



MESSAGE FROM THE CHIEF JUSTICE [AG]

Dear Readers:

This will be my final message as Chief Justice before I demit office on 28th April, on which date I will achieve the retiring age of 65. I want through this medium to express my deep sense of gratitude at having been given the opportunity to serve the Eastern Caribbean region through the Institution of the Eastern Caribbean Supreme Court. It has been a profound privilege to have served as a High Court Judge, a Justice of Appeal and finally as the acting Chief Justice. The Court, the final bastion for the enforcement of the provisions of the Constitutions of the Member States and Territories, for the trial of major criminal cases and civil disputes between citizens, and for the protection of the fundamental rights and obligations guaranteed by our Constitutions, has now also undertaken the enforcement of civil rights and obligations arising in major international and cross border commercial litigation often involving many millions of dollars. I feel deeply blessed at having been given this opportunity.

It has been a privilege and a pleasure to work with so many talented, capable persons on the Bench of the ECSC, from whom I have learned so much and who have engendered in me a growing respect for the intellectual capacity, dedication to hard and honest work, and commitment to independence and integrity with which they are all, without exception, so well endowed. It has been no less a pleasure and privilege to work with the members of the several Bars of the OECS, and with the staff members of the Court's Headquarters and the several constituent High Courts, as well as the Magistrates throughout the sub-region. I think we, as OECS citizens, can be supremely proud of the quality of our judiciary, and we owe it to ourselves and to future generations to support our judicial institutions in their commitment to preserve the rule of law at all costs.

I leave with much unfinished. The work of judicial administration and reform will never end, and while I regret that I, and the team with which I worked, were unable, in my term of office, to complete all that we set out to achieve, and that I leave such a burden of unfinished business for my successor, that was in fact inevitable. But the ECSC boasts an excellent team of judicial officers and administrators, and I have every confidence that the work of the Court will continue, and that renewed vigour and new ideas will continue to carry the work of the Court forward. It has been a real pleasure and privilege to work with the team of judges and administrative staff, past and present, at headquarters and in the Member States and Territories. I will always treasure memories of my time with the Court.....

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Please send comments, suggestions and contributions to the newsletter at offices@eccourts.org

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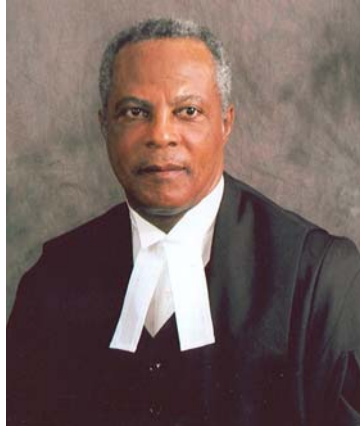
The development of practices and procedures, rules and administrative arrangements to expedite the processing of criminal trials, is an immediate and urgent imperative. Just as important, although perhaps less urgent, is the need to improve the administration of family law and the law relating to juveniles. Of particular importance in that regard is the need to provide the supporting social, advisory, rehabilitative and counseling services, without which our best efforts to solve family issues and deterioration of the situation of what some refer to as the lost generation would be doomed to failure. But we cannot give up on our youth, because if we do we lose not only that generation but perhaps all generations following. So we must invest now in our youth, those who are astray as well as those who have not yet lost their way.

The initiative to develop a Commercial Division of the Court, based in the British Virgin Islands but likely to impact positively on all Member States and Territories, is well under way and enjoys the total commitment of the government of the British Virgin Islands. We have also been assured of the support of the governments for the program to integrate the Magistracies into the 'higher' judiciary, which is directed towards a greater professionalisation of the Magistracy through ensuring greater security of tenure, a more assured career path, and enhanced access to continuing judicial training and development.

All the above will demand much of the leadership of the Court in the months and years ahead. But given the ability and integrity of the leadership, and with the support of the other branches of government; the executive and the legislature, and with the commitment of the leadership of the OECS to pursue further integration initiatives and, in particular, economic union of the OECS Member States, I am confident of success. Economic union among OECS States, in order to promote economic development, demands an efficient and effective judiciary which secures and assures the rule of law. That is what our Court has proved itself committed to, and able to deliver, over the 40 years of its life. So I leave the Court with a heart full of confidence in the future and gratitude that God has given me the opportunity to be part of this great Institution.

EASTERN CARIBBEAN SUPREME COURT NEWS

WELCOME JUSTICE RAWLINS



The Eastern Caribbean Supreme Court welcomes Justice Hugh Anthony Rawlins to the position of Acting Chief Justice.

Through his dedication and penchant for details and precision, Justice Rawlins has made significant contributions to the development of the Eastern Caribbean States Judiciary since 2000, serving as one of the first two Masters of the Eastern Caribbean Supreme Court. He was later elevated to the position of High Court Judge and subsequently Justice of Appeal.

Justice Rawlins takes over from Sir Brian George Keith Alleyne, SC, KCN, who occupied the position since March 2005 and retired on Monday 28th April. Justice Rawlins was sworn in by Saint Lucia's Governor General Her Excellency Dame Pearlette Louisy on Monday 28th April, prior to taking up his position on Tuesday 29th April.

GOODBYE SIR BRIAN!



PRESENTATION BY RUGGLES FERGUSON, PRESIDENT OF THE GRENADA BAR ASSOCIATION AT THE SPECIAL SITTING OF THE EASTERN CARIBBEAN SUPREME COURT ON MONDAY, MARCH 10, 2008 TO BID FAREWELL TO CHIEF JUSTICE (AG), SIR BRIAN GEORGE KEITH ALLEYNE, SC, KCN

I rise on behalf of the Grenada Bar Association to bid farewell to our distinguished and committed Chief Justice, to congratulate you on yet another landmark achievement (this time not entirely within your doing or control) and to again say thank you for your outstanding service and contribution to our evolving jurisprudence throughout the sub-region.

No doubt today's special sitting evokes mixed emotions. On the one hand, it's a time to recognize and celebrate your 42 years of outstanding service to the legal profession, which includes 12 years in private practice; 6 years as an Attorney-General and Minister of Legal Affairs in the Commonwealth of Dominica; 7 years as a High Court Judge; and 5 years as a Justice of Appeal, out of which 3 years have been spent as Chief Justice (Ag.).

On the other hand, it's a time of deep sadness and serious reflection, over the stubborn refusal to confirm your lordship as Chief Justice of the ECSC, notwithstanding your hard work, discipline, dedication, scholarship, vision, judicial wisdom, administrative & managerial skills and all the other exemplary qualities befitting of the position. We are truly ashamed that Grenada was part and parcel of the maneuvers to prevent your confirmation to the position.

One can only imagine, Mi Luds, that while members of the bench and bar throughout the OECS, without exception, are truly saddened to see you go, sounds of joy must be emanating from at least one cabinet room in the OECS as a

certain Prime Minister and his legal advisor must be saying in unison, but in not so decent language, "At last we seeing the back of Alleyne CJ"

We are all proud that Grenada holds a special place, more positive than negative, in your career development: as part of your early secondary education; as part of your earlier career as a private practitioner, during one of the historic murder trials of the 1970's; and as part of your early development as a High Court Judge, being the first place of your assignment, and being the place where you spent six (6) of your seven (7) years as a High Court Judge.

Of course, Grenada also holds not so pleasant memories. We remember the several public attacks you faced by agents of the executive displeased with your rulings; and the historic but hopeless High Court action (Hugh Wildman v Brian Alleyne) personally brought against you during your tenure as a Judge in Grenada - an infamous action that was inevitably dismissed as being frivolous, vexatious and an abuse of the process of the court.

How can we forget too the sheer audacity of one of the all-powerful agents of the Executive, in the Dipcon case, who sent a Junior Attorney to inform Mi Lud that he was not 'minded to appear before him'. How can we forget when the Bar was forced to intervene to ensure that basic repairs be done to ensure livable housing for Mi Lud ? How can we forget the expose' by a former Cabinet Minister of the choice words reserved for Alleyne J, as he then was, whenever he handed down a ruling against the State.

You faced your attacks stoutly and courageously, never allowing them to affect your reasoned rulings either for or against the State. You never allowed the power and aggression of agents of the executive to cower you into making decisions you deemed to have been inconsistent with our constitution and general law. You have maintained the independence and strength of the Judiciary as the last bastion of justice, particularly in matters between the all-powerful State and the individual. You have kept hope alive in the strength and integrity of the justice system.

You brought to bear on the bench your diverse experiences as a seasoned politician, a well-rounded private practitioner, an effective Attorney-General and Minister of Legal Affairs, a respected Senior Counsel and a devoted family man, - experiences and qualities you positively used in dispensing justice for all. Indeed, Mi Lud, you approached your job with dignity, honour, maturity and integrity.

Your undeserved treatment highlights the need for an urgent review of the current policy that calls for the unanimous approval of a Chief Justice by all Heads of Government. In this regard, the current approach by the CCJ, amended

in response to proposals made by the Regional Bars, is worthy of examination. Let the Judicial and Legal Services Commission screen and short list appointees, with the Chief Justice being chosen from among the short-listed appointees by a majority - and not unanimous - vote by the Heads of Government. Only then will we see an end to the Hollywood style acting appointments to the Office of Chief Justice.

During your career on the bench, you have been the author of many historic judgments spanning diverse areas of the law in Grenada. Of note, are the Jean Gibbs and Dipcon cases, both over ruled by the Court of Appeal but restored by the Privy Council during which their Lordships paid tribute to your closely reasoned judgments.

We also remember the George Worme case where Mi Lud, in a powerful judgment that did not find favour either with the Court of Appeal or the Privy Council, struck down the criminal libel laws as unconstitutional and having a chilling effect on freedom of expression. Another powerful judgment was delivered in the Julia Lawrence Judicial Review matter, that also did not find favour with either the Court of Appeal or the majority Privy Council. We note, however, the powerful dissenting judgment delivered by Lord Mance at the Privy Council, which effectively restored the operative parts of the High Court judgment of Alleyne, J.

One would not be surprised if these over-ruled Judgments, reminiscent of the days of Lord Denning, eventually become the law.

In the face of all the challenges, we commend the Government of Antigua for rising to the occasion and bestowing upon you the well deserved title of Knighthood in recognition of your distinguished and committed service to the Bar, to the Bench and to Public Life.

As Chief Justice (Ag.) you led the way in organizing the historic 40th Anniversary celebrations of the Eastern Caribbean Supreme Court, facing the huge logistical challenges associated with holding diverse activities in the nine jurisdictions which the court serve. We are proud that Grenada, through the co-operation of the Bar and Bench, was able to hold the most activities including a public symposium, a dinner, a special sitting, a moot for students, and a public exhibition.

But perhaps the single most important lasting legacy that you will leave as Chief Justice (Ag.) was your commitment to translate to reality, your vision to ensure that the history of the first forty years of the court was reduced to writing and available to all, including the general public. One of the qualities of good leadership is the ability to identify and select the right team to do the job. And

that is exactly what you displayed in this project - good leadership.

What better team could you have chosen than our own tireless worker and constitutional expert, Dr, Francis Alexis, along with Professor Velma Newton, the seasoned and well-qualified Law Liberian at the University of the West Indies. You were able to raise the funding through CIDA and to persuade the Government of Dominica to do the printing through its Government Printery. The result - a gripping 450 page plus book, spanning 11 chapters, in clear print, professionally laid out, and featuring some of the more photogenic members of the Court on its beautiful cover.

On the Bench, you have been both fair but fearless. You have exercised your authority and control, being firm with both senior and junior practitioners alike. But you have also shown respect for members of the Bar, both Senior and Junior, and for witnesses and accused persons. Most of all, you have been a great listener, allowing practitioners to express themselves and advance the case of their respective clients. You have been patient, yet decisive. And most importantly, you have been able to deliver your judgments promptly, sometimes extemporaneously - judgments of depth, closely reasoned and logical, even though one may disagree with the conclusion at times.

We commend your example to other members of the bench.

Off the Bench you were just another human being, like everybody else, moving and interacting with the people; dressed like the people, with no false 'airs and graces'.

As a progressive Chief Justice you have continued the process of modernization and reform started by Sir Dennis Byron. You have gracefully faced the challenges associated with administering nine jurisdictions, while sitting as a full-time Justice of Appeal. We applaud your ongoing efforts of continuing judicial training for Magistrates and Judges through the Judicial Education Institute of the ECSC; your continuing focus and development of the mediation program; and your cooperation with and support for the various programs of the OECS Bar.

We thank you for supporting the Bar's efforts to empower our citizens through Public Legal Education: through our radio and TV programs; our Sir Archibald Nedd Memorial Lectures; our Law Week and other programs. We thank you also for your guidance throughout the stormy introduction of the New Rules and for your contribution to the "Oyez! Oyez!"

Your retirement once again brings to the fore the issue of the retiring age for Judges of the High Court, of the Court of Appeal and of Chief Justice. Here we

have a strong, mentally sharp and physically active Chief Justice, in the prime of his career, being forced into the halls of retirement at a relatively young age. The time is appropriate to repeat the call for an increase in the retirement age of Court of appeal Judges to at least 70 years.

We call on the authorities to act speedily and appoint a new Chief Justice. Follow the recent example of Trinidad and Tobago. Hope continues to be alive with the recognition of our strong bench with diverse strengths. Holly-wood style acting does not auger well for the due administration of Justice.

In Grenada, we continue to be concerned about the independence of the Magistracy; adequate facilities for the Magistrates and High Courts; the state of our Supreme Court Registry, and in particular the state of the records at the Deed and Land Registry - all matters we have been raising since your sojourn as a High Court Judge in Grenada.

We shall continue to lobby on those issues and also for a third Judge to adjudicate on civil matters.

Once again we express regrets, that the Executive, in the sunset of your career, has refused to send you out in a well-deserved and befitting 'blaze of glory', with all the benefits and privileges of a confirmed Chief Justice. Humble as you are, you will not ask to be sent out in a blaze of glory, but, we Mi Lud, know that you have earned those benefits and privileges, you deserve those benefits and privileges, and you are more than qualified to receive them.

Mi Lud, we urge you to make good use of retirement. Retirement does not mean fading into oblivion. Do not allow all your legal and life skills to go to waste. You have a choice, among many possible roles, to still make outstanding contributions: as a Mediator; as an Arbitrator; as a member of an International Tribunal, where age is just a number; as a member of the Regional and Judicial Services Commission; as a 'consultant' to the Judicial Education Institute; as a Judge of the Carribean Court of Justice; as a President or even a Governor-General. Write of your experiences both on and off the bench.

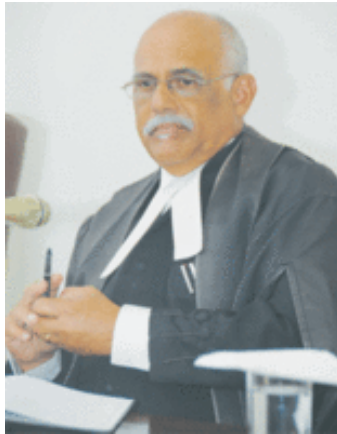
View this moment as just another stage in the journey of life. We urge your successor Chief Justice to make maximum use of your skills.

Mi Lud, the Grenada Bar wishes you all the best in whatever new endeavour you may undertake. Whatever you do, Mi Lud, continue to serve humanity.

May it please Mi Luds.

ANGUILLA SAYS FARWELL TO SIR BRIAN

The Anguilla Circuit of the Eastern Caribbean Supreme Court said farewell on Monday this week to Sir Brian Alleyne who has served for three years as Acting Chief Justice in the nine jurisdictions of the sub-region.



Sir Brian Alleyne

The occasion was a special sitting of the Court of Appeal for the retirement of Sir Brian to which the Anguilla Bar Association, under the auspices of the Supreme Court, invited its members, Government officials and other persons. On the Bench were the Appeal Court team Justices Alleyne, Dennis Barrow and Hugh Rawlins along with Resident Judge, Justice Janice George-Creque, who chaired the proceedings.

The Madam Judge described Sir Brian as “a distinguished Jurist who will be well missed in the legal circles and beyond.” She added: “As a Chief Justice he has been a great leader; as a person a very well and widely-respected person; for me a very warm person.” She was grateful to him for being a very approachable person on any matter of advice and looked forward to his continued assistance notwithstanding his retirement and other engagements.



Governor, Deputy Governor, Lawyers and others

you have made a significant impact which can be identified as follows:

Attorney General, Dr. Wilhelm Bourne, said it was an occasion of mixed feelings for Anguilla and for him. He thought Sir Brian’s service to the Court was a matter for celebration but that it was sad as his career had reached retirement stage.

“You came as a High Court Judge from 1996-2003; a Justice of Appeal from 2003 and Acting Chief Justice from 2005 to the present time,” the Attorney General recalled and continued: “In my estimation



House Speaker, Ministers of Government and Lawyers

and implementation and information technology.”

“The Criminal Justice Reform Project, mainly aimed at eliminating the undue delays which have plagued us over the years; a review of the Civil Procedures Rules to take account of the proposed Commercial Division, non-commercial claims and may be a reform of the Civil Division in due course; the possibility of looking at the reform of the Family Division to deal with matters of divorce and related issues of affiliation and maintenance, domestic violence..., juvenile crime cases..., adequate social services arrangements for non-custodian sentencing options...; the Magistracy – its integration, independence, accountability and efficiency; alternative dispute resolution, mediation training and information technology.”

The Attorney General spoke on various other matters relating to Sir Brian’s work and the need to further develop the services of the Court. He wished him the very best in his retirement.

Former Attorney General, Ronald Scipio, now a consultant with Caribbean Associated Attorneys in Anguilla, commended Sir Brian on his reform efforts and spoke of the high regard in which the Acting Chief Justice had been held over the years. He spent some time speaking about his concern with respect to the selection and appointment of Chief Justices. He said two main challenges facing the Court were respect for the rule of law and the independence of the Judiciary. He stressed that the time had come when the National and Regional Bar Associations should look in particular at political interference in the Judiciary and its negative reflection on the Judiciary. He recalled that Sir Dennis Byron acted as Chief Justice for almost two years because of the views of certain

Heads of Government. (Sir Brian also acted for three years and was not fully appointed because one Head of Government vetoed his appointment.)



*Justice Mitchell (ret), Magistrate,
Police Officials and Court Reporter*

“This lack of intellectual maturity in our system reflects badly on our Judiciary and can impact negatively on it and can also contribute negatively on the high esteem to which our Judiciary should be held,” Mr. Scipio, a Queen’s Counsel, argued. “As long as we continue to have a system where each Head [of Government] has a veto in terms of the appointment of our Chief Justices, we are going to suffer a time of embarrassment that we experienced in the case of Sir Dennis.” He recommended the system for the appointment of the Chief Justice of the Caribbean Court of Justice as a model to follow.

Mr. Scipio wished Sir Brian a happy retirement. “I am sure that there will be opportunities when your knowledge and experience will be tapped into and I think that will be for the greater good of the development of our judicial system,” he stated. He was of the view that 65 years was too young an age for Chief Justices (and Judges) to retire.

Vice President of the Anguilla Bar Association, Josephine Gumbs-Connor, was grateful that Mr. Scipio had referred to the independence of the Judiciary.

Speaking on that matter, and the measure of disappointment she and other members of the Bar had, she said: “We speak of independence of the Judiciary when in fact ...the political will of the region has not seen it fit to clothe the highest office in the Judiciary with the sanctity it deserves.”

She told Sir Brian: “I believe that when you took office and came to Anguilla that the records should show that I made the same comment - hoping that there would have been the effort for that to materialise...I trust that Anguilla, insofar as the political will should follow, will make the strongest effort to rectify what has to be seen as a grave anomaly.”



*L-R: Justice Janice George-Creque,
Justice Barrow, Sir Alleyne Brian
and Justice Rawlins*



*Attorney General, Dr. Bourne
addressing Court*

Mrs. Gumbs-Connor commended Sir Brian for bringing “the dedication, the seriousness and the personality that a substantive holder should bring to that position. I wish for the record to show that we here at the Bar have taken note...that you will be remembered for the fact that you always embraced principles that would lead to the advancement of the administration of justice.” She

added that he had “helped to put into place monuments from which every other holder of the position can stack the blocks.”

Outgoing Chairman of the OECS Bar Association, Courtney Abel, said Sir Brian had devoted the best years of his life serving the sub-region and had given long, dedicated, excellent and unstinting service at the helm of the most important organs of the Judiciary. He stated that Sir Brian had a distinguished career as a lawyer following his call to the Bar in 1966 and he traced his many achievements over the years. He said that, as was the case with Sir Dennis, the OECS Bar Association did not remain silent on the independence of the Judiciary and the appointment of Chief Justices. He outlined a number of reasons given by the Association in support of the appointment of Sir Brian as Chief Justice.

“The time has truly come when the appointment of a Chief Justice should not require unanimity of the Heads of Government but by some less majority such as a two-thirds majority,” Mr. Abel asserted. “The time has surely come also when the Heads of Government should also consider the present constitutional arrangements which require Judges to retire at such young ages. It is 67 for a Chief Justice but even younger for other Judges which is absurd. Judges are being asked to retire at a time when they are approaching, and before they have even reached, their prime.”

Lawyer Patrick Paterson joined in expressing concern that Sir Brian was retiring

without having been formally appointed Chief Justice. "I lay the blame not only at the door of the Heads, I lay the blame at the door of the Bars and the Lawyers of the region mostly," he told The Court. "We all watched in horror recently when events in Pakistan were such that the Bar came out in protest against how the Chief Justice there had been treated." Paterson emphasised that "the way in which Heads of Government deal with the appointment of Chief Justices in the region affects the important issue of the independence of the Judiciary."

In his response, Sir Brian said he had been truly blessed by the tremendous opportunities for service. "I appreciate the kind of support I have received and the manner in which the OECS had given me those opportunities," he acknowledged. "Much has been said about the appointment and tenure of the office of Chief Justice and I don't regret that because these are very important questions."

He reported that during his meetings with Heads of Government he had been at pains to emphasise the importance that there be no further delay in the appointment on an acting basis but that there should be a substantive appointment of the Chief Justice. "It is not good for the Court; it is not good for administration of justice and even for the image of our countries that we continue this longstanding tradition of having persons act as Chief Justices for long periods," he said.

He explained that his statement was not a criticism of any Government, or particular group or Heads of Government, because it had been a long tradition in the Court which went as far back as the successor to the original Chief Justice. "When Sir Alan Lewis retired, Justice of Appeal P. Cecil Lewis acted as Chief Justice for a considerable time before someone else was appointed Chief Justice."

Sir Brian said there were excellent models in the Caribbean for the appointment of Chief Justices and he was of the view that the Heads of Government had understood the matter he had put to them.

The outgoing Acting Chief Justice spoke on various achievements made recently in legal reforms relating to the functioning of the Eastern Caribbean Supreme Court and other changes that were necessary towards that end. He concluded by extending his gratitude to everyone for their assistance.

Taken from "The Anguillian"
4/4/08

ECSC Criminal Division

The New Criminal Procedure Rules

The Criminal Division of the Eastern Caribbean Supreme Court is located on Manoel Street, Castries, St. Lucia. From the outside, it appears nondescript but this place is emitting a great tide of change. The Criminal Division represents a major project under the ongoing program of law reform in the Eastern Caribbean Supreme Court. The project will bring together the District Courts and the High Court under a single administrative unit in the Criminal jurisdiction. New Criminal Procedure Rules are expected to be enacted imminently and Justice Kenneth Benjamin, the Presiding Judge of the Criminal Division and Ms. Kit-Juelle Frank-Amoroso, the Regional Project Coordinator in conjunction with the staff of the Criminal Division and the District Courts have been charged with the responsibility of ensuring a smooth transition under this law reform project. St. Lucia has been identified as the pilot for these changes in the status quo in preparation for rollout to the remaining States and Territories served by the Court.



Outgoing Chief Justice (Acting) Sir Brian Alleyne, SC, KCN (right) handing over a dossier to the new Chief Justice (Acting) Hugh Rawlins. The dossier, which was prepared by Ms. Kit-Juelle Frank-Amoroso (center), details the efforts made thus far under this law reform project.

With the new Criminal Procedure Rules soon to become a reality, the Eastern Caribbean Supreme Court has begun a campaign of sensitizing members of the Bar Association as well as holding meetings with stakeholders in the criminal justice system to discuss the implications of the said Rules. Other aspects of the implementation plan have been the inclusion of the cause list for the Criminal Division on the Eastern Caribbean Supreme Court's website and an ongoing review of the data processes being utilized by the Court. The latter is expected to aid in the harmonization of the databases of all relevant agencies.

The objective of the Criminal Procedure Rules is multifaceted. In addition to the obvious need to reduce the length of time between arrest and disposition of criminal cases, the project aims to ensure efficiency, greater cost-effectiveness and the achievement of the overarching goal of an impartial, competent, efficient and effective system of administration of justice in the countries of the OECS while guaranteeing access to justice and ease of use to stakeholders.

Mediation

Court-connected Mediation continues to impact the dispensation of justice within the Region, some States being more active than others. The months of March and April showed no significant activity. The islands continue to receive referrals, and the program continues to show positive results.

A planned Mediation workshop for Grenada had to be postponed, because of lack of numbers of interested persons.

A Chairperson for the Mediation Committee, Mediation Coordinator and Assistant Mediation Coordinator were recently appointed in the Commonwealth of Dominica. It is anticipated that a new Mediation Committee will soon be appointed in that State to have Mediation in full gear.

New facilities to house the Mediation Office in Nevis is now available, and a Mediation Coordinator has been appointed.

Recently the Regional Mediation Coordinator visited Antigua, and conducted a refresher course for Mediators. He also spoke with members of the Antigua Bar Association. The program was very well received. He is also expected to visit Nevis in the very near future.

**Judicial Appointments for the period
March 1 – April 30, 2008**

Eastern Caribbean Supreme Court Headquarters

- [1] *Ms. Florentina Joan Joseph* to act as *Administrative Secretary* for the period 20th March to 30th April, 2008.
- [2] *Mrs. Reine James* to act as *Office Manager* for the period 18th February to 28th March, 2008.
- [3] *Ms. Aloysia Gabriel* as *Human Resource Manager*, Eastern Caribbean Supreme Court on contract for a period of two (2) years with effect from 1st May, 2008.
- [4] *His Lordship, the Hon. Justice Errol Thomas* to act as High Court Judge of the Eastern Caribbean Supreme Court, Antigua for the period 7th to 30th April, 2008.
- [5] *Ms. Nadine Felicien* to act as *Junior Accounts Clerk* for the period 7th to 16th May, 2008.
- [6] *Ms. Florentina Joan Joseph* as *Administrative Secretary*, Eastern Caribbean Supreme Court with effect from 1st May, 2008.

Antigua and Barbuda

- [7] *Mr. Lawrence deFreitas and Ms. Althea Crick* to serve as members of the Industrial Court for a term of three (3) years with effect from 1st March, 2008.
- [8] *Ms. Catherine N. Kentish* as *Parliamentary Counsel*, Ministry of Legal Affairs with effect from 1st January, 2008.
- [9] *Mr. Colin Hodge*, as *Legal Draftsperson*, Ministry of Legal Affairs with effect from 1st January, 2008.

Commonwealth of Dominica

- [10] *Mr. Glenworth Emmanuel* to act in the office of Magistrate for the period 1st to 31st March, 2008.
- [11] *Ms. Sherma Blaize*, to act in the Office of State Attorney for the period 1st January to 30th June, 2008 vice Ms. Roseanne Charles on no pay study leave.

Grenada

- [12] *Ms. Dionne Lawrence* to act as *Director of Public Prosecutions* with effect from 10th March to 9th May, 2008.
- [13] *Ms. Nevlyn John* to act as *Magistrate, Magistracy Department* for a period of six (6) months with effect from 1st April, 2008.
- [14] *Mr. Jerry Seales* to act as Magistrate, Ministry of Legal Affairs with effect from 17th March, 2008.
- [15] *Mr. Jerry Seales* to act as Chief Magistrate, Ministry of Legal Affairs with effect from 5th May, 2008 to 3rd March, 2009.

St Christopher & Nevis

- [16] *Ms. Jodi Ann Paulwell* as *Crown Counsel*, Ministry of Legal Affairs on contract for one (1) year with effect from 1st October, 2007.
- [17] *Ms. Simone Natalie Bullen* as *Magistrate*, Ministry of Legal Affairs on contract for two (2) years with effect from 17th March, 2008.

Saint Lucia

- [18] *Mr. Leslie Prospere* as *Crown Counsel III*, Attorney General's Chambers on contract for a period of two [2] years with effect from 1st May, 2008.
- [19] *Ms. Desma Charles* as *Deputy Registrar, Registry of Companies and Intellectual Property*, Attorney General's Chambers on contract for a period of two [2] years with effect from 1st July, 2008.
- [20] *Mr. Raulston Glasgow* as *Senior Crown Counsel*, Attorney General's Chambers on contract for two [2] years with effect from 1st May, 2008.
- [21] *Mr. Errol Walker* as Magistrate II, First District Court, on contract for a period of one [1] year with effect from 3rd May, 2008.

St Vincent & the Grenadines

- [22] *Mrs. Petrona Sealey-Browne*, Parliamentary Counsel II, Attorney General's Chambers, as a *Legislative Drafter to the Organization of the Eastern Caribbean States (OECS)* with effect from 1st March, 2008 for a period of two [2] years.

JUDGMENTS

The following are judgments delivered during the months of **March and April 2008**:

COURT OF APPEAL JUDGMENTS

ANGUILLA

Glen Richardson v Regina

Anguilla

HCRAP 2006/001

Thomas, J.A. [Ag]

Delivered: 07/04/08

ANTIGUA & BARBUDA

Andre Winter et al v Charles Richardson

Antigua & Barbuda

HCVAP 2006/025

Edwards, J.A. [Ag]

Delivered: 22/04/08

Southern Developers Ltd v Attorney General of Antigua and Barbuda

Antigua & Barbuda

HCVAP 2006/020 A

Thomas, J.A. [Ag]

Delivered: 07/04/08

BRITISH VIRGIN ISLANDS

Alfa Telecom Turkey Ltd v Cukurova Finance International Ltd et al

British Virgin Islands

HCVAP 2007/027

Barrow, J.A.

Delivered: 22/04/08

DOMINICA

Justina Honore v Clement Rolle et al

Dominica

HCVAP 2008/002

Barrow, J.A.

Delivered: 07/03/08

Vena McDougal v Reno Romain

Dominica

HCVAP 2008/003

Thomas, J.A. [Ag]

Delivered: 07/04/08

GRENADA

Dr the Rt Hon Keith Mitchell v Lloyd Noel et al

Grenada

HCVAP 2007/023

Barrow, J.A.

Delivered: 05/03/08

Bank Crozier Ltd

Grenada

HCVAP 2007/001

Barrow, J.A.

Delivered: 12/03/08

First Caribbean v Bradford Noel and Bradford Noel v First Caribbean

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Barrow, J.A.

Delivered: 12/03/08

Nigel Sookram v The Queen

Grenada

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Edwards, J.A. [Ag]

Delivered: 12/03/08

HIGH COURT JUDGMENTS

ANGUILLA

Patricia Willard et al v Paragon Holding Limited et al

Anguilla

Suit No. AXAHCV 2006/0088

George-Creque, J.

Delivered: 09/04/08

First Montana et al v Best Concrete et al

Anguilla

Suit No. AXAHCV 2007/0053

George-Creque, J.

Delivered: 29/04/08

ANTIGUA & BARBUDA

Joseph Horsford v Lester Bird et al

Antigua & Barbuda

Claim No ANUHCV 2000/0400

Harris, J.

Delivered: 07/03/08

Peter Bird v Angelina Piper

Antigua & Barbuda

Claim No ANUHMT 2006/008

Harris, J.

Delivered: 07/03/08

Raymond Dickenson v Esther Tonge-Dickenson

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Claim No ANUHMT 2006/0057

Harris, J.

Delivered: 07/03/08

Denfield Francis v Sean Nathaniel et al

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Mathurin, M.

Delivered: 05/02/08

BRITISH VIRGIN ISLANDS

Heidi Binder v Patrick McIvey et al

British Virgin Islands

Claim No BVIHCV2005/0006

Hariprashad-Charles, J.

Delivered: 04/03/08

Earl Hodge v Albion Hodge

British Virgin Islands

Claim No BVIHCV2007/0098

Hariprashad-Charles, J.

Delivered: 12/03/08

Victor International Corporation Ltd v Spanish Town Development Co Ltd

British Virgin Islands

Claim No BVIHCV2007/0293

Hariprashad-Charles, J.

Delivered: 20/03/08

Robelco Ltd et al v Svoboda Corporation et al

British Virgin Islands

Claim No BVIHCV2007/0311

Hariprashad-Charles, J.

Delivered: 03/04/08

Belmont Association et al v The Registrar of Lands et al

British Virgin Islands

Claim No BVIHCV2007/0030

Hariprashad-Charles, J.

Delivered: 25/04/08

GRENADA

Geo F Huggins & Co (Grenada) Ltd v The Ship M V Markab

Grenada

Claim No GDAHCV 1999/0199

Henry, J.

Delivered: 19/03/08

ST CHRISTOPHER & NEVIS

Anthony Ross v Bank of Commerce

St. Christopher & Nevis

CLAIM NO: SKBHCV1983/0036

Belle, J

Delivered: 18/03/08

ST. LUCIA

Edmund Bicar v Eastern Caribbean Insurance Ltd

St. Lucia

Claim No SLUHCV2006/0058

Cottle, J.

Delivered: 14/03/08

Huggins Nicholas v The Attorney General of St Lucia

St. Lucia

Claim No SLUHCV2005/0758

Cottle, J.

Delivered: 14/03/08

La Clery Football League v St Lucia Football Association

St. Lucia

Claim No SLUHCV2008/0224

Cottle, J.

Delivered: 20/03/08

Michel Magloire v The Attorney General

St. Lucia

Claim No SLUHCV2004/0831

Cottle, J.

Delivered: 20/03/08

Gills Augustin v PC Shawn Denis

St. Lucia

Claim No SLUHCV2005/0772

Cottle, J.

Delivered: 11/04/08

Raymond Dupres v Mary Reynolds

St. Lucia

Claim No SLUHCV2006/0412

Cottle, J.

Delivered: 28/04/08

Keran Charles v Mervin Steel et al

St. Lucia

Claim No SLUHCV2006/0247

Cottle, J.

Delivered: 30/04/08

Larry Scott v Henry Mary Scott

St. Lucia

SLUHMT2004/0139

Mason, J.

Delivered: 04/03/08

Stephen Jn Pierre v Keith Jn Pierre

St. Lucia

Claim No SLUHCV2005/0652

Mason, J.

Delivered: 13/03/08

Niles Nathaniel v Henry Nathaniel

St. Lucia

Claim No SLUHCV2006/0118

Mason, J.

Delivered: 19/03/08

ST. VINCENT & THE GRENADINES

Bertram Malcolm v Attorney General et al

St. Vincent & the Grenadines

High Court Civil Claim No 104 of 2006

Matthew, J. [Ag]

Delivered: 13/03/08

Wilbert Lewis v Carl Ollivierre

St. Vincent & the Grenadines

Possessory Title Application No 17 of 2006

Matthew, J. [Ag]

Delivered: 13/03/08

Gloria Doyle v Leroy Jackson et al

St. Vincent & the Grenadines
High Court Claim No 418 of 2000
Matthew, J. [Ag]

Delivered: 04/04/08

Floyd Pompey v Casley Toney

St. Vincent & the Grenadines
High Court Claim No 395 of 2006
Matthew, J. [Ag]

Delivered: 30/04/08

Michelle Andrews v Director of Public Prosecutions et al

St. Vincent & the Grenadines
High Court Civil Claim No 41 of 2008
Thom, J.

Delivered: 11/03/08

Kingsley Williams v Wendell Toney et al

St. Vincent & the Grenadines
High Court Civil Claim No 481 of 2005
Thom, J.

Delivered: 09/04/08

Norma Jardine v Edgerton Mars

St. Vincent & the Grenadines
High Court Civil Claim No 102 of 2005
Thom, J.

Delivered: 21/04/08

EASTERN CARIBBEAN SUPREME COURT

As at 30th April 2008

The Chief Justice

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

Justices of Appeal

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

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

His Ladyship, the Hon. Justice Ola Mae Edwards [Ag] – Saint Lucia

High Court

His Lordship, the Hon. Justice Kenneth Benjamin – Saint Lucia

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 – Commonwealth of Dominica

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

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 – Grenada

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 – Saint Christopher & Nevis/
Commonwealth of Dominica/Montserrat

His Lordship, the Hon. Justice Brian Cottle – Saint Lucia

His Lordship, the Hon. Justice Courtenay Harris – Antigua & Barbuda

His Lordship, the Hon. Justice Francis Cumberbatch – Grenada

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

His Lordship, the Hon. Justice Albert Matthew [Ag] – Saint Vincent & The Grenadines

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

Master Cheryl Mathurin – Antigua & Barbuda

Master Pearlletta Lanns – Saint Christopher & Nevis

Mrs. Kimberly Cenac Phulgence, Chief Registrar - Saint Lucia