



# EASTERN CARIBBEAN SUPREME COURT ECSC E-NEWSLETTER



## MESSAGE FROM THE CHIEF JUSTICE

Dear Readers:

I take this opportunity to greet all our readers and to wish you all a prosperous and rewarding New Year.

This year, 2007, is a momentous year for us at the Eastern Caribbean Supreme Court. This year we celebrate 40 years of our Court's existence. The Court was established and came into being on 27<sup>th</sup> February 1967, by the Courts Order of that year, which has been incorporated into and forms part of the Constitutions of all the independent States of the OECS and has also been given jurisdiction in the Overseas Territories by the Supreme Court Acts and the Constitutions, in some cases, of those Territories. The establishment of the Court coincided with the acquisition of Associated Statehood by some of the former British colonies in the Leeward and Windward Islands, and the Court was established to replace the former Supreme Court of the Windward Islands and Leeward Islands. The Court sits in two divisions, a trial division (the High Court) and an appeal division (the Court of Appeal).

We do not intend to allow this historic anniversary to pass unnoticed. Throughout the States and Territories over which the Court exercises jurisdiction we are organizing special events to celebrate the occasion and to build public awareness about the role and function of the Court. Debates, public speaking competitions, school quizzes, public information programmes on radio and television, and the publication of a book recalling the history and significant jurisprudential developments of the Court, and of a commemorative magazine, are among the more significant events that are planned. We invite you to visit our website at [www.eccourts.org](http://www.eccourts.org) for more information and updates.

The Court has played a significant and indispensable part in the social, economic and political evolution of the OECS States. It has been a stabilizing and also a developmental instrument in the life of our nations. It must not be overlooked that without a respected and independent judiciary providing a mechanism for the resolution of disputes and the enforcement of contractual rights, commerce and economic development would grind to a halt. Investors and business people, whether foreign or domestic, require the assurance of a reliable, efficient and independent judicial service before they venture into business relations with a sense of security. In this context, the reputation of our Court, sustained over the years of its existence has been vital to the economic development and stability of our countries. ....

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Please send comments, suggestions and contributions to the newsletter at [offices@eccourts.org](mailto:offices@eccourts.org)

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*MESSAGE FROM THE CHIEF JUSTICE [continued]*

At the same time, our Court has been the guardian of the fundamental rights guaranteed to our people by our democratic constitutions in the face of periodic threats to these very important basic rights. The Court has not compromised its constitutional duty to stand as the final bastion against abuse of the fundamental rights of the citizens of our countries. It is probable that the existence of the guarantee against abuse of human rights provided by the Court has on occasion prevented our societies falling into anarchy and chaos.

The celebration of our anniversary is not limited to a single day, or a week, but will be spread over some months and will be played out throughout the OECS. I encourage the populace of these Islands to involve themselves in our activities and to inform themselves about the mission and the work of our Court.

## EASTERN CARIBBEAN SUPREME COURT NEWS

His Lordship, the Hon. Chief Justice [Ag.] Brian Alleyne, SC attended the 44<sup>th</sup> Meeting of the OECS Heads of Authority Meeting which was held in Antigua & Barbuda on 12<sup>th</sup> January, 2007. His Lordship, the Hon. Justice Anthony Ross; Mr Gregory Girard, Court Administrator; and Mr. Irvin Ferdinand, Accountant of the Eastern Caribbean Supreme Court Headquarters also attended the Meeting.

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### NEW FACES

The Eastern Caribbean Supreme Court welcomes the following persons who have recently joined its cadre of professionals: Mrs Kimberley Cenac-Phulgence, Ms Agnes Actie and Mr Francis Letang.



*Kimberley Cenac-Phulgence, Chief Registrar*

Mrs. Kimberley Cenac-Phulgence is no stranger to the ECSC, since she was Registrar of the High Court in Saint Lucia from November 2004 up to the time she took up her appointment as Chief Registrar. Prior to that, she worked in private practice for a very short time at the then firm of Anthony & Associates

followed by Deputy Registrar at the Registry of the Supreme Court until 2000 when she was appointed Registrar of Companies & Intellectual Property.

She graduated from the University of the West Indies, Cave Hill Campus, Barbados; the Hugh Wooding Law School in Trinidad and the University of London, receiving a Masters from the latter.

She was admitted to the Saint Lucian Bar in 1996



*Ms. Agnes Actie, Deputy Chief Registrar*

Ms Agnes Actie is the holder of a Bachelor of Law degree from the University of the West Indies, Cave Hill campus and a Legal Education Certificate from the Hugh Wooding Law School. She comes to the Court with over twenty years experience, having worked in the public sector since 1982. Her various positions prior to joining the Court include: Legal Officer in the Ministry of Finance; Crown Counsel, Attorney General's Chambers; Acting Registrar of Lands; and Legal Officer, Commonwealth Secretariat, assigned to Accelerated Land Distribution Programme, Republic of Trinidad & Tobago; the most recent being Registrar of Lands in Saint Lucia.



*Mr. Francis Letang, Deputy Court Administrator*

Mr. Francis Letang, a national of the Commonwealth of Dominica, joined the Eastern Caribbean Supreme Court effective 1<sup>st</sup> January, 2007, as Deputy Court Administrator responsible for the management of the Court's modernization project. Mr. Letang's academic background is in the Social Sciences, Management and Law, and he only recently completed a Master of Law degree in International Trade, with the University of Wales in the United Kingdom. He brings to the Court work experiences in social work, management of National Insurance, including prosecution of recalcitrant employers at the Magistrates Court level in Dominica. His last posting in the region was with the OECS Judicial and Legal Reform Project based in Saint Lucia, as Project Coordinator

## CONGRATULATIONS

The Eastern Caribbean Supreme Court extends warm congratulations to:



*Justice Denys Barrow*



*Justice Anthony Ross, QC*

**Justice Denys Barrow** who was awarded the prestigious "Custos Justitiae Award" in his native country Belize. This award recognizes an attorney who has been outstanding in his practice of law.

**Justice Anthony Ross** who has been elevated to the rank of Queen's Counsel in the Province of Nova Scotia, Canada.

Heartiest congratulations to both gentlemen. There is no doubt that the admiration for their outstanding achievements is felt by all of us within the Judiciary.

## CONFERENCES, SEMINARS & WORKSHOPS

### **Global Congress on Combating Counterfeiting and Piracy**

The World Intellectual Property Organization (WIPO) hosted the Third Global Congress on Combating Counterfeiting and Piracy at the International Conference Center in Geneva, Switzerland, on 30<sup>th</sup> & 31<sup>st</sup> January, 2007, under the theme: *“Shared Challenges – Common Goals”*

The Eastern Caribbean Supreme Court was represented by His Lordship, the Hon. Chief Justice [Ag.] Brian Alleyne, SC.

The Congress has become a key international forum for discussing practical strategies to meet shared challenges posed by the worldwide trade in counterfeit and pirated products that threatens economic development, health and safety of consumers and good governance. This year’s event was organized in cooperation with the World Customs Organization (WCO) and Interpol, as well as with international non-governmental organizations.

The Third Global Congress provided a forum for shaping future enforcement strategies and actions, and provided an opportunity for dialogue and interaction among government ministers and policy makers, business leaders, senior law enforcement officials, judges, prosecutors, attorneys and stakeholders from intergovernmental and non-governmental organizations. It sought to build on the process that began with the First Global Congress in Brussels in 2004 and the Second Global Congress in Lyon in 2005, that of enhancing international coordination and cooperation and seeking more effective solutions in pursuit of common goals of combating counterfeiting and piracy.

## Orientation for Newly Appointed Staff

The Judicial Education Institute held an Orientation Programme for the newly appointed Deputy Chief Registrar, Ms. Agnes Actie, and Deputy Court Administrator, Mr. Francis Letang, from Thursday 11<sup>th</sup> January - Friday 12<sup>th</sup> January, 2007 at the headquarters of the ECSC, Castries, St. Lucia.

The objective of the orientation was to provide the participants with the necessary information on the operations of the Court. The topics they were oriented on included, *the role of registrars & court offices, overview of the reform process, court administration and financing, information services, mediation, human resource management, records management and JEMS*. The presenters were the Judges and Managers of the Headquarters.

At the conclusion of the workshop the participants were requested to complete an evaluation form. On a scale of 1 to 5 (with 1 being excellent and 5 being poor) the participants were asked the following questions:

1. *Overall, how valuable do you think this workshop has been for you?*
2. *To what extent were the objectives met?*
3. *Overall, how effective have you found the facilitators?*
4. *Did the presentations achieve their intended purpose?*
5. *Were you satisfied with the areas covered by the workshop?*
6. *What topics were most useful?*

The participants returned scores of 1 and 2.

The topics that they found most useful included Records Management, Information Services, The Role of Registrars & Court Offices, JEMS and the Overview of the Reform Initiatives.



Mr. Francis Letang and Ms Agnes Actie (right), accompanied by Ms Anna Joseph, Secretary, who joined the staff in October of last year

## ECSC 40<sup>th</sup> Anniversary Celebrations

The Eastern Caribbean Supreme Court celebrates its 40<sup>th</sup> anniversary on 27<sup>th</sup> February 2007.

From as early as November of last year Member States and Territories have been participating in activities to celebrate this milestone. These activities which have taken place, and will take place are lectures, interviews for both radio and television audiences, debates and moots among students, essay competitions, infomercials, exhibitions, and contributions from bar associations in Member States and Territories and from retired Judges of the Court. Formal dinners and evenings of entertainment will also feature in the celebration.

The actual anniversary date, 27<sup>th</sup> February, will be marked by the holding of a Special Sitting at the Saint Lucia High Court. This will be presided over by the Acting Chief Justice, His Lordship Justice Brian Alleyne, SC, and will be transmitted via simulcast to the other Member States and Territories, who will have their individual activities following.

After all the voices from the debates and interviews have faded, the pleasure derived from the exhibitions and evenings of entertainment have been forgotten and the satisfied taste buds begin to crave again, it is anticipated that the Court's achievements over the forty years will linger. To make this possible, a publication *"The Eastern Caribbean Supreme Court 1967-2007: Forty Years of a Distinguished Regional Judicature"* will be edited and authored by Dr. Francis Alexis of Grenada, a former Lecturer at the University of the West Indies, and Ms. Velma Newton, a member of the Barbados Senate and Librarian at the Faculty of Law, UWI Cave Hill Campus. An anniversary magazine is also slated for publication.

## **Saint Lucia**

In Saint Lucia the local committee, under the leadership of Justice Suzie d’Auvergne, retired High Court Judge, is organizing activities to mark the occasion. A formal dinner will be held on 24<sup>th</sup> February at the Sandals Grande. This will be preceded by cocktails, and attendees will be given the opportunity to view a mini exhibition featuring the past Chief Justices and High Court Judges who have served in Saint Lucia. An essay competition is another activity that forms part of Saint Lucia’s activities.

## **Grenada**

Grenada, under the chairmanship of Justice Kenneth Benjamin, began its celebrations on 1<sup>st</sup> November 2006 with a Press Release and “Media Launch”. Other activities included: an Essay Competition, Moot Trial/Debates and Exhibition.

A series of Lecture commenced on 2<sup>nd</sup> January 2007. Members of the public were given the opportunity to hear presenters speak on matters of topical and public interest.

1<sup>st</sup> February marked the opening of the Public Exhibition by His Excellency the Governor General, and the announcement of winners of the Essay Competition.

## British Virgin Islands

### **Legal Debate Planned as Part of Court's 40th Anniversary Celebration**

**Wednesday, 20<sup>th</sup> December 2006** – A legal debate is being planned as part of celebrations of the Eastern Caribbean Supreme Court's 40th anniversary next February.

The BVI's 40th Anniversary Committee and the Attorney General's Chambers, in partnership with the BVI Toastmasters Club, is organising a debate competition which will provide students and members of the public an opportunity to showcase their public speaking and debating skills.

"This is an excellent opportunity for high school and college students with an interest in law to develop their public speaking skills and have fun at the same time," Director of Public Prosecutions Mr. Terrence Williams said. "We also plan to solicit attractive prizes from the legal community to encourage top-notch presentations."

There will be three people per team, and competitions will be judged by a panel of lawyers, lay persons, and members of the Toastmasters Club. The competition is open to anyone except practising lawyers.

During the preliminary competition, scheduled for Tuesday, January 30, teams will debate topics dealing with criminal law, human rights, constitutional law, and business law. The top two teams will advance to the final competition on Thursday, February 8, where teams will debate the question of whether the BVI should join the Caribbean Court of Justice.

The winner of the debate competition will be announced at a special BVI Bar Association dinner on February 10. The dinner and debate competition are two of several activities being planned to celebrate the 40th anniversary of the Eastern Caribbean Supreme Court. A committee chaired by the Honourable Justice Indra Hariprashad-Charles is also planning an exhibition, evening of fun and drama, television documentary and a special sitting of the High Court.

For more information about the debate, contact Mr. Terrence Williams or Ms. Tiffany Scatliffe at the Attorney General's Chambers at 468-0242, or Ms. Hazelann Hannaway of the BVI Toastmasters Club at 494-2233. Entry forms are available at the Attorney General's Chambers and the H. Lavity Stoutt Community College. The deadline for entry is January 24, 2007.

### **EVOLUTION OF THE JUDICIARY IN THE BVI**

October 1982, was an important date in the history of the Judiciary in the British Virgin Islands for it was then that the Territory was assigned its first resident High Court Judge. Prior to that date a visiting judge would sit here once a year and later twice a year. The last visiting judge was the late Mr Justice Cecil Hewlett and the first resident judge was Madam Justice Monica Joseph.

I am getting ahead of myself for in order to appreciate the present it is necessary to trace the development of the system from the 1950's which I have been able to do with the assistance of some public officers of that era.

#### **THE ERA OF THE 1950'S**

Prior to the late 1950's, there was no resident lawyer at the public or private Bar of the Territory. Members of the public were served by legal practitioners from

Antigua and St. Kitts. Such lawyers included Sydney T. Christian, J. Rowan Henry and the two Harney brothers, Egbert and Harold. Harold Harney later set up a legal practice in Tortola in 1960 which evolved into the present firm of Harney Westwood & Riegels.

The first resident lawyer to grace the public Bar was Hermon Besson who some years later was appointed a High Court Judge in his native Trinidad. Besson came to the BVI in 1956 to take up the appointment of Legal Assistant. The Attorney General was based in Antigua and the Legal Assistant functioned under his direction. After Besson demitted the post of Legal Assistant, he commenced practising privately in the Territory but he did not remain. It was after that that Harold Harney arrived and set up his practice.

#### **MAGISTRATE'S COURT**

The BVI at the time, was a Presidency within the Leeward Islands Federation. The Governor resided in Antigua and the Territory was administered by a Commissioner. The Commissioner was not the Queen's representative such as the Governor is today. He was a subordinate of the Governor and reported directly to him.

The Commissioner, who was an Englishman, was a layman. No one can recall that post ever having been filled by a lawyer. Nevertheless, in addition to his duties in administering the Territory, the Commissioner performed the duties of magistrate and tried all summary cases, except those that required an interpretation of a point of law. In those instances, a trained magistrate was sent from Antigua.

It would appear that the first case of domestic violence to be tried in the BVI was heard around the year 1953. The story is told that the Commissioner, John A.C.

Cruickshank during one of his strolls around the district heard the cries of a lady in distress and on investigating the cause, discovered a young stalwart striking his wife. Mr Cruickshank, himself, was the person to have tried the case but, as he was now the investigator and a witness, two justices of the peace were appointed to hear it. The two justices were Olva Georges (later Sir Olva) and I. G. Fonseca. They found the defendant guilty and, in addition to the penalty imposed, he was severely admonished by Sir Olva who demanded of him never to do it again. Apparently, he never did.

The last of the Commissioners was Geoffrey P. Allsebrook. His term came to an end around the month of December 1959. By that time a Magistrate's Court was established under the Legal Assistant and it convened in a vacant room in the Agricultural Station which was located where the J R O'Neal Botanic Garden now stands. The visiting High Court Judge also sat in the same room and, from all reports, the surroundings were unsatisfactory and evoked some rather harsh comments from the Honourable Justice Donald Jackson (later Sir Donald Jackson CJ) during one of his visits as a Puisne Judge (now High Court Judge).

The post of Legal Assistant was superseded by that of Crown-Attorney. The first Crown-Attorney was Oliver Browne (later Oliver Browne, QC) who became Solicitor General of Barbados. The Crown-Attorney simultaneously performed the functions of Magistrate, Registrar of High Court, Registrar General, Provost Marshal and Coroner. With the appointment of the Crown-Attorney, the Commissioner ceased to function as a Magistrate.

As the legal service became more sophisticated the post of Crown-Attorney was superseded by that of Attorney General. The first person to hold that post was Lionel Barker. He was appointed on 01 July 1966. The instrument appointing

him was signed by Ralph T. O'Neal who was then Secretary to the Administrator.

## HIGH COURT

I mentioned that the High Court cases were heard by a visiting Judge until the appointment of Madam Justice Monica Joseph in October 1982 as the first resident High Court Judge.

Until the 1960's, a High Court Judge visited the Territory once a year. That visit occurred in April. The society was very law abiding and Criminal cases were few. Whenever the Judge visited and there was no criminal work, he was presented with a pair of white gloves. Criminal cases naturally took precedence over civil cases. It would appear that both civil and criminal cases were disposed of in the space of a few weeks with none being traversed. Such was the workload of the visiting Judge.

A visit once a year by a visiting Judge was hardly satisfactory as the following eye witness account illustrates. The visiting Judge on the occasion in question was the redoubtable Justice Donald Jackson. Two men were charged before him. They were engaged in fracas of some sort the previous May and both were arrested. The Judge had already left the territory at the end of April. One of the men was granted bail by the police and the other was denied bail and, consequently, the man had to spend a full year in custody until the Judge returned the following April. During this time, he could not attend to his domestic chores or care for his family. At his trial, he was found guilty by the jury and sentenced by the Judge to a term of six months imprisonment.

Whether it was bravery on his part or whether it was out of sheer desperation and despair the prisoner asked the Judge, who was known for his daunting

judicial demeanour, whether he could “say something”. The Judge, dismissively, asked: “What do you have to say?” When he heard the sad tale that the prisoner related, he demanded that he repeat it. The prisoner, despairingly, obliged.

Now it was the sergeant that became the object of judicial focus. “Sergeant Paul”, demanded the Judge, “is the prisoner telling me the truth?” There was a roar of silence from the Sergeant. The Judge repeated his question. Again he was met with a stony silence. But Mr Justice Jackson was not the sort of person to brook nonsense of any kind and he firmly told the Sergeant that he would be committed for contempt of Court if he did not answer; whereupon the Sergeant feebly responded “Yes, Sir”.

The Judge administered an unforgettable judicial reprimand and no longer did he address the accused as prisoner at the Bar. He said “Mr ---, pay a fine of one shilling, whenever you get it”. It is understood that the accused is still alive and therefore he shall remain nameless.

In the early 1960’s however, it was clear from the growing work load of the Court that a single visit annually by a visiting Judge was no longer desirable and the Judge began to visit during the months of March and October. This continued until 1982 when Justice Monica Joseph was appointed the first resident Judge of the Territory. In 1990, after sustained lobbying by the Bar Association a second resident Judge was appointed.

#### **COURT OF APPEAL**

Significantly, it would seem that the Court of Appeal never sat in the Territory until 1967. Appeals appear to have been heard in one of the Leeward Islands. The reason for this could have been that appeals were few in number and did not

warrant the incurring of the cost convening the Court here. Another reason could have been that it was less costly for the parties if their appeals were heard in the island where their lawyers practised. Whatever the reason, the Court of Appeal now sits regularly in the Territory twice a year, with an extra sitting if necessary. Indeed, some of the most complicated commercial cases originate in the jurisdiction.

The Bar is the most cosmopolitan in the Caribbean and some of the most eminent Counsel from the English Bar regularly practise here alongside the local practitioners. This would never have been envisaged back in the 1950's.

Lewis S Hunte, QC

*January 2007*

**Judicial Appointments for the period  
January 1 - 31, 2007**

The Judicial and Legal Services Commission approved the following appointments:

**(1) Eastern Caribbean Supreme Court [Headquarters]**

- (i) **Ms. Agnes Actie**, as Deputy Chief Registrar, Eastern Caribbean Supreme Court, on contract for a period of two [2] years with effect from 1<sup>st</sup> January, 2007.
- (ii) **Mr. Francis Letang**, as Deputy Court Administrator, Eastern Caribbean Supreme Court, on contract for a period of three [3] years with effect from 1<sup>st</sup> January, 2007.
- (iii) **Ms. Donalyn Vittet**, as Secretary, Eastern Caribbean Supreme Court with effect from 1<sup>st</sup> February, 2007.

**(2) Antigua and Barbuda**

- (i) **Mr. Charlesworth Tabor**, to act as Registrar, Registrar's Division, Antigua and Barbuda, for the period 27<sup>th</sup> December, 2006 to 2<sup>nd</sup> February, 2007, vice Ms. Sandra Julien, Registrar, who will be proceeding on vacation leave for the said period.
- (ii) **Ms. Mitzie Buckley**, Deputy Registrar, Intellectual Property to act as Registrar, Intellectual Property during the period 27<sup>th</sup> December, 2006 to 2<sup>nd</sup> February, 2007.
- (iii) The continued acting appointment of **Mr. Charlesworth Tabor**, as Registrar of Intellectual Property and Commerce with effect from 3<sup>rd</sup> February, 2007 pending filling of the position.

**(2) Dominica**

- (i) **Ms. Kathy Buffong**, as State Attorney for the period 1<sup>st</sup> January to 30<sup>th</sup> June, 2007.

(ii) **Ms. Eunica Anthony**, as State Attorney for the period 1<sup>st</sup> January to 30<sup>th</sup> June, 2007.

(iii) **Ms. Sanura Lambert**, as State Attorney for the period 1<sup>st</sup> January to 30<sup>th</sup> June, 2007.

**(3) Grenada**

(i) **Ms. Kim George** to act as Magistrate with effect from 15<sup>th</sup> January, 2007 to 2<sup>nd</sup> March, 2007.

**(4) St. Christopher and Nevis**

(i) **Ms. Aletha Gumbs** as Crown Counsel, Ministry of Justice and Legal Affairs with effect from 15<sup>th</sup> January, 2007.

**(5) Saint Lucia**

(i) **Ms. Venessa Jn. Baptiste** as Crown Counsel I, Crown Prosecution Service, on contract for a period of two (2) years with effect from 21<sup>st</sup> December, 2006.

(ii) **Mrs. Jenin Samuel-Kisna** as Crown Counsel II, Crown Prosecution Service Unit, Second District, on contract for a period of two (2) years with effect from 4<sup>th</sup> January, 2007.

(iii) **Mr. Shawn Innocent** to act as Magistrate II, with effect from 15<sup>th</sup> to 26<sup>th</sup> January, 2007.

**(6) St. Vincent and The Grenadines**

(i) **Mr. Donald Browne**, as Senior Magistrate/Vice President, Family Court with effect from 17<sup>th</sup> December. 2007.

## **WRITTEN JUDGMENTS**

The following are written judgments delivered in the month of **January 2007**:

### **COURT OF APPEAL JUDGMENTS**

#### **ANTIGUA & BARBUDA**

##### **Shoppers Pharmacy Ltd v Philmore Jarvis**

Antigua & Barbuda  
Civil Appeal No. 21/2004  
Rawlins, J.A.

**Delivered: 15/01/07**

#### **DOMINICA**

##### **National Commercial Bank of Dominica et al v Julius Corbette**

Dominica  
Civil Appeal No. 12/2006  
Barrow, J.A.

**Delivered: 15/01/07**

##### **Dominica Agricultural & Industrial Development Bank v Mavis Williams**

Dominica  
Civil Appeal No. 20/2005  
Barrow, J.A.

**Delivered: 29/01/07**

#### **GRENADA**

##### **Kashif Mustaphakhan et al v The Queen**

Grenada  
Criminal Appeal Nos. 19 & 20/2003  
Matthew, J.A. [Ag.]

**Delivered: 29/01/07**

## **ST. LUCIA**

### **Raymond Dupre v Clifford George et al**

St Lucia

Civil Appeal No. 47/2005

Barrow, J.A.

**Delivered: 15/01/07**

### **Richard Frederick v Julius Owen Joseph et al**

St Lucia

Civil Appeal No. 32/2005

Barrow, J.A.

**Delivered: 15/01/07**

### **Thelbert Edwards v The Queen**

St. Lucia

Criminal Appeal No 03/2006

Gordon, J.A.; Barrow, J.A.; Rawlins, J.A.

**Delivered: 15/01/07**

### **C J Touring Service et al v St Lucia Air and Sea Ports Authority & Classic Transportation Incorporated v St Lucia Air and Sea Ports Authority**

St. Lucia

Civil Appeal Nos. 23/2006 & 24/2006

Gordon, J.A.

**Delivered: 15/01/07**

### **Gerald Joseph v The Queen**

St. Lucia

Criminal Appeal No 02/2006

Rawlins, J.A.

**Delivered: 15/01/07**

### **Mervin Edward v The Queen**

St. Lucia

Criminal Appeal No 01/2006

Rawlins, J.A.

**Delivered: 29/01/07**

**ST.VINCENT & THE GRENADINES**

**Randolph M. Howard v Aubrey Monroe**

St Vincent & the Grenadines

Civil Appeal No. 04/2006

Barrow, J.A.

Delivered: 15/01/07

## HIGH COURT JUDGMENTS

### ANGUILLA

**Jeffrey Carty v Raphael Edwards**

Anguilla

Claim No. AXAHCV2003/0045

George-Creque, J.

**Delivered: 15/01/07**

**Thelston Brooks v Attorney General et al**

Anguilla

Claim No. AXAHCR2006/0089

George-Creque, J.

**Delivered: 15/01/07**

**Leah Richardson v Ovin Richardson**

Anguilla

Claim No. AXAHMT2005/0006

George-Creque, J.

**Delivered: 19/01/07**

### ANTIGUA & BARBUDA

**Franklyn Reynolds v State Insurance Corporation**

Antigua & Barbuda

Claim No. ANUHCV2005/0268

Blenman, J.

**Delivered: 17/01/07**

**Attorney General of Antigua & Barbuda v Lester Bird et al**

Antigua & Barbuda

Claim No. ANUHCV0091/2006

Blenman, J.

**Delivered: 24/01/07**

**Sylvena Morson v Leron Lewis**

Antigua & Barbuda

Claim No. ANUHCV2005/0166

Blenman, J.

**Delivered: 29/01/07**

**Pamela Tyrell v Director of ONDCP**

Antigua & Barbuda

Claim No. ANUHCV 243 of 2000

Blenman, J.

**Delivered: 31/01/07**

**Rashid Pigott v Galeforce Windows & Doors Inc**

Antigua & Barbuda

Claim No. ANUHCV2004/0069

Mathurin, M.

**Delivered: 11/01/07**

**The Attorney General of Antigua & Barbuda v Antigua Aggregates Ltd et al**

Antigua & Barbuda

Claim No. ANUHCV2005/0492

Mathurin, M.

**Delivered: 11/01/07**

**ST. LUCIA**

**Michel Magloire v The Judicial & Legal Services Commission et al**

St. Lucia

Claim No. SLUHCV2005/0372

Edwards, J.

**Delivered: 25/01/07**

**ST. VINCENT & THE GRENADINES**

**Lydia Riley v Dominique Carla Kelly**

St. Vincent & the Grenadines

Civil Claim No. 474 of 2004

Thom, J.

**Delivered: 12/01/07**

# EASTERN CARIBBEAN SUPREME COURT

As at 31<sup>st</sup> December 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 Albert Matthew [Ag.] - Saint Vincent & The Grenadines

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 – 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

His Lordship, the Hon. Justice Anthony Ross, QC [Ag.] - Saint Lucia

Master Brian Cottle – Saint Vincent & the Grenadines

Master Cheryl Mathurin – Antigua & Barbuda

Mrs. Kimberley Cenac-Phulgence, Chief Registrar - Saint Lucia