



## GREETINGS FROM THE CHIEF JUSTICE

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Dear Readers:

A commentator on the "BBC Caribbean Magazine" programme recently expressed the view that when God was creating the Caribbean, he was in a boastful mood. All of us who live in and love our region would agree. Most of us, however, would also be aware that modern trends of increasing criminality are tending to diminish the attraction of our islands, not only for visitors but, more importantly for our own people and for residents and businesses in these countries.

These issues are of great concern to us all, and our Court recognises its special responsibility to play its part in halting and reversing the trend. Our Governments rightly expect of us prompt and effective action to tackle the problem in the areas under our responsibility. It is on this premise that the Court has undertaken a series of reform measures to increase the efficiency and effectiveness of the delivery of criminal justice in a timely manner. We have spent considerable time, effort and resources, with the support of the Governments, particularly the Government of St. Lucia, and of the Canadian International Development Agency (CIDA), in devising and introducing new procedural practices and rules for the conduct of criminal trials under a pilot project being undertaken in St. Lucia, with the expectation to replicate the process in the other countries within the jurisdiction of the Court.

There is a general acceptance of the fact that one of the principal contributing factors to the growth of criminality is delays in the investigation, prosecution and trial of criminal activity. There are many reasons for delay, including the reluctance, in many cases, on the part of members of the public to assist the police in their investigations, inefficiencies and lack of forensic applications to the investigation of crime, problems with the service of summonses and other documents on necessary witnesses and parties, aggravated by delays and the tendency of so many members of our societies to migrate, and inefficiencies in the court processes.

It is in relation to the last of these issues that we have developed and proposed for adoption new Criminal Procedure Rules for the conduct of both summary and more serious indictable crimes. It is also in relation to that that we have sought, with the support of the Government of St. Lucia in the first instance, to demand of the Magistracy a greater level of accountability for their performance, efficiency and output. Magistrates, like judges, cannot be called to account in respect of their judgments in court proceedings, except by superior courts with appellate jurisdiction.

(Continued on page 2)

Please send comments, suggestions and contributions to the Newsletter at [appeal@candw.lc](mailto:appeal@candw.lc)

## *Greetings from the Chief Justice [continued]*

However Magistrates, like judges, owe a duty to the public (the country), to perform their judicial functions independently, and in a competent, prompt, fair, efficient and effective manner. It is at least questionable whether the Executive can, or should, be the authority to which judicial officers are accountable in that respect. The historical relationships, and even the legislative regime, do not clearly vest administrative authority over the Magistracy in the Chief Justice. Efforts by successive Chief Justices to hold Magistrates to account have enjoyed only very limited success. In consequence, the Court is working with the Executive to devise appropriate mechanisms to ensure accountability by the Magistracy in the efficient and effective delivery of criminal justice. It is hoped that the model developed in St. Lucia may be used to achieve efficiency, effectiveness and accountability in all States and Territories within the jurisdiction of the ECSC.

## EASTERN CARIBBEAN SUPREME COURT NEWS

At the opening of the current law year held on 20<sup>th</sup> September, the Chief Justice in his opening address announced that the Eastern Caribbean Supreme Court was mandated by the Heads of Government at the 41<sup>st</sup> OECS Authority Meeting held in Dominica in June 2005 to begin work on preparation of legislation to facilitate effective and efficient functioning of the Magistrates and District Courts of the sub-region.

A planning committee chaired by the Acting Chief Justice and comprising Justices of Appeal, Chief Registrar and Court Administrator was established to act as a working group to implement the mandate. The committee has begun working on developing briefing papers for the Legislative Drafting Consultant who would eventually be engaged. Initial consultations have already taken place starting with the Magistrates' Conference that was held in the BVI during the week of 19 to 23 September, 2005. The ECSC is at an advance stage in discussions with a funding agency with regards grant funds for financing of the "Magistracy Project."

The projection is that at the next OECS Authority Meeting in St Kitts and Nevis in June 2006, the ECSC will report to the Heads of Government that consultants have been engaged and that draft legislative documents will be presented to the individual governments before January 2007.

\*\*\*\*\*

The Hon. Justice Denys Barrow, SC, Court of Appeal Judge, has been assigned by the Hon. Acting Chief Justice, Brian Alleyne, SC to coordinate the interim re-organization of the Family Division, awaiting the outcome of the Poyotte Report.

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We wish to take this opportunity to advise that the ECSC has available the services of Mr. Guy Ellis to assist the Court in preparing information for the news media to facilitate timely distribution.

Mr. Ellis has a vast amount of experience in the field of news reporting, having worked as a journalist for the past 43 years. He presently serves as Managing Editor of the weekly newspaper, the Saint Lucia Mirror.

Mr. Ellis will be collecting information regarding relevant happenings within the various Member States, pertaining to matters like appointments and promotions; training activities; court sittings, and where possible, major cases to be heard; improvement in court facilities (buildings, equipment etc.); achievements of staff members in professional or secular field etc. He will also be gathering information from our Judicial Education Institute, to assist with the mandate of the Institute to make the public aware of their activities, and the activities of the Court in general.

## **CRIMINAL DIVISION PILOT PROJECT**

Since its last report published in the ECSC e-newsletter dated April 2005, the Pilot Project for the Criminal Division of the High Court continues to record much success. Steady progress has been made in combating the backlog of pending indictable cases which has for some time now been the bane of the island's criminal justice system. This effort has been facilitated by the simultaneous sittings of the two criminal courts of the Criminal Division that have engaged in active case management activities for the disposition of some of the older indictable cases. The learned Director of Public Prosecutions (Ag) has been a very critical aspect of the courts' case management efforts.

Indictable case management activities commence with the preferring of indictments (or sometimes fresh indictments for cases where an indictment was preferred in the past) for the older cases which in the opinion of the Director of Public Prosecutions, require case management. Once indictments have been filed, the cases are lumped for a scheduled case management session before a judge at the soonest possible time.

The judge before whom the case management session is convened, receives a report on the status of each case from the Director of Public Prosecutions (Ag) after which the judge makes a determination as to the forward movement of these cases. The Director of Public Prosecutions (Ag) may also issue notices of discontinuance for cases during case management sessions. Statistical data below

outline the work of the two Criminal Courts of the Criminal Division, so far as it relates to the backlog of indictable cases in Saint Lucia for the periods 1<sup>st</sup> May 2005 through 31<sup>st</sup> January 2006.

*The statistical data depicted in the tables below relate to the case disposition activities for Criminal Courts A and B of the Criminal Division of the High Court for the periods 1<sup>st</sup> May 2005 until 31<sup>st</sup> January 2006.*

#### Terminated Indictments at Criminal Division

Number of Indictments filed between 1.5.05 thru 23.1.06	Number of Indictments terminated between 1.5.05 thru 23.1.06	Number of Indictments pending as of 23.1.06
134	75	59

#### Inventory of Pending Indictments at Criminal Division

Commencing Inventory of Pending Indictments as of 23.1.06	Number of Indictments Terminated as of 31.1.06	Backlog of Pending Indictments as of 31.1.06
59	4	55

#### Time Pending for Inventory of Indictments at the Criminal Division

Time pending	Number of cases
Under 3 months	13
3 months to 6 months	5
7 months to 12 months	3
Over 1 year but less than 2 years	0
Over 2 years	34

**Categories of Pending Indictments at the Criminal Division**

<b>Offence</b>	<b>Number of Pending Indictments</b>
Arson	1
Burglary	1
Carnal Knowledge	4
Dangerous harm	1
Death by dangerous driving	7
Escaping lawful custody	1
Grievous harm	6
Housebreaking	4
Indecent assault	1
Maim	1
Murder	11
Rape	6
Robbery	4
Stealing	2
Unlawful Carnal Knowledge	3
Using cutlass with intent to wound	1
Unlawful wounding	1

**Pending Inventory of Cases for which no Indictments have been filed by the Director of Public Prosecutions**

<b>Commencing inventory of cases for which no indictment has been filed</b>	<b>Number of cases for which an indictment has been filed</b>	<b>Ending inventory of cases for which no indictment has been filed</b>
22	4	18

**Time Pending for Inventory of cases for which no indictments have been filed  
by the Director of Public Prosecutions**

<b>Time Pending</b>	<b>Number of Cases</b>
Under 3 months	
3 months to 6 months	6
7 months to 12 months	1
Over 1 year but less than 2 years	
Over 2 years	11

The **Criminal Courts (Delay Reduction) Rules 2005** have received much attention over the last few months with extensive reviews from various stakeholder groups including judges and other personnel of the Eastern Caribbean Supreme Court and the Criminal Division, magistrates of the District Courts and members of the local Bar. Presently, the rules are under review by the Attorney General's Chambers before promulgation at the soonest possible time. Progress has also been recorded in the staff restructuring plan within the Public Service to accommodate a proposed new staffing structure under the Criminal Division.

The staff restructuring process is a part of the imminent merger of the High Court and District Court offices into a unified administrative structure. Mr. Victor Poyotte, a Human Resource Consultant prepared a report on the proposed staff restructurings in the Public Service, and is presently assisting the Eastern Caribbean Supreme Court with the implementation of its various aspects. Mr. Poyotte is also assisting the Eastern Caribbean Supreme Court with its ongoing negotiations with the Ministry of the Public Service, the Ministry of Justice and the trade unions in so far as it relates to the staff restructuring process.

In September of 2005, the Eastern Caribbean Supreme Court, working in collaboration with the Office of the Director of Public Prosecutions (Ag) hosted a workshop for prosecutors that was intended to apprise Crown Counsel of the Director of Public Prosecutions' (Ag) Chambers, police prosecutors of the Crown Prosecution Service and police investigators of the progress of the reform initiatives. The workshop also educated its participants on techniques of collating witness statements, collection, storage and presentation of evidence in court and ethics of the profession so far as it related to prosecutorial practices.

At the end of each day's session, participants were encouraged to participate in interactive sessions that generated considerable and lively discussion. The workshop was facilitated by judges of the High Court and the Court of Appeal,

the Director of Public Prosecutions (Ag) as well as personnel of the Criminal Division. Feedback from the workshop's participants was positive and very encouraging. It is intended that workshops of a similar nature shall be hosted in the future as the reform process burgeons.

With the Pilot Project nearing its second year, the Eastern Caribbean Supreme Court sensed the need for a critical review of the reform initiatives to date. The Eastern Caribbean Supreme Court also felt a dire need for the formulation of a plan of action for the implementation of the final phases of the Criminal Division. A workshop was hosted on 2<sup>nd</sup> December 2005 with the objectives of reviewing the Pilot Project's performance to date and devising a plan for the implementation of the final phases of the Criminal Division. The workshop was attended by representatives of the Criminal Division, the Eastern Caribbean Supreme Court, the High Court and District Courts, the Director of Public Prosecutions' (Ag) Chambers, the Royal Saint Lucia Police Force and the Ministry of Justice.

Participants reviewed and discussed inter alia the **Criminal Courts (Delay Reduction) Rules 2005**, the proposed staffing structure for the Criminal Division, jury management activities and the formulation of a plan of action for the forward movement of the Criminal Division. The workshop revealed a number of weaknesses that have stymied the progress of the various reform initiatives to date. Some of these included issues relating to efficient summary case management as well as the collation of the new juror's book in the furtherance of jury management activities in Saint Lucia. Strategies for combating these problems were identified and persons were assigned to manage these various strategies. It is anticipated that improvements shall be noted in these areas in the coming months.

In January of 2006, lead consultant to the Pilot Project, Mr. Robert Lipscher, visited Saint Lucia for two weeks in his capacity as "**The Court Structures Project Monitor.**" Mr. Lipscher busied himself with the tasks of measuring the project's growth since his departure in May of 2005, as well as identifying future implementation steps for the Criminal Division.

He held meetings with representatives of numerous stakeholder organizations in Saint Lucia including the Prime Minister of Saint Lucia, the Attorney General, the Permanent Secretary of the Ministry of Justice, the Registrar of the High Court, the Commissioner of Police and the Director of the Bordelais Correctional Facility. These representatives all pledged their continual support for the reform initiatives. During his visit, Mr. Lipscher also critically examined the operations of the District Courts in Saint Lucia with a view to making recommendations for improving its efficiency.

To date the tenets of the reform initiatives have taken root on an incremental basis. As was anticipated, there have been challenges that have stymied the pace of these reforms. However, with the successes recorded to date, the strategies devised for the forward movement of the Project and the continued support from the various stakeholder organizations, it is anticipated that the Criminal Division shall be fully implemented at the soonest possible time.

## **MEDIATION**

The following is an update on the status of the Court-connected mediation in the islands of Anguilla, Dominica, Grenada and Saint Lucia:

### **Anguilla**

The list of Mediators for Anguilla remains unchanged as well as the Mediation Committee Members.

The first Mediation Referral Order was made on the 25th October 2005, when the matter was set for the 26th January 2006, with leave of the Court. To date six more matters have been referred, making a total of seven.

The first session which lasted for three hours was held on the 17th January 2006, with Justice Mitchell as the Mediator, and was adjourned to 7<sup>th</sup> February 2006. All other matters are scheduled for hearing late January and February 2006.

### **Dominica**

To date 13 cases have been referred to mediation.

Three of the cases have gone through Mediation, one case was referred back to the Master without Mediation, one case is in the process of Mediation, having been adjourned to continue, and eight cases are still to be scheduled. No cases have been successfully dealt with at Mediation. The three cases that have gone through the process have been referred back to case management.

## **Grenada**

With the passage of hurricanes Ivan and Emily, a number of areas in the Public Service were affected as a result of the damage suffered by most of our Government offices. The building housing the Mediation Center on Scott Street was one of those affected areas.

The Mediation programme in Grenada started in 2004 under the Chairmanship of Justice Charmaine Pemberton, and was later chaired by Justice Francis Belle after the resignation of Justice Pemberton. Having a high level of interest in Mediation, Justice Belle along with Justice Kenneth Benjamin made considerable effort in getting Mediation started again. Justice Belle was subsequently transferred to St. Kitts and Justice Benjamin assumed chairmanship of the programme.

With Mediation being a new area in the court system, there is an ongoing need to sensitize the public on the programme. The Mediation Committee has been meeting on a regular basis to discuss relevant matters-- sensitization of the public being one of the main areas of discussion.

During 2005, Mediation was publicized via television and radio. The television programme was held in conjunction with the Government Information Service. The participants were Justice Francis Belle, then chairman of the Mediation Committee and Mrs. Meryl Forsyth, Mediation Coordinator. The programme, which continues to be aired, was said to be a success.

Through the efforts of Mr. Nigel John, a member of the Committee, a radio programme was aired. The programme, which was organized by the Grenada Chamber of Industry and Commerce, was done for one full hour. Participants were Justice Francis Belle and Mr. Robert Robinson, a court appointed Mediator. A great deal of information was shared for the hour and the programme was considered to be successful. The Committee was very grateful for both opportunities to further sensitize the public on Mediation.

On the 29th November, 2005, the first Committee meeting was held after the departure of Justice Belle in August, 2005, under the chairmanship of Justice Kenneth Benjamin.

The programme is still to date operating in limited office space at the Supreme Court Registry. Though we may not be able to have as many sessions as we would like with the limited space at the Court office, we are seeing general improvements in the acceptance by most of the attorneys of the Mediation programme, and a number of matters are being settled as a result of Mediation.

Additionally, renovations to the Mediation Center on Scott Street are almost complete. We are currently in the process of replacing office supplies that were destroyed as a result of Hurricane Ivan. The Committee is also planning to have a semiformal get together to mark the re-opening of the Center.

Hurricane Ivan came and took away from us what we had worked so hard to accomplish, physically, but it did not take away our spirit and the ability to reason and generate ideas. It may have taken us a while, but we are not discouraged. Plans are being put in place for the programme to be stronger and much more successful than before, hence the reason there is an ongoing need to sensitize the public on the Mediation programme. Having a very strong minded leader and persons who are willing to invest their time and energy in the programme, we know that Mediation in Grenada will be a success.

## **Saint Lucia**

### Status

In total, 92 cases were referred to mediation during the period; 67 of these were mediated with 37 of these cases reaching full settlement. Twenty nine matters were not settled. An overall settlement rate of 55% for matters mediated was attained. One case was settled prior to scheduled mediation. Cases not mediated were returned to case management for varying reasons.

### Case Types

Types of cases mediated were: land disputes, landlord/tenant matters, separation of property, employment matters, vehicular, insurance claims, defamation, wills and estates, commercial matters, personal injury, compensation, and breach of contract.

Breach of Contract (37%), Land disputes (24%), debt matters (17%), and vehicular (17% ) matters were the matters most mediated during 2005. Employment matters referred remain low compared to the high level received in 2003.

### Evaluation

Evaluation information gathered from lawyers and litigants after each mediation session, continues to confirm their high level of satisfaction with the conduct of the programme.

## Mediators

The rate of lawyers and non-lawyers in the mediation of cases, leveled out this year, with 56.4% lawyers and 43.5% of non-lawyers selected.

Of the 25 Court-appointed mediators, less than 10 of these were selected to serve regularly in 2005. The diminished number of referrals during the period would be one of the main causes.

To date, plans to launch a Mediator's Association have not got off the ground.

## Regional Mediation

Training of Mediators for all territories was completed by the beginning of the year and all but St. Vincent and St. Kitts got their programmes off to a start.

The Regional Mediation Coordinator, in consultation with the J.E.I. and the Mediation Consultant, will this year look toward training in family mediation, for a cadre of persons who have completed basic mediator training.

## MEDIATION PROGRAMME, DECEMBER 31<sup>st</sup>, 2005

	Jan	Feb	March	April	May	June	July	August	September	October	November	December
<b><u>Referral Report</u></b>												
No. of cases referred to mediation	11	7	6	5	7	5	15	0	7	7	12	10
No. of cases settled prior to mediation	0	0	0	0	0	0	0	0	1	0	0	0
No. of cases pending date for mediation	-	-	-	-	0	0	0	0	0	0	0	0
No. of cases scheduled for 1 <sup>st</sup> mediation	12	6	12	7	6	10	2	3	8	11	8	15
<b><u>Scheduled Cases Mediation Report</u></b>												
No. of cases scheduled for mediation	12	7	17	11	11	15	12	4	9	11	8	10
No. of cases concluded	9	4	3	5	4	8	7	2	7	6	7	7
No. of cases for further mediation	2	1	4	3	1	2	0	1	0	1	2	0
No. of cases where party(s) fail to appear	1	0	0	0	0	0	0	0	0	0	2	0
No. of cases where non-compliance certificate issued	1	0	0	0	0	0	0	0	0	0	2	0
No. of cases scheduled but settled prior to med.	0	0	0	0	0	0	0	0	0	0	0	0
No. of cases rescheduled for the first time	1	1	4	2	2	1	2	0	1	3	1	3
No. of cases rescheduled more than once	1	-	2	1	0	1	2	0	0	0	0	0
No. of cases returned to case management	4	5	2	1	3	3	1	1	1	0	2	3
<b><u>Settlement Rate Report</u></b>												
No. of cases concluded	10	4	3	5	4	8	7	2	7	6	4	7
No. of cases settled in mediation	7	2	2	1	2	4	3	2	3	4	2	5
No. of cases not settled	3	2	1	4	2	4	4	0	3	2	2	2
No. of cases settled prior	0	0	0	0	0	0	0	0	1	0	0	0
<b>Settlement Rate</b>	<b>70%</b>	<b>50%</b>	<b>50%</b>	<b>20%</b>	<b>50%</b>	<b>50%</b>	<b>43%</b>	<b>100%</b>	<b>57%</b>	<b>66%</b>	<b>50%</b>	<b>71%</b>
<b><u>Mediator Selection Report</u></b>												
% Mediators Selected												
Lawyers	84%	80%	50%	25%	70%	72%	20%	0	50%	25%	28%	50%
Non-lawyers	16%	20%	50%	75%	30%	28%	80%	0	50%	75%	72%	50%
<b><u># Case Type Referred for 2005</u></b>												
Debt	12											
Land Disputes	16											
Separation of Property	6											
Vehicular Accidents	12											
Insurance Claims	2											
Personal Injury	4											
Defamation	1											
Breach of Contract	25											
Damages	4											
Employment	1											
Commercial	3											
Landlord & Tenant	1											
Wills & Estates	1											
Compensation	4											
<b>- means statistics unavailable</b>												

# JUDICIAL EDUCATION INSTITUTE

## **Judges Orientation**

The Judicial Education Institute (JEI) commenced this year's activities with an orientation programme for newly appointed Judges from 12<sup>th</sup> to 13<sup>th</sup> January 2006 at the Court's Headquarters Conference Room. Participants were the Hon. Justice Gertel Thom, Hon. Justice Sandra Mason, Q.C. and Hon. Justice Ianthea Leigertwood-Octave. Members of staff at the Headquarters also benefited from attending sessions that were relevant to their work.

The orientation programme was intended to ensure the commitment of the Judges to the highest standards of personal growth and official conduct and to provide them with information on new and improved methods of court management, civil procedures and court-connected mediation.

The topics focused on aspects of Civil Procedure, Judicial Ethics and Protocol, the Civil Procedure Rules, Information Technology, Case Management Conference Rules & Procedure, Costs and Mediation. The presenters were the Judges of the Court of Appeal, Master Brian Cottle, Mr. Robert Lipscher and Heads of various Departments of the Headquarters of the Eastern Caribbean Supreme Court.

## **Training Activities for Saint Lucia Magistrates**

The JEI is in the process of organizing programmes for the Magistrates and Staff of the District Courts of Saint Lucia, which will eventually benefit the Magistracy in all of the Member States of the Court. This comes out of a proposal that was presented by the Senior Magistrate of Saint Lucia. The Court will now, for the purpose of providing Magistrates of all of our Member States with the results and reasons for its decisions on Magisterial appeals, circulate copies of the Digest of sittings of the Court of Appeal to Senior/Chief Magistrates, who would make copies available to each Magistrate.

The JEI will also assist the Magistrates Court in Saint Lucia, in the first instance, to conduct during the course of this year:

1. Information Sessions with the Ministry of Justice and the Magistrates Courts on the reform processes.
2. Training sessions for Staff of the Magistrates Court on Creative Thinking, Stress Management, Time Management, Interpersonal Relations and Customer Relations.
3. JEMS Training for Court Clerks
4. Orientation Programme for Court Administrators

### **Annual Conference**

The Honourable Chief Justice, through the instrumentality of the Judicial Education Institute (JEI) is in the process of planning *Judicial Conference, 2006*. It is proposed that this activity will be convened at the Jungle Bay Resort, Commonwealth of Dominica from Monday 31<sup>st</sup> July to Friday 3<sup>rd</sup> August 2006, with the following schedule:

Monday July 31 <sup>st</sup> 2006:	Judges Judicial Education Component
Tuesday August 1 <sup>st</sup> 2006:	Registrars and Magistrates Judicial Education Component
Wednesday August 2 <sup>nd</sup> 2006:	Joint Session with Judges, Registrars and Magistrates
Thursday August 3 <sup>rd</sup> 2006:	Judges Session

**Judicial Appointments for the period  
January 1 - 31, 2006**

**EASTERN CARIBBEAN SUPREME COURT**

- [1] **Mr. Lewis Hunte, Q.C.**, Barrister-at-law, Tortola, BVI has been appointed to act as a High Court Judge, Eastern Caribbean Supreme Court with effect from 1<sup>st</sup> February to 12<sup>th</sup> April, 2006. Mr. Hunte is assigned to the Commonwealth of Dominica.
- [2] **Her Ladyship, the Hon. Justice Ianthea Leigertwood-Octave**, has been appointed to act as High Court Judge, Eastern Caribbean Supreme Court with effect from 1<sup>st</sup> January to 31<sup>st</sup> July, 2006. Justice Leigertwood- Octave is assigned to St. Kitts and Nevis.

**Antigua and Barbuda**

- [3] **Mr. Carden Conliffe Clarke**, resigned as Assistant Registrar, Land Registry Division with effect from 5<sup>th</sup> January, 2006.

**Commonwealth of Dominica**

- [4] **Ms. Sandra Julien**, Deputy Registrar (Qualified)/Magistrate has been appointed to act as Registrar General and Provost Marshall for the period 11<sup>th</sup> October, 2005 to 30<sup>th</sup> November, 2005 vice Mr. Reginald Winston who had been granted vacation leave for the said period.
- [5] **Ms. Pricilla Pacquette** has been appointed to act as State Attorney for the period 27<sup>th</sup> October to 31<sup>st</sup> December, 2005 vice Ms. Sabriya Ali who was appointed to act as Senior State Attorney.

**Saint Lucia**

- [6] **Mr. Leslie Mondesir** and **Ms. Raquel Willie-Trotman** have been appointed to the posts of Crown Counsel IV, Crown Prosecutions Service, on contract for a period of one year with effect from 4<sup>th</sup> January, 2006.

- [7] **Ms. Dara Modeste** has been appointed to the post of Crown Counsel 1, Attorney General's Chambers on contract for a period of two years with effect from 16<sup>th</sup> January, 2006.
- [8] **Mr. Rene Williams'** contract of employment as Crown Counsel II, Attorney General's Chambers, with the Government of St. Lucia has been terminated from 31<sup>st</sup> December, 2005.

## **WRITTEN JUDGMENTS**

The following are written judgments delivered in the month of **January 2006**:

### **COURT OF APPEAL JUDGMENTS**

#### **BRITISH VIRGIN ISLANDS**

##### **IPOC v LV Finance Ltd et al**

B.V.I.

Civil Appeal Nos. 20/2003 & 1/2004

Barrow, J.A.

**Delivered: 16/1/06**

##### **David Hague et al v Nam Tai Electronics, Inc**

B.V.I.

Civil Appeal No. 25/2004

Barrow, J.A.

**Delivered: 16/1/06**

## HIGH COURT JUDGMENTS

### ANGUILLA

#### **Surfside Trading Ltd v Landsome Group Inc. Et al**

Anguilla

Claim No. AXAHCV/2005/0016

George-Creque, J.

**Delivered: 20/01/06**

### BRITISH VIRGIN ISLANDS

#### **Finecroft Limited et al v Lamane Trading Corporation**

B.V.I

Claim Nos. BVIHCV2005/0264 & BVIHCV2005/0265 (consolidated)

Hariprashad-Charles, J

**Delivered: 6/1/06**

#### **Imran Saeed Chaudhry v Sat Star Distribution Limited**

B.V.I

Claim No. BVIHCV2005/0111

Hariphashad-Charles, J.

**Delivered: 20/01/06**

### DOMINICA

#### **Victor Riviere v National Bank of Dominica Ltd.**

Dominica

Claim No. DOMHCV 2004/454

Belle, J

**Delivered: 18/1/06**

#### **Tommy Henry v Clifton Toulon**

Dominica

Claim No. 403/1999

Cottle, M

**Delivered: 30/1/06**

**Sharon Ravalliere v Vincent Wyllis**

Dominica

Claim No. DOMHCV 2004/493

Cottle, M

Delivered: 30/1/06

**GRENADA**

**Grenville Winslow Phillips et al v Garvey Louison Liquidator et al**

Grenada

Claim No. GDAHCV2003/0228

Baptiste, J.

Delivered: 17/1/06

**Tillman Thomas v Richard Cheltenham**

Grenada

Claim No. GDAHCV2005/0296

Cottle, M.

Delivered: 26/01/06

**ST. LUCIA**

**Kenny Anthony v Vaughan Lewis**

St. Lucia

Claim No. SLUHCV / 2000/0411

Edwards, J.

Delivered: 11/1/06

**Jane St Croix v Shell Antilles**

St. Lucia

Claim No. SLUHCV 944/2004

Mason, J.

Delivered: 16/1/06

**Life Rafts & Inflatables v Attorney General**

St. Lucia

Claim No. SLUHCV 2005/0593

Mason, J.

Delivered: 30/1/06

# EASTERN CARIBBEAN SUPREME COURT

As at 31<sup>st</sup> January 2006

## The Chief Justice

His Lordship, the Hon. Chief Justice [Ag.], Brian Alleyne, SC – Saint Lucia

## Justices of Appeal

His Lordship, the Hon. Justice Michael Gordon, QC – Saint Lucia

His Lordship, the Hon. Justice Denys Barrow, SC – Saint Lucia

His Lordship, the Hon. Justice Hugh Rawlins – Saint Lucia

## High Court

His Lordship, the Hon. Justice Albert Redhead [Ag.] - Saint Lucia

His Lordship, the Hon. Justice Kenneth Benjamin – Grenada

Her Ladyship, the Hon. Justice Indra Hariprashad-Charles – British Virgin Islands

His Lordship, the Hon. Justice Frederick Bruce-Lyle – Saint Vincent & The Grenadines

His Lordship, the Hon. Justice Davidson Baptiste – Grenada

Her Ladyship, the Hon. Justice Ola Mae Edwards – Saint Lucia

Her Ladyship, the Hon. Justice Rita Joseph-Olivetti – British Virgin Islands

His Lordship, the Hon. Justice Errol Thomas – Antigua & Barbuda

His Lordship, the Hon. Justice Janice George-Creque – Anguilla

His Lordship, the Hon. Justice Louise Blenman – Antigua & Barbuda

His Lordship, the Hon. Justice Clare Henry-Wason – Commonwealth of Dominica

His Lordship, the Hon. Justice Francis Belle - Saint Christopher & Nevis

Her Ladyship, the Hon. Justice Gertel Thom - Saint Vincent & the Grenadines

Her Ladyship, the Hon. Justice Sandra Mason, QC - Saint Lucia

Her Ladyship, the Hon. Justice Ianthea Leigertwood-Octave [Ag.] – Saint Christopher & Nevis/  
Commonwealth of Dominica/Montserrat

Master Brian Cottle – Saint Vincent & the Grenadines

Master Cheryl Mathurin – Antigua & Barbuda

Ms. Heather Franklyn, Chief Registrar [Ag.] - Saint Lucia