

EASTERN CARIBBEAN SUPREME COURT



ANNUAL REPORT 2007 - 2008

Anguilla - Antigua and Barbuda - The British Virgin Islands - The Commonwealth of Dominica - Grenada
Montserrat - St. Kitts and Nevis - Saint Lucia - St. Vincent and the Grenadines

MISSION STATEMENT

To serve its Member States by providing access to a system of justice that is accountable and independent, and administered by officers in a prompt, fair, efficient and effective manner.

VISION STATEMENT

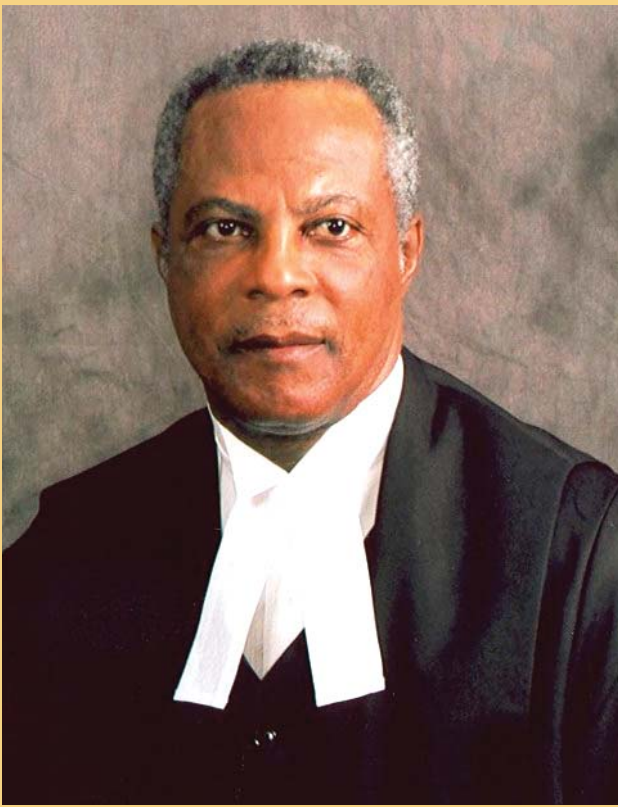
The achievement of professionalism and excellence in the timely, effective and efficient access to, and administration of a cohesive, independent and accountable system of justice for the benefit of its Member States.

Picture on front cover: High Court of Justice, St Vincent & the Grenadines



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The Honourable Chief Justice Hugh Anthony Rawlins

The Law Year 2007/2008 saw the Eastern Caribbean Supreme Court continuing the processes to improve the delivery of justice and to develop and manage the sub-regional jurisprudence as it seeks to take its place alongside the other jurisdictions in the Caribbean, and the wider world.

Much focus was placed on the Court's reform initiatives, which were initiated by the Honourable Sir Dennis Byron, former Chief Justice, and continued by the other Acting Chief Justices who followed: the Honourable Justice Adrian Saunders and the Honourable Sir Brian Alleyne, SC, KCN. The proposed amendments to the Civil Procedure Rules 2000 are now before the Rules Review Committee for consideration; there have been ongoing meetings with relevant stakeholder groups to facilitate the full implementation of the Criminal Courts Delay Reduction Rules (Criminal Procedure Rules); the Commercial Court Rules for the establishment of the Commercial Division of the Eastern Caribbean Supreme Court in the British Virgin Islands (BVI) have been drafted, and are now before the Legislative Council of the BVI for promulgation. It is anticipated that the Commercial Division will be fully operational in 2009. Funding for the "Hall of Justice" project, under which a modern judicial complex should be constructed in each Member State, is now under discussion with the relevant personnel of the Ministries of Finance in the respective Member States and other potential funding sources. The Court is moving ahead with plans for the integration and regionalization of the Magistracy, and to date the Authority has given its initial approval to the draft report and the proposed bill and agreement.

Message from
The Chief Justice

In commemoration of the Court's 40th anniversary we proudly launched "Eastern Caribbean Supreme Court: Model Regional Court" in Saint Lucia in February 2008. This work, the brainchild of Sir Brian, was authored by leading academic and legal practitioner, Dr. Francis Alexis, with the editorial assistance of Professor Velma Newton of the University of the West Indies. The cover was designed by Mr. Garvin Lawrence, the Court's Website Administrator. It is a fitting tribute to the Court, particularly to those who secured its establishment and those who have worked so assiduously to ensure that we continue to meet our mission of delivering justice promptly and fairly.

A television documentary on the Court was produced by Mrs. Onel Sanford-Belle, under the guidance of a committee headed by Justice of Appeal Denys Barrow, SC. The documentary was compiled from interviews with retired judges and legal practitioners of long standing. It is being aired by the government information services and other television stations in the nine Member States of the Court. An anniversary magazine will shortly be published. These materials are important sources of information on the Court, in terms of its history, objectives, structure and function.

We sincerely thank Sir Brian, Justice of Appeal Barrow and the Anniversary Publication Committee for these endeavours. We also express great appreciation to Dr. Francis Alexis, Professor Newton, Ms. Claudette Valentine (the Librarian/Information Services Manager of the Court) and other persons who have so ably assisted in these endeavours.

In April 2008 the Court bade farewell to Acting Chief Justice, Sir Brian Alleyne, SC, KCN. Sir Brian, a longstanding public servant, gave some twelve years to the bench of this Court. He served seven years as a High Court judge and five years as a Justice of Appeal, the last three as Acting Chief Justice. He served with wisdom, gentlemanly grace and an indefatigable spirit and passion for justice. Sir Brian is well recognized for having dispensed justice without fear or favour. For his outstanding contribution to the legal profession and to the judiciary in his forty-two years of service we are profoundly grateful. We wish him and Lady Brenda well on his retirement.

Under the chairmanship of Justice Ianthea Leigertwood-Octave and the JEI Project Coordinator, Ms. Alana Simmons, the Judicial Education Institute (JEI) continues to perform creditably in the delivery of orientation and training for judicial officers and court staff.

The main event for this year was the Annual Judicial Conference (AJC) in St. Kitts and Nevis, which I had the honour and pleasure of hosting. The AJC was a great success. The programme focused on judgment writing and judicial communication. The presenters, Professor James Raymond, the Honourable Justice of Appeal (Retired) Satrohan Singh and Professor Kelly Tait, struck a happy balance between the instructive and interestingly stimulating. We wish to put on record our grateful appreciation for the keynote address on "Judicial Excellence". This was delivered live via audio conferencing by the former Chief Justice of this Court, the Right Honourable Sir Dennis Byron. He is presently the President of the United Nations International Criminal Tribunal for Rwanda at Arusha. We also record great appreciation for the very warm welcome address, which was delivered by Dr. the Honourable Denzil Douglas, the Prime Minister of St. Kitts and Nevis. We were very honoured by the presence of His Excellency, Sir Cuthbert Sebastian, the Governor General of St. Kitts and Nevis at the opening ceremony. Sir Cuthbert has personally been involved in the reform efforts of the Court from the turn of this century, and we appreciate his continued support.

A notable feature of AJC 2008 was the participation of retired members of the judiciary. Over the years, many retired judges rendered assistance to the Court on a needs basis. They have filled vacant positions through acting appointments. They have provided support to the Court's reform programmes. It is my view that the AJC provides an excellent opportunity for retired judges who possess the institutional memory of the Court to impart their knowledge and share their experiences in the collegiate environment which such conferences offer.

We are about to witness the launching of the publication,

"The Caribbean Civil Court Practice" on or about 12th September 2008 here in Saint Lucia. This is a practitioners' text which contains the key civil procedure rules and practice directions from Caribbean jurisdictions, including our own. The text includes a practical commentary to aid the interpretation and application of these rules. This one-stop civil practice text will provide ready access to recent cases from this jurisdiction as well as that of Barbados, Jamaica, Trinidad & Tobago, the United Kingdom and the Caribbean Court of Justice. I have no doubt that this will prove most useful to members of the bench, the bar and students of the law.

I thank my colleague members of the editorial board, and, in particular, Mr. David di Mambro, the Editor-in-Chief, and his wife, Louise di Mambro, whose dedication has ensured the timely completion of this seminal work.

This message would not be complete without expressions of sincere gratitude to the Justices of Appeal, the Judges of the High Court, the Magistrates, the Registrars and Deputy Registrars and the professional, technical, administrative and support staff of the Court. They have provided really dedicated service over the years and have been unfalteringly committed to the work of the Court, the achievement of its objectives and fulfillment of its mandate. I thank, in particular, the Honourable Justice of Appeal (Retired) Michael Gordon for his continued unswerving commitment to the Court. Without consideration he has taken responsibility for the setting up of the Commercial Division of the Court and drafted the Commercial Division Rules.

It would be remiss of me if I do not record our appreciation for the continued support of the OECS Authority of Heads of Government for the Court's reform programmes, which have also benefited greatly from CIDA.

I have no doubt that, God's Willing, we shall have another rewarding year ahead.



Ms. Natasha James, Secretary to the Chief Justice

Office Of The Registrar



Mrs. Kimberly Cenac Phulgence, Chief Registrar



Ms. Agnes Actie, Deputy Chief Registrar

The Registry of the Court of Appeal is located at the Headquarters of the Eastern Caribbean Supreme Court in Castries, Saint Lucia. It is the hub of the appellate process for the six independent islands (Antigua, St. Kitts and Nevis, Commonwealth of Dominica, Grenada, Saint Lucia and St. Vincent and the Grenadines) and three British Overseas territories (British Virgin Islands, Anguilla and Montserrat) which form part of the Court.

Administrative Personnel

During the greater part of the period under review, the administrative team of the Court of Appeal Registry comprised eight (8) persons: the Chief Registrar, Deputy Chief Registrar, two Judicial Clerks, the Registry Clerk and three Case Managers. In July, 2008, the post of Registry Clerk became vacant with the resignation of Ms. Nadine Felicien who took up alternative employment.



Judicial Clerks Ms Sardia Cenac (standing) and Ms Samantha George

Responsibilities of the Court of Appeal Registry

All documents relating to appeal matters are filed at the Court Offices in the nine (9) Member States and Territories. These documents are then transmitted by the Registrar of the High Court, who is the Deputy Registrar of the Court of Appeal to the Headquarters in Saint Lucia. Matters from a particular jurisdiction are filed in the Court Office in that jurisdiction. Documents are not filed at the Headquarters.

The Court of Appeal Registry is responsible for receiving and processing all documents relating to all appeals filed in the sub-registries in the nine (9) Member States and Territories. The Registry plays a vital role in ensuring the smooth and prompt progress and management of cases filed. The Registry provides support to the Court of Appeal Judges and responds to inquiries from legal practitioners, Court Office staff and litigants in relation to appeals.



Case Managers: (left to right) – Mrs Stephine Alphonse, Ms Choyce Walcott, Ms Sheron Baptiste

Full Court Sitings

As is customary, the Chief Registrar issued a schedule of Court sittings for the Court of Appeal towards the end of 2007 for the ensuing year. This schedule was published in the Official Gazette of every Member State and Territory and also on the Court's website.

There were twenty two (22) scheduled sittings of the Court for the law year 2007-2008, commencing in Grenada with the Opening of the Law Year on September 17, 2007 and ending on July 18, 2008 in Antigua and Barbuda.

An additional sitting was scheduled for the British Virgin Islands during the year as had been anticipated. This was due to the increase in the number of applications emanating

from that jurisdiction. By all accounts, this was a welcome addition for practitioners. The sitting in Montserrat which was scheduled for April 2008 was cancelled due to the fact that there were only three matters scheduled for hearing and adjournments had been requested in two of these three matters. There was also a change in the dates of the sittings in Antigua and Barbuda and Grenada which meant that the law year ended with a sitting in Grenada instead of Antigua and Barbuda as had been scheduled.

Chamber Sitings

In addition to the schedule of Court of Appeal sittings, a schedule of Chamber sittings for the year was issued by the Chief Registrar. Generally, there is no requirement for the attendance of parties to a matter at Chamber sittings except where the parties request that they attend and be heard or the Judge determines that it is necessary that the parties attend and make oral submissions. This position is the subject of the recently issued Practice Direction No. 2 of 2008 which came into effect on 1st May, 2008.

For the law year in review, i.e. the period September 17, 2007-July 31, 2008, eleven (11) Chamber sittings were scheduled. For the year 2007, thirteen (13) chamber hearings were conducted whilst ten (10) were conducted for the period January-July, 2008. Four (4) teleconferences were held in 2007 and two (2) between January and July 2008. A total of one hundred and seventy three (173) applications were dealt with at those hearings in 2007. For the period January-July, 2008, one hundred and twenty one (121) applications were dealt with. Of this number, seventeen (17) were dealt with by a Single Judge on written submissions without oral hearings.

Judgments

A total of eighty two (82) judgments were delivered during 2007. The breakdown by country is as follows: five (5)-Anguilla, fifteen (15)-Antigua and Barbuda, thirteen (13)-British Virgin Islands, eight (8)-Commonwealth of Dominica, nine (9)-Grenada, seven (7)-St. Kitts & Nevis, twenty (20)-Saint Lucia and five (5)-St. Vincent & the Grenadines. For the period January-July, 2008, a total of thirty nine (39) judgments were delivered by the Court with the following breakdown, one (1)-Anguilla, nine (9)-Antigua and Barbuda, four (4)-British Virgin Islands, four (4)- Commonwealth of Dominica, eight (8) - Grenada, two (2)-Montserrat, five (5)-St. Kitts & Nevis, four (4)-Saint Lucia and two (2)-St. Vincent & the Grenadines. The figures above comprise both judgments of the Full Court and single judge decisions.

Case Load

A total of four hundred and thirty six (436) appeals were filed for the year 2007 composed as follows: sixty seven (67) High Court Criminal Appeals, two hundred and ten (210) High Court Civil Appeals, thirty three (33) Magisterial Civil Appeals, one hundred and twenty six (126) Magisterial Criminal Appeals. Saint Lucia had the highest number of High Court civil appeals filed for 2007 while St. Vincent and the Grenadines recorded the highest number of High Court criminal appeals, Magisterial civil and criminal appeals filed.

For the period January-July, 2008, one hundred and sixty eight (168) appeals were filed composed as follows: ninety six (96) High Court civil appeals, forty three (43) High Court criminal appeals, six (6) Magisterial civil appeals and twenty three (23) Magisterial criminal appeals. The trend in terms of the countries recording the highest numbers of filings in the different categories remained the same except that St. Vincent and the Grenadines did not have the highest number of Magisterial civil appeals filed.

Case Management

Case Management Conferences continue to form an integral part of the Court's work in relation to appeal matters filed. Case management is not conducted in every appeal filed or listed for hearing but can be scheduled at the request of one or both of the parties, or where it is deemed necessary to manage and apportion judicial time in cases of trials which may be lengthy or where there are lengthy lists of appeals to be dealt with at a sitting. This is one of the ways of achieving effective and efficient use of judicial time.

Outstanding Appeals

Outstanding appeals continue to be a cause for concern. The Court of Appeal Registry is undertaking a comprehensive exercise to review outstanding appeals in each island with a view to determining the status of the matters and

possible cause(s) for the delay in hearing of these matters. The Registrar of each island was provided with a list of outstanding matters to verify after which a determination will be made as to whether there is a need to conduct status hearings in the different islands in an effort to move matters through the system.

The High Court civil appeals continue to form the bulk of the outstanding appeals. One of the main contributing factors to this problem is the lack of adequate Court Reporting facilities and personnel in some of the islands.

The Court of Appeal Registry aims to address this matter in the upcoming Law Year with a view to bring the current backlog of outstanding appeals to manageable levels.

Setbacks

This Law Year there was some improvement in the receipt of records and documents although there are still challenges for the Court of Appeal Registry, especially where documents are filed close to Sittings and Chamber Hearings.

Legal Internship

Each year the Court makes provision for the temporary appointment of two legal interns. Advertisements for suitable applicants for this attachment are sent to the various law schools in the Caribbean and interviews conducted with applicants by one of the Court of Appeal Judges.

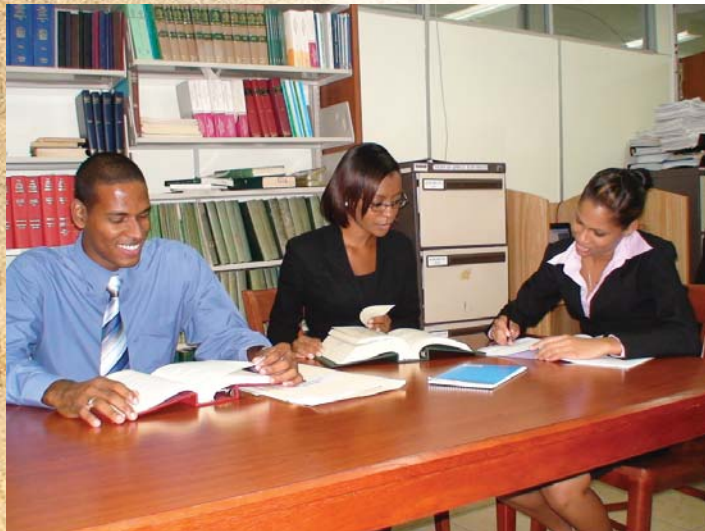
Two legal interns in the persons of Ms. Karina Johnson and Mr. Claude Chase joined the Court Headquarters for a ten-week period. Both Mr. Chase and Ms. Johnson are second year Hugh Wooding Law School students. They provided valuable assistance to the Court in the areas of headnoting of Court of Appeal judgments and they also assisted the Judicial Clerks with vetting of judgments and carrying out legal research. [See "Legal Interns Speak Out" page 12 - 13]

This year the Court welcomed a summer student, Ms. Shellene Surrage for the period June 16-August 15, 2008. Ms. Surrage

A recent survey of the number of outstanding appeals revealed the following:

Countries	High Court Civil	High Court Criminal	Magisterial Criminal	Magisterial Civil	Total
Antigua & Barbuda	59	15	8	3	85
Anguilla	6	0	2	1	9
BVI	18	3	4	2	27
Commonwealth of Dominica	17	0	0	0	17
Grenada	21	11	0	0	32
St. Kitts and Nevis	39	28	2	1	70
Saint Lucia	52	5	9	3	69
St. Vincent and the Grenadines	30	8	9	2	49
Total	242	70	34	12	358

is expected to proceed to the Hugh Wooding Law School in September to complete her studies. During her stint at the Court, Ms. Surage was responsible for the headnoting of High Court judgments from Antigua and Barbuda.



Legal Interns at work in the Library, (at least one person seems to be having fun).
Left to right: Mr Claude Chase, Intern; Ms Karina Johnson, Intern; Ms Shellone Surage, Summer Student

Practice Directions

This law year, the Chief Justice issued the following Practice Directions:

1. Practice Direction No. 2 of 2007-Judgment Summonses, seeks to clarify the jurisdiction of the Master as it relates to judgment summons applications.
2. Practice Direction No. 1 of 2008-Court Documents, supplements Part 3 of the Civil Procedure Rules by stipulating the format for court documents and clarifying certain practices which seem to have crept in to the Court e.g. signing of Court documents with the name of the firm as opposed to the name of the individual legal practitioner with conduct for the matter.
3. Practice Direction No. 2 of 2008-Appeals-Interlocutory Applications-Service and Conduct, is to establish the procedure upon filing of interlocutory applications and the practice relating to evidence of service of documents in appeal matters.
4. Practice Direction No. 3 of 2008-Appeals-Interlocutory Applications - Standard Directions, seeks to establish standard directions to govern the conduct of interlocutory applications in appeals.
5. Practice Direction No. 4 of 2008-Service of Claim Form Out of Jurisdiction, sets out the periods within which the defendant must file the acknowledgment of service

and the defence in cases where there is an application for service of the claim form out of the jurisdiction.

See: www.eccourts.org

Insights into the Court Offices

Antigua and Barbuda

- The Chief Court Clerk, Mr. Alva Richardson retired after 39 years in the public service. The position is to be made redundant and the functions subsumed by the position of Court Administrator, thus bringing Antigua and Barbuda in line with the other jurisdictions of the ECSC.
- Justice Errol Thomas was appointed to act as a third Judge, which has resulted in more matters being dealt with by the Court.
- A follow-up meeting from the one that was held on September 18, 2007 was convened with officials from the OAS to finalize plans for the Project to modernize the Civil Registry of the High Court.
- A Special Sitting of the Court of Appeal was held in April to honour the retiring Chief Justice, His Lordship the Honourable Sir Brian Alleyne. A dinner was also held to pay tribute to his sterling contribution to the ECSC.
- A number of problems still affect the administration of the Court, namely inadequate staffing (persons have been transferred without replacement) and the on-going issue of the security for Judges.

British Virgin Islands

- A new Deputy Registrar in the person of Ms. Nadine Whyte was appointed whilst Ms. Paula Ajarie, former Deputy Registrar was confirmed as Registrar of the High Court. This followed the departure of former Registrar, Ms. Sonya Young .
- Plans are ongoing for the establishment of the Commercial Division of the Court in BVI.
- A Notaries Public and Commissioner for Oaths workshop was held on the July 16 & 17, 2007.
- The issue of the security of our judges remains a concern. The cost estimates were obtained to carry out certain recommendations issued by the ECSC and these were submitted to the Cabinet Secretary.
- Metal detectors and hand held scanners are currently being purchased for use at the Courthouse.

Commonwealth of Dominica

- The computerisation of the system for Births, Deaths and Marriages to facilitate the issuance of electronic certificates, continued.
- Upgrading of the JEMS System was undertaken by personnel from the Headquarters.

- Plans to separate the operation of the Company's section of the Supreme Court Registry with a separate Registrar are ongoing.
- Improvements were made to the physical structure and equipment at the Registry and Court office resulting in greater security and improved staff morale.

St. Kitts and Nevis

- Court-Connected Mediation has been introduced in Nevis. The Mediation Center was opened in Nevis on January 17, 2008. The feature address was delivered by Chief Justice, Hon. Mr. Hugh Rawlins, then Justice of Appeal. From the report of the Co-ordinator, Ms. Nerisha John 100% success has been accomplished so far with respect to matters referred to mediation.
- One (1) officer at the Nevis Registry received training from officials from Cuba in updated aspects of bookbinding. This will assist in upgrading the method used in the binding of Deeds and Titles.
- Junior officers were exposed to training in Word/Excel/Access, providing them with the requisite practical knowledge with a view to increasing productivity.
- A major weakness of the Registry is the absence of security of tenure for certain members of staff, who lack the requisite qualifications for appointment in the civil service. Several requests for their appointment based on experience have been ignored. As a result staff members lack motivation. A training programme was conducted through collaboration between Human Resource Management and CFB College from June 16, 2008 for those officers. It is hoped that on successful completion those officers will be considered for appointment.
- Computerization of the Land Registry in Nevis is ongoing. This will improve the services provided to the general public in relation to land matters.
- Proposed Projects include:
 - Cadastral Survey with respect to bringing all lands under the Title by Registration Act
 - Computerization of the Land Registry in St. Kitts.
 - Creation of the much needed Law Library
 - The establishment of a Court Reporting Unit.
- The challenges faced by this Registry include:
 - Lack of adequate budgetary provisions required to enhance the administration of justice.
 - Lack of suitable accommodation despite the fact that the current building which houses the Registry is relatively new. Likewise the Nevis Registry is seriously overcrowded
 - Increased workload without requisite staff.
 - Lack of a Court Reporting Unit, sufficient numbers of trained and qualified Court Reporters.
 - Need for training of staff especially in the use of JEMS.



Registry Staff – St Kitts (left to right): Front Row: Ms. Janine Harris, Asst. Registrar; Ms. Teslyn Matthew, Jr. Clerk; Ms. Brenda Hodge, Court reporter; Mr. Kenley Henry, Sr. Clerk; Ms. Sancia Harris, Temp. Clerk; Ms. Claudette Jenkins, Registrar. Center Row: Ms. Velma Zakers, Temp. Clerk; Mr. Leon Manners, Messenger; Ms. Tenika Henry, Ms. Marissa Rennix, Ms. Shaeron Liburd-Robinson - Temp. Clerks; Ms. Alleyne Wharton, Senior Clerk. Back Row: Ms. Kandi Kay Connor, Ms. Shirley Davis - Temp. clerks (special project); Ms. Chenara Kelly, Temp. Clerk; Mr. Jeffrey Bass, Bailiff; Ms. Vanessa Isles, Temp. Clerk. Missing: Mr. Jose Lloyd, Asst. Secretary; Ms. Avis Douglas, Executive Officer; Mr. Eustace Richards, Sr. Bailiff; Ms. Avonelle Julien, Court Reporter; Ms. Tasha Rogers, Ms. Angel Warner-Hendricks, Temp. Clerks.



Registry Staff – Nevis (left to right): Front row - Mrs. Melissa Flemming, Administrative Assistant; Ms. Jehan Ward, Mrs. Yolanda Dyer, Ms. Keri Chapman - Jr. Clerks; Mr. Anthony Walters, Jr. Bailiff. Back row - Mr. C. John Arthurton II, Senior Bailiff; Ms. Vanella Nisbett, Court Reporter; Mrs. Mova Daniel, Court Administrator; Ms. Nerisha John, Senior Clerk; Mr. Addison Powell, Office Assistant. Missing: Ms. Olinda Walters, Clerk/Binder.

Saint Lucia

- There has been a significant increase in the number of applications filed. An increase of 300% was recorded for rectification applications between 2007 and 2008. Approximately 1200 rectifications were filed in total whilst that same number has been recorded already for the period January-July, 2008.

- There is a proposal to re-locate the Criminal Division to the High Court Building as the building in which it is currently housed is no longer suitable.
- There has been a decrease in the number of cases adjourned.
- The Civil Status Registry moved to new premises after it was determined that the building in which it was housed was fungus-infected and inadequate to house the increasing staff
- The number of applications for birth certificates has increased tremendously putting a strain on the Department's resources. The Department processes between 150-175 applications daily.
- The computerisation of the records is ongoing and an interface has been developed to facilitate the printing of computer-generated birth certificates.
- A Database Administrator was appointed effective July 1, 2008. This person has responsibility for developing and supporting a database as part of the computerized reform project for Civil Status.
- The laws relating to Civil Status are currently being reviewed and revised.
- A sub-office was opened in Vieux Fort early 2008 to deal with applications for certificates from residents in the south of the island.



Registry Staff - Saint Lucia (left to right): Front row: Mrs. Verlinda Stanislas-Pierre, Court Administrator; Ms Sally Ann Cotter, Dep. Registrar. Second Row: Ms. Debbie Felix, Accounts; Ms. Luan Pindar, Clerk of Court; Ms. Katrina Paul, Receptionist; Mrs. Bernadette Amedee, Executive Officer. Third Row: Mr. Kendal Jn Louis, Vault Attendant; Ms. Deborah Francois, Judge's Secretary; Mrs. Monica Joseph, Registrar's Secretary; Ms. Janelle Joseph, Secretary of the Disciplinary Committee. Fourth Row: Mr. Cletus Cryil, Clerk of Court; Ms. Lela Soomer, Clerk of Court; Mr. Quintin Mondesir, Clerk; Mrs. Catherine Charlery, Edgar-Clerk; Ms. Giselle Chico, Clerk. Fifth Row: Mr. McNeal Mathurin, Clerk; Mr. Caius Peter, Office Attendant; Mr. Paul Burin, Clerk; Mr. Andre Baptiste, Clerk of Court; Ms. Mathurine Anthony, SEO. Standing: Mr. Dwite Joseph, Clerk; Mr. Henson Helidore, Court Interpreter; Mr. Joseph Michaud, Court Interpreter; Mr. Glen St. Remy, Clerk; Mr. Thomas Louis, Vault Attendant. Missing: Mr. Verneil Jn Louis, Clerk of Court; Mrs. Velma Compton, Library Assistant; Mr. Alphonse Gaeton, Court Interpreter; Ms. Nadine Anderson, Judge's Secretary; Mrs. Olive Mesmin, Judge's Secretary; Ms. Ketra St. Juste, Accounts; Ms. Dermaly Placide, Accounts; Mr. Emmanuel St. Croix, Bailiff; Mr. Kim Moise, Bailiff; Mr. Cuthbert Vitalis, Binder; Mr. Richard Smith, Clerk.

St. Vincent and the Grenadines

- A Deputy Registrar in the person of Mr. Rickie Burnette was appointed in October 2007
- The Court Administrator position was upgraded from Grade 5 to Grade 6, a slight improvement though not what was recommended
- The period for Criminal assizes was increased and it now commences at the beginning of every term simultaneously with the Civil Court.
- This assisted tremendously with the backlog by reducing the number to about 50 matters.
- Space is still a major issue as there is no allocated place for the storage of seized goods, therefore it is not possible for the Court to execute writs of execution



Registry Staff – St Vincent & the Grenadines (left to right): Sitting – Mr. Celair Searles, Dep Registrar Non Professional; Mrs. Tamara Gibson-Marks, Registrar; Mr. Rickie Burnett, Dep Registrar; Ms. Faye James, Court Administrator. Middle row Standing – Ms. Mageret Hendrickson, Office Attendant; Ms. Itesha Alexander, Criminal Desk; Ms. Camille Peters, Ms. Scantia Cato, Ms. Lyn Marie Nichols – Writers; Ms. Diana Paris, Stenographer; Ms. Samantha Huggins, Court Reporter; Ms. Kelon Gaymes, Secretary; Ms. Rosemary Quamina, Accounts Clerk. Back row – Ms. Shebby Walters, Ms. Anastasia Wickham, Mr. Desmond George - Court Clerks; Mr. Raule Shallow, Case manager, Mr. Al Gordon, Mr. Jason Bruce - Records Clerk; Mr. Canon Olliviere, Ms. Cheryl Dickson – Estates; Mr. Lenford Oliver, Bailiff. Missing – Mr. Antonio John, Appeals Desk; Ms. Florry Leach, Computer programmer; Ms. Nicole Hamilton, Case manager; Ms. Rosie Stapleton, Filing Clerk; Mr. Noland Pitt, Records Clerk, Ms. Roslind Pinder-Browne, Court Reporter; Mr. Marvin Mulcare, Mr. Rodwell Alexander, Mr. Elroy Samuel, Ms. Lauraine Samuel – Bailiffs.

No report received from: Anguilla, Montserrat and Grenada.

Legal Interns Speak Out

The Legal Internship Programme 2008



Ms. Karina Johnson

A chance encounter in early 2007 with Dr. Nicholas Liverpool, former Justice of Appeal of the Eastern Caribbean Supreme Court (ECSC) confirmed in my mind that my legal education would likely benefit greatly from a period of training with the ECSC.

One year later, the night before I begin the ECSC's Legal Internship Programme, as part of the requirements of the Legal Education Certificate programme at Hugh Wooding Law School, sheer panic grips me and I contemplate in earnest flying back to Grenada the next morning on the first flight out. The ECSC looms formidable in my mind.

For the duration of ten weeks thereafter, I am immersed in a volume of judgments which cover the entire range of the legal spectrum and at the same time, I am exposed to the workings of the minds of some of our regions most brilliant. I witness firsthand the point at which clever arguments collapse in the face of unrelenting judicial scrutiny and in other cases, I observe with a sense of reverence, as sound arguments through the 'mid-wifery' of the Court, take their first breath as legal principles. To describe however, my period of in-service training at the Court as a passive experience would do it injustice. The Legal Internship Programme provided an environment where my active involvement was not only accepted but was encouraged. It is to the credit of the Court's programme that as the weeks progressed, my confidence grew.

My Internship at the ECSC, I believe, offered me an unrivaled perspective of the law. The exposure to the inner process of the Court of Appeal seemed almost a natural continuation from where my classroom education left off, as for the first time, I ventured behind the Bench. Numerous lectures on preparedness and conciseness of expression as an advocate took on new meaning as I apprehended its absolute necessity in the good administration of the ECSC.

While I leave the in-service programme at the ECSC certainly no less in admiration of the Justices of the Court, I am also significantly more aware and appreciative of the extensive support machinery which is the ECSC family. The quiet efficiency of the Court's staff disguises the range of colourful and energetic personalities which I encountered on a daily basis, starting with the ECSC's staff retreat. From that point onward, my idea of the ECSC as formidable receded as quickly as the waves which lash the shores of Rodney Bay.

Having survived the Internship and (in my opinion) emerged the better for it, it is my hope that a greater number of law students from outside of Saint Lucia would seize the opportunity to intern at the ECSC and that the Court in this regard would explore additional ways to make this opportunity not only possible but realistic; it would be to the region's enduring credit and the overall improvement of the stock of our region's judicial officers. To the Eastern Caribbean Supreme Court, I say thank you; your gracious hospitality has left upon me an indelible impression of the Court and Saint Lucia.

Legal Internship: The Experience



Mr. Claude Chase

When I decided to apply for an attachment as an Intern at the Eastern Caribbean Supreme Court, it was in the hope of achieving particular professional objectives. I hoped that it would provide an avenue by which I could develop and hone skills in legal research and writing. Moreover I thought that logically there was no better place where one could hope to acquire experience in and knowledge of the Court process and of the Court in its role as the primary organ for the administration of justice in the Eastern Caribbean. Now, almost eight weeks into my ten- week attachment with the Court, I feel confident that what I had hoped for has come to fruition.

My journey began with an interview at the Hugh Wooding Law School which was conducted by Justice of Appeal Denys Barrow, SC. It was my first formal interaction with an appellate court judge and naturally, I was extremely nervous, as I had formed a preconception that Judges were stern, inflexible people. The internship programme is without doubt one of constant learning as even from that initial interaction with the Court through my interview with Justice Barrow I learnt that the preconception was unfounded. This set the tone for my ten- week journey of enlightenment.

The tasks assigned to the Interns at the Court included proof-reading and editing judgments, headnoting judgments and researching issues to aid in the pronouncement of judgments. The task which I was required to perform most was that of headnoting. It was an exercise which I found to be extremely useful because it sharpened my analytical skills and my ability to extract the material parts of a judgment and to succinctly express them. It also instilled in me a sense of pride, as I felt that by writing up headnotes, I was participating in an exercise which benefitted students, lawyers, judges and other judicial officers by facilitating speedier and more efficient research. In reading all the judgments that I did, I acquired vast knowledge of substantive issues of law and I learnt to admire and appreciate the distinct styles of the different judges and the manner in which they each brought their judicial minds to bear on various legal issues.

As part of my Internship, I was fortunate enough to have witnessed a Court of Appeal sitting in open court. The proceedings allowed me to witness the practical application of theory and this gave me great insight into what it takes to actually practice law. Observing the attorneys marshal their cases before the court was fascinating, observing the judges as they conducted the courtroom and ruled was stimulating; all of which made for a wonderful experience.

My Internship at the Eastern Caribbean Supreme Court was indeed invaluable. The opportunity it provided for expanding my understanding of the appellate process was limitless and I anticipate that it will result in making me a better student and ultimately a good lawyer. I am grateful for the wonderful opportunity that I was afforded and I thank the learned judges and all the staff at the Eastern Caribbean Supreme Court for making my experience a rewarding one.

Court Administration



Mr. Gregory Girard, Court Administrator



Mr. Francis Letang, Dep. Court Administrator

Introduction

During the year, the Court moved forward with several of the reform initiatives though admittedly the initial progress was not at the pace at which the Court would like to see the activities advance. There are several reasons for this, not least of which is the fact that changes to justice systems have to be undertaken with great care in order to ensure that in the process of making change there are no unwanted consequences which would further erode public confidence in the justice system. It is well known that a well functioning justice system is critical for the economic well-being of any nation. Investors are less interested in countries where the criminal and civil justice systems are not appropriately responsive. The work being performed on the commercial and criminal justice reforms in the Member States of the ECSC, with funding support from the Canadian International Development Agency Judicial & Legal Reform Project, will result in great improvements in these areas.

Judicial Reform Project

Latin American nations have been busy reforming their inquisitorial justice system and replacing it with an adversarial model for the past twenty years, with varying levels of success. Their experience revealed that there remains a significant gap between the legal design of the justice sector instructions, their real operations and implementations. For us in the OECS, the apparent gap between designs and operations, in the limited four years experience with the Judicial and Legal Reform (JLR)

Project is not as significant an issue as our Latin American counterpart, for indeed this project is still conceivably in its infancy in the OECS. What the lessons thus far have unequivocally indicated and which ought to be part of the ECSC's own lexicon, is the need for flexibility in the design as new issues emerge which will inform the original design and implementation. Additionally, the national governments' economic circumstances, priorities, and bureaucracy in implementing the extensive changes which are required to effect the reform initiatives have resulted in protracted delays, a situation though untenable seems inevitable. The pace of implementing the activities surrounding the project and its deliverables has invariably retarded the anticipated advances. Notwithstanding, progress with the project deliverables continued with modest success notably; in rule development, new project initiatives and training.

Rule Development

The Rules for the establishment of the Commercial Division of the Eastern Caribbean Supreme Court (to be located in the British Virgin Islands) entered its final stages and is now before the Legislative Council of the BVI for promulgation. The development of these Rules was undertaken by the BVI Law Revision Commission Office with the assistance of retired Justice of Appeal Michael Gordon. In a related issue, the selection process for a Commercial Court Judge has commenced and is expected to be completed by October 2008. The building which will house the Court is currently under repairs and will be completed in time for a start date to be announced for early 2009.

The Criminal Procedures Rules which has been the subject of much discussion in all nine Member States during the national consultations staged in these States, have benefited from the critique and review of all present at these consultations. More recently, these Rules have been subject to greater scrutiny in Saint Lucia by all legal stakeholders in a series of meetings held with each individual group in preparation for the full implementation of the Criminal Division. These Rules were subject to the necessary amendments to bring it in line with the provisions in the District Court Act and Criminal Code 2004 of Saint Lucia, these Acts themselves having gone through some amendment in the process. These instruments are now before the Lower House of Saint Lucia for approval and once the process is complete, the sensitization and training of: Staff, Police, Lawyers, Staff of the Director of Public Prosecution Office, Correctional and other support service institutions and the public will intensify to see its implementation, in time for the start of the next Law Year in September 2008.

Two other areas benefitted from rule development namely; the redrafting of the Small Claims Rules for the Magistrates Courts which was tabled before the conference of Magistrates which took place in Dominica in November 2007 and the major amendments to the Civil Procedure Rules 2000. The Magistrates welcomed the Small Claim Rules with modifications and noted the relevant legislative amendments necessary to allow for this imminent change, in particular the proposed increases in jurisdiction of the Magistrates. The proposed amendments to the Civil Procedure Rules CPR 2000, which were the subject of extensive discussion and review during the Annual Judicial Conference in August 2007, is now before the Rules Review Committee for further vetting and redrafting. A consultant has now been engaged to work with the committee to complete that redrafting exercise.

Work on the redrafting of the Family Court Bill originally prepared by the OECS Secretariat Family Unit entered a new phase this year with the engagement of a consultant to advise the ECSC on the redrafting. This report is now before the Court for consideration.

New Project Initiatives

a. Halls of Justice

Last year's report indicated the Court's intention to put forward the idea of the establishment of "Hall of Justice" complexes in each Member State with a manifest two pronged objective once the project is completed; first, to address the demand for adequate court space and facilities

and thus release the national Government from the burden of enormous monthly payments for rented premises and second, to create greater synergies in work flow and processes in the justice system. That justification report was completed and presented to the Heads of Government of the OECS, who have in principle concurred with the idea. The funding for the project is now under discussions with the relevant Ministries of Finance personnel in respective Member States and potential funding sources.

b. Establishment of a Trust Fund

Central to the concept of judicial independence is financial independence and its concomitant infrastructural and super-structural additives. This preoccupation informed the consultancy report for the consideration of the Heads of Government of the OECS for the creation of a Trust Fund established along similar lines as the Caribbean Court of Justice (CCJ) and endowed with capacity to absorb the erection of the Halls of Justice project herein before referred, and the recurrent costs for operations of the Court. Once established at an adequate level, this fund would guarantee the Court's financing into perpetuity and further entrench the independence and separation of powers doctrine so widely postulated. The Authority considered this proposal and welcomed it as a work in progress towards a desirable objective.

c. Integration of the Magistracy

After extensive discussions on the draft report, proposed Bill and Agreement for the full implementation of the integration of the Magistracy, the Bill and Agreement received the approval of the Authority at its 49th Meeting in Saint Lucia on May 24, 2008 with the mandate for implementation by November that same year. The agreement seeks to administratively merge the Magistrates with the Higher Judiciary under the more direct control and supervision of the Chief Justice, with the undertaking that during the wider constitutional review exercise which is currently ongoing in the respective Member States, that adequate attention will be given to the removal of the constitutional impediments that precludes the full integration of the Magistracy into the judiciary. The report and its recommendations enjoy the support of all key legal stakeholder and practitioners whose fervor to see the entire project implemented can only deepen the ECSC resolve.

Training

Three major training activities were coordinated and funded by the project. In October 2007 some thirty one (31) bailiffs, police officers and private individuals engaged in process serving received training in: service of documents, levying execution, seizure and sale of property, the role of the bailiffs or process server in the Civil and Criminal Court among other topics. This training workshop followed the format adopted in Grenada where a similar training was held earlier in the year. A manual using the resources at the training workshop will be compiled to assist with the training of future bailiffs, and guide existing ones in the execution of their daily functions.

In February 2008, training in the objectives and expectations of the Results Based Management (RBM) approach for senior management staff including Judges and Magistrates was conducted in Saint Lucia. The two-day training which took place at the Rex Saint Lucia Hotel, exposed participants to the basic tenets of RBM to programme and project management as a tool to aid in the implementation of the ECSC Strategic Plan and donor supported activities for the Court Reform process, and techniques to facilitate more efficient management, monitoring and reporting of the overall work programme of the ECSC.

In March 2008, the BVI was the scene of training in commercial litigation for all judges of the ECSC. This was to set the stage for further training in commercial litigation ahead of implementation of the Commercial Division in the BVI and prepare Judges, in general, to effectively handle the increasing number of complicated cross border litigation and other commercial matters appearing before them.



Justice Janice George-Creque in conversation with Bermudan Judge, Justice James Kawaley, Lead Facilitator of the Commercial Litigation Training

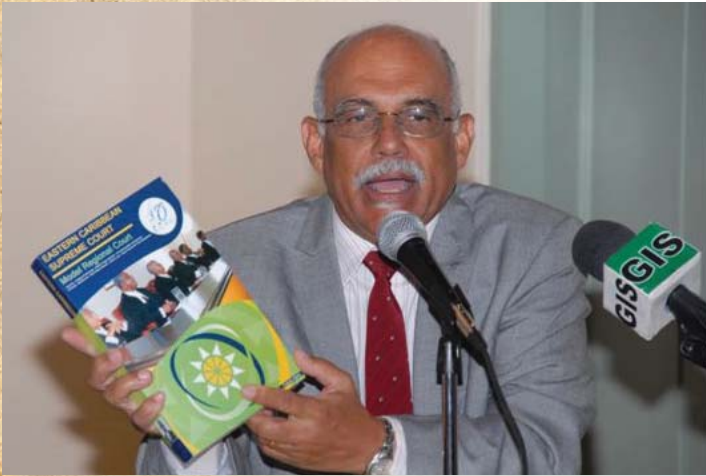
[See Judicial Education, pages 25 - 26, for additional training initiatives of the Court.]

Book Launch

The 40th Anniversary Book Launch and symposium was officially staged in February 2008 in Saint Lucia, and from all account was very successful. The book entitled "Eastern Caribbean Supreme Court- Model Regional Court", written by Dr. Francis Alexis, chronicles the history of the Court including the development of its jurisprudence; as it strives to establish and maintain its own independence. At the Symposium papers were presented by Professors Simeon McIntosh and Ralph Carnegie on: 'West Indian Constitutional Authorship' and 'Charting the Course from the Privy Council to the Caribbean Court of Justice', respectively; and Mr. Brian Finlay, QC on the Canadian experience of delinking from the Privy Council. This initiative received funding support from the Canada Fund for Local Initiatives (CFLI) and the University of the West Indies (UWI). The book was also launched in Grenada, the Commonwealth of Dominica and St. Kitts and Nevis.



Participants of the Commercial Litigation Training Programme



Acting Chief Justice Sir Brian George Keith Alleyne, SC, KCN, proudly displays the book "Eastern Caribbean Supreme Court- Model Regional Court"

National Consultations

The remaining national consultations staged in St. Kitts and Nevis, Montserrat, Anguilla, St Vincent and the Grenadines, and Tortola to discuss the way forward with the implementation of the Court Structures project for these Member States, took place from October 2007 to February 2008. Project Advisory Committees (PACs) were appointed in each of the Member States where such consultations were held, with a view to work with the ECSC Headquarters for continued implementation of the reform work of the Court.

Criminal Division

In January 2008 the Court welcomed, Ms. Kit-Juelle Frank-Amoroso as Regional Project Coordinator, engaged to assist with the continuation of work in the Criminal Division in Saint Lucia and other project reform activities regionally. The presence of Ms. Frank-Amoroso along with the assignment of Justice Kenneth Benjamin to that Division following the departure of Justice Albert Redhead, have thus far served the Division well. A number of new activities leading up to the full implementation of the Criminal Courts Delay Reduction Rules (Criminal Procedure Rules) and complete establishment of that Division was initiated; meetings were held with the Bar Association, Director of Public Prosecutions (DPP's) Office, the Police and other stakeholder groups to discuss the new Criminal Procedures Rules. From these meetings amendments were suggested to the Criminal Procedure Rules, current processes and systems germane to the functioning of these Rules were identified, for example: process serving, the status of warrants issued, status of cases in the system and the need for proper disposition codes for all criminal matters, a review of the Computer Aided Transcription Reporting Unit (CAT) to better serve the

Court's need for timely production of transcripts and thus fast-track the Preliminary Inquiries. In dealing with these matters new issues emerged which the Division now needs to address whether or not the Criminal Procedure Rules are in place.

A Committee was established called the Criminal Division Implementation Committee (CDIC) which is now working with Justice Benjamin to ensure all these issues are addressed.



Ms Kit-Juelle Frank-Amoroso, Regional Project Coordinator

Finance

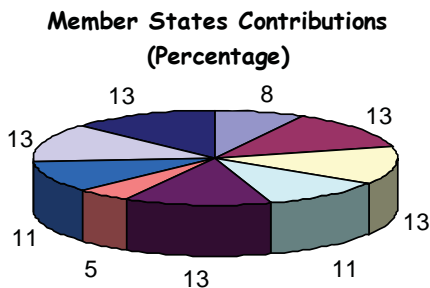


Mr. Irvin Ferdinand, Accountant



Mr. Stephen Rameau, Accounts Assistant

The ECSC is financed by contributions from the nine members of the Organization of Eastern Caribbean States (OECS) in accordance with an agreed percentage set by the Judicial & Legal Services Commission in concurrence with the OECS Heads of Government (or the Authority). Factors influencing the percentage contribution are the number of resident judges and number of Court sittings in each territory. The Member States contributions are presently agreed as follows:



- Anguilla
- BVI
- Grenada
- St. Kitts & Nevis
- St. Vincent & the Grenadines
- Antigua & Barbuda
- Dominica
- Montserrat
- St. Lucia

An increase in the number of Judges assigned to Member States has determined the need for a review of percentage contributions. The Court has therefore proposed a revised allocation of percentage contributions and this is still awaiting the approval of the Heads of Government.

The budget of the ECSC increased by 6.52% from the period 2006/07 to 2007/08. This was primarily the result of increase in the provision for the JEI Director, a Junior Accounts Clerk, the replacement of capital equipment, and the increase in travel cost resulting from increased airfares. The Court continued to receive funding from CIDA, inclusive of computer hardware, Judicial Education training, and technical assistance with the implementation of the Judicial Enforcement Management System (JEMS) throughout Member States.

The approved budgets for the financial year under review and the prior financial year are as follows:

Cost Center	Approved Budget 2007/08	Approved Budget 2006/07	Percentage Increase/Decrease
Personal Emoluments	7,115,880	6,872,720	3.54
Administrative Expenses	2,115,957	1,940,348	9.05
Capital Expenditure	252,971	70,931	256.65
Judicial Education	335,587	340,609	-1.48
Rules Revision Reform	153,000	129,000	18.61
Judicial and Legal Services Commission	168,115	164,516	2.19
Judicial Council	49,396	49,396	0.0
Total	10,190,906	9,567,520	6.52

Human Resource



Human Resource Department (Left to right): Ms. Aloysia Gabriel, Human Resource Manager, Mrs. Dorcia James-Callendar, Administrative Assistant, Mrs. Monica Chandler, Human Resource Officer

During 2007/2008 Law Year the Human Resource Department focused on the establishment of systems to enhance the institutional structures of the Eastern Caribbean Supreme Court Headquarters. It embarked on a salary review and reclassification exercise to re-align the compensation package of the Court to that of the Wage Market to ensure that the Court continues to attract and retain competent staff. In-house training for all levels of staff was conducted to enhance efficiency and productivity; and systems geared towards greater accountability and improved quality of service were introduced.

The activities undertaken were as follows:

Salary Review and Reclassification

This exercise commenced from December 2006 and ended in April 2008, with the objective to remedy some anomalies that existed in the current staff structure and to review the salary of the Support and Professional staff. A general review of salary had not been undertaken since 1999.

Job descriptions for every member of staff were also developed, along with benchmarks for rating the jobs. The recommendations from the exercise formed the basis of proposals put to the Authority for realignment of staff salaries.

Human Resource Development

The in-house training programme targeted developing the management /supervisory skills of our managers and line supervisors. Training was conducted in employee motivation and effective leadership, problem solving and effective decision making. Members of staff were exposed to training in computer applications, work ethics, time management and customer relations.

The Training Committee was activated. It is intended that training incentives will be granted to qualifying staff with sufficient interest in career development, and dedication to the work of the Court.

A Staff Retreat was conducted in June 2008 under the theme "Professionalism in the Workplace", and focused on personal financial management, healthy lifestyle habits and work ethics.

Policy/Procedure

A mileage policy has been designed to facilitate officers for whom travel is required in the execution of their duties.

The Department is currently working with Heads of Departments to compile a procedures manual which will comprise the procedures for all jobs in the organization. The objective is to establish best practice, ensure continuity and establish standing operating procedures for each post within the organization.

Human Resource Information System

The HR and IT Departments are in the process of identifying appropriate software to set up a Human Resource Information System (HRIS). Proposals have been received from two companies and the selection process begun to identify the software package most suitable for the Department's needs.

Secretarial Department



Secretarial Department (left to right): Ms. Donalyn Vittet, Secretary; Ms. Joan Joseph, Administrative Secretary; Ms. Anna Joseph, Secretary; Ms. Zannia Plummer, Receptionist; Ms. Genevieve Francis, Secretary

Information and Communication Technology



Left to right: Mr. Garvin W. Lawrence, Website Administrator; Mr. Mark Ernest, IT Manager; Mr. Derrick Agdomar, Systems Administrator
Missing — .Mr. Augustus Marcellin, Network Administrator;

Status of the Sub-region's Judicial Enforcement Management System (JEMS)

To ensure that the Eastern Caribbean Supreme Court stays on the cutting edge of technology, hardware and software maintenance is an integral function of the Information Technology Department. Over the past years, all the JEMS Servers within Member States have been updated to the latest version of the software. This year, the upgrade was to JEMS 5.0 - Dec. 2007 edition.

Towards the end of the Law Year, the Court commenced the establishment of a Virtual Private Network (VPN) between the Headquarters, High Courts, Magistrates and Family Courts within the entire sub-region. The project is being implemented with assistance from the CIDA/JLR Project, primarily in the form of procurement of the required equipment and facilitation of the technical support trips by staff of the IT Department. To date the following locations have been connected to the JEMS Servers in the respective Member States: (1) Saint Lucia Criminal Division, (2) St. Vincent and the Grenadines Magistrates Court, (3) St. Vincent and the Grenadines Family Court and (4) Commonwealth of Dominica (Portsmouth) Magistrates Court. Connectivity of the other off-site Court offices, to locations where the main JEMS Servers are hosted will continue during the new Law Year.

The implementation of the VPN connectivity will have a major impact on the operations of the Court and will provide the following:

- (1) Allow the ECSC direct/ real-time access to the JEMS Databases located at the High Courts within Member States.
- (2) Allow the ECSC Statistician to run JEMS reports remotely and in real-time.
- (3) Facilitate IT Staff to undertake remote management of servers and computers, and the remote upgrading of JEMS applications on the Servers located at the various High Court Offices.
- (4) Facilitate the provision of remote support to users in the various Court Offices.
- (5) Virtually extend the Local Area Networks (LANs) at the High Court Offices to other off-site Court Offices.
- (6) Allow users in the off-site Court Offices to access JEMS seamlessly.

The ECSC was unable to host the subregional JEMS Training Workshop during the last Law Year but, the IT Department conducted several national training exercises during their various visits to individual Member States. The ECSC is scheduled to host a week-long workshop early in the coming year and anticipates that Member States will take full advantage of the training provided by having

their representatives conduct follow-up in-house training with other staff members, so as to maximize the impact of that training and increase efficiency in the use of JEMS in their Court Office.

ECSC Website

Work on revamping the Web-site continues. The official launch was further delayed to allow for the incorporation of the Judicial Education Institute web pages from the Commonwealth Judicial Education Institute site, management of which was recently handed over to the ECSC. The Site when launched early in the new Law Year will feature a much more user-friendly look and an advanced search feature.

Status of Other Court-related Technology

E-Filing Application with Attorneys: The Electronic-Filing Pilot Project did not get off the ground during the last Law Year as planned, due primarily to networking and configuration issues. These issues were resolved towards the end of the 2007- 2008 Law Year and experimentation of the E-Filing application will commence during the early part of the new Law Year, with a group of Attorneys in Saint Lucia.

Interactive Voice Response (IVR) Technology: The new Law Year will also witness the piloting of the Interactive Voice Response Application. A group of stakeholders in the Commonwealth of Dominica will soon be given the opportunity to test the application for real-time information on cases at the Magistrates Court. On successful testing of the technology, clients will be able to use the telephone to acquire specific information on cases of interest to them.

Jury Manager Software: The ECSC awaits appropriate legislative changes within Member States to commence the utilization of the Jury Application which will allow individual courts to manage the entire jury management process electronically. With work on the enactment of new Criminal Codes in Saint Lucia and also the BVI being finalized, the ECSC anticipates that during this new Law Year the full potential of the technology will be utilized to provide increased efficiency in Jury Management within these two Member States.

Video Conferencing Technology: The ECSC recently facilitated the Family Court in Saint Lucia in the establishment of a Video Link Facility for Child Victims and Witnesses. The project was financed by the British Government through the Resident British

High Commission. The Objective of the Facility is to improve the protection of child victims and witnesses by the installation of a video link for the Family Court, enhancing the ability to successfully prosecute the many cases of domestic violence, child abuse and unlawful carnal knowledge.

The Facility involved the setting up of Cameras, TV Monitors, and Microphones at two separate locations: a Courtroom, located at the First District Court and a Witness Room, at an off-site location.

Information Services



Information Services Department (left to right): Mrs. Reine James, Records and Archives Manager; Ms. Claudette M Valentine, Librarian/Information Services Manager; Mrs. Francisca Polius, Records and Archives Officer [Ag]; Mrs. Sandra Augier, Records and Archives Clerk [Ag]; Ms. Ethel Jn. Baptiste, Statistician; Ms. Patricia Chastanet, Library Assistant.

“Timely and fair decisions” is one of the hallmarks of a healthy judicial system. The Information Services Department of the Eastern Caribbean Supreme Court seeks to support its judicial and administrative officers by facilitating the provision of relevant information in a timely manner that will serve to enhance the timeliness and quality of decision making in the region.

The contribution to the delivery of justice and the facilitation of decision making by the three Units that comprise the Department included:

Library

During the 2007/2008 Law Year the Library continued to explore avenues and relevant facilities to enhance the services offered and add value to the information disseminated.

To make the Library’s resources more accessible to its clients, a facility for public access computer has been introduced in the Library. This will use the Court’s Library Portal as the

main interface, through which clients will be able to access the library catalogue, electronic books and databases and other resources on the World Wide Web. The available resources are continually being up-dated, bearing in mind that information is a dynamic commodity.

Judgments emanating from our Court form a significant part of the Library’s resources, and is considered an important research tool by our clients. To enhance the effectiveness and usability of this tool, headnotes are now included in our judgments on the website. For the older judgments, headnotes will be added on a phased basis.

In addition, the Digest of Decisions, a comprehensive record of the Court of Appeal’s sitting in any given territory, is now an available resource on the Court’s website. It gives in detail an account of what transpired at the Sitting, including the coram, the appearances, the points of law, the result and the reason for the decision given in every matter heard by the Court.

Statistics Unit

The compilation and update of information from the various Member States continued during the review period, albeit at a slower rate since most continue to be delinquent in the submission of data. A list of performance indicators was developed to assist the Court in measurement standard performance criteria.

Since March 2008, the Statistics Unit has been engaged in activities in relation to the implementation of the Criminal Division project in Saint Lucia. The Statistician worked closely with the Regional Project Coordinator and other members of the Criminal Division Implementation Committee (CDIC) in designing ways to, collate, compile and analyze information to monitor progress with the implementation of the Criminal Rules.

In consultation with the Information Technology Department, the Statistics Unit proposes to explore measures to improve the databases that store monthly court statistical data. The Unit will also embark on the assessment of the necessary data for the performance indicators measurement.

The Statistics Unit continues to encounter challenges with the frequency and in some cases the quality of statistical data submitted from the Court Offices. Very few Court offices have complied with the information guidelines outlined in the Information Collection Policy Document adopted at the Annual Judicial Conference in August 2006, and this continues to impact the overall quality of information disseminated.

Records Management Unit

The Records Management Unit continued its effort to implement a comprehensive records management programme that will allow quicker retrieval of documents and information from files (physical and electronic), improve efficiency and productivity, deliver services in a consistent and equitable manner and provide relevant information needed for timely decision making and efficient operations.

During the year under review there was an increase in both incoming and outgoing correspondence - 26.36% and 7.64% respectively.

The aim to get the Records Center (the offsite facility for closed and inactive records) fully operational was not realized. Work progressed at a much slower rate than anticipated due to various constraints. However plans

have been already put in place to commence a project that will enhance the productivity at the Center for the upcoming Law Year. The shelving of records project at the Court of Appeal Registry has now been completed, and the organization facilitates a more timely retrieval of records.

The Records Management Unit along with the Information Technology Department participated in a web demonstration of the Versatile Records Management software solution by Zasio Enterprise, Inc. To this end the Court will be purchasing the Versatile Professional thus taking one more step in optimizing the value and usability of the Court's records.

Training and Professional Development

The Librarian/Information Services Manager and the Records and Archives Manager successfully completed the Specialist Certificate in Electronic Records Management from the international association, AIIM (Association for Information and Image Management).

The Acting Records and Archives Clerk participated in a pilot project Certificate in Records Management at the Sir Arthur Lewis Community College and is currently awaiting results.

In September 2007, the Statistician and the Information Technology Manager benefited from a study tour of the New Jersey Court System. This interaction with an alternative court system will facilitate application of measures to improve the collection and analysis of data.

The Statistician completed a three-month e-learning course on Presenting Court Data, facilitated by the National Center for States Courts. The objective of this course was to help court staff convert data into effective presentations and review methods used to effectively present court data and information.

The Librarian/Information Services Manager and the Library Assistant participated in the XXIII Conference and Annual General Meeting of the Caribbean Association of Law Libraries (CARALL) in Kingston, Jamaica during the period July 6 – 10, 2008.



Ms. Alana Simmons, Programme Coordinator and Justice Ianthea Leigertwood-Octave, Chairman, in consultation

Judicial reform and judicial education go hand in hand. So with the rigorous judicial reform being undertaken at the Eastern Caribbean Supreme Court it is incumbent that much time, effort and finance be expended in the training of our judicial officers to be adequately prepared to manage and function within the resultant changing environment. During the law year 2007/2008, the ECSC Judicial Education Institute (JEI), facilitated programmes throughout the many jurisdictions of the OECS.

The following are the programmes completed by the JEI during that period.

Orientation - Judicial Clerks

Orientation was conducted for the newly appointed Judicial Clerks, Ms. Samantha George and Ms. Sardia Cenac, on Wednesday September 5, 2007 at the Headquarters of the ECSC, Castries, Saint Lucia.

The participants were introduced to the operations of the Court through sessions on: the role of registrars & court offices, overview of the reform process, court administration and financing, information services, mediation, human resource management, and JEMS. They were given an opportunity to interact with the Justices of Appeal, and thus received an insight into the expectations of the Judges since their major function is to lend legal assistance in the form of research and the writing of judgments.

Customer Service Training - Judicial Support

Staff of the Magistrates Courts, St. Vincent and the Grenadines & St. Kitts and Nevis

In October of 2007 the JEI continued its efforts at improving the level of service provided to the public by conducting Customer Service Awareness Training Programmes for judicial support staff of the Magistrates Courts of St. Vincent and the Grenadines and St. Kitts and Nevis. These included: administrative and support staff of the Magistrates Court, the Director of the Family Court, Clerks, Bailiffs and other workers in the court system. As part of the continued work of JEI the customer service training will be replicated in Anguilla and the Commonwealth of Dominica in October 2008. Like those held in Grenada and Antigua last year, the training was aimed at enhancing the inter-personal skills and relationships among staff of the Magistrates Courts of the two islands, and signals part of the change management required as a result of the wide-ranging reforms being implemented by the ECSC.

Magistrates Conference

The 2nd Biennial Magistrates Conference was held in the nature Isle of the Commonwealth of Dominica, at the Garraway Hotel from Monday November 26 - Tuesday November 27, 2007, under the theme: The Evolving Magistracy in the OECS. All the OECS islands were well represented at the conference.

Some of the objectives were:

1. To discuss and propose ways in which Magistrates can proactively engage in and bring about the integration of the Magistracy into the Supreme Court.
2. To identify administrative and substantive law topics which will form the basis of the Orientation Programmes and Continuing Education Programmes for Magistrates of the OECS.
3. To prepare a standardized procedures manual for the administrative support arm of the OECS Magistrates Courts.

was no different, as judges from the Caribbean judiciaries of Barbados, Bermuda, Jamaica and the Turks and Caicos Islands joined their ECSC counterparts to participate in AJC 2008 .

This signaled the first official function hosted by the newly appointed Chief Justice Hon. Hugh A. Rawlins. The three-day conference commenced with a formal opening ceremony with remarks by the Hon. Prime Minister, Denzil Douglas of St. Kitts, Hon. Chief Justice, Hugh Rawlins and Justice Ianthea Leigertwood-Octave, Chairman of JEI.

The Keynote address was delivered by the Right Honourable, Sir Dennis Byron, President of the International Criminal Tribunal of Rwanda, via live audio conferencing. His address focused on judicial excellence.

Areas covered during the conference included: Judgment Writing – Writing as Thinking, LOPP/FLOPP (and other patterns of analysis) and Judicial Communication – Communication Foundations, Communication Choices, Effective Listening and Contexts and Audiences.

Next year the Annual Judicial Conference is scheduled for the island of Saint Lucia from August 4 – 7, 2008.

Training - Court Administrators

The Court Administrators of the High Courts and the Magistrates Courts of all the OECS countries participated in training sessions, held in tandem with the Annual Judicial Conference for Judges and Registrars in St Kitts.

The two-day programme focused on the role of the Court Administrator in the Registry, and included: their role in the Court Office, training on Bailiff Services, and the fundamentals of Case Flow Management, Case Management in the Civil Court, Case Management in the Criminal Court, the role of the Court Administrator versus that of the Registrar and a live demonstration on the Use of JEMS in Case Flow Management.

As part of its continued training efforts the JEI plans to conduct training for Court Administrators biennially.

The JEI ends the year on a positive note and is looking forward to the new law year commencing September 15, 2008. During that period the JEI will continue to achieve its mandate by conducting workshops in: customer service, bailiff training, JEMS, training for police prosecutors, technical skills training for magistrates and environmental law training for judges.



Magistrates with Acting Chief Justice, Sir Brian George Keith Alleyne, SC, KCN

The following resolutions were made at the conference

1. The nomenclature of the Magistrates be changed to District Judges;
2. That the Magistrates (District Judges) wear Robes when sitting in the Magistrates (District) Courts; provided that where the Court room is not conducive to the wearing of Robes the Magistrate (District Judge) in his or her discretion may elect not to wear the robe.
3. That the Magistrates (District Judges) be addressed as “your Honour”.

Subsequent to the conference a Magistrates Association was formed. This Association will focus on issues such as Group Insurances, Communication, training and the preparation of a report for the quarterly ECSC Newsletter.

Annual Judicial Conference

The Annual Judicial Conference for Judges, Masters and Registrars held at the St. Kitts Marriott Resort and Royal Beach Casino from July 23 – 25, 2008, brought the curtain down on JEI activities for the year 2007/2008. This year

Mediation



Mediation Team at the Court's Headquarters (left to right): Ms. Lenore St. Croix, Office Manager/Mediation Coordinator; Mr. Francis Compton, Regional Mediation Coordinator; Mrs. Avis Burch-Smith, Mediation Assistant

“There is no case, however conflicted, which is not potentially open to successful mediation.” - Lord Justice Thorpe

The success of the OECS Mediation Programme some six years after its establishment as a Pilot Project in Saint Lucia in November 2002, may well be defined, not by the statistics presented, but by the human stories.

Our experienced, highly-skilled, lawyer and non-lawyer mediators are by now well able to guide parties toward finding practical solutions in resolving their disputes. They understand the issues and are supportive in allowing parties to discuss the risks and rewards of settling through mediation.

Notwithstanding the failure of prior negotiation efforts by the parties, our mediator's task is to reduce mistrust and emotional barriers and assist the parties to focus on the real

issues involved in the dispute. They can then assist parties to explore realistic options for settlement and formulate a negotiation strategy designed to achieve a settlement that meets their needs. Settlements are achieved over 60% of the time, even when prior protracted negotiations have been a total failure.

'I don't know how you did it!' one attorney commented to the mediator, after a mediation in Saint Lucia, which involved a long standing entrenched property dispute between family members, was finally settled.

Ringling peals of laughter are often heard by the mediation staff during mediation, where prior to, parties were at complete loggerheads.

One lawyer commented on his evaluation form, 'So successful was the mediator's chairmanship, that the defendants shook hands with the claimants'.

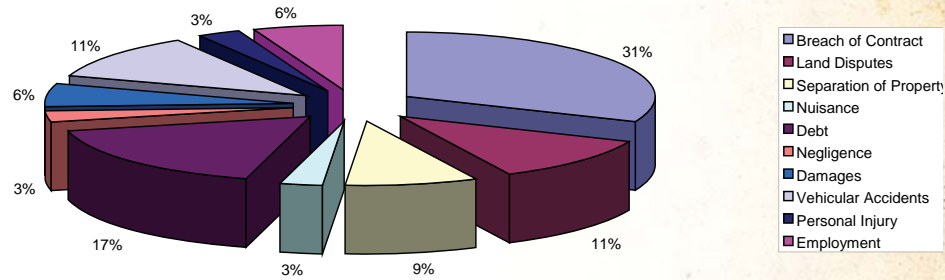
The chart below shows Mediator Settlement Rates in Saint Lucia for January 2007 – June 2008:
Mediations Conducted in Saint Lucia by Outcome and Percentage

Lawyer/Non Lawyer	Settled		Non Settled		Further Mediation		Total Lawyer/Non-Lawyer	
	No.	%	No.	%	No.	%	No.	%
Lawyer	35	52	14	48	21	58	70	53
Non lawyer	32	48	15	52	15	42	62	47
Total Outcome	67	100	29	100	36	100	132	100

(-) means information unavailable

The chart below shows percentage of cases by type mediated in Saint Lucia during 2007.

Mediation Cases Settled by Percentage for 2007



Coordination of the Mediation Programme

Successful coordination of the mediation programme would not be possible without the dedication and hard work of the staff of the Court Mediation offices, as they monitor the referral process and the progress of mediated cases.

Special mention and gratitude is extended to Mrs. June Redhead, who retired from the Civil Service early in 2007. Mrs. Redhead along with Ms. Benta Richards was instrumental in establishing the Antigua Programme in 2003, shortly after Saint Lucia launched their Programme in 2002. Ms. Josette Rodney, Court Officer has replaced Mrs. Redhead as Mediation Coordinator for Antigua.

In Grenada, Ms. Merle Forsythe, has coordinated the Mediation Programme from its inception. The Saint Lucia and Grenada programmes, are run outside of the High Court offices, due to constraints of manpower and space.

Mr. Ossie Walsh, Deputy Registrar, Commonwealth of Dominica High Court, is the recently appointed Mediation Coordinator for that Member State. Registrars Ms. Tamara Gibson-Marks of St. Vincent and the Grenadines, Ms. Paula Ajarie of Tortola, and Ms. Amelia Daley of Montserrat serve as coordinators for their respective Mediation Programmes. Ms. Avonelle Julien, Court Officer, is the long-serving Coordinator for St. Kitts, as is Ms. Patricia Ira Gumbs, Court Administrator, for the Anguilla Programme. The most recent appointment of Mediation Coordinator, is Ms. Nerisha John, Court Officer, Nevis. The Nevis Programme was newly established in June, 2008.

Ms. Lenore St. Croix continues as the Saint Lucia Mediation Coordinator with Mrs. Avis Burch-Smith, Mediation Assistant who manages the day-to-day activities of the Programme. Mr. Francis Compton, continues to serve as Regional Mediation Coordinator.

Mediation Chairpersons for the region are Justice Louise Blenman – Antigua and Barbuda, Justice Janice George Creque – Anguilla, Justice Indra Hariprashad-Charles – British Virgin Islands, Justice Davidson Baptiste – Commonwealth of Dominica, Justice Francis Cumberbatch – Grenada, Justice Francis Belle - St. Kitts and Nevis, Justice Sandra Mason - Saint Lucia, Justice Bruce Lyle - St. Vincent and the Grenadines.



Mediation being facilitated by Mr. Francis Compton (left), Regional Mediation Coordinator

The following table illustrates the extent of the Mediation programme in Saint Lucia for the period January – December 2007.

Saint Lucia Mediation January - December 2007

	Jan	Feb	March	April	May	June	July	August	September	October	November	December
<u>Referral Report</u>												
No. of cases referred to mediation	9	6	2	7	12	1	11	0	0	16	19	11
No. of cases settled prior to mediation	0	0	0	0	0	0	0	0	0	0	0	0
No. of cases pending date for mediation	0	0	0	0	0	0	0	0	0	0	0	0
No. of cases scheduled for 1 st mediation	7	15	6	6	14	10	10	3	2	11	16	10
<u>Scheduled Cases Mediation Report</u>												
No. of cases scheduled for mediation	8	10	5	3	9	9	6	3	2	11	16	10
No. of cases concluded	4	8	1	3	10	4	5	3	1	5	11	7
No. of cases for further mediation	1	3	2	0	3	3	0	1	1	2	3	3
No. of cases where party(ies) fail to appear	1	0	0	0	0	0	0	0	0	0	0	0
No. of cases where non-compliance certificate issued	0	0	0	0	0	0	0	0	0	0	0	0
No. of cases scheduled but settled prior to mediation	0	0	0	0	0	0	0	0	0	0	0	0
No. of cases rescheduled for the first time	6	2	4	2	4	5	2	2	1	6	1	0
No. of cases rescheduled more than once	0	0	0	0	0	0	0	0	0	0	0	0
No. of cases returned to case management	6	9	2	3	0	2	1	1	2	0	1	0
<u>Settlement Rate Report</u>												
No. of cases concluded	4	8	1	3	10	4	5	3	1	5	11	7
No. of cases settled in mediation	1	7	1	3	7	2	1	2	1	4	7	5
No. of cases not settled	3	1	0	0	3	2	4	1	0	1	4	2
No. of cases settled prior Settlement Rate	0	0	0	0	0	0	0	0	0	0	0	0
Mediator Selection Report	25%	86%	100%	100%	70%	50%	20%	67%	100%	80%	63%	71%
% Mediator Type Selected												
Lawyers	45%	25%	0%	33%	17%	25%	50%	100%	82%	80%	56%	56%
Non-lawyers	55%	75%	100%	67%	83%	75%	50%	0	18%	20%	44%	44%

Referrals

Various types of matters are referred to mediation, as evidenced in the chart below showing matters referred during 2007.

Case Types Referred - by Number and Percentage - 2007

Case Types	No.	%
Debt	9	9.47
Land Disputes	13	13.68
Separation of Property	9	9.47
Vehicular Accidents	13	13.68
Vacant Poss. Property	1	1.05
Personal Injury	2	2.11
Breach of Contract	24	25.26
Damages	9	9.47
Employment	4	4.21
Landlord & Tenant	3	3.16
Wills & Estates	2	2.11
Compensation	1	1.05
Negligence	3	3.16
Nuisance	2	2.11

Throughout the territories, the highest number of referrals for mediation, result from the Case Management Conferences conducted by the Masters. The number of referrals, however, have shown a marked decline since 2004.

In Saint Lucia, for example, there were 206 referrals in 2002/2003, and 121 in 2004. Despite a settlement rate of over 60%, the number of referrals has dwindled to less than 100 per year since then - 92 in 2005, 78 in 2006, and 95 in 2007. Figures from January to July 2008 however, reflect an increase in the number of referrals compared to the same period last year. This may be due in part to a request earlier this year, from the former Chief Justice [Ag.] for increased referrals from Masters and Judges.

Saint Lucia Mediation January - July 2008

	Jan	Feb	March	April	May	June	July
<u>Referral Report</u>							
No. of cases referred to mediation	2	17	5	5	8	11	11
No. of cases settled prior to mediation	0	0	0	0	0	0	1
No. of cases pending date for mediation	0	0	0	0	0	0	0
No. of cases scheduled for 1 st mediation	0	0	0	0	0	0	0
<u>Scheduled Cases Mediation Report</u>							
No. of cases scheduled for mediation	11	3	12	13	14	9	12
No. of cases concluded	7	3	5	7	7	4	9
No. of cases for further mediation	3	2	1	0	4	6	3
No. of cases where party(ies) fail to appear	0	0	0	0	0	0	0
No. of cases where non-compliance certificate issued	0	0	0	0	0	0	0
No. of cases scheduled but settled prior to mediation	0	0	0	0	0	0	0
No. of cases rescheduled for the first time	1	2	6	5	2	0	1
No. of cases rescheduled more than once	0	0	0	0	0	0	0
No. of cases returned to case management	6	0	3	3	5	2	1
<u>Settlement Rate Report</u>							
No. of cases concluded	7	3	5	7	7	4	9
No. of cases settled in mediation	5	2	5	5	4	2	6
No. of cases not settled	2	1	0	2	3	2	2
No. of cases settled prior	0	0	0	0	0	0	1
Settlement Rate	71%	67%	100%	71%	57%	50%	78%
<u>Mediator Selection Report</u>							
% Mediator type Selected							
Lawyers	50%	67%	80%	57%	50%	63%	40%
Non-lawyers	50%	33%	20%	43%	50%	37%	60%

The chart below compares the number of civil matters filed and disposed, and the number of mediations referred and settled for 2007.

Civil Matters Filed and Referrals Made January - December 2007

Member States	Civil Matters filed	Civil Matters disposed	# Cases Referred to Mediation	# Cases mediated	# of Cases Settled
Saint Lucia	1112	830	95	62	41
Grenada	604	188	69	67	34
Antigua and Barbuda	797	18	33	23	11
Commonwealth of Dominica	433	-	-	-	-
St. Kitts and Nevis	269	-	-	-	-
St. Vincent and the Grenadines	502	113	14	14	8
Montserrat	28	-	2	2	0
British Virgin Islands	132	-	22	20	7
Anguilla	43	11	14	13	3
Total	3920	3920	247	199	104

Mediation Training

Fewer JEl training programmes were delivered during the period compared to the previous years. Mediator refresher courses were held in Tortola, June 24 -26, 2007 and in Antigua March 17-18, 2008. Attempts to deliver training for new mediators in Grenada in March 2008 were cancelled due to low registration.

A number of activities are in the planning stages:

- (a) Advanced Mediation Workshops in each of the territories with the exclusion of the Tortola and Saint Lucia.
- (b) Family Mediation Workshops for Mediators (one in the Windards and one in the Leewards).
- (c) One visit per year to each of the territories by the Regional Mediation Coordinator.
- (d) Bi-Annual meeting of Chairpersons of Mediation Committees and Mediation Coordinators.

The traditional form of litigation is no longer sufficient to manage the amounts of disputes and litigious matters that are inherent in our modern society, as evidenced by an overburdened legal-judicial system. This has given rise to new approaches that are geared to resolve disputes outside of the court. One such is Court-connected Mediation. Evidence tells that the Mediation Programme is being underutilized within the OECS. It is anticipated that the new Law Year will see more persons choosing to use the less adversarial means of settling disputes – Court-connected Mediation.

Court Performance



Overview

The following statistical review represents the performance of the Judiciary of the Organisation of Eastern Caribbean States - Court of Appeal, High Courts, Magistrates Courts and Family Courts. Information is provided for calendar years January - December 2007 and 2006, and the periods January - July 2008 and 2007.

Cases filed in the Court of Appeal Registry for 2007 totaled 460, representing an increase of 6.5% above numbers filed in 2006. For the period January - July 2008 the number of appeals filed decreased by 55 % compared to the same period for 2007. Appeal matters filed in the High Court registries continue to dominate. Civil appeals accounted for 52% of total appeals filed for 2007.

Cases filed in the High Court for 2007, decreased by 1.25% under the volume filed in 2006. The number of cases disposed for 2007 also decreased by 32.57% in comparison to 2006. This reported decrease in dispositions may be attributed to the unavailability of timely and

adequate information, or in some instances no information. During the period January - July 2008 cases filed in the High Court recorded a dramatic decrease of 49.4%. Matters disposed for the same period also declined in volume.

In comparison to the volume of events undertaken in 2006, the total number of events undertaken by the Court in 2007 decreased by 8.3%. Chamber Hearings continue to dominate the events handled by the ECSC, followed by Case Management Conferences ranking second.

Cases filed in the Magistrates Courts recorded a decline from 19549 in 2006 to 19260 in 2007; while cases disposed shows a slight increase from 18143 in 2006 to 18280 in 2007. Data for the Magistrates Courts is also distorted by the unavailability of adequate data.

The Family Court of St. Vincent and the Grenadines continues to record sterling performance in their disposition rate. They recorded a disposition rate of 102.6% for 2007 and 127.7% for the previous year 2006. However the total number of cases filed and disposed in the Family Court for 2007, increased by 43.8% and 15.6% respectively in comparison to the volume filed and disposed in 2006

Report from the Family Court of Saint Lucia indicated cases filed ranging from a low of 938 in 2007 to a high of 1417 in 2005. Cases disposed range from a low of 971 in 2007 to a high of 1461 in 2004. The case types showing the greatest magnitude are General Maintenance and Domestic Violence.

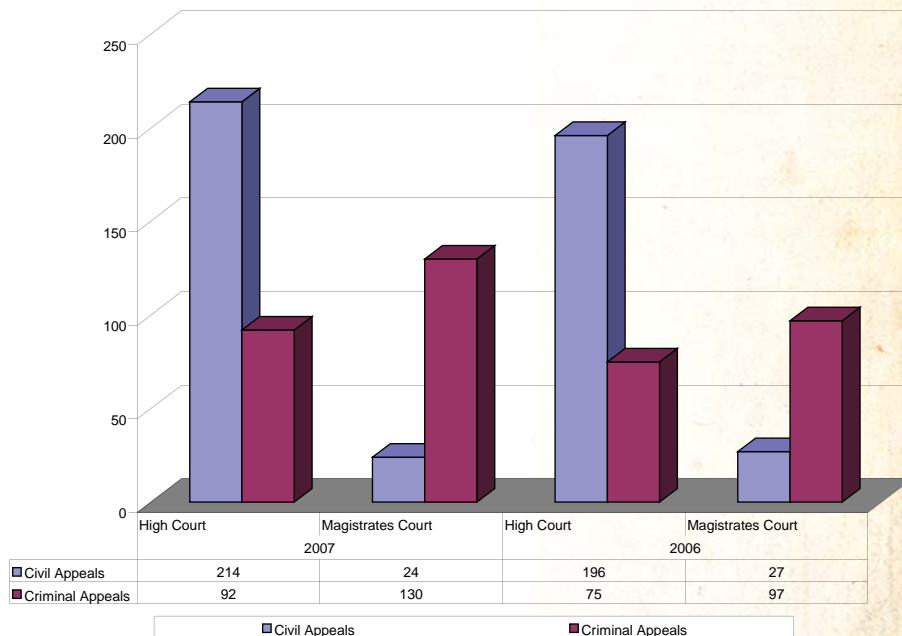
Court of Appeal

Table 1 (a) provides information on the total number of appeal cases filed in the High and Magistrates Courts for the period January to July 2008 and for the calendar years 2007 and 2006. The total number of appeals filed for 2007 amounted to 460, an increase of 16.5% compared to 395 for the corresponding period of 2006. During 2007, 238 civil appeals were filed and represented 66.5% of total appeals filed. The number of appeals filed for the period January to July 2008 was 168. This represents a decrease when compared to 303 for the same period in 2007. The number of appeals filed for January – July 2008 fell to 168 making this 55.4% less than the number filed for the same period in 2007. High Court appeals continue to dominate the volume of total appeals filed. Appeals filed in the High Court registries accounted for 66.5% and 68.6% of total appeals in 2007 and 2006 respectively.

Table 1(a) Total Appeal Cases Filed 2006-2007 and January-July 2008

Type of Appeal	January - July 2008			2007			2006		
	High Court	Magistrates Court	Total January-July 2008	High Court	Magistrates Court	Total 2007	High Court	Magistrates Court	Total 2006
Civil Appeals	96	6	102	214	24	238	196	27	223
Criminal Appeals	43	23	66	92	130	222	75	97	172
Total	139	29	168	306	154	460	271	124	395

Figure 1 (a) Total Appeals Filed by Jurisdiction by Case Type January-December 2006 and 2007



Tables 1(b) and 1(c) represent the number of cases filed in the High and Magistrates Courts for the periods January to July 2008 and the calendar years 2007 and 2006. The total number of appeals filed in the High Court registries in 2007 was 306, representing an increase of 12.8% over the 271 cases filed in 2006. However, the number of appeals filed for the period January – July 2008 decreased to 139, a 25.8% downward movement in comparison to the corresponding period for 2007 which recorded 190 cases. St. Vincent with 62 cases accounted for the largest volume of appeal cases filed in the High Court registries for 2007. Saint Lucia recorded the largest volume, 29, for the period January- July 2008. Appeals filed from St. Vincent High Court registry accounted for 20.3% and Saint Lucia with 17% for January- December 2007 and January- July 2008 respectively.

The total number of appeals filed in the Magistrates Courts for 2007 increased by 24.2% in comparison to the number filed in 2006. St. Vincent and the Grenadines accounted for the largest volume of magisterial appeals filed for January – July 2008 and January- December 2007. This island accounted for 20.3% and 17.3% of magisterial appeal cases filed for 2007 and January- July 2008 respectively. The number of magisterial appeals filed for January- July 2008 decreased from 190 in 2007 to 139 in 2008; that is by 26.8% over the volume filed for the same period in 2008.

Table 1(b) High Court Appeals Filed by Member States January - July 2008 and Jan. – Dec. 2006-2007

Member States	January - July 2008		2007		2006	
	Civil	Criminal	Civil	Criminal	Civil	Criminal
Anguilla	2	3	5	2	9	1
Antigua and Barbuda	12	8	36	3	28	8
British Virgin Islands	2	1	-	10	2	2
Commonwealth of Dominica	8	3	12	5	23	6
Grenada	9	2	27	11	34	11
Montserrat	8	-	3	11	1	-
St. Kitts and Nevis	7	9	27	13	16	28
Saint Lucia	27	3	46	6	34	10
St. Vincent and the Grenadines	11	13	28	34	16	6
TOTAL	96	43	214	92	196	75

Figure 1(b) High Court Appeals Filed by Member States January – December 2006- 2007

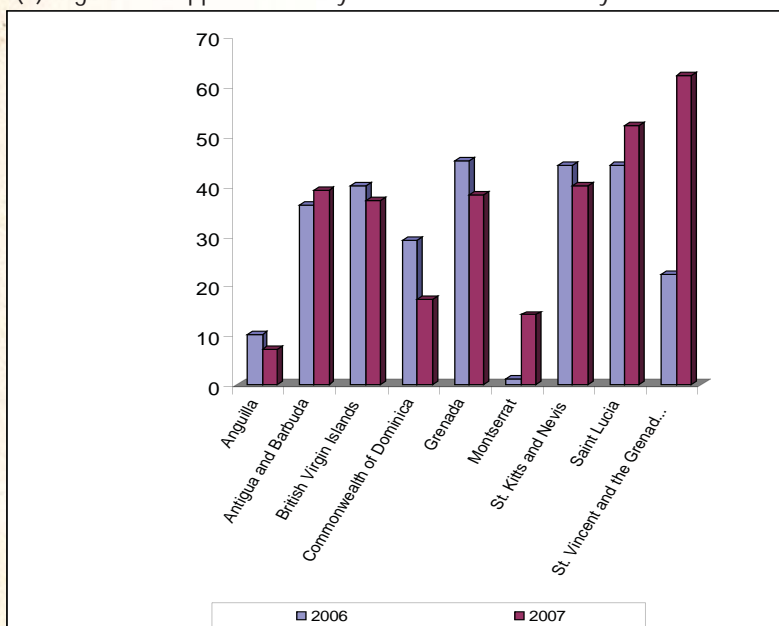
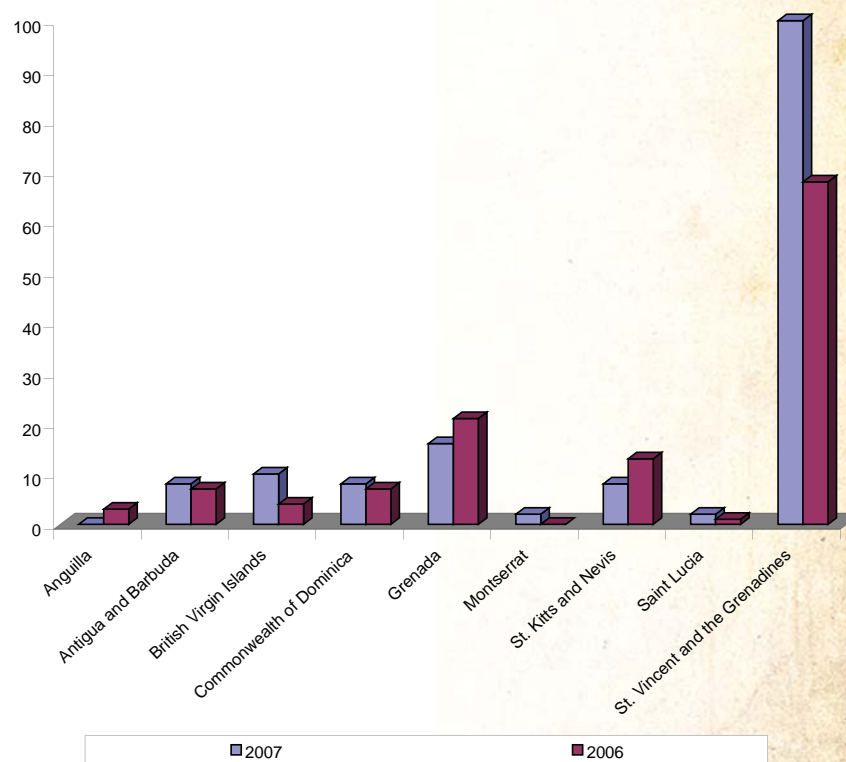


Table 1(c) Magisterial Appeals Filed By Member States January- July 2008 and Jan. - Dec. 2006- 2007

Member States	January - July 2008		2007		2006	
	Civil	Criminal	Civil	Criminal	Civil	Criminal
Anguilla	-	-	-	-	2	1
Antigua and Barbuda	-	3	1	7	1	6
British Virgin Islands	2	1	-	10	2	2
Commonwealth of Dominica	1	2	2	6	3	4
Grenada	2	1	3	13	3	18
Montserrat	-	-	2	-	-	-
St. Kitts and Nevis	-	-	4	4	8	5
Saint Lucia	-	-	-	2	-	1
St. Vincent and the Grenadines	1	16	12	88	8	60
TOTAL	6	23	24	130	27	97

Figure 1 (c) Magisterial Appeals Filed by Member States January – December 2006-2007



Tables 2(a) and 2(b) provide information on the type of events held at the Court of Appeal Chambers in Saint Lucia for the periods January- December 2007 and 2006 and January- July 2008 and 2007.

The 311 appeal hearings held in 2007 decreased by 18.9 % under the number of 370 held in 2006. The number of teleconferences held decreased by 35% - from 14 to 5. However, hearings of applications reduced from 204 in 2006 to 163 in 2007, a 20.1% decrease over the period 2006 to 2007. The Case Management Conferences held increased from 40 in 2006 to 88 in 2007, resulting in an increase of 220% over the period 2006 to 2007.

Appeal hearings declined from 254 in January-July, 2007 to 125 in January – July 2008. That amounted to a decline of 49.2% for that category. The number of application hearings declined from 128 in January – July 2007 to 50 in January – July 2008. That change translates to a 39% decline. Teleconferences held declined from 5 in January – July 2007 to 1 in January – July 2008. Teleconferences declined by 20%. The number of Case Management Conferences held also declined from 66 in the period January – July 2007 to 31 in the period January – July 2008. This change amounted to a 47% change.

Table 2 (a) Activities of the Court of Appeal for 2007 and 2006R*

Activities	2007	2007%	2006	2006%
Appeal Hearings	311	54.85	370	58.92
Hearing of Applications	163	28.75	204	32.48
Case Management Conferences	88	15.52	40	6.37
Teleconferences	5	0.88	14	2.23
Total Activities	567	100.00	628	100.00

Table 2 (b) Activities of the Court of Appeal for 1st Jan-31st July 2008 and 1st Jan- 31st July 2007R*

Activities	January-July 2007	%	January-July 2006	%
Appeal Hearings	125	60.39	254	56.07
Hearing of Applications	50	24.15	128	28.26
Case Management Conferences	31	14.98	66	14.57
Teleconferences	1	0.48	5	1.10
Total Activities	207	100.00	453	100.00

*R: Revised

Tables 3(a) and 3(b) show the number of judgments delivered by the Court of Appeal for three calendar years 2005-2007 and January-July 2008 and 2007. The number of judgments delivered in 2007 increased from 77 to 82, showing an increase of 6.5%. In comparison the figure of 72 in 2005 increased to 77 in 2006. This change represents an increase of 6.9%. The highest percentage of judgment delivered for 2007 was for Saint Lucia, which represents 24.4% of total judgments delivered for 2007.

The number of judgments delivered for January – July 2008 recorded a decline, from 49 in January – July 2007 to 39 in January – July 2008. This change represents a decline of 20.4%. The largest volume of judgments delivered for January-July 2008 was for Antigua and Barbuda. Antigua judgments represent 23% of total judgments delivered during the period January – July 2008.

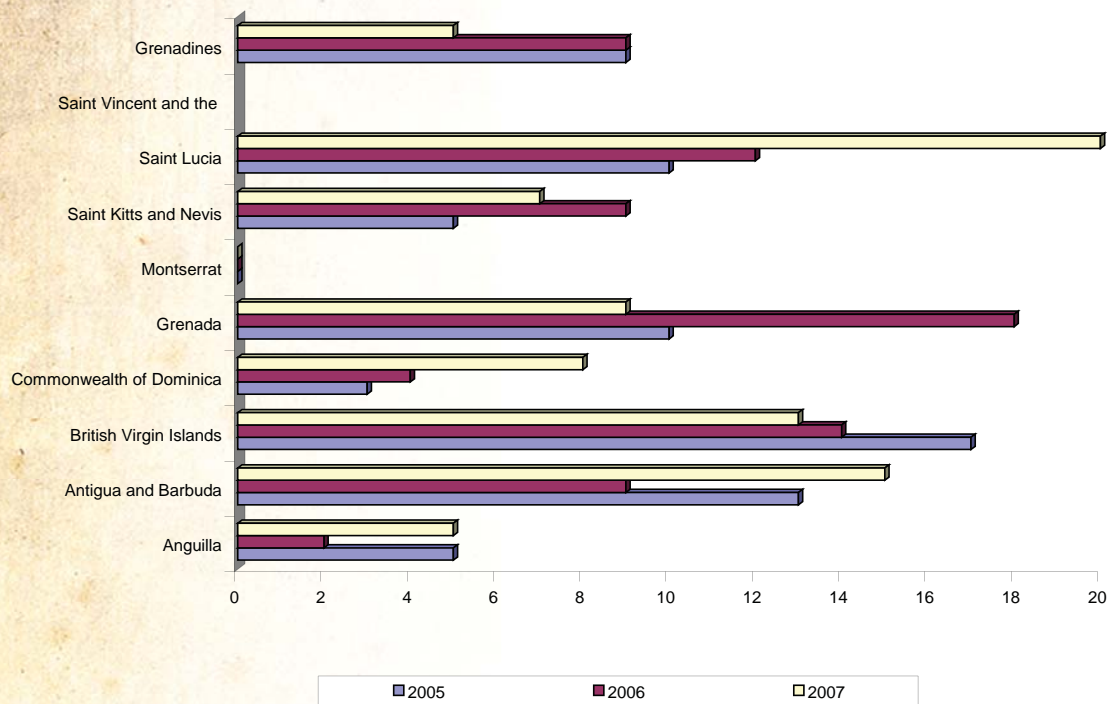
Table 3 (a) Judgments delivered by the Court of Appeal 2005-2007

Member States	2005	%	2006	%	2007	%
Anguilla	5	6.94	2	2.60	5	6.10
Antigua and Barbuda	13	18.06	9	11.69	15	18.29
British Virgin Islands	17	23.61	14	18.18	13	15.85
Commonwealth of Dominica	3	4.17	4	5.19	8	9.76
Grenada	10	13.89	18	23.38	9	10.98
Montserrat	-	0.00	0	0.00	-	0.00
St. Kitts and Nevis	5	6.94	9	11.69	7	8.54
Saint Lucia	10	13.89	12	15.58	20	24.39
St. Vincent and the Grenadines	9	12.50	9	11.69	5	6.10
Total	72	100	77	100	82	100

Table 3(b) Judgments Delivered by the Court of Appeal January-July 2008 & 2007

Member States	2008 Jan-July	%	2007 Jan-July	%
Anguilla	1	2.56	2	4.08
Antigua and Barbuda	9	23.08	9	18.37
British Virgin Islands	4	10.26	7	14.29
Commonwealth of Dominica	4	10.26	4	8.16
Grenada	8	20.51	7	14.29
Montserrat	2	5.13	-	0.00
St. Kitts and Nevis	5	12.82	3	6.12
Saint Lucia	4	10.26	15	30.61
St. Vincent and the Grenadines	2	5.13	2	4.08
Total	39	100.00	49	100

Figure 2: Judgments Delivered by the Court of Appeal 2005-2007



High Courts

Tables 4(a) and 4(b) inform of the number of cases filed in the High Court registries for 2007 and 2006.

The number of cases filed in the High Court registries for 2007 amounted to 6483 a decrease of 1.2% under the number filed in 2006 which was 6565. Civil matters continue to dominate the total number of filings. For 2007, civil matters accounted for 3920 or 60.5% of total matters filed; probate matters recorded the second highest volume of matters filed, 1187 and accounted for 18.3% of total matters filed for 2007. Saint Lucia accounted for the highest volume of total cases filed - 2277 or 35.1% of total filings while Antigua and Barbuda was the second highest with 2019 or 31.1% of total filings for 2007. This trend was the same in the previous year, 2006.

Table 4 (a) High Court- Number of Cases Filed by Major Type by Country 2007

Member States	2007							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	43	1	31	2	1	-	78	1.20
Antigua and Barbuda	797	20	362	26	809	5	2019	31.14
British Virgin Islands	132	1	48	0	2	-	183	2.82
Commonwealth of Dominica	433	48	95	33	-	-	609	9.39
Grenada	604	1	151	26	2	3	787	12.14
Montserrat	28	-	4	1	12	-	45	0.69
St. Kitts and Nevis	269	-	38	-	-	-	307	4.74
Saint Lucia	1112	104	194	25	351	-	1786	27.55
St Vincent and the Grenadines	502	1	128	23	10	5	669	10.32
TOTAL	3920	176	1051	136	1187	13	6483	100.00
% Major Type	60.47	2.71	16.21	2.10	18.31	0.20	100.00	

Table 4 (b) High Court- Number of Cases Filed by Major Type by Country 2006R*

Member States	2006							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	93	1	37	3	-	-	134	2.04
Antigua and Barbuda	670	54	217	20	299	1	1261	19.21
British Virgin Islands	325	28	76	9	18	6	462	7.04
Commonwealth of Dominica	416	34	87	46	-	-	583	8.88
Grenada	632	-	92	-	5	3	732	11.15
Montserrat	39	14	9	-	34	-	96	1.46
St. Kitts and Nevis	268	36	63	-	163	-	530	8.07
Saint Lucia	1001	58	192	31	526	5	1813	27.62
St Vincent and the Grenadines	568	31	158	1	193	3	954	14.53
TOTAL	4012	256	931	110	1238	18	6565	100.00
% Major Type	61.11	3.90	14.18	1.68	18.86	0.27	100.00	

*R: Revised

Tables 4(c) and 4(d) provide information on the number of cases filed in the High Court registries for the periods January-July 2008 and 2007. The total number of cases filed for January- July 2008 decreased by 49.4% in comparison to January – July 2007. This decrease could possibly be the result of non-reporting by Member States. The percentage of civil cases filed for the review period of 2008 increased by 4.54% over the volume filed in 2007. Saint Lucia accounted for the highest percentage of cases filed for January- July 2008 and January – July 2007. Saint Lucia's filings for January- July 2008 represents 48.03% and January- July 2007 represents 25.92% of total cases filed.

Table 4 (c) High Court- Number of Cases Filed by Major Type by Country January-July 2007

Member States	2007							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	40	1	31	2	1	-	75	1.90
Antigua and Barbuda	428	3	310	19	161	4	925	23.39
British Virgin Islands	131	1	48	-	2	-	182	4.60
Commonwealth of Dominica	256	30	57	22	-	-	365	9.23
Grenada	334	-	76	16	-	2	428	10.82
Montserrat	21	1	3	-	11	-	36	0.91
St. Kitts and Nevis	244	61	59	-	140	-	504	12.75
Saint Lucia	659	16	118	13	219	-	1025	25.92
St Vincent and the Grenadines	299	-	85	19	9	2	414	10.47
TOTAL	2412	113	787	91	543	8	3954	100.00
% Major Type	61.00	2.86	19.90	2.30	13.73	0.20	100.00	

Table 4 (d) High Court- Number of Cases Filed by Major Type by Country January - July 2008

Member States	2006							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	-	-	--	-	-	-	-	0.00
Antigua and Barbuda	177	18	27	8	69	1	300	15.36
British Virgin Islands	-	-	-	-	-	-	-	0.00
Commonwealth of Dominica	72	-	8	-	-	-	80	4.10
Grenada	311	-	60	8	4	1	384	19.66
Montserrat	-	-	-	-	-	-	-	0.00
St. Kitts and Nevis	15	-	-	-	-	-	15	0.77
Saint Lucia	544	17	81	7	289	0	938	48.03
St Vincent and the Grenadines	161	1	71	1	-	2	236	12.08
TOTAL	1280	36	247	24	362	4	1953	100.00
% Major Type	65.54	1.84	12.65	1.23	18.54	0.20	100.00	

Figure 3: High Court Cases Filed and Disposed by Major Case Type 2007 and 2006

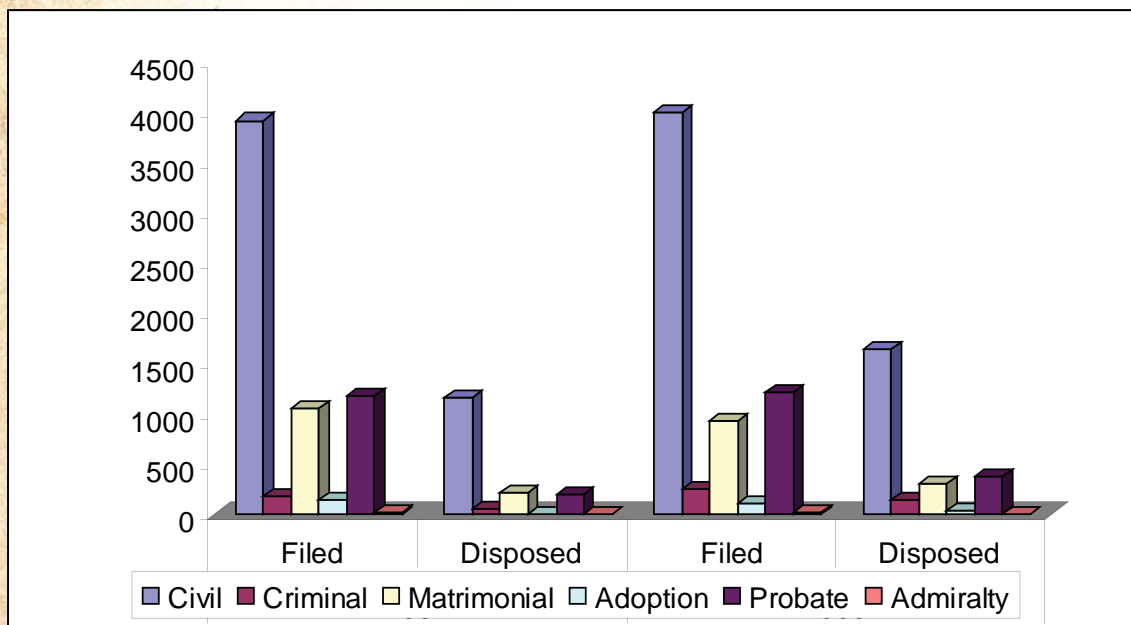
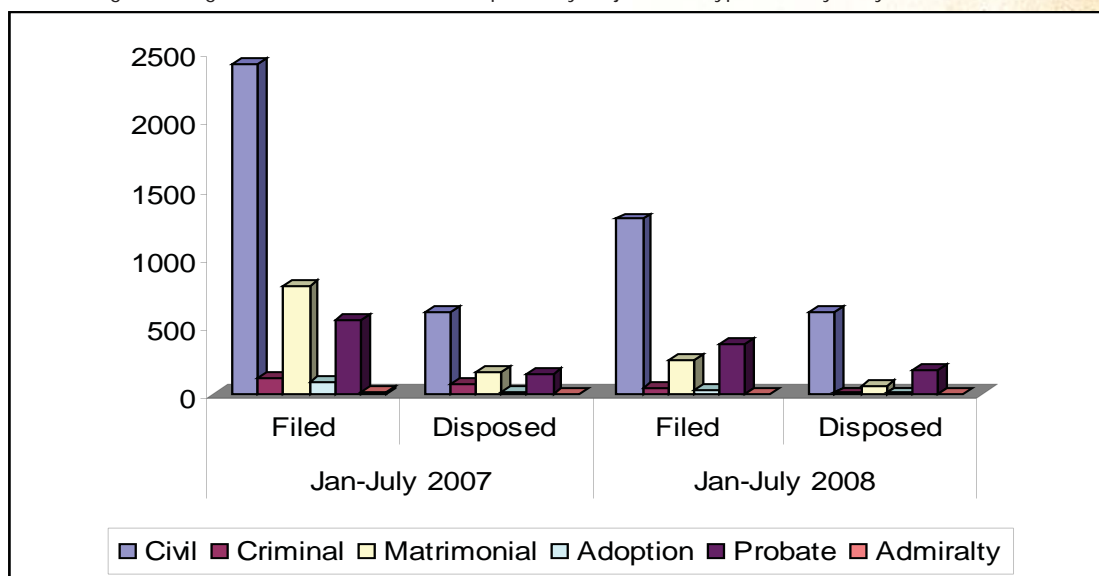


Figure: 4 High Court Cases Filed and Disposed by Major Case Type January- July 2008 and 2007



Tables 5(a) and 5(b) indicate the volume of cases disposed in the High Court registries for 2007 and 2006. The data on the number of cases disposed is distorted by the volume of incomplete data submitted.

Table 5(b) reveals that the number of cases disposed for 2007 declined by 32.5% below the volume disposed for 2006. Declines were recorded for all the different categories of cases disposed for 2006. Civil cases accounted for the highest volume with 65.93% in 2006 as compared to 69.34% in 2007. While Probate matters accounted for the second highest volume of 14.9% of total disposition for 2006 Matrimonial was the second highest in 2007. Corresponding to the filings for 2007, Saint Lucia also recorded the largest volume of cases disposed, 67% of total disposition in 2006 as compared to 74.24% in 2007.

Table 5 (a) High Court- Number of Cases Disposed by Major Type by Country 2007

Member States	2007							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	11	1	5	-	-	-	17	1.02
Antigua and Barbuda	18	-	-	-	-	-	18	1.08
British Virgin Islands	-	-	-	-	-	-	-	0.00
Commonwealth of Dominica	-	-	-	-	-	-	48	2.87
Grenada	188	-	8	1	1	-	198	11.84
Montserrat	-	-	-	-	-	-	-	0.00
St. Kitts and Nevis	-	-	-	-	-	-	-	0.00
Saint Lucia	830	43	164	4	201	-	1242	74.24
St Vincent and the Grenadines	113	5	32	-	-	-	150	8.97
TOTAL	1160	49	209	5	202	-	1673	100.00
% Major Type	69.34	2.93	12.49	0.30	12.07	0.00	100.00	

Table 5 (b) High Court- Number of Cases Disposed by Major Type by Country 2006

Member States	2006							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	16	1	4	-	-	-	21	0.85
Antigua and Barbuda	52	5	1	-	-	-	58	2.34
British Virgin Islands	92	2	28	5	12	1	140	5.65
Commonwealth of Dominica	16	15	8	8	-	-	47	1.90
Grenada	43	-	7	-	1	-	51	2.06
Montserrat	15	13	7	-	27	-	62	2.50
St. Kitts and Nevis	162	39	53	-	36	-	290	11.69
Saint Lucia	1138	59	151	21	294	1	1664	67.10
St Vincent and the Grenadines	101	-	45	-	-	1	147	5.93
TOTAL	1635	134	304	34	370	3	2480	100.00
% Major Type	65.93	5.40	12.26	1.37	14.92	0.12	100.00	

Tables 5(c) and 5(d) provide information on the number of cases disposed for January- July 2008 and 2007. The number of cases disposed for January- July 2008, declined by 13.9%. Civil cases showed an increase in percentage from 60.26% in 2007 to 70.21% in 2008. Probate cases increased from 14.3% to 21.03%. Saint Lucia recorded the highest percentage of cases disposed in both years. Saint Lucia accounted for 79.56% and 69.62% of total cases disposed for January- July 2008 and 2007 respectively.

Table 5 (c) High Court- Number of Cases Disposed by Major Type by Country January-July 2008

Member States	2008							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	-	-	-	-	-	-	-	0.00
Antigua and Barbuda	49	-	-	-	39	-	88	10.28
British Virgin Islands	-	-	-	-	-	-	-	0.00
Commonwealth of Dominica	-	-	-	-	-	-	-	0.00
Grenada	56	-	1	1	-	-	58	6.78
Montserrat	-	-	-	-	-	-	-	0.00
St. Kitts and Nevis	-	-	-	-	-	-	-	0.00
Saint Lucia	469	5	61	5	141	-	681	79.56
St Vincent and the Grenadines	27	1	1	-	-	-	29	3.39
TOTAL	601	6	63	6	180	-	856	100.00
% Major Type	70.21	0.70	7.36	0.70	21.03	0.00	100.00	

Table 5 (d) High Court- Number of Cases Disposed by Major Type by Country January - July 2007

Member States	2007							% Member State
	Civil	Criminal	Matrimonial	Adoption	Probate	Admiralty	Total	
Anguilla	1	1	1	-	-	-	3	0.30
Antigua and Barbuda	9	-	1	2	-	1	13	1.31
British Virgin Islands	11	-	4	-	2	-	17	1.71
Commonwealth of Dominica	5	11	3	5	-	-	24	2.41
Grenada	13	-	1	-	-	-	14	1.41
Montserrat	9	-	-	-	-	-	9	0.91
St. Kitts and Nevis	1	49	26	-	52	-	128	12.88
Saint Lucia	480	17	102	4	89	-	692	69.62
St Vincent and the Grenadines	70	-	24	-	-	-	94	9.46
TOTAL	599	78	162	11	143	1	994	100.00
% Major Type	60.26	7.85	16.30	1.11	14.39	0.10	100.00	

Tables 6(a) and 6(b) give an indication of the number of events undertaken by the Court for 2007 with comparative data for 2006. The total number of events held for 2007 amounted to 10254 declining slightly by 8.3% in comparison to the volume of events held in 2006, which amounted to 11184. The number of Chamber Hearings and Case Management Conferences held for 2007 accounted for the bulk of events held, the figures being 4044 for Chamber Hearings and 2227 for Case Management Conferences. Chamber Hearings and Case Management Conferences accounted for 39.44% and 22.2% of total events held. The data indicates that the largest volume of events was held in Saint Lucia, which accounted for 48.2% of all events held.

Table 6(a) Events Count Report by Member States 2007

Member States	Status Hearing	Chamber Hearing	First Hearing	Case Management Conference	Type of Events							% of Member States
					Criminal Trial	Master Hearing	Pre-trial Review	Trial	Other Events	Total		
Anguilla	2	88	2	36	-	-	1	15	9	153	1.49	
Antigua and Barbuda	7	889	113	631	-	-	95	104	504	2343	22.85	
British Virgin Islands	-	351	-	41	-	211	-	51	13	667	6.50	
Commonwealth of Dominica	-	11	604	594	-	-	88	47	109	1453	14.17	
Grenada	-	-	-	-	-	-	-	-	-	-	0.00	
Montserrat	-	4	-	26	-	-	-	53	1	84	0.82	
St. Kitts and Nevis	-	-	-	-	-	-	-	-	-	-	0.00	
Saint Lucia	336	2333	361	707	339	-	80	183	597	4936	48.14	
St Vincent and the Grenadines	-	368	2	237	-	-	-	4	7	618	6.03	
TOTAL	345	4044	1082	2272	339	211	264	457	1240	10254	100.00	
% of Total Events	3.36	39.44	10.55	22.16	3.31	2.06	2.57	4.46	12.09	100.00		

Table 6(a) Events Count Report by Member States 2006R*

Member States	Status Hearing	Chamber Hearing	First Hearing	Case Management Conference	Type of Events							% of Member States
					Criminal Trial	Master Hearing	Pre-trial Review	Trial	Other Events	Total		
Anguilla	-	22	4	5	-	-	-	3	6	40	0.36	
Antigua and Barbuda	1	738	77	939	-	-	82	58	515	2410	21.55	
British Virgin Islands	-	726	-	80	-	305	8	161	14	1294	11.57	
Commonwealth of Dominica	49	163	249	401	-	-	39	77	149	1127	10.08	
Grenada	-	-	-	-	-	-	-	-	-	-	0.00	
Montserrat	-	30	-	36	-	-	-	61	2	129	1.15	
St. Kitts and Nevis	-	-	287	11	58	-	27	53	152	588	5.26	
Saint Lucia	578	2827	251	631	261	-	82	159	807	5596	50.04	
St Vincent and the Grenadines	-	-	-	-	-	-	-	-	-	-	0.00	
TOTAL	628	4506	868	2103	319	305	238	572	1645	11184	100.00	
% Total Events	5.62	40.29	7.76	18.80	2.85	2.73	2.13	5.11	14.71	100.00		

*R: Revised

Magistrates Courts

Tables 7(a) and 7(b) provide information on the number of cases filed and disposed in the Magistrates Courts for January-December 2007 and 2006.

The number of cases filed in the magistracies for 2007 recorded a decline of 1.48% in comparison to the volume filed in 2006. The data on the Magistrates Courts is affected by the unavailability of statistical data for the report. Criminal matters accounted for 39% of the total filings in the magistracies of the OECS for 2007. Traffic matters filed for 2007 were 3606 in comparison to 3297 filed in 2006, showing a 9.3% increase. The Commonwealth of Dominica accounted for 38% of total filings, which represents the largest volume of cases filed in the Magistrates Courts. St Kitts and Nevis accounted for 5318 or 27% of total cases filed, while St. Vincent and the Grenadines accounted for the third largest volume, which is 22.4% of total cases filed.

The data on the total number of cases disposed for 2007 show a slight increase in comparison to the amount disposed in 2006. The figure of 18143 in 2006 rose to 18280 in 2007. In comparison to filings, the data revealed that criminal cases recorded the largest volume of disposition. The number of criminal matters disposed accounted for 7181 or 39.3% of total disposition. The number of traffic matters disposed accounted for the second highest disposition which is 19.7% of the total. The Commonwealth of Dominica recorded the largest volume of total matters disposed in keeping with filings which was 38.6% of total matters disposed. St. Kitts and Nevis accounted for the second highest, 27.1% of the total disposition.

Table 7(a). Magistrates Courts- Cases Filed by Major Type by Member States- 2007 and 2006

2007										
Cases Filed	Anguilla	Antigua and Barbuda	British Virgin Islands	Commonwealth of Dominica	Grenada	Montserrat	St. Kitts and Nevis	Saint Lucia*	St. Vincent and the Grenadines	Total
Criminal	-	-	1138	2141	-	-	1476	-	2939	7700
Civil	-	-	382	883	-	-	1812	-	520	3597
Traffic	-	-	452	1744	-	-	561	-	849	3606
Domestic /Family	-	-	34	172	-	-	2	-	-	208
Juvenile	-	-	202	376	-	-	93	-	-	671
Maintenance/Affiliation	-	-	-	477	-	-	1336	-	-	1813
Inquests	-	-	44	92	-	-	-	-	-	136
Pre. Inquiries	-	-	20	1296	-	-	38	-	-	1354
Other	-	-	13	162	-	-	-	-	-	175
Total	-	-	2285	7349	-	-	5318	-	4308	19260
2006										
Cases Filed	Anguilla	Antigua and Barbuda*	British Virgin Islands	Commonwealth of Dominica	Grenada	Montserrat	St. Kitts and Nevis	Saint Lucia*	St. Vincent and the Grenadines	Total
Criminal	295	-	-	2250	1422	-	1498	-	1833	7548
Civil	90	-	-	1119	207	-	1444	-	441	3301
Traffic	410	-	-	1715	222	-	430	-	520	3297
Domestic Violence	69	-	-	71	14	-	24	-	-	178
Juvenile	67	-	-	288	16	-	104	-	-	475
Affiliation/ Maintenance	0	-	-	376	125	-	1028	-	-	1529
Inquests	-	-	-	69	-	-	-	-	-	69
Pre. Inquiries	-	-	-	289	-	-	2	-	-	291
Other	-	-	-	159	-	-	-	-	-	160
Total	931	-	-	6586	2006	-	4530	2701	2795	19549

Table 7(b). Magistrates Courts- Cases Disposed by Major Type by Member States- 2007 and 2006

2007										
Cases Disposed	Anguilla	Antigua and Barbuda	British Virgin Islands	Commonwealth of Dominica	Grenada	Montserrat	St. Kitts and Nevis	Saint Lucia*	St. Vincent and the Grenadines	Total
Criminal	-	-	706	2185	-	-	1467	-	2823	7181
Civil	-	-	105	1304	-	-	1307	-	492	3208
Traffic	-	-	877	1327	-	-	451	-	943	3598
Domestic /Family	-	-	31	96	-	-	-	-	-	127
Juvenile	-	-	131	213	-	-	61	-	-	405
Maintenance/Affiliation	-	-	-	410	-	-	1621	-	-	2031
Inquests	-	-	38	80	-	-	-	-	-	118
Pre. Inquiries	-	-	21	1297	-	-	56	-	71	1445
Other	-	-	13	154	-	-	-	-	-	167
Total 2006	-	-	1922	7066	-	-	4963	-	4329	18280
Cases Disposed	Anguilla	Antigua and Barbuda*	British Virgin Islands	Commonwealth of Dominica	Grenada	Montserrat	St. Kitts and Nevis	Saint Lucia*	St. Vincent and the Grenadines	Total
Criminal	282	-	-	2100	1021	-	1269	-	2097	6169
Civil	78	-	-	1123	111	-	1226	-	404	2942
Traffic	211	-	-	1626	246	-	360	-	644	3087
Domestic/Family	69	-	-	44	12	-	-	-	-	125
Juvenile	67	-	-	210	3	-	67	-	-	347
Maintenance/Affiliation	-	-	-	393	95	-	948	-	-	1436
Inquests	-	-	-	134	-	-	-	-	-	134
Pre. Inquiries	-	-	-	176	-	-	135	-	-	311
Other	-	-	-	166	-	-	-	-	1	167
Total	707	-	-	5972	1488	-	4005	2825	3146	18143

Figure: 5 Magistrates Courts- Cases Filed and Disposed for 2007

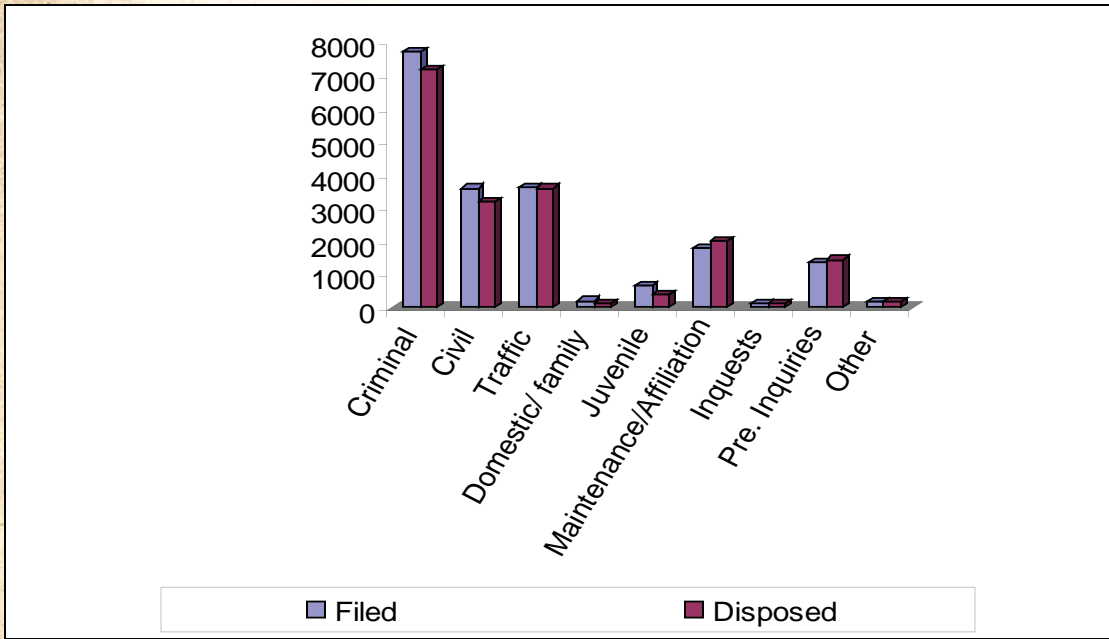
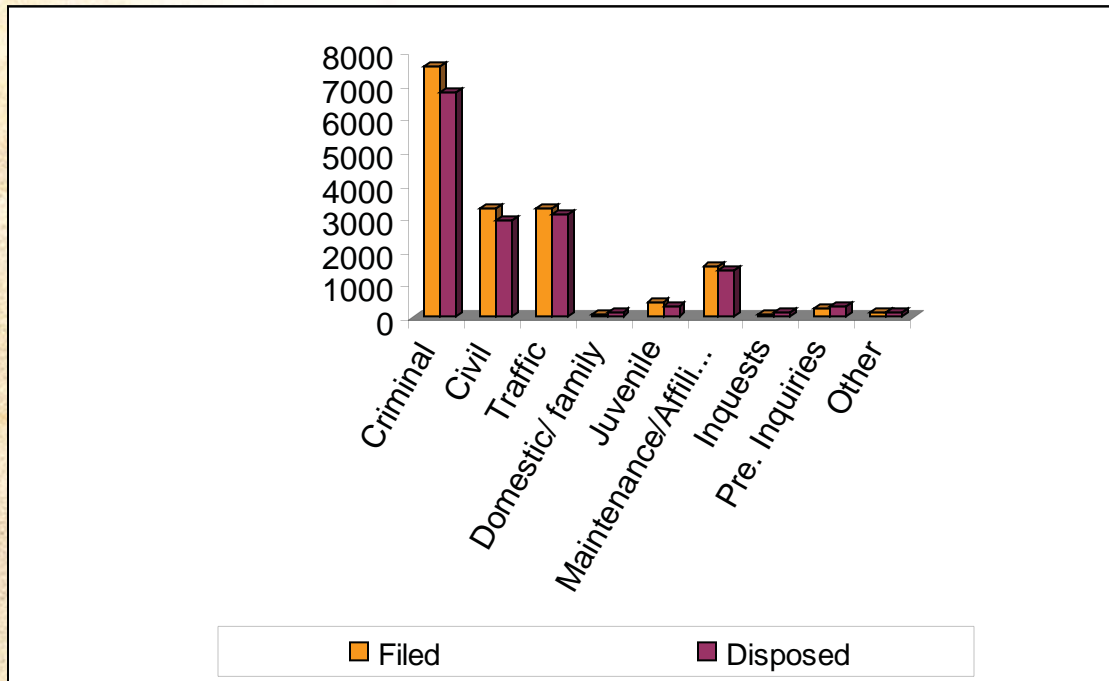


Figure: 6 Magistrates Courts- Cases Filed and Disposed for 2006



Family Court

Tables 10(a) and 10(b) indicate the number of cases filed and disposed in the Family Court of St. Vincent and the Grenadines for 2007 and 2006. Cases filed for 2007 increased to 2182 or by 43.8% over the value of 1517 in 2006. Noticeable increases were recorded for Custody/Access, Arrears and Protection order. These increases are due in part to the revision of the 2007 data.

The number of cases disposed also increased from 1937 in 2006 to 2239 in 2007. That equates to an increase of 15.6%. The number of Arrears disposed also recorded an increase from 589 to 948 reflecting a 60.9% change.

The Family Court of St. Vincent and the Grenadines recorded a disposition rate of 102% for 2007 as compared to 127% for 2006.

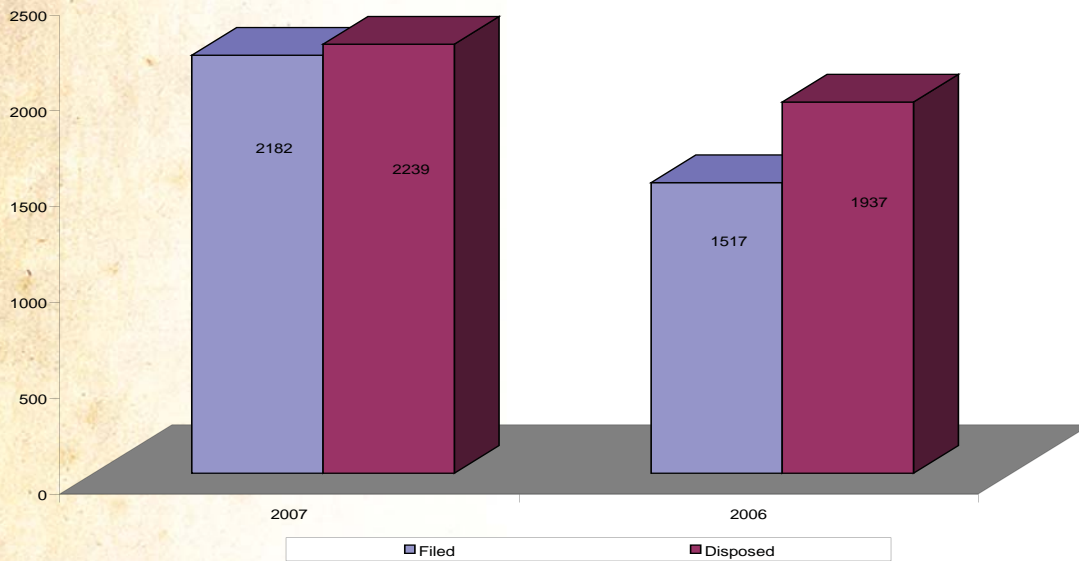
Table 10 (a) Family Court-St Vincent and the Grenadines - Cases Filed 2007 and 2006

Case Type	2007		2006	
	No.	%	No.	%
Maintenance	551	25.25	560	36.91
Custody/Access	158	7.24	129	8.50
Protection Order	179	8.20	128	8.44
Arrears	916	41.98	406	26.76
Occupation Order	66	3.02	43	2.83
Sexual Intercourse	52	2.38	40	2.64
Indecent Assault	29	1.33	32	2.11
Rape	3	0.14	-	0.00
Other Offences	228	10.45	179	11.80
Total	2182	100.00	1517	100.00

Table 10 (b) Family Court-St Vincent and the Grenadines - Cases Disposed 2007 and 2006

Case Type	2007		2006	
	No.	%	No.	%
Maintenance	576	25.73	780	40.27
Custody/Access	155	6.92	121	6.25
Protection Order	194	8.66	162	8.36
Arrears	948	42.34	589	30.41
Occupation Order	71	3.17	56	2.89
Sexual Intercourse	34	1.52	25	1.29
Indecent Assault	34	1.52	28	1.45
Rape	3	0.13	-	0.00
Other Offences	224	10.00	176	9.09
Total	2239	100.00	1937	100.00

Figure 9: St. Vincent and the Grenadines Family Court- Cases Filed and Disposed 2007 and 2006



Tables 10(c) and 10(d) provide information on the number of cases filed and disposed in the Family Court of St. Vincent and the Grenadines for January-July 2008 with comparative data for 2007. The number of matters filed decreased significantly, from 1171 in 2007 to 695 in 2008. Arrears and Maintenance are the two most significant categories as shown by the tables.

Table 10 (c) Family Court-St Vincent and the Grenadines - Cases Filed
January - July 2008 and 2007

Case Type	2008		2007R	
	No.	%	No.	%
Maintenance	188	27.05	258	22.03
Custody/Access	57	8.20	85	7.26
Protection Order	58	8.35	130	11.10
Arrears	271	38.99	497	42.44
Occupation Order	15	2.16	37	3.16
Sexual Intercourse	32	4.60	23	1.96
Indecent Assault	10	1.44	14	1.20
Rape	-	0.00	1	0.09
Other Offences	64	9.21	126	10.76
Total	695	100.00	1171	100.00

Table 10(d). Family Court- St. Vincent and the Grenadines- Cases Disposed
January - July 2008 and 2007

Case Type	2008		2007R	
	No.	%	No.	%
Maintenance	157	27.35	263	21.23
Custody/Access	41	7.14	80	6.46
Protection Order	49	8.54	133	10.73
Arrears	214	37.28	540	43.58
Occupation Order	8	1.39	40	3.23
Sexual Intercourse	31	5.40	15	1.21
Indecent Assault	17	2.96	23	1.86
Rape	-	0.00	3	0.24
Other Offences	57	9.93	142	11.46
Total	574	100.00	1239	100.00

Disposition shows a sharp decline of 574 in 2008 from 1239 in 2007. This decline is principally due to the unavailability of timely data for the early part of 2008. The two significant categories for both years are Arrears and Maintenance. Arrears recorded 43% in 2007 and 37% in 2008. Maintenance recorded 21% in 2007 and 27% in 2008.

Figure 10: St Vincent and the Grenadines Family Court – Cases Filed and Disposed
January – July 2008 and 2007

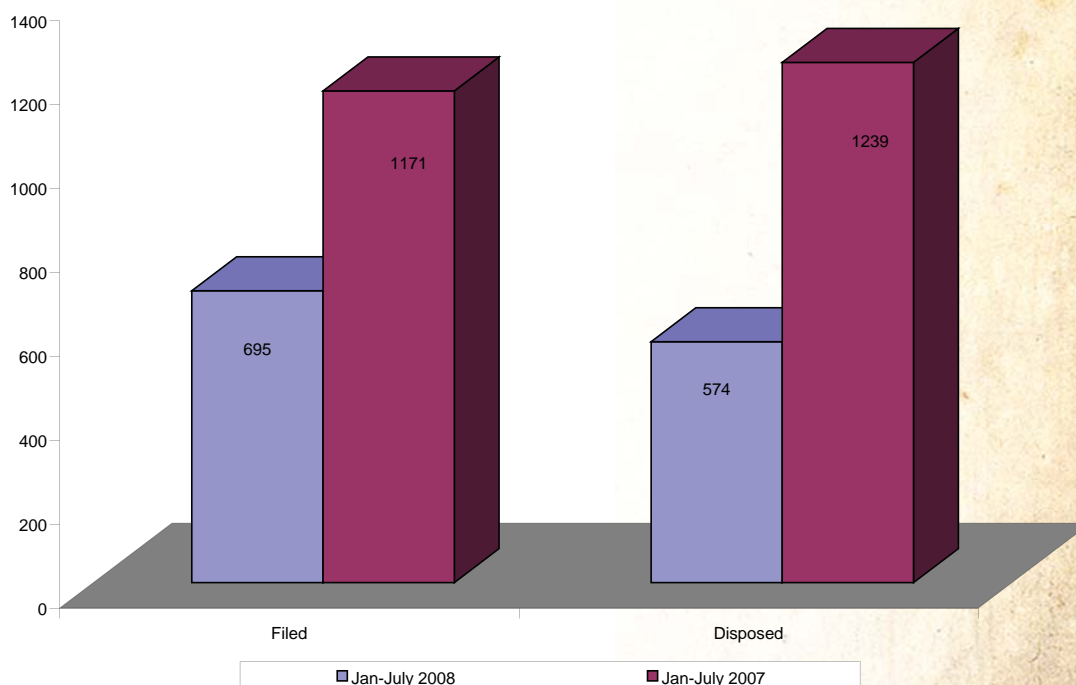


Table 11 (a) Family Court - Saint Lucia - Cases Filed 2003-2007

Case Type		2003		2004		2005		2006		2007	
		No.	%	No.	%	No.	%	No.	%	No.	%
Criminal	Criminal	106	7.98	125	11.44	93	6.56	72	5.33	56	5.97
	Care & Protection	36	2.71	32	2.93	45	3.18	51	3.77	44	4.69
Affiliation	General Maintenance	533	40.11	502	45.93	567	40.01	475	35.13	304	32.41
	Warrant	194	14.60	10	0.91	276	19.48	304	22.49	241	25.69
	Custody	22	1.66	20	1.83	25	1.76	36	2.66	25	2.67
Domestic Violence	Attachment of Earnings	29	2.18	36	3.29	16	1.13	6	0.44	11	1.17
	Separation & Maintenance	30	2.26	35	3.20	25	1.76	26	1.92	20	2.13
	Domestic Violence	379	28.52	333	30.47	370	26.11	382	28.25	237	25.27
	Total	1329	100	1093	100	1417	100.00	1352	100.00	938	100.00

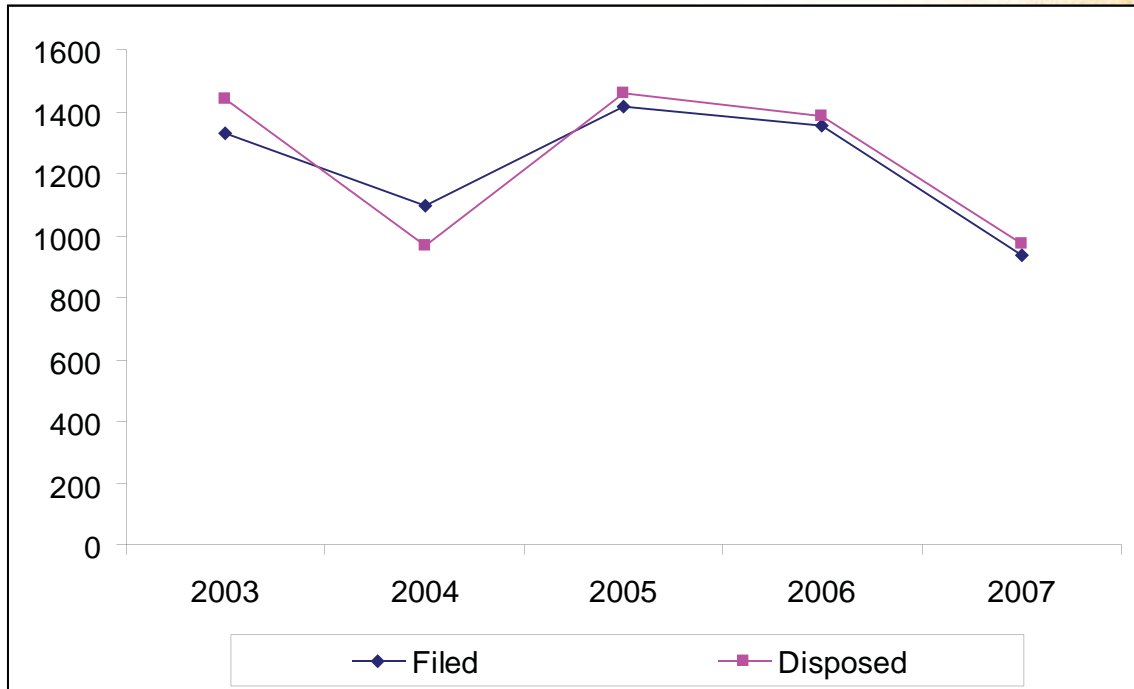
The number of cases filed for Saint Lucia fluctuated through the years 2003 to 2007. The highest number of filings 1417 occurred in 2005 while the lowest number 938 occurred in 2007. The case types showing the greatest magnitude are General Maintenance and Domestic Violence.

Table 11 (b) Family Court - Saint Lucia - Cases Disposed 2003-2007

Case Type		2003		2004		2005		2006		2007	
		No.	%	No.	%	No.	%	No.	%	No.	%
Criminal	Criminal	122	8.45	91	9.40	129	8.83	63	4.56	54	5.56
	Care & Protection	35	2.43	28	2.89	51	3.49	50	3.62	47	4.84
Affiliation	General Maintenance	554	38.39	393	40.60	556	38.06	558	40.35	331	34.09
	Warrant	225	15.59	47	4.86	257	17.59	299	21.62	246	25.33
	Custody	20	1.39	19	1.96	27	1.85	37	2.68	25	2.57
Domestic Violence	Attachment of Earnings	26	1.80	36	3.72	19	1.30	7	0.51	12	1.24
	Separation & Maintenance	33	2.29	40	4.13	23	1.57	25	1.81	20	2.06
	Domestic Violence	428	29.66	314	32.44	399	27.31	344	24.87	236	24.30
	Total	1443	100	968	100	1461	100.00	1383	100.00	971	100.00

Disposed Cases show the same trend as did Filed Cases, General Maintenance and Domestic Violence held the greatest volume of cases.

Figure 11 Saint Lucia Family Court-Cases Filed and Disposed 2003 – 2007



Members of the Judiciary

Court of Appeal Judges

During the last year, the Court of Appeal comprised Acting Chief Justice, Sir Brian Alleyne, SC, KCN; Justice of Appeal, Honourable Hugh A. Rawlins; Justice of Appeal, Honourable Denys Barrow, SC and Acting Justices of Appeal, Honourable Ola Mae Edwards; Honourable Dane Hamilton QC; Honourable John Carrington; and Honourable Tyrone Chong QC. Acting Chief Justice, Sir Brian Alleyne, SC, KCN, retired in April and this position was assumed by Justice of Appeal, Honourable Hugh A. Rawlins. Justices of Appeal Hamilton, Carrington and Chong were appointed to serve for short periods between April and June, 2008.



Left to right: Justice Ola Mae Edwards, Justice Hugh Rawlins, Acting Chief Justice Sir Brian Alleyne, SC, KCN, and Justice Denys Barrow, SC

High Court Judges

During the 2007/2008 Law Year judges were assigned as follows: Justices Kenneth Benjamin, Sandra Mason, QC, Brian Cottle & Anthony Ross, QC [Ag] – Saint Lucia ; Justice Davidson Baptiste – Commonwealth of Dominica ; Justices Clare Henry & Francis Cumberbatch - Grenada; Justices Indra Hariprashad-Charles, Rita Joseph-Olivetti & Albert Redhead [Ag] – British Virgin Islands; Justice Janice George-Creque – Anguilla; Justices Louise Blenman, David Harris & Errol Thomas [Ag] – Antigua and Barbuda; Justice Francis Belle – St Kitts; Justices Frederick Bruce-Lyle, Gertel Thom & Albert Matthew [Ag] – St Vincent and the Grenadines; Justice Ianthea Leigertwood-Octave – Nevis/Commonwealth of Dominica/Montserrat.

Masters

Masters Cheryl Mathurin and Pearletta Lanns served in Antigua and Barbuda and St. Kitts and Nevis respectively.

Justice Albert Redhead
[Ag]



Justice Albert
Mathew [Ag]



Justice Davidson
Baptiste



Justice Frederick
Bruce-Lyle



Justice Kenneth
Benjamin

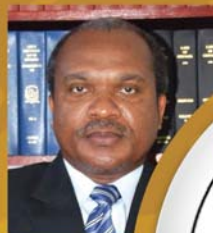


Justice Indra
Hariprashad-Charles

Justice Rita Joseph-
Olivetti



Justice Errol
Thomas



Justice Francis
Belle



Justice Janice
George-Creque



Justice Clare
Henry



Justice Louise
Blenman

Justice Gertel
Thom



Justice Francis
Cumberbatch



Justice Sandra
Mason, QC



Justice David C
Harris

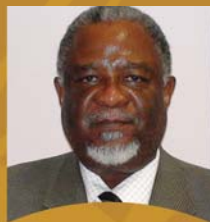


Justice Ianthea
Leigertwood-Octave



Justice Brian
Cottle

Justice Anthony
Ross, QC [Ag]



Master Cheryl
Mathurin



Master Pearletta
Lanns





Court of Appeal Judges and Staff at the Court's Headquarters in Castries, Saint Lucia: Left to right: Sitting – Mr Gregory Girard, Court Administrator; Ms. Aloysia Gabriel, Human Resource Manager; Mrs. Kimberly Cenac-Phulgence, Chief Registrar; Justice Ola Mae Edwards; Justice Hugh Anthony Rawlins; Sir Brian Alleyne, SC, KCN, Acting Chief Justice; Justice Denys Barrow, SC; Mr. Francis Compton, Regional Mediation Coordinator; Ms. Zannia Plummer, Receptionist; Ms. Claudette M Valentine, Librarian/Information Services Manager; Ms. Linda Cyrille, Office Attendant; Mr. Mark Ernest, Information Technology Manager. Second row- Mrs. Winnifred George, Office Attendant; Ms. Kit-Juelle Frank-Amoroso, Regional Project Coordinator; Mr. Garvin Lawrence, Website Administrator; Mrs. Avis Burch-Smith, Mediation Assistant; Ms. Agnes Actie, Dep. Chief Registrar; Ms. Alana Simmons, JEI Programme Coordinator; Ms. Joan Joseph, Administrative Secretary; Ms. Geraldine St. Croix, Statistician; Ms. Stephine Narcisse, Case Manager; Mrs. Francisca Polius, Records and Archives Officer [Ag]; Ms. Sardia Cenac, Judicial Clerk; Ms. Natasha James, Secretary to the Chief Justice; Ms. Choyce Walcott, Case Manager; Mrs. Dorcia James-Callendar, Administrative Assistant, HRD; Mrs. Michelle John-Theobalds, Executive Assistant to the Chief Justice; Ms. Lenore St. Croix, Office Manager; Ms. Patricia Chastanet, Library Assistant; Mrs. Monica Chandler, Human Resource Officer;. Back row – Ms. Anna Joseph, Secretary; Ms. Donalyn Vittet, Secretary; Ms. Samantha George, Judicial Clerk; Mr. Augustus Marcellin, Network Administrator; Ms. Nadine Felicien, Registry Clerk; Mr. Francis Letang, Dep. Court Administrator; Mr. Stephen Rameau, Accounts Assistant; Mrs. Sandra Augier, Records and Archives Clerk [Ag.]. Missing – Mrs. Reine James, Records and Archives Manager; Mr. Derrick Agdomar, Systems Administrator; Mr. Guy Stava, Office Attendant/Driver.

Appendix

Appointments

ECSC Headquarters

His Lordship, the Hon. Chief Justice [Ag] Hugh Anthony Rawlins effective 28th April, 2008
His Lordship, the Hon. Justice Francis Cumberbatch effective 1st August, 2007
Ms. Samantha George and Ms Sardia Cenac as Judicial Clerks effective 1st September, 2007 on contract for two years
Ms. Kit-Juelle Frank-Amoroso as Regional Project Coordinator effective 15th January, 2008 on contract for two years.
Ms. Genevieve Francis as Secretary effective 1st June, 2008
Ms. Ethel Jn Baptiste as Statistician effective 1st June, 2008 on contract for six months.
Ms. Florentina Joan Joseph promoted to the position of Administrative Secretary effective 1st May, 2008.

Antigua and Barbuda

Ms. Mitzie Lorraine Buckley as Deputy Registrar, Intellectual Property and Commerce effective 18th October, 2007.
Ms. Asquith Riviere, Senior Magistrate, to act as Chief Magistrate effective 1st November, 2007.
Mr. Keith Thom, Magistrate, to act as Senior Magistrate effective 1st November, 2007.
Ms. Joan Fung as Magistrate, Magistrates' Division, Antigua & Barbuda on contract for two [2] years on a three [3] day work week basis effective 17th September, 2007.
Ms. Catherine N. Kentish as Parliamentary Counsel, Ministry of Legal Affairs effective 1st January, 2008.
Mr. Lawrence deFreitas and Ms. Althea Crick to serve as members of the Industrial Court for a term of three (3) years effective 1st March, 2008.

Commonwealth of Dominica

Ms. Kathy Buffong in the Office of State Attorney for the period 1st July to 31st December, 2007.
Ms. Eunica Anthony as State Attorney for the period 1st July to 31st December, 2007.
Ms. Pearle Richards in the vacant position of Parliamentary Draftsman effective 1st August, 2007.
Ms. Glenworth Osmond Norris Emmanuel as Magistrate for the period 1st September to 31st December, 2007.
Mrs. Francine Baron Royer as Attorney General on contract for a period of three (3) years effective 15th October, 2007.
Ms. Sandra Julien to the Office of Registrar of Companies and Intellectual Property on contract for a period of two [2] years effective 1st November, 2007.

Grenada

Ms. Kinna Marrast as Crown Counsel, Attorney General Chambers, on contract for a period of two [2] years effective 1st November, 2007.
Ms. Crisan Greenidge as Crown Counsel, Office of the Director of Public Prosecutions on contract for a period of two [2] years effective 1st November, 2007.
Ms. Nevelyn John as Magistrate, Magistracy Department for the period of six (6) months effective 1st April, 2008.
Mr. Jerry Seales as Magistrate, Ministry of Legal Affairs effective 17th March, 2008.

St. Christopher and Nevis

Ms. Jennifer Ayana McCalman as Legal Officer, Legal Department, Nevis effective 5th July, 2007.
Ms. Simone Natalie Bullen as Crown Counsel, Ministry of Legal Affairs on contract for a two (2) years effective 1st August, 2007.
Mr. Arudranauth Gossai as Crown Counsel, Ministry of Legal Affairs with effect from 1st August, 2007.
Ms. Rhonda Nisbett-Browne as Crown Counsel, Ministry of Legal Affairs effective 1st September, 2007.
Ms. Jihan Williams as Crown Counsel, Ministry of Legal Affairs effective 3rd September, 2007.
Ms. Allison Isaac as Parliamentary Counsel, Ministry of Legal Affairs on contract for two [2] years effective 1st November, 2007.
Ms. Jodi Ann Paulwell as Crown Counsel, Ministry of Legal Affairs on contract for one (1) year effective 1st October, 2007.
Ms. Simone Natalie Bullen as Magistrate, Ministry of Legal Affairs on contract for two (2) years effective 17th March, 2008.

Saint Lucia

Mr. Deale Lee as Crown Counsel IV, Attorney General's Chambers, Saint Lucia on contract for a period of two [2] years effective 1st July, 2007.
Mr. Seryozha Cenac as Crown Counsel II, Crown Prosecution Service, Saint Lucia on contract for a period of two [2] years effective 1st July, 2007.
Mr. Velon John as Magistrate II, First District Court, on contract for the period of two [2] years effective 1st August, 2007.
Mr. Robert Innocent as Deputy Director of Public Prosecutions, Saint Lucia on contract for a period of two [2] years effective 1st August, 2007.
Ms. Floreta Nicholas as Senior Magistrate – First and Second District Courts, on contract for a period of two [2] years effective 1st October, 2007.
Ms. Tina Mensah to the post of Crown Counsel I, on contract for a period of two [2] years effective 11th December, 2007.
Ms. Dara Modeste as Crown Counsel II, Attorney General's Chambers on contract for two (2) years effective 17th January, 2008.
Ms. Charon Gardener as Magistrate I, Ministry of Justice, on contract for the period of two [2] years effective 1st August, 2007.
Mrs. Georgis Taylor-Alexander as Solicitor General effective 29th February, 2008.
Mr. Raulston Glasgow as Senior Crown Counsel, Attorney General's Chambers on contract for two [2] years effective 1st May, 2008.
Mr. Leslie Prospere as Crown Counsel III, Attorney General's Chambers on contract for a period of two [2] years effective 1st May, 2008.

St. Vincent and the Grenadines

Mrs. Zoila Ellis-Browne as Magistrate, St. Vincent and the Grenadines, on contract, for a period of one [1] year, effective 1st July, 2007.
Mr. Rickie Burnett as Deputy Registrar, High Court, St. Vincent and the Grenadines effective 15th October, 2007.
Ms. Joezel Jack as Crown Counsel II, Ministry of Legal Affairs, St. Vincent and the Grenadines effective 1st November, 2007.
Mrs. Theona Elizee-Stapleton as Deputy Registrar, Commerce and Intellectual Property Office effective 5th November, 2007.
Mr. Carl Williams as Crown Counsel I, Office of the Director of Public Prosecutions effective 1st December, 2007.
Ms. Michelle Fife as Crown Counsel I, Attorney General's Chambers effective 1st December, 2007.
Ms. Sonya Young as Chief Magistrate effective 17th December, 2007.
Mrs. Petrona Sealey-Browne, Parliamentary Counsel II, Attorney General's Chambers, on secondment as a Legislative Drafter to the Organization of the Eastern Caribbean States (OECS) effective 1st March, 2008 for a period of two [2] years.

Resignations

Mrs. Clarita Mc Donald, Records and Archives Officer, July 2007
Ms Sheran Emmanuel, Administrative Secretary, March 2008
Ms Nadine Felicien, Registry Clerk, July 2008
Ms Geraldine St Croix, Statistician, July 2008

Retirement

His Lordship, the Hon. Sir Brian Alleyne SC, KCN retired from office as Acting Chief Justice in April 2008.

Eastern Caribbean Supreme Court



ANNUAL REPORT 2007 - 2008

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