



EASTERN CARIBBEAN
SUPREME COURT

VOLUME 12, NUMBER 4

E-Newsletter

OCTOBER—DECEMBER 2010

THE JUSTIS-ECSC ALLIANCE



On 18th November 2010 a Digital Publishing Agreement was signed between the Eastern Caribbean Supreme Court and Justis Publishing to create a database of judgments emanating from the Territory of the Virgin Islands for marketing on its full-text online legal library, Justis.

The judgments span the period 1994 to the present, and include indexed subject terms, making it the world's first fully searchable database of such a large collection of judgments from the higher courts of the Territory of the Virgin Islands.

Although Justis Publishing's agreement is with the Eastern Caribbean Supreme Court, the project was spearheaded by Mrs. Tana'ania Small Davis, President of the local Bar Association. Mrs. Small Davis noted that the publication of reported cases from the Territory of the Virgin Islands is a welcome and essential development in the local jurisprudence. She added that as an offshore jurisdiction, the territory has a table of well coordinated and modern commercial law legislation; and over the last 10 years especially, there has been a rapid growth of the number of complex, multi-jurisdictional and multimillion dollar commercial cases filed in the Virgin Islands, involving shareholder disputes, contractual issues, fraud, asset recovery and tracing claims and insolvency. She felt that reports of all their cases, but the commercial ones in particular, are of significant interest to practitioners and clients the world over. Mrs. Small Davis placed on record her elation that these will now be available through Justis.

Justice Edward Bannister of the Commercial Division of the ECSC said: "The publication of this material in an accessible form will be of immense benefit to those who use the Commercial Court and will reinforce the reputation of the jurisdiction as an efficient and well equipped centre for the conduct of international commercial litigation."

Echoing this enthusiasm, Justis Publishing's Managing Director, Masoud Gerami, said: "Following the launch of the Justis Jamaican Cases, I am delighted that we are now ready to offer the highly valuable Judgments from the British Virgin Islands to our clients. Justis worked closely with the BVI Bar Association for the assembly and creation of this collection, and I am grateful for their assistance and involvement. I am also grateful to the Honourable Hugh Anthony Rawlins, the Chief Justice of the Eastern Caribbean Supreme Court, whose support was integral in the creation of this worthwhile service."

The new series, which will benefit practitioners and researchers in the Territory of the Virgin Islands, the Caribbean and the wider legal world, joins a growing collection of non-British cases on the Justis platform.

Justis Publishing Ltd has been publishing legal and parliamentary titles online and on CD-ROM since 1986 and in recent years has developed a citator to complement its own and third-party services. The company has secured a leading position in the sector, concentrating on United Kingdom, Irish, Commonwealth and European Union legal, official and business information. Justis Publishing's customers come from legal and financial professions, government and the academic community in 84 countries worldwide.

As reported at www.prlog.org

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

"In the end, however, it is my view that further adaptation of modern information technology to improve the efficiency of our Courts' processes must be the main focal point of our future endeavours given the technology's all pervasiveness and rapid development."
The Hon Chief Justice High Anthony Rawlins in his 2010/2011 Adress for the Opening Of the Law Year in St. Kitts

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EASTERN CARIBBEAN SUPREME COURT NEWS

SILK ADVISORY COMMITTEE APPOINTED

Pursuant to Sec. 6.1 of the Queen's Counsel Appointment Protocol, His Lordship the Hon. Chief Justice Hugh Anthony Rawlins has appointed the following persons to serve as members of the Silk Advisory Committee: Her Ladyship the Hon Ola Mae Edwards, Court of Appeal Judge (Chairman); His lordship the Hon Kenneth Benjamin, High Court Judge (Member); Dr J S Archibald, QC, Representative of the OECS Bar Association (Member); Mr Michael Gordon, Senior Barrister of the Eastern Caribbean Supreme Court (Member) and Dr William W Watty (Lay Member).

The purpose of the Committee is to review applications for Queen's Counsel, undertake consultation on the applications and submit reports on the assessment of the applications to the Office of the Chief Justice.

WELCOME



Armani Brice



Chester Forde

The Eastern Caribbean Supreme Court welcomes Mr Armani Brice and Mr Chester Forde as part of the team of professionals who support the Court as it continues to administer justice in a prompt, fair and efficient manner.

Armani comes to the Court with a BSc (Hon) in Maths from the University of Edinburgh and a Graduate Diploma in Law from the City Law School, both in the United Kingdom. He was called to the Bar of Saint Lucia in 2010. Prior to joining the Court he served as an Intern at the Chambers of Jolie & St. Clair. He currently serves as one of the two Judicial Clerks at the Court's Headquarters.

Chester joins the Court at its Headquarters in Saint Lucia as Accounts Assistant, having worked in various positions in the field of Accounting/Finance, such as Assistant Cost Coordinator at Sandals Saint Lucia. More recently he was the Accounts Supervisor at Peter & Company for two years. He holds a BSc in Economics

from the University of the West Indies, Mona, Jamaica.

GOODBYE



Garvin W Lawrence

On Friday, November 17, 2010 the Court Said goodbye to Garvin Lawrence. Garvin served the Court as Website Administrator during the period March 15, 2006 to December 17, 2010, and was instrumental in the design and maintenance of the new and improved ECSC Website. We wish him much success in his academic pursuits.

CONGRATULATIONS

The Stork has Landed ... Again!



We are pleased to report that the Stork landed in the home of Ms. Alana Simmons, Project Coordinator, JEI, on Saturday 2nd October 2010 and left her a healthy bouncing baby boy, [Amani](#).

Congratulations to Alana on the birth of her son.

EASTERN CARIBBEAN SUPREME COURT NEWS**ROCK THE HALLS WITH HOWLS OF FOLLY**

The recent onslaught of Hurricane Tomas did not prevent the administrative and support staff of the Eastern Caribbean Supreme Court Headquarters from ending the year in style. On Friday December 17, 2010, staff members and judges celebrated the past year with a Christmas Luncheon under the theme "Rock the Halls with Howls of Folly". This took the form of a gag party. Following a sumptuous fare of Ham, Turkey, Fish, Scalloped Potatoes, Ginger Fried Rice, Steamed Vegetables, Tossed Salad, Dasheen Croquets, Steamed Ripe Plantain, Beans, and the traditional Christmas Black Cake members of staff exchanged funny gifts. This light-hearted and humorous activity was enjoyed by all.

HIGHLIGHTS OF THE DAY

Officer Jn Louis acquainting himself with his gift.



The Court's foyer was transformed to reflect the celebratory nature of the Event.

EASTERN CARIBBEAN SUPREME COURT NEWS



Members of staff await their turn to be served.



EASTERN CARIBBEAN SUPREME COURT NEWS

SURPRISE



Members of staff opening their funny gifts and collecting awards.



IT CORNER

General Cleaning Tips for the Computer



Below is a listing of general tips that should be taken when cleaning any of the components or peripherals of a computer as well as tips to help keep a computer clean.

1. Never spray or squirt any liquid onto any computer component. If a spray is needed, spray the liquid onto a cloth and then use the cloth to rub down the component.
2. You can use a vacuum to suck up dirt, dust, or hair around the computer on the outside case. However, **do not** use a vacuum for the inside of your computer as it generates a lot of static electricity that can damage the internal components of your computer. If you need to use a vacuum to clean the inside of your computer, use a portable battery powered vacuum designed to do this job or try using compressed air.
3. When cleaning a component or the entire computer, turn off the machine before cleaning.
4. Be cautious when using any cleaning solvents; some individuals may have allergic reactions to chemicals in cleaning solvents and some solvents can even damage the case. Try to always use water or a highly diluted solvent.
5. When cleaning, be careful not to accidentally adjust any knobs or controls. In addition, when cleaning the back of the computer, if anything is plugged in, make sure not to disconnect any of the plugs.
6. When cleaning fans, especially the smaller fans within a portable computer or laptop it's suggested that you either hold the fan or place something in-between the fan blades to prevent it from spinning. Spraying compressed air into a fan or cleaning a fan with a vacuum may cause damage or back voltage to be generated.
7. Never eat or drink around the computer.

8. Limit smoking around the computer.

Information Security Tips



- 1 Use passwords as a major defence to protect data. Passwords should be strong, changed regularly and kept secret.
- 2 Protect your computer.
- 3 Use email and the Internet with care.
- 4 Use portable devices such as laptops, USB drives, mobile phones and Blackberry according to the corporate security policies.
- 5 Handle corporate information with care by marking documents with the appropriate classification code, carefully disposing them, printing, copying and scanning them if necessary, always shredding them if containing sensitive information, storing them on the organisation's drive and ensuring that any third party working with the company has signed a non-disclosure agreement before providing any sensitive data.
- 6 Provide visitors with an identity badge that needs to be worn at all times while they are visiting the corporate building. Escort them around the offices.
- 7 Report any loss and/or damage to portable corporate devices and any security breaches and/or incidents to the IT department of your organization.
- 8 Protect information outside your organisation ensuring you keep sensitive data and equipment secure at all times to prevent theft or loss.
- 9 Comply with the corporate security policies and procedures
- 10 Provide feedback to further fine-tune enforced solutions and security policies.

JUDICIAL EDUCATION CORNER

STRENGTHENING ACCOUNTABILITY AND CHANGING CULTURE TO END VIOLENCE AGAINST WOMEN IN THE CARIBBEAN

Ending violence against women was the highlight of the conference convened at the Hilton Hotel, Barbados during October 11 & 12, 2010. It was a very lively two-day discussion with scholarly presentations among other items. The Court was represented at both the administrative and judiciary level. Most of the topics focused on the administration of justice (in particular, the handling of cases of domestic violence including sexual offenses) by the Court.

The region is among the highest in the western hemisphere in the number of reported cases of violence against women—over 7 per 1,000 of the population, yet only 1-3% of those cases were convicted.

It was noted that the failure of the Criminal Justice System to register convictions; owing in part to payment of large sums to victims and witnesses, lack of a proper witness protection programme, and proper training of police, prosecution and court officials, along with inadequate legislation were real issues which must be addressed urgently.

Following the discussion, a resolution was drafted and will be forwarded to the Heads of Government and other relevant authorities for adoption and implementation.

The United Nations Development Fund for Women (UNIFEM) has agreed to work with the Eastern Caribbean Supreme Court to conduct relevant training programmes for judicial officers.



JEMS USER TRAINING

The 2010 JEMS User Training Workshop, coordinated by the JEI and facilitated by the IT Department of the ECSC, was held at the Coco Palm Resort and Spa, Rodney Bay, Saint Lucia during the period 18th to 22nd October 2010. As with the previous years, participants met to share their experiences in using the software, air issues and concerns and receive training in new and upgraded functionalities. This year the participants were all from the OECS. Special presentations were made by Mrs. Cynthia Ramjeawan, Project Coordinator of the Court's Headquarters and Mr. Richard Smith of the High Court of Justice, Saint Lucia.

The Hon. Chief Just Hugh Anthony Rawlins, in declaring the session open reminded participants of the importance of technology in the court system, the importance of consistency across the sub-region in usage and the need to facilitate continuity by passing on the knowledge gained on their return to the various Member States and Territories.

The workshop concluded with the distribution of certificates by His Lordship, the Hon. Justice Kenneth Benjamin, High Court Judge, Criminal Division, and vote of thanks was done by Ms. Bertha McKelly, participant from the Territory of the Virgin Islands.

THOSE WHO SERVE—CRIMINAL DIVISION, SAINT LUCIA

Section A: Introduction

Since the inception of the Criminal Procedure Rules No. 116 of 2008 on 15th December 2008, the Criminal Division which includes the Magistrates Court and High Court has worked assiduously towards the implementation of the various case management processes set out therein. The new processes, some of which are conducted on a weekly basis, include the Orientation Session, Initial Hearing, Pre-Trial Case Management, Omnibus Conference and Sufficiency Hearing. The Rules also brought about the introduction of Case Management and the software Judicial Enforcement Management System (JEMS), which is used predominantly by the Courts for the management of cases.

Key staff members in the Magistrates Court, directly involved in the management of cases were interviewed to obtain feedback on the new processes. Magistrate Michelle Louis, Case Management Magistrate in the North of the island for the past 4 years, commented "One improvement observed in the Criminal Justice System since the introduction of the Rules is the movement of Indictable cases from the Magistrates Court to the High Court. Preliminary Inquiries before a Magistrate have been replaced by Sufficiency Hearings before a single Judge. Therefore, when a Defendant appears before a Magistrate charged with an indictable offence, he is given a date to appear before a Judge of the High Court for a Sufficiency Hearing i.e. a hearing to determine whether the Prosecution has disclosed sufficient evidence to put the Defendant to stand trial before a Judge and jury." One of the challenges experienced is access to JEMS during Court proceedings, especially when travelling out of town to the community courts; JEMS is relied upon to clarify queries about a Defendant's court dates, pending cases before the Court, sentences, outstanding warrants and to trace the movement of cases. Ms Louis also stated that after persons have undergone the orientation session, they are more attentive to the proceedings, they ask questions and have an improved deportment. She also expressed a desire for an increase in the number of Case Managers to allow the Court to achieve the objectives under the Rules.

Ms Quintina Angelo is a Case Manager who has worked in the criminal justice system for the past two and a half years. The experience and exposure obtained have assisted with her career aspirations to become a Lawyer. Ms Angelo enjoys managing and scheduling cases at Court. She stated that the Rules have greatly assisted with the timely disposition of cases and the introduction of JEMS has made it easier to retrieve case information.

Magistrate Anne Marie Joseph holds the position of Case Management Magistrate in the South of the island. She stated that one of the major challenges for implementation has been the lack of administrative support to undertake Case Management and to conduct some of the processes, for example the Orientation Session. Other areas in need of reform include the Court facilities, community service and Family Law.

Systems introduced to regulate the day to day operations of the Division, continue to be reviewed. Notwithstanding the foregoing, Division staff have worked hard and in some cases under strenuous circumstances, but ardently strive to provide quality service to members of the public and other stakeholders in the Criminal Justice System.

With the abolition of Preliminary Inquiries and the introduction of Sufficiency Hearings the volume of work now being realized by the High Court has increased and as a result a second High Court Judge is to be assigned.

The introduction of the Criminal Procedure Rules has contributed towards providing a "fair", "effective" and "efficient" court system, with reformation taking place in the areas of administration, procedure, information technology, judicial quality and the Court structure. As highlighted by the Hon. Chief Justice, Hugh Rawlins in a previous newsletter, the next "port of call" is Grenada.

In retrospect major steps have been taken to improve the justice system; this is evident from the topic of discussions held on the 19th and 20th February 2004, when various stakeholders from the Criminal Justice System gathered at the Bay Gardens Hotel, Saint Lucia to participate in a workshop entitled, *Transforming Criminal Justice Administration*. At the workshop they unanimously agreed on the formation of the following statement, "*The system of Criminal Justice Administration is dysfunctional some say even broken. It is in need of immediate reform.*"

In a mode of ongoing implementation a Criminal Division Implementation Committee has been established by the present Managing Judge, His Lordship, Hon. Justice Kenneth Benjamin who has walked ably in the path of the former Managing Judge, His Lordship, Hon. Justice Albert Redhead; to whom gratitude is always extended for the commitment and guidance given during his tenure. The Committee's mandate is to assess the performance of the Criminal Division since the implementation of the Rules, which would facilitate continued improvement in the way the Criminal Division functions and increase efficiency in the court system as a whole.



Ms Quintina Angelo, Case Manager



Magistrate Michelle Louis (Presiding) Case Management Court, (Castries - North)



Orientation Session in Progress, (Castries - North)

PERFORMANCE OF THE DIVISION

Section B: Statistical Analysis

Highlighted below are some data and statistics from the Case Management Court of the First Judicial District. Table 1 gives a general overview of cases filed and disposed within the First Judicial District as well as cases Heard and Disposed by the Case Management Court. The Case Management Court in the First Judicial District is part of the Criminal Division. However, some civil matters were also case managed during the years shown. In Table 1, cases not disposed of in the Case Management Court were transferred to other Courts for final disposition; which accounts for the seemingly low numbers of disposed cases by the Case Management Court.

The focus is however more on Table 2 which shows the large volume of Criminal cases managed by the Case Management Court; a duty which prior to the implementation of the Criminal Procedure Rules was carried out by all Magistrates whilst sitting on the Bench. The funneling of cases through the Case Management Court allows for the remaining Courts to sit as Trial Courts. Traffic Cases are not represented in this analysis since this data were not readily available.

Table 1: Case Information from the First Judicial District

Year	Cases Filed in the First Judicial District	Cases Heard by the Case Management Court	Cases Disposed by the Case Management Court	Cases Disposed by the First Judicial District
2009	2109	1751	371	1657
2010	1487	1446	366	2022
Total	3596	3197	737	3679

PERFORMANCE OF THE DIVISION

Figure 1

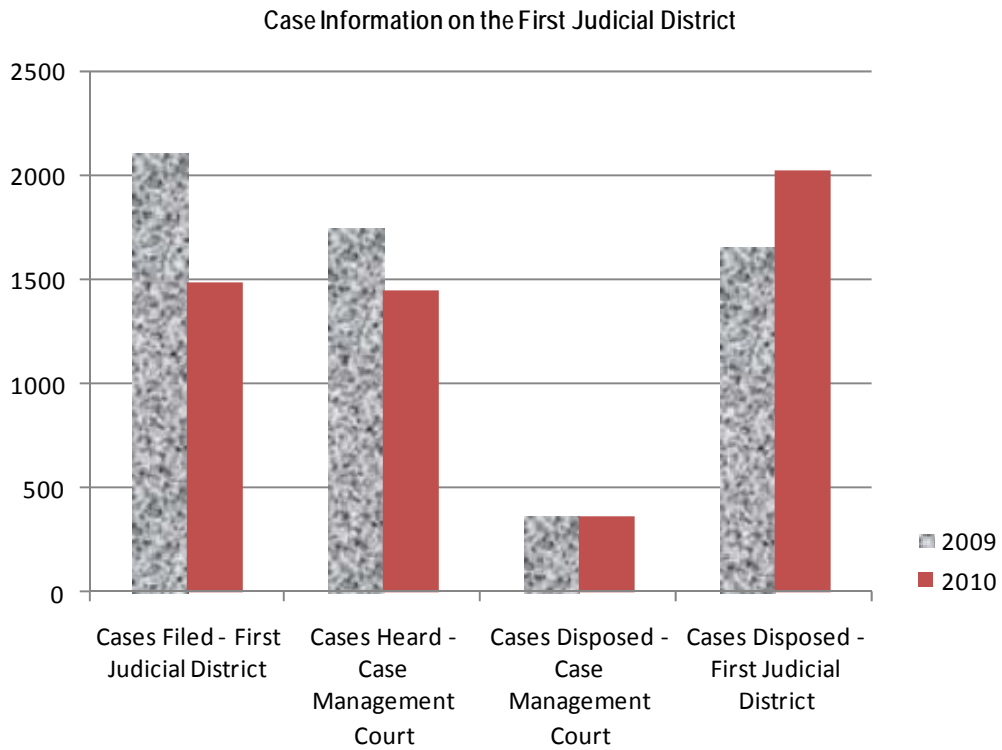


Table 2: Cases Heard by the Case Management Court in the First Judicial District

YEAR	CRIMINAL	CIVIL	TOTAL
2009	1631	120	1751
2010	1432	14	1446
TOTAL	3063	134	3197

JLSC APPOINTMENTS FOR THE PERIOD OCTOBER 1–DECEMBER 31, 2010**HEADQUARTERS, SAINT LUCIA**

Justice Monica Joseph to act as High Court Judge, Eastern Caribbean Supreme Court for the period 1st October 2010 to 31st August, 2011.

Hon. Justice Lyle St. Paul, OBE, CBE to act as High Court Judge, Eastern Caribbean Supreme Court for the period 1st October to 31st December, 2010.

Mr. Anthony Gonsalves to act as High Court Judge, Eastern Caribbean Supreme Court for the period 1st to 30th October 2010.

Hon. Justice Frederick Bruce-Lyle, High Court Judge to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 22nd to 26th November 2010.

Mr. Michael Gordon, QC to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 22nd to 26th November & 13th to 17th December 2010.

Mr. Tyrone Chong, QC to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 22nd to 26th November 2010.

Hon. Justice Albert Redhead to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 22nd to 26th November 2010.

Mr. Jefferson Cumberbatch to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 22nd to 26th November 2010.

Hon. Justice Ian Kawaley to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 13th to 17th December 2010.

Ms. Jennifer Remy as High Court Judge, Eastern Caribbean Supreme Court with effect from 1st November 2010.

Hon. Justice Ephraim Georges to act as High Court Judge, Eastern Caribbean Supreme Court for the period 1st December 2010 to 31st January 2011.

Mr. Charlesworth Tabor to act as Master, Eastern Caribbean Supreme Court for the period 14th to 15th October, 22nd to 26th November & 13th to 17th December 2010.

Ms. Patricia Harding to act as Master, Eastern Caribbean Supreme Court for the period 11th to 13th October 2010.

Mrs. Kimberly Cenac-Phulgence to act as Master of the Eastern Caribbean Supreme Court for the period 22nd to 26th November 2010.

Her Ladyship, Hon. Justice Janice George-Creque to act as Chief Justice of the Eastern Caribbean Supreme Court for the period 20th to 31st December 2010.

Mr. Francis Letang as *Director of Projects*, Eastern Caribbean Supreme Court on contract for a period of two [2] years with effect from 1st October 2010.

Mr. Armani Brice as *Judicial Clerk*, Eastern Caribbean Supreme Court on contract for a period of two [2] years with effect from 1st October 2010.

Mr. Chester Forde as *Accounts Assistant*, Eastern Caribbean Supreme Court with effect from 5th October 2010.

Ms. Myrtene Cenac as *Statistician*, Eastern Caribbean Supreme Court on contract for a further period of two [2] years with effect from 24th November 2010.

ANTIGUA & BARBUDA

Ms. Ricki Camacho as *Registrar*, Intellectual Property and Commerce for a one [1] year period with effect from 2nd October 2010.

Ms. E Ann Henry as a Member of the Industrial Court of Antigua and Barbuda for three [3] years with effect from 1st October 2010.

Mrs. Joan Fung as Magistrate, Magistrate's Division, Ministry of Legal Affairs on contract for a one [1] year period on a three [3] day work week basis with effect from 1st October 2010.

COMMONWEALTH OF DOMINICA

Mrs. Pearl Richards-Xavier to act as Chief Parliamentary Counsel for the period 1st October, 2010 to 31st March 2011 in a vacant post.

Ms. Tameka Ruth Hyacinth, Ms. Sherma Daurell Dalrymple, Ms. Kimala Annestia Alfred, Ms. Jo-Anne Commodore as State Attorneys, Ministry of Tourism and Legal Affairs for the period 1st October, 2010 to 31st March 2011 in vacant posts.

Mr. Levi Andrew Peter as *Attorney General*, Attorney General's Chambers on contract for a period of three [3] years with effect from 25th October 2010.

SAINT LUCIA

Mrs. Christine Phulchere Magistrate II, to act as Senior Magistrate, Ministry of Justice, Saint Lucia for the period 18th October to 30th November 2010.

Mrs. Brender Portland-Reynolds as Senior Crown Counsel, Attorney General's Chambers on contract for a further period of two [2] years with effect from 15th December 2010.

ST VINCENT & THE GRENADINES

Ms. Charlene Douglas as *Crown Counsel I*, Ministry of Legal Affairs on contract for one [1] year with effect from 1st December 2010.

JUDGMENTS DELIVERED DURING THE MONTHS OF OCTOBER –DECEMBER 2010**COURT OF APPEAL****ANTIGUA & BARBUDA**

Janice Reynolds-Greene v Community First Cooperative Credit Union

HCVAP 2008/027

Edwards, J. A.

Delivered: 25/10/10

Jacqui Quinn-Leandro v Dean Jonas ... election petitions

HCVAP 2010/018, 2010/019, 2010/020

Rawlins, C.J.

Delivered: 27/10/10

Carlton Bedminster et al v The Queen

HCRAP 2008/002, 003

Baptiste, J.A.

Delivered: 15/12/10

Roger Naitram et al v The Queen

HCRAP 2006/005, 006, 008

Baptiste, J.A.

Delivered: 15/12/10

COMMONWEALTH OF DOMINICA

Burton Riviere v Judith Durand

HCVAP 2006/013

Alleyne, C. J. [Ag.]

Delivered: 10/11/10

Michael Laudat v Danny Ambo

HCVAP 2010/016

Edwards, J.A.

Delivered: 15/12/10

ST KITTS & NEVIS

Boundaries Commission v Shawn Richards et al

HCVAP 2009/007, 010

Gordon, J.A. [Ag]

Delivered: 13/09/10

Attorney General v Shawn Richards et al

HCVAP 2009/009

Gordon, J.A. [Ag] & Edwards, J.A.

Delivered: 13/09/10

SAINT LUCIA

Roland Browne v The Public Service Commission

HCVAP 2010/023

Edwards, J.A.

Delivered: 15/12/10

TERRITORY OF THE VIRGIN ISLANDS

Maureen Peters v The Queen

HCRAP 2009/005

Baptiste, J.A.

Delivered: 01/10/10

Damian Hodge v The Queen

HCRAP 2009/001

Baptiste, J.A.

Delivered: 10/11/10

JUDGMENTS DELIVERED DURING THE MONTHS OF OCTOBER–DECEMBER 2010**HIGH COURT****ANGUILLA****Audrey Smith v Hilton Fleming**

Claim No AXAHCV 019/1997

Blenman, J.

Delivered: 14/10/10

Linda Tamn v The Fountain Beach and Tennis Club Ltd

Claim No AXAHCV 007/2009

Blenman, J.

Delivered: 28/10/10

Lystra Ewen v Charles Sylvester Liddie

Claim No AXAHCV 0044/2007

Blenman, J.

Delivered: 30/10/10

Sylvanie Connor et al v Ileen Hodge-Richardson

Claim No AXAHCV 0043/2008

Blenman, J.

Delivered: 30/10/10

Ashtrom Anguilla Ltd v Flag Luxury Properties (Anguilla) LLC et al

Claim No. AXAHCV 0091/2009

Blenman, J.

Delivered: 30/11/10

Calefaccion Y Ventilacion SA DE C V v Flag Luxury Properties (Anguilla) LLC

Claim No. AXAHCV 0001/2010

Blenman, J.

Delivered: 30/11/10

Credit Suisse AG (Cayman Islands Branch) v Anguilla Masonry Products Co Ltd et al

Claim No. AXAHCV 0046/2010

Blenman, J.

Delivered: 30/11/10

Thomas P. Lydon et al v Barnes Bay Development Ltd et al

Claim No AXAHCV 0051/2008

Blenman, J.

Delivered: 12/12/10

Sir Emile Gumbs v Sheffield Holdings Ltd

Claim No AXAHCV 0090/2009

Blenman, J.

Delivered: 13/12/10

Peter Adams v Ermine Adams-Plotkin

Claim No AXAHCV 0034/2009

Blenman, J.

Delivered: 13/12/10

Gwenneth Webster v National Bank of Anguilla Ltd

Claim No AXAHCV 0098/2008

Blenman, J.

Delivered: 22/12/10

Lineth Webster v Carolyn Gumbs

Claim No AXAHCV 0100/2008

Blenman, J.

Delivered: 30/12/10

ANTIGUA & BARBUDA**Mathurin Jurgensen v Public Utilities Authority**

Claim No ANUHCV 2004/0528

Blenman, J.

Delivered: 14/10/10

Jack Scott et al v Wayne Robinson et al

Claim No ANUHCV 2009/0056

Gonsalves, J. [Ag]

Delivered: 21/10/10

Andrea Stoelker et al v Bank of Antigua

Claim No ANUHCV 2010/0197

Harris, J.

Delivered: 12/10/10

The Supervisory Authority v The Liquidators of Eurofed Bank

Claim No ANUHCV 2010/0298

Harris, J.

Delivered: 12/10/10

C O Williams Construction (Antigua) Ltd v Jennings Building Production Ltd

Claim No ANUHCV 2008/0484

Harris, J.

Delivered: 12/10/10

Geotech Co Ltd v Akindele Looby

Claim No ANUHCV 2007/0578

Harris, J.

Delivered: 12/10/10

Akindele Looby et al v Dorothy Gittens et al

Claim No ANUHCV 2008/0357

Harris, J.

Delivered: 12/10/10

Antigua Real Estates Ltd v Rupert Kenlock

Claim No ANUHCV 2008/0041

Harris, J.

Delivered: 12/10/10

The Public Utilities Authority v Lester Bryant Bird et al

Claim No ANUHCV 2007/0353

Harris, J.

Delivered: 12/10/10

JUDGMENTS DELIVERED DURING THE MONTHS OF OCTOBER–DECEMBER 2010**Geo W Bennett, Bryson & Co Ltd et al v Akindele Looby**

Claim No ANUHCV 2007/0722

Harris, J.

Delivered: 12/10/10

The Public Utilities Authority v Shoppers Pharmacy et al

Claim No ANUHCV 2009/0605

Harris, J.

Delivered: 12/10/10

Rupert Anthony v Patrice Browne et al

Claim No ANUHCV 2009/0362

Harris, J.

Delivered: 12/10/10

Aziz Hadeed v Phillip Abbot

Claim No ANUHCV 2008/0058

Harris, J.

Delivered: 12/10/10

Clive Oliveira v Attorney General

Claim No ANUHCV 2009/0608

Harris, J.

Delivered: 12/10/10

Anita Tobitt et al v Stanford Frederick

ANUHCV 2006/0026

Mathurin, M.

Delivered: 13/10/10

Akeem Murraine v Antigua and Barbuda Hospitals Board

Claim No ANUHCV 2008/0233

Michel, J.

Delivered: 14/10/10

Annette Tuit v ABI Bank Ltd

Claim No ANUHCV 2008/0583

Michel, J.

Delivered: 20/10/10

Herman Esprit v Glenda Esprit

Claim No ANUHCV 2009/0616

Michel, J.

Delivered: 28/10/10

The Liquidators of Eurofed Bank Ltd v The Supervisory Authority

Claim No ANUHCV 2010/0298

Michel, J.

Delivered: 26/11/10

James N George et al v Eldica Benjamin

Claim No ANUHCV 2009/0271

Thomas, J.

Delivered: 29/11/10

Everton Cornelius v Allan Stevens et al

Claim No ANUHCV 2006/0234

Thomas, J.

Delivered: 29/11/10

Myrtle Looby v Dorothy Gittens

Claim No ANUHCV 2007/0388

Thomas, J.

Delivered: 29/11/10

Gerald Watt v FBO (2000) Antigua Ltd et al

Claim No ANUHCV 2009/0254

Mathurin, M.

Delivered: 02/12/10

Malaka Parker v First Caribbean International Bank Ltd

Claim No ANUHCV 2009/0748

Mathurin, M.

Delivered: 20/12/10

Sandra George v Clement Samuel et al

Claim No ANUHCV 2004/0293

Michel, J.

Delivered: 13/12/10

Wingrove Jarvis v Mary Jarvis

Claim No ANUHCV 2010/0099

Michel, J.

Delivered: 15/12/10

Morris Gardner v Attorney General

Claim No ANUHCV 2007/0745

Michel, J.

Delivered: 21/12/10

Joseph Hutchens v Jeffrey Cahall

Claim No ANUHCV 2007/0099

Thomas, J.

Delivered: 16/12/10

COMMONWEALTH OF DOMINICA**Lucy Paul v Emmanuel Joseph**

Claim No DOMHCV 0172 of 2003

Stephenson-Brooks, J.

Delivered: 01/10/10

David Robin et al v Ulysses Auguste et al

DOMHCV 2003/0141

Cottle, J.

Delivered: 25/11/10

Edison James v Speaker of House et al and Hector John v Speaker of House et al

DOMHCV 2010/0199, DOMHCV 2010/0200

Stephenson-Brooks, J.

Delivered: 22/11/10

JUDGMENTS DELIVERED DURING THE MONTHS OF OCTOBER–DECEMBER 2010**The State v Deveril Benjamin**

Case No 24 of 2010
Stephenson-Brooks, J.
Delivered: 25/11/10

Kironie Sandy v The State

Claim No DOMHCV 2010/0312
Stephenson-Brooks, J.
Delivered: 26/11/10

GRENADA**Ann Robertson v Attorney General**

Claim No GDAHCV 2009/0338
Mathurin, M.
Delivered: 11/11/10

Dexter Smith v Attorney General et al

Claim No GDAHCV 2008/0328
Price-Findlay, J.
Delivered: 07/10/10

Ronald Lessey v Garth Gellineau

Claim No GDAHCV 2007/0413
Price-Findlay, J.
Delivered: 07/10/10

Liberty Club Ltd v Beacon Insurance Co Ltd

Claim No. GDAHCV 2005/0409
Price Findlay, J.
Delivered: 22/11/10

Christopher Lord v Geraldine Pitt-Samuel

Claim No. GDAHCV 2006/465
Price Findlay, J.
Delivered: 29/11/10

Catherine Maria St. Bernard v Olive Virginia McEwen

Claim No. GDAHCV 2008/0515
Price Findlay, J.
Delivered: 29/11/10

ST KITTS & NEVIS**Cedric Liburd v Eugene Hamilton et al**

Claim No. SKBHCV2010/0020
Hariprashad-Charles, J.
Delivered: 13/10/10

Lindsay Fitz-Patrick Grant v Glen Fitzroy Phillip et al

Claim No. SKBHCV 2010/00
Hariprashad-Charles, J.
Delivered: 04/11/10

Montag Services Trustee Ltd v Grossberg Fiduciaries Ltd

Claim No. NEVHCV 2007/0121
Thomas, J. [Ag]
Delivered: 04/11/10

SAINT LUCIA**Simone Jean Popo v John Popo et al and Victor Hippolyte et al v Simone Jean Popo**

SLUHCV 2007/502, 2008/012
Georges, J.
Delivered: 14/10/10

Martin Devaux v Theresa Goddard et al

SLUHCV 2008/0405
Wilkinson, J.
Delivered: 07/10/10

Patrick Morille v Hermia Morille

Claim No SLUHCV 2010/0285
Wilkinson, J.
Delivered: 27/10/10

1st National Bank of St Lucia Ltd v Universal Fishing and Trading Co Ltd

SLUHCV 2007/0998
Wilkinson, J.
Delivered: 29/10/10

Kim Gustave et al v Magistrate Anne Marie Smith et al

Claim No. SLUHCV 2009/0590
Belle, J.
Delivered: 24/11/10

Prudence Robinson v Sagicor General Insurance Inc.

SLUHCV 2008/736
Georges, J. [Ag]
Delivered: 18/11/10

Samantha Anthony v Gregory Edward

SLUHCV 2008/0656
Georges, J. [Ag]
Delivered: 19/11/10

Patricia Edmund v Sr. Magistrate Floreta Nicholas

SLUHCV 2009/483
Georges, J. [Ag]
Delivered: 24/11/10

Robert Antoine v Johnston International Ltd

SLUHCV 2008/0975
Georges, J. [Ag]
Delivered: 30/11/10

Joanne Rowan et al v Bryan Stephen

Complaint No 5 of 2006
Wilkinson, J.
Delivered: 17/11/10

Barbara McQuilkin et al v Aloysius Polius

Claim No SLUHCV 2007/0119
Wilkinson, J.
Delivered: 25/11/10

JUDGMENTS DELIVERED DURING THE MONTHS OF OCTOBER–DECEMBER 2010**1st National Bank St Lucia Ltd v Universal Fishing and Trading Co Ltd et al**

SLUHCV 2007/0998

Wilkinson, J.

Delivered: 30/11/10

ST VINCENT & THE GRENADINES**Elroy Arthur v T Michael Findlay**

High Court Civil Claim No. 36 of 2009

Joseph, J.

Delivered: 04/10/10

Michelle Jones v The Saint Vincent and the Grenadines Port Authority

High Court Civil Claim No. 171 of 2009

Joseph, J.

Delivered: 13/10/10

Emmanuel Johnson Chijioke v The Commissioner of Police et al and Benjamin Fiifi Danquah v The Commissioner of Police et al

High Court Civil Claim Nos. 232 of 2010, 233 of 2010

Joseph, J.

Delivered: 21/10/10

Erlene Richardson v Helenor Williams et al

Claim No. SVGHCV 2009/044

Lanns, M.

Delivered: 18/10/10

Dr Ralph Gonsalves v Junior Bacchus et al

Claim No. SVGHCV 2009/0221

Mathurin, M.

Delivered: 06/10/10

Angela Hinkson v Gibson Construction Ltd

High Court Civil Claim No. 149 of 2007

Thom, J.

Delivered: 05/10/10

Burton Williams v Elvineal Richards et al and Alexis Olivierre v Andre Browne

High Court Civil Claim No. 113 of 2008

Thom, J.

Delivered: 13/10/10

Jomo Thomas v The Comptroller of Customs et al

High Court Civil Claim No. 331 of 2008

Thom, J.

Delivered: 20/10/10

TERRITORY OF THE VIRGIN ISLANDS**Vance Lewis v Joyce Lewis**

Claim No. BVIHMT 2008/0062

Hariprashad-Charles, J.

Delivered: 30/11/10

Grand Pacific Holdings Ltd v Pacific China Holdings Ltd

Claim No. BVIHCV 2009/389

Bannister, J. [Ag]

Delivered: 03/12/10

Royal Westminster Investments SA et al v Nilon Ltd et al

Claim No. BVIHCV 2010/039

Bannister, J. [Ag]

Delivered: 21/12/10

Cliff Williams et al v The Moorings Ltd

Claim No. BVIHCV 2009/0083

Hariprashad-Charles, J.

Delivered: 16/12/10

Loretta Frett v Attorney General

Claim No. BVIHCV 2007/0137

Mathurin, M.

Delivered: 20/12/10

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MISSION

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

ECSC JUDICIAL OFFICERS AS AT DECEMBER 31, 2010

THE CHIEF JUSTICE

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

JUSTICES OF APPEAL

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

Her Ladyship, the Hon. Justice Janice George-Creque – Saint Lucia

His Lordship, the Hon. Justice Davidson Baptiste – Saint Lucia

HIGH COURT JUDGES

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

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

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

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

Her Ladyship, the Hon. Justice Louise Blenman – Anguilla

Her Ladyship, the Hon. Justice Clare Henry – Grenada

His Lordship, the Hon. Justice Francis Belle - Saint Lucia

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

Her Ladyship, the Hon. Justice Ianthea Leigertwood-Octave – St Christopher & Nevis/ Montserrat

His Lordship the Hon Justice Brian Cottle—Commonwealth of Dominica

His Lordship the Hon Justice Francis Cumberbatch—Grenada

His Lordship the Hon Justice Mario Michel —Antigua & Barbuda

Her Ladyship the Hon Justice Jennifer Remy - Antigua & Barbuda

Her Ladyship the Hon Justice Margaret Price Findlay - Grenada

Her Ladyship the Hon. Justice Rosalyn Wilkinson—Saint Lucia

Her Ladyship the Hon Justice Birnie Stephenson Brooks - Commonwealth of Dominica

His Lordship, the Hon. Justice Edward Bannister, QC [Ag] – Territory of the Virgin Islands

His Lordship the Hon Errol Thomas [Ag] - St Christopher & Nevis

Her Ladyship the Hon Justice Monica Joseph [Ag] - St Vincent & the Grenadines

His Lordship the Hon Justice Ephraim Georges [Ag] - Saint Lucia

MASTERS

Master Cheryl Mathurin – Antigua & Barbuda

Master Pearletta Lanns—St Christopher & Nevis

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Ms Agnes Actie, Deputy Chief Registrar— Saint Lucia