

ADDRESS

BY

MR. TYRONE CHONG

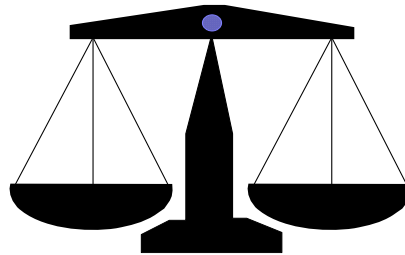
ATTORNEY-AT-LAW

OF

CHONG & COMPANY

TO MARK

THE 40th ANNIVERSARY OF THE ECSC



SAINT LUCIA

TUESDAY, 27th FEBRUARY 2007

May it please your Lord and Ladyships.

Her Excellency The Governor-General of St. Lucia - Dame Pearlette Louisy

Honourable Justices of the Court of Appeal

Honourable Justice Alleyne, Ag. Chief Justice

Honourable Justices of the Court of Appeal - Gordon, Barrow and Rawlins

Honourable Justices of the High Court -

Honourable Madam Ola Mae Edwards

Honourable Madam Sandra Mason

Honourable Justice Redhead, Ag.

Honourable Justice Ross, Ag.

Registrar of the Court of Appeal and High Court.

Madam Speaker of the House of Assembly - Honourable Sarah Flood-Beaubrun.

Madam President of the Senate - Honourable Rose Marie Mathurin.

Honourable Attorney General - Senator Nicholas Frederick

Madam Director of Public Prosecutor

I would like at this point to acknowledge the presence of our former Chief Justice, The Right Honourable Sir Vincent Floissac and Retired High Court Justice Honourable Madam Suzie d'Auvergne, one of the lead organizers of this 40th Anniversary celebration.

Mrs. Brenda Alleyne, wife of the Ag. Chief Justice

Lady Robotham

President of the OECS Bar - Nicole Sylvester

President of the St. Lucia Bar - Jennifer Remy

Colleagues of the Inner Bar and Utter Bar, ladies and gentlemen.

It gives me pleasure to address you this morning on the 40th Anniversary of the establishment of our Supreme Court .

According to the provisions of Statutory Instrument, 1967 No. 223, at the Court of Buckingham Palace, on the 22nd February 1967, in the presence of the Queen's Most Excellent Majesty in Council, Her Majesty, by virtue and in exercise of her powers under the West Indies Act 1967, by and with the advice of her Privy Council was pleased to order (and I quote) "There shall be a Supreme Court for the States which shall be styled the West Indies Associated States Supreme Court and shall be a superior court of record." The Order continued, " The Supreme Court shall consist of a Court of Appeal and a High Court of Justice".

"The High Court shall have, in relation to a State, such jurisdiction and powers as may be conferred on it by the Constitution or any other law in the State."

And,... "The Court of Appeal shall have, in relation to a State, such jurisdiction to hear and determine appeals and to exercise such powers as may be conferred upon it by the Constitution or by any other law of the State."

The States referred to in the Order, are... Antigua, Dominica, Grenada, Saint Christopher, Nevis, Anguilla, Saint Lucia and Saint Vincent. Provision was also made for the exercise of the Court's jurisdiction and powers in relation to Montserrat and the British Virgin Islands.

The West Indies Associated States Supreme Court Order, No. 223 of 1967 came into operation on the 27th day of February 1967, Forty (40) years ago.

Today is a joyous occasion, it is a day of Celebration, a day for whistles and balloons and champagne. (I hope someone has made the appropriate arrangements.)

Of course, all of us here today should be aware that The West Indies Associated States Supreme Court Order, by virtue of the Saint Lucia Constitution Order 1978 No. 1901 at Schedule 2 Section 8 (a) was from the date that order came into operation, 22nd February 1979, to be cited The Supreme Court Order and the Court established by that Order to be styled the Eastern Caribbean Supreme Court.

At 40 years old, this Court is like a mature parent of what we in these islands would refer to as a good, though poor extended family. The Court, although now experienced in dealing with its many responsibilities, continues to struggle against the lack of adequate financial resources to dispense justice to its large family of Eastern Caribbean citizens. Today, more so than in its youthful days as The West Indies Associated States Supreme Court, the now Eastern Caribbean Supreme Court seem challenged to meet the needs of the citizens of the Eastern Caribbean states. The large volume of civil claims and criminal cases before the courts must sometimes seem overwhelming to those who are entrusted to manage our judicial system (and I dare say I can speak from a little experience as I was once in the belly of the beast). The Chief justice, the four Justices of Appeal, the seventeen High Court Judges, the two masters, the Court Registrars, the Magistrates and all the administrative staff who assist in this Herculean task must all be commended on their efforts. They persevere against all the odds, but sometimes grumble along the way (not without good cause) but to you I say take solace in the words of Confucius "I grumbled because I had no shoes --- until I saw a man who had no feet" Honourable Justices of this esteemed Court, trudge on... Your reward (though not monetary) maybe the thought that the view from where you sit is now clearer than it was 40 years ago.

It may seem sometimes that the other judicial officers, namely, the lawyers, or some of them anyway, take pleasure in heaping on the workload, Honourable

Justices and Staff of this Eastern Caribbean Supreme Court, I assure you, it never is so, intentionally. Our duty is to assist the court and the cause of justice in this Eastern Caribbean. Most of us try to do just that, I assure you.

At this 40th Anniversary, I want to wish you all, a Happy Birthday, continued strength and courage for the equitable administration of justice and it is my deep desire that the governments of these Eastern Caribbean States will see, the long term value of investing heavily now in the enforcement of law and order and in the judiciary.

I would like to end this thanksgiving and congratulatory address with a few words from the song "Draw me close to you" (my version) and it goes like this -

"Draw me close to you never let us go, help the Court to find the way to truth and justice for all who come before it for redress".

Thank you for listening and may God bless us all.