and Tobago (SFATT), with partners, reviewed 50 Family Court judgments (1996–2017) and found a trend of mothers receiving custody or care and control in the majority of cases. Fathers received care and control in only 32 per cent of cases, and structured access was often limited.

Interviews with fathers and a Joint Select Committee report highlighted perceptions of unfair treatment. Though the judiciary stated that laws are gender-neutral, the committee acknowledged that traditional gender roles may still influence custody decisions.

In 2018, the judiciary launched the Gender Equality Protocol for Judicial Officers, advising against gender stereotypes in custody rulings. Training and continuing education aim to promote gender-sensitive adjudication and improve fairness in family law matters.

4.3 Stakeholders' perspectives on the family and children courts

As part of an ongoing review of the Family Court and Children Court systems in Trinidad and Tobago, a series of consultations were conducted with key stakeholders to gain insight into the functioning and effectiveness of these courts. These stakeholders included judicial officers, court administrators, legal professionals, social service providers and state agencies. They were invited to share their views and assess how the system is functioning, what is working well, what requires improvement and how the courts might evolve to meet emerging needs more effectively. This evaluation encompasses operational, legislative, technological and procedural dimensions, capturing distinct experiences from stakeholders, including access to justice, procedural efficiency, use of technology, emotional support mechanisms and the adequacy of legislation. A consistent theme across feedback is the need for a more co-ordinated, trauma-informed and child-centred approach, especially

in cases involving domestic violence, custody and maintenance. While wrap-around services and hybrid hearing options are seen as progressive steps, stakeholders also highlight gaps in training, enforcement and resourcing that, if addressed, could enhance the courts' ability to protect and empower families.

The following sub-sections present a structured discussion of stakeholder perspectives on the Family and Children Courts. Organised by key questions, the summaries highlight what is working well, what improvements are needed, and how various actors perceive the role of the courts in facilitating justice, healing and family rebuilding.

Family Court

The stakeholders' insights provide an understanding of the Family Court's strengths, challenges and areas in need of reform. The discussion organises their views around key operational, procedural and legislative questions to highlight how the court is functioning and how it might evolve to better serve families in crisis.

What are the most important features of the Family Court?

The Family Court is widely recognised for its specialised and supportive approach to family matters. Judges and masters emphasised the critical role of the Social Services Unit (SSU) in providing counselling and monitoring, which helps build trust and encourages parties toward settlement or dialogue. The Social Services Unit highlighted the importance of a multidisciplinary, case-managed system where one judge oversees a family's case, reducing confusion and ensuring consistent handling, especially in domestic violence cases.

Attorneys at law emphasised efficiency and timely delivery of orders and hearings, the value of mediation and judicial conferencing for speedy resolutions, and the necessity of fully staffed social services to address emotional and psychological issues. Other stakeholders, such as the Father's Association of Trinidad and Tobago (TFATT), The Single Mothers Association of Trinidad and Tobago (SMATT) and the Coalition Against Domestic Violence (CADV), noted the benefits of technology, responsive court administration, understanding clerks and better handling of domestic violence situations compared to Magistrates' Courts.

37 Spotlight Initiative (2024), *Trinidad & Tobago: Narrative Programme Report: 01 January 2020 – 31 December 2023*. <https://spotlightinitiative.org/publications/spotlight-initiative-trinidad-and-tobago-final-cumulative-report>

What can be done to make the Family Court more effective?

All groups agreed that effectiveness can be improved through better case and mediation management. Judges and masters advocated for faster assignment and listing of mediation and settlement conferences to avoid delays. Court administration suggested re-establishing a monitoring committee for stakeholder feedback to guide improvements.

Social workers called for clarity on roles between judicial officers, social services and mediation units, alongside integrated information systems to improve communication within courts and related agencies. Attorneys highlighted the need for more staffing, better training, timely issuance of orders and enhanced facilities to improve productivity. TFATT and SMATT focused on public sensitisation and education about court services and mediation, while CADV emphasised better support for self-represented litigants and managing court delays.

How can time to disposition be speeded up?

There was strong consensus on the need for interventions before hearings, especially for unrepresented parties, to help navigate complex issues and reduce court time. Judges suggested compulsory pre-hearing interventions and legal aid support. Social workers recommended early assessment, triaging and mandatory informational sessions for parties on custody and parenting issues.

Attorneys proposed more extensive use of alternative dispute resolution methods like judicial settlement conferencing and mediation, firmer judicial enforcement of compliance and delegation of routine hearings to assistants. They also recommended managing judicial caseloads and setting deadlines for decisions. TFATT advocated staff capacity assessments and promoting a mediation culture, while SMATT called for mandatory time frames. CADV emphasised collaboration among stakeholders and raising awareness of available services.

What are views on hybrid hearings?

Hybrid hearings³⁸ were generally welcomed as improving access and flexibility, particularly for clients who are unable to travel or are living abroad. Judges and masters appreciated how hybrid systems made communication more efficient, but noted their success depended on internet quality and party co-operation. Attorneys valued the option to choose virtual or in-person hearings depending on the nature of the case, and recognised that hybrid hearings facilitated more efficient case management.

TFATT endorsed hybrid hearings but called for more public sensitisation and improved electronic payment systems. SMATT and CADV supported the convenience of hybrid hearings and emphasised the need for greater advertising of Virtual Access Customer Centres (VACCs).

What changes are required generally?

There was broad agreement on the need for enhanced mediation staffing and enforcement of court rules and timelines. Attorneys urged the involvement of legal academia in policy-making and substantial amendments to procedural rules. TFATT opposed criminalising non-payment of maintenance via incarceration, suggesting electronic monitoring devices instead and emphasised continual training of judicial officers with a child-centred focus.

Are the laws governing family matters adequate?

Judges and masters generally found the current laws workable but pointed to specific legislative gaps, such as the lack of joint custody provisions for unmarried parents and limited pre-hearing oversight in domestic violence cases. Attorneys agreed the laws are mostly sufficient but highlighted implementation challenges and called for updates to accommodate modern family structures like same-sex couples and streamlined divorce procedures.

TFATT focused on custody, access and maintenance issues, advocating for joint custody beyond married couples, better enforcement of access orders, paternity testing prior to maintenance orders, and alternatives to imprisonment for non-payment. SMATT supported

38 A hybrid hearing is a court hearing in which some participants attend in person while others join remotely using audio-visual or online technology.

stronger mediation mandates and legislated timelines. CADV considered the laws adequate but noted enforcement as the primary issue.

What legislative changes are needed?

Judges recommended legislating compulsory pre-hearing case reviews to resolve matters earlier and to explore more equitable property settlement processes modelled on other jurisdictions. Attorneys emphasised enforcement of existing rules over new legislation. TFATT supported the introduction of electronic monitoring (ankle bracelets) for maintenance defaulters and opposed incarceration as ineffective and costly.

How have wrap-around services assisted?

Wrap-around services were seen as beneficial but underutilised. Judges affirmed their positive role but expressed concern about voluntary mediation and resistance to co-parenting counselling. Attorneys noted limited exposure and sometimes contentious family dynamics that worsen with social work intervention, and that child advocate roles were often misunderstood. TFATT warned of potential biases among social workers and probation officers.

SMATT cited effective emergency housing support for domestic violence cases. CADV reported limited court referrals but general satisfaction with parenting programmes and a need for better follow-up.

What are the strengths and weaknesses of wrap-around services?

Strengths included good communication between the Social Services Unit and court teams, a structured approach to intervention stages (engagement, referral, transition), and the ability to provide families with a voice and support through difficult times. Attorneys appreciated the seamless contact the services allowed and the sense that the state cares.

Weaknesses included delayed reports and communication challenges, insufficient professional training, potential personal biases of service providers, inadequate listening to children, and unsafe placement of parties with protection orders together. Additionally, staff often worked under challenging conditions.

Conclusion

Based on these perspectives, there is a clear call for better management of mediation and case processes, more staffing and training, timely enforcement of orders, legislative updates, and improved communication and public awareness. Addressing these areas will enhance the court's efficiency, effectiveness and responsiveness to the needs of families and children.

Children Court

The discussion explores stakeholder perspectives on the key features, effectiveness, challenges and opportunities for improvement in the Children Court, organised around central questions that explore the court's mission and service delivery.

What are the most important features of the Children Court?

Stakeholders emphasised that the Children Court should prioritise the best interests of the child, ensuring a child-friendly environment that minimised trauma. Judges and masters emphasised the importance of specialised judicial officers trained in child welfare and the involvement of social services in supporting the court process. The court's ability to manage cases with sensitivity and provide wrap-around support services, such as counselling and social work interventions, was also highlighted as crucial.

Attorneys pointed out the necessity of timely hearings to reduce the emotional stress on children and families. They also valued alternative dispute resolution and mediation to resolve matters without protracted litigation. The involvement of child advocates and experts ensured that children's voices were heard, and their needs were adequately represented.

How effective are the current services and procedures in the Children Court?

Views varied regarding effectiveness. Judges acknowledged that while the court's specialised focus was a strength, there were challenges like delays in case disposition and inconsistent follow-up on social service referrals. Social Services Units were said to generally provide valuable interventions but these were sometimes hampered by staffing shortages and insufficient training.

Attorneys observed that families often face high costs and logistical challenges in accessing services, which can delay resolutions. They noted that social workers sometimes lack adequate training or resources to engage effectively with contentious family situations, potentially alienating parties rather than assisting them.

How can the Children Court improve case management and speed up dispositions?

All stakeholders agreed that pre-hearing interventions, including mandatory mediation and social service assessments, can significantly improve case management. Judges recommended compulsory case reviews before hearings to resolve matters early and reduce court backlog. Social workers suggested clearer guidelines on referral processes and better communication between the court and social service providers. Attorneys advocated for more training on children's issues and enforcement of strict timelines for hearings and decisions. Some proposed increased use of alternative dispute resolution and better resourcing of the court to handle cases more efficiently.

What is the role of wrap-around services in supporting the Children Court?

Wrap-around services were widely regarded as essential in addressing the complex needs of children and families. They provided counselling, parenting support and social work interventions that can prevent escalation to court or aid smoother case resolution.

Judges and masters noted that these services helped to formulate care plans and assist in co-parenting counselling, though voluntary participation sometimes limits effectiveness. Attorneys raised concerns about the limited awareness and accessibility of these services, and occasional bias or lack of professionalism among social workers.

What are the strengths and weaknesses of wrap-around services?

Strengths included the services' holistic approach in addressing emotional, psychological and social factors affecting children and families. In addition, the co-ordinated communication between social services and the court enhanced intervention planning and follow-up.

Weaknesses involved delays in report submissions, inadequate training of personnel, potential personal biases of service providers and challenges in fully engaging parties. Additionally, resource constraints and a lack of follow-up on referrals reduced the overall impact of these services.

Are the laws and policies governing children's matters adequate?

Judges generally found the legislative framework sufficient but highlighted areas needing reform, such as more explicit provisions for joint custody and improved protections in domestic violence contexts. Attorneys pointed out that laws are often adequate in theory but poorly implemented in practice.

Some stakeholders suggested updating the laws to reflect contemporary family dynamics, including provisions for cohabiting and same-sex parents, and streamlining procedures for child welfare cases. They also emphasised the need for stronger enforcement mechanisms to ensure compliance with court orders.

What legislative or policy changes are recommended?

Recommendations included introducing compulsory pre-hearing reviews to expedite case resolution and formalising pathways for mediation and alternative dispute resolution in children's matters. Stakeholders called for increased funding and staffing of social services to better support court operations.

There were also calls to amend existing statutes to provide clearer guidelines on custody, access, maintenance and parental responsibilities, emphasising child-centred approaches. Some stakeholders also suggested improved training standards and accountability measures for social workers and judicial officers handling children's cases.

How can public awareness and access to the Children Court be improved?

Stakeholders agreed that public education on the court's role, services and procedures was critical to improving access and outcomes. Judges and social workers advocated for outreach programmes and collaboration with community organisations to raise awareness.

Attorneys emphasised the importance of making services affordable and accessible, especially for vulnerable families. They also called for better communication strategies to inform families about mediation options, wrap-around services and their rights within the court system.

Conclusion

These findings underscore that while the Children Court has demonstrated strong potential through its integrated and child-focused approach, systemic issues, including staffing constraints, legislative gaps, training deficiencies and communication inefficiencies, have hindered its full effectiveness. Stakeholders agreed that more resourcing, better co-ordination, and cultural shifts in parenting and dispute resolution are critical to moving the court toward optimal service delivery.

4.4 Opportunities for strengthening the FCD

The FCD has made significant strides in improving access to justice, particularly through dedicated courts, revised rules and increased use of alternative dispute resolution mechanisms. However, several critical challenges continue to impede the full realisation of a responsive, integrated family justice system. These include forum shopping due to procedural gaps, delays in adjudication and service delivery, and limited integration between the Family and Children Courts. There is an urgent need to strengthen interagency collaboration, streamline the intake process, and enhance the availability of social and adjunct services. Challenges related to infrastructure, staffing and judicial workload also hinder optimal performance. Moreover, enhanced public awareness, technological integration and consistent programme evaluation are essential to support a unified and efficient family justice system. Addressing these gaps holistically, with targeted reforms across institutional, operational and community-facing areas, will be key to realising the full potential of an Integrated Family Court model.

Limiting opportunities for forum shopping

Forum shopping remains a concern in the justice system, particularly in family matters. For instance, protection orders in domestic violence cases can be filed either as standalone applications or within broader family proceedings. This fragmented

approach may lead to inconsistent handling and duplicated efforts. To address this, procedural reforms and inter-court co-ordination must be enhanced to ensure related matters are heard collectively and consistently.

Reducing delays in proceedings

Delays in the resolution of family cases, especially non-complex ones, were highlighted as a major concern by judges, administrators and attorneys. Long adjournments and untimely delivery of court orders are impacting the effectiveness of the courts, particularly when cases involve urgent needs such as child protection or asset division. These delays can cause uncertainty and distress for litigants. Enforcing judicial time standards, prioritising high-impact cases and streamlining internal processes are necessary to ensure timelier resolution and decision-making.

Improving delivery of adjunct services

The effectiveness of the courts heavily depends on timely support from adjunct services, such as therapy, mediation and social work. Focus group participants expressed concern over delays in referrals and service delivery, particularly in priority cases. Additionally, it was noted that state agencies have, in some instances, reduced their engagement, placing greater strain on court-provided services. Stronger partnerships with external agencies, better resourcing of support units and clear timelines for service provision are crucial for meeting the complex needs of families and children.

Retooling the intake function

The initial intake function, intended as a critical triage tool, has suffered due to inadequate staffing and resource limitations. Originally designed to assess and direct cases toward appropriate interventions early in the process, intake services have become reactive. Revitalising this function with sufficient human resources and support systems is essential. An efficient intake process ensures that litigants are appropriately guided and potential issues are identified early, reducing reliance on adversarial proceedings.

Expanding dedicated facilities for family matters

The full integration of family matters within a single court structure is hindered by infrastructure limitations. Although new facilities are being developed, the transition is not yet complete.

Adequate court buildings, staff and technological support are necessary to centralise family case processing and support an integrated model. Continued collaboration with the executive is needed to accelerate this infrastructure expansion and provide courts with the tools required to operate effectively.

Enhancing litigant participation and engagement

Active engagement of litigants in the judicial process can improve trust and understanding of legal proceedings. Suggestions from practitioners included judges issuing deadlines for decisions during open court hearings and explaining procedures directly to litigants. This practice would foster transparency and allow parties, especially those without legal representation, to better understand delays, next steps and the overall process. Improved communication can help mitigate frustration and increase confidence in the system.

Strengthening social services and human resources

The Social Services Unit (SSU) is considered integral to the family justice process. However, increased caseloads and complex family dynamics have overwhelmed current resources. There is an urgent need for more trained professionals – social workers, therapists and counsellors – to ensure timely and effective interventions. Delays in access to such services can be detrimental to children and families in crisis. Increased staffing, funding and professional development are critical to the SSU's success.

Supporting judges, judicial officers and staff

Judges and judicial officers face mounting workloads, impacting both their efficiency and well-being. Recommendations included structured court calendars that allow designated time for writing decisions, as well as specialised training in emotional intelligence, financial analysis and judgment writing. Addressing burnout through support systems and workload redistribution is vital for sustaining the quality and effectiveness of judicial services.

Enhancing use of alternative dispute resolution (ADR)

While ADR mechanisms like mediation and conferencing are available, their full potential remains untapped. There is a need for a cultural and procedural shift to prioritise these methods,

particularly before litigation is initiated. Greater public awareness, improved mediator certification processes and clearer guidance on the benefits of ADR would promote wider adoption. Expanding ADR use would alleviate pressure on courts and foster more collaborative resolution of family disputes.

Reviewing and strengthening court rules

The Family Proceedings Rules provide the procedural framework for family cases, but they require comprehensive review to ensure they are meeting current demands. This includes revising timelines, simplifying forms, and enhancing clarity for litigants and attorneys. Regular updates and consultations with stakeholders are necessary to ensure the rules support efficient, accessible and fair judicial processes.

Ensuring programme fidelity and quality monitoring

Continuous evaluation of Family and Children's Court programmes is necessary to uphold service quality and relevance. Stakeholders emphasised the importance of aligning programmes with clearly defined outcomes, supported by regular performance reviews. Establishing quality assurance frameworks and collecting outcome-based data will guide improvements and ensure interventions are meeting families' needs effectively.

Implementing an integrated information management system

The current lack of a shared information system between the Family and Children Courts creates inefficiencies, especially when identifying related cases or co-ordinating services. A unified digital case management platform would enable better data sharing, reduce duplication and support more holistic decision-making. Investment in such technology is essential to modernise the justice system.

Strengthening interagency collaboration

Key stakeholders often operate in isolation, leading to fragmented service delivery and delays in urgent interventions. Effective interagency collaboration, through formal protocols, shared accountability measures and regular communication, will improve the quality and speed of support provided to families. Breaking down institutional silos is a necessary step toward an integrated justice model.

Increasing public awareness and access to information

Public understanding of the services offered by the Family and Children Courts remains limited. Stakeholders advocated for expanded outreach via media campaigns, educational materials and community events. This would help ensure that litigants, particularly vulnerable and unrepresented individuals, are aware of their options and know how to access court-related services, including virtual access, legal aid and support services.

5. General Good Practices in Implementing Integrated Family Courts

The establishment of Integrated Family Courts (IFCs) represents a modern approach to family justice systems, aiming to provide holistic, efficient and child-centred services. Drawing from the experiences of Trinidad and Tobago and other jurisdictions, this discussion outlines best practices for developing and implementing IFCs, focusing on legal frameworks, case management, early intervention, alternative dispute resolution, multiagency collaboration, technology integration, human resources, public engagement, cultural sensitivity, and monitoring and evaluation.

1. Legal and institutional foundation

Recommendation: *Implement an IFC system that consolidates jurisdiction over all family-related matters, ensuring specialised judges handle cases with expertise in family law and related issues.*

A robust legal framework is essential for the effective operation of an IFC. It consolidates jurisdiction over all family-related matters, ensuring consistency and reducing fragmentation.

- The Family and Children Division Act, Trinidad and Tobago, established a unified court system, consolidating various family-related matters under one jurisdiction, thereby streamlining processes and enhancing service delivery.

2. Technology-supported case management and procedure

Recommendation: *Implement specialised court rules with built-in time standards, simplified forms and user-friendly procedures, as well as an integrated case management information system that connects Family and Children Courts. In addition, introduce strict monitoring of timelines for filing, orders and judgments.*

Tailored case management procedures are crucial for the efficient handling of family cases, minimising delays and ensuring timely resolutions.

- The Family and Children Division, Trinidad and Tobago (FCD), utilises automated case management systems to streamline processes, reducing delays and enhancing efficiency.³⁹ For example, the implementation of the Trinidad and Tobago Judicial Information Management System (TT.jim), an automated case management system, is designed to streamline the handling of family cases. This system facilitates the electronic filing of documents, scheduling of hearings and tracking of case progress, significantly reducing delays and administrative burdens. Additionally, the use of digital voice writing and transcription software has improved the accuracy and efficiency of court records, ensuring that proceedings are documented promptly and accurately.
- The Family Proceedings Rules 1998 (as amended in June 2003) serve as a foundational framework for managing family law cases in Trinidad and Tobago. These rules are designed to ensure that family matters are handled justly, with particular emphasis on the welfare of children involved in proceedings. They incorporate several key elements aimed at enhancing court management and procedural efficiency.

3. Centralised intake and early intervention

Recommendation: *Establish an efficient intake process staffed by legal officers, social workers and case managers. This will enable screening for risks, complexity and suitability for ADR, or diversion of cases from litigation where possible through referrals to support services or settlement conferencing.*

An effective intake system is vital for assessing cases promptly and directing them to appropriate interventions.

³⁹ Judiciary of Trinidad and Tobago (n.d.), 'Design and Technology'. www.ttlawcourts.org/index.php/family-court/design-a-technology.html?view=article&id=391.

- The IFC model in Canada emphasises early intervention and non-adversarial resolution of cases. The model enables access to a wide variety of family justice services to support early intervention and case resolution outside of court.
- The FCD has established an Intake Unit staffed by legal officers, social workers and case managers to assess cases and provide appropriate referrals.

4. Alternative dispute resolution (ADR) and diversion

Recommendation: *Establish early intervention programmes and ADR mechanisms, such as mediation and conciliation, to resolve disputes amicably before they escalate to litigation.*

ADR mechanisms can reduce adversarial conflict and promote lasting resolutions, particularly in family disputes.

- The Federal Circuit and Family Court of Australia received national recognition for integrating safe dispute resolution into the family law system.⁴⁰ The court's focus on dispute resolution has allowed significant numbers of separated families to find agreement and closure, avoiding the emotional and financial costs associated with protracted litigation.
- The FCD has embedded ADR into its operational framework as a first line of response in many family disputes. Mechanisms such as mediation, conciliation and co-parenting counselling are routinely offered to families at the pre-trial stage. For instance, the Children Court, Trinidad and Tobago, has utilised ADR in family and children matters to include mediation, drug treatment programmes, peer resolution, individual counselling, co-parenting counselling, family counselling, relationship building counselling and reconciliation counselling.

5. Multiagency collaboration and adjunct services

Recommendation: *Develop integrated service models that facilitate co-ordination among courts, social services and other relevant agencies to provide comprehensive support to families.*

Co-ordinated efforts among various agencies ensure comprehensive support for families involved in the justice system. For instance, the Family and Children Division, Trinidad and Tobago, has integrated various services within the court system, including social workers, psychologists and mediators, to provide comprehensive support to families.

6. Human resources and judicial capacity

Recommendation: *Provide targeted training in family law, trauma-informed practice, emotional intelligence and decision-writing. Introduce wellness initiatives and rotate staff periodically to mitigate burnout. Ensure adequate staffing levels across all roles, including judges, intake officers, mediators and support staff.*

Specialised training and adequate staffing are critical to the effective functioning of IFCs. In Trinidad and Tobago, the Judicial Education Institute (JEITT) provides training for both judicial officers and court staff. However, there is a recognised need for more frequent, targeted training that reflects emerging trends in family justice encompassing both legal developments and therapeutic principles and practices.

7. Public engagement, access to justice and culturally sensitive services

Recommendation: *Implement culturally sensitive practices and engage with community organisations to ensure that services are accessible and relevant to all families, particularly those from diverse cultural backgrounds. Actively disseminate materials through brochures, digital platforms and community outreach.*

- Ensuring that the public is informed and has access to justice is crucial for the success of IFCs. The FCD provides information and services through various channels, including online platforms and community outreach, to ensure accessibility for all families. For instance, the FCD maintains Virtual Access Customer Centres (VACCs) with trained staff to assist with filing, payment and hearing attendance. Legal aid options need to be expanded and support strengthened for self-represented litigants.

40 Federal Circuit and Family Court of Australia (2023), 'Federal Circuit and Family Court of Australia Wins National Award for Alternative Dispute Resolution Initiatives'. www.fcfoa.gov.au/news-and-media-centre/media-releases/mr010423.

- Providing services that are culturally sensitive ensures that all families receive appropriate support. For example, the Australian Public Service Commission's report on supporting First Nations families through family law courts emphasises the importance of consultation with relevant community members and organisations. Engaging with Aboriginal Community Controlled Organisations ensures that the family court system is accessible and attuned to the needs of these communities.⁴¹
- Streamlining procedures, promoting early resolution and simplifying access, are essential for family well-being (**user-centric processes**).
- Embedding psychosocial services and ADR within court structures leads to more effective, rehabilitative outcomes (**multidisciplinary integration**).
- Systems must respond to the diversity of users, particularly vulnerable and marginalised groups (**cultural sensitivity**).

8. Monitoring, evaluation and programme fidelity

Recommendation: *Implement structured monitoring and evaluation protocols at both the operational and policy levels. This includes regular review of court processes, performance indicators and user outcomes, supported by reliable data systems and collaborative oversight mechanisms.*

Ongoing monitoring, evaluation and data-informed decision-making are fundamental to sustaining the effectiveness and integrity of IFCs. These mechanisms ensure that IFCs are meeting their objectives, adapting to evolving needs and closing service gaps.

While the Family and Children Division has implemented some data collection mechanisms, gaps remain in comprehensive outcome tracking and interagency reporting.

Conclusion

Implementing an IFC system is more than a structural reform; it is a comprehensive institutional and cultural transformation that demands co-ordination, commitment and continuous learning. The experiences of Trinidad and Tobago in particular offer valuable lessons and proven practices that jurisdictions can adapt to their unique contexts. Key principles emerging from these jurisdictions include the following.

- Establishing a singular authority over all family matters ensures consistency and avoids fragmented justice (**unified legal jurisdiction**).

- Performance must be monitored continuously, and reforms should be informed by both data and lived experience (**sustained evaluation**).

By continuing to emphasise these good practice principles, jurisdictions can build more effective, inclusive and responsive family justice systems that serve the evolving needs of children and families.

41 Australian Public Service Commission (2023), 'Supporting First Nations Families Through Family Law Courts'. www.apsc.gov.au/initiatives-and-programs/workforce-information/research-analysis-and-publications/state-service/state-service-report-2023-24/serving-community/supporting-first-nations-families-through-family-law-courts.

6. Conclusion

Family justice systems play a critical role in safeguarding the rights and well-being of children, strengthening family relationships and promoting social cohesion. Yet traditional court structures, often fragmented across civil and criminal jurisdictions, have struggled to address the complex, interrelated issues faced by families in crisis. Recognising the need for more holistic and co-ordinated responses, many countries have moved toward the development of IFC systems. Despite this trend, there are still many other countries that have not considered these types of reforms or are struggling to maximise the potential benefits of IFCs.

This report has provided a comprehensive examination of IFCs, drawing primarily from the experience of Trinidad and Tobago. It outlined the evolution of the FCD of the High Court, analysed stakeholder perspectives, highlighted operational practices, and identified both strengths and gaps in the implementation of IFCs.

The report illustrates that successful IFCs share a number of foundational characteristics:

- unified legal jurisdiction
- early and appropriate interventions
- specialised court procedures
- multi-agency collaboration
- culturally competent services
- data-driven oversight.

These core features contribute to a more accessible, efficient and family-centred justice system.

In Trinidad and Tobago, the Family Court Pilot Project (2004–2016) and the subsequent establishment of the Family and Children Division in 2016 marked significant milestones in family justice reform. These developments institutionalised the 'one judge—one family' model, advanced child-sensitive procedures, and introduced problem-solving approaches that seek to support both children and families in crisis. The creation of the Children Court was particularly instrumental in addressing the needs of children in conflict with the law and child victims of abuse or neglect.

Despite progress, key challenges still exist. Stakeholders consistently highlighted issues such as:

- delays in service delivery
- gaps in interagency collaboration
- insufficient public legal education
- the need for greater parental accountability and child protection.

Moreover, wrap-around services, critical to the success of problem-solving courts, require stronger co-ordination, consistent resourcing and greater institutional buy-in.

As this report has emphasised, an IFC is not a static institution but a dynamic system that must evolve with the needs of society. Continued investment in human capital, technology and community engagement is essential. Equally important is the establishment of a robust monitoring and evaluation framework to measure outcomes and adapt practices based on evidence.

Ultimately, Trinidad and Tobago's experience provides valuable lessons for jurisdictions seeking to implement or strengthen IFCs. It demonstrates that bold legal and institutional reform, when paired with a holistic and inclusive approach to family justice, can create a more responsive and humane system. This report, framed as a best practice guide, offers policy-makers, judicial officers and practitioners a roadmap for implementing effective IFCs that prioritise the rights, dignity, and well-being of all families and children.

Commonwealth Secretariat

Marlborough House, Pall Mall
London SW1Y 5HX
United Kingdom

thecommonwealth.org