

**ADDRESS**

**BY**

**MS. NICOLE SYLVESTER**

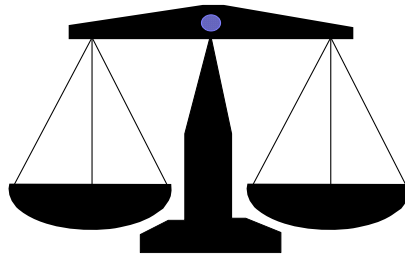
**ATTORNEY-AT-LAW**

**OF**

**O.R. SYLVESTER & COMPANY**

**TO MARK**

**THE 40<sup>th</sup> ANNIVERSARY OF THE ECSC**



**SAINT LUCIA**

**TUESDAY, 27<sup>th</sup> FEBRUARY 2007**

I wish to extend my sincerest gratitude to **His Lordship the Honourable Chief Justice** and the Judiciary of the **Eastern Caribbean Supreme Court** for the opportunity to be part of this momentous occasion. Forty (40) years is indeed a significant milestone in the life of any organization and more so an institution in the nature of the Supreme Court.

We have seen in the Caribbean many attempts to establish Regional institutions meeting with little success. This is not the story of the **Eastern Caribbean Supreme Court**.

His Lordship the **Chief Justice's** address, has given a magnificent exposition on the history of the Court. I only hope it is recorded in such a way that it can be used within and outside the jurisdiction to inform the public at large on the development of the Court. I look forward to seeing it on the website, in Universities and in schools. I do not intend to retrace those details so eloquently put forward by the **Honourable Chief Justice**.

For my part I wish to concentrate on how the legal profession being a main partner to the Court has itself developed over the forty (40) years.

When the Court was established forty (40) years ago the profession was very much at a stage where each Bar was functioning on its own.

It is of great importance to note that the **OECS Bar Association** was established in **1989** as a direct response to the wholly inadequate terms and conditions of Judges in our Courts.

The first task that the **OECS Bar Association** took on was that of championing the cause of the Bench for better terms and conditions. This is a great hallmark of the Bar as it continues to support and underpin the independence of the Judiciary.

It would be remiss if I fail to mention the group of practitioners who spearheaded the formation of the **OECS Bar**. A meeting was held in **St. Lucia** in **1989** and a committee was established, the late **Winston Cenac Q.C.** was nominated as its Chairman, the late **Cosmos Phillips Q. C.** was assigned the task of drafting a constitution which was adopted in **B.V.I** by representatives of the Constituent Bars setting the stage for the first election of officers at a meeting in **St. Vincent** where **Joseph Archibald Q.C.** of **B.V.I** was elected its First President, **Othniel R. Sylvester Q.C.** of **St. Vincent** its First Vice President and **Ashton Piper** of **Dominica** its Second Vice President, **Don Mitchell Q.C.** of **Anguilla** Secretary and **Justin Simon Q.C.** the current Attorney General of **Antigua and Barbuda** the Treasurer.

To date the **OECS Bar Association** has had four (4) Presidents **Joseph Archibald Q.C.**, **Othniel R. Sylvester Q.C.**, **Courtney Abel** and **Nicole Sylvester**.

When the **OECS Bar Association** took on its first task of championing the cause of the Bench for better terms and conditions it was able eventually to have been afforded an audience at the Ministerial sittings of the **OECS Secretariat**.

I have heard the call of the Chief Justice and wish to state that the **OECS Bar** has taken certain steps to become professional by having a Professional Executive Secretary in the form of **Margaret Mitchell** and we are in the process of setting up a Secretariat.

Further the **OECS Bar Association** formed a committee and drafted a model Legal Professional Bill which was submitted to all the Attorneys General in the **OECS** for implementation. It is our desire to have a harmonized Bill in this regard. The process is somewhat slow as we are still awaiting implementation.

The issue of regulation of conduct of members of the profession is not new. The **OECS Bar** has gone a step further and extracted the relevant parts of Legal Profession Bill that relates to the conduct of members and asked each Constituent Bar Association to adopt the procedure in their respective jurisdiction.

Recognizing the need for professionalism the **OECS Bar** has heeded the call by seeking to have in place professional indemnity insurance. At our last meeting of the **OECS Bar** here in **St. Lucia** we were addressed by a group of Underwriters to come up with a suitable insurance scheme for the protection of its members at affordable premiums.

A very important aspect of the Court's reform is judicial education and continuing legal education. We in the **OECS Bar Association** have formed a committee to deal with continuing Legal Education. We have held several Regional Law Fairs as we consider continuing legal education a matter of high priority for maintaining professional standards.

The **OECS Bar Association** is firmly of the view that the protection of the liberties of the people is entrusted not to the Parliament nor to the Cabinet but to an independent judiciary, comprising of Bench and Bar.

We recognize that we must become professional and proactive and we must move from voluntarism to professionalism. No longer can we depend on the benevolence of a few persons to run the affairs of our association.

It is for that reason we have engaged the services of our Executive Secretary **Margaret Mitchell** and we are currently seeking to find an abode for the Secretariat.

The legal profession and the **OECS Bar** stand today committed to being the Guardians of the rule of law in a democratic society, committed to ensuring the independence of

the judiciary and to maintaining the independence of the Bar and the integrity of its members.

Dated: 27<sup>th</sup> February 2007

Presented by:

Nicole O. M. Sylvester

President

OECS Bar Association