



**EASTERN CARIBBEAN
SUPREME COURT**

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E-Newsletter

JANUARY—MARCH 2011



Hon Hugh Anthony Rawlins

Dear Readers

It is my usual privilege to address you in this first edition of our News Letter for 2011. May I be permitted to state that this publication served us well during the year 2010 to keep the public informed about the endeavours of our Court.

It gives me pleasure to indicate that since the last report, work progressed satisfactorily on the reform initiatives of the Court.

The Rules Revision Committee concluded discussions and consultations on amendments to the Civil Procedure Rules 2000. We benefited from the assistance of Mr. and Mrs. David and Louise di Mambro and Mrs. Georgis Taylor-Alexander as consultant. The amendments will be ready shortly for gazetting and ultimately for use by legal practitioners.

The Criminal Division rollout progresses satisfactorily in the other three Member States of the Windward Islands namely: Grenada, Dominica and St. Vincent with advance work being completed in Grenada. The legislative agenda to facilitate the introduction of those Rules and the supporting staffing and other infrastructural needs are proving challenging. Notwithstanding this, very useful suggestions are emanating from the discussions to assist with charting the way forward. Critical to this is the retooling and retraining of the Police Force to adhere to the requirements for Police investigations, reports and witness statements in the form and manner that the new rules will require. In consequence, an initiative is on the way with the police, and, more specifically, with the Police Training Schools in each of those Member States to revise the curriculum for training to address these needs.

Work on the development of the framework for establishing the Family Division and for the preparation of instructions for the consequential rules development are in an advanced stage. This

FROM THE DESK OF THE CHIEF JUSTICE

initiative is under the leadership of Justice of Appeal Ola Mae Edwards and a small Committee. A regional committee was also established to look at a wider proposal for the creation of a Family Division, which is to be piloted in Grenada and Antigua. This committee met on several occasions to finalize the Terms of Reference (TOR) and to discuss the procurement of consultants to assist with the development of a proposal for funding that Division. Three funding agencies have expressed interest in that project and discussions have been held with the governments of Grenada and Antigua concerning the establishment of the Family Court pilot.

The Court continues to pursue the Halls of Justice Project. The inception report (a deliverable under the TOR for the feasibility phase of the Halls of Justice Project) has been submitted. It details the initial findings of the consulting firm (ACLA Works) on the ten (10) sites selected for the proposed Halls of Justice project in the nine (9) Member States.

As we enter the final stages of the feasibility phase of the Halls of Justice Project, we are discovering that much more detailed work must be undertaken in order to fully realize this project. This will involve the procurement of a Financial Consultant to examine financing options for the proposed project, and the completion of a full design brief that will address all the special requirements for each of the court complexes in the Member States.

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

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SPECIAL SITTING IN MEMORY OF THE LIFE OF THE RT HON SIR ALLAN LOUISY, SLC, KCMG, CBE



On Wednesday, 9th March 2011, members of the legal fraternity, family and friends gathered at the House of Parliament Building to pay tribute to the late Rt Hon. Sir Allan Louisy who died on Wednesday, 2nd March 2011. He was ninety four.

The Chief Justice, Justice Hugh A. Rawlins gave the first address to remember the former Court of Appeal Judge, High Court judge, Registrar of the High Court, and Prime Minister of Saint Lucia. Sir Allan was born in Laborie and came from humble beginnings. Sir Allan lived a life of sacrifice and service to Saint Lucia and the wider Eastern Caribbean. Sir Allan was described as having a quiet confidence and legal acumen. Whilst on the Bench, his judgments were precise, to the point and extremely analytical. The Attorney General and Minister of Justice, Hon. Rudolph Lorenzo Francis rose next to pay tribute to Sir Allan. The Honourable Minister stated that he had the good fortune of being an A-level student in the two years (1979-1981) which were in his words, the most turbulent years in the history of Saint Lucia. This was the period when Sir Allan served as the second Prime Minister of Saint Lucia.

Mr. Francis portrayed Sir Allan as a legal luminary who had his early schooling at Laborie Infant and Primary school, continuing onto St. Mary's College for his secondary education. He studied law in England and was a member of the Honourable Society of Middle Temple. His numerous achievements included: High Court judge, Court of Appeal judge, Registrar of the High Court, Prime Minister and Chairman of numerous boards and committees. It was recalled that Sir Allan had a passion for dominoes, and was considered an excellent player, at a game that required thought, intelligence and skill.

The Attorney General described Sir Allan as "a simple and humble man... who placed country before self ... who never abandoned his native home town or his constituents". Mr. Hilford Deterville, QC gave another engaging speech on behalf of the inner Bar. He echoed the sentiments of the Chief Justice in expressing Sir Allan's judgments as precise. Mr. Deterville went a step further to relay that this was also true of Sir Allan's political decisions. Mr. Deterville also recognised Sir Allan as a simple man, who left

a legacy in politics. Sir Allan set the precedent for not residing at the official residence of the Prime Minister. He resided at home in Laborie throughout his term in office.

Sir Allan's passion for playing dominoes was conceded but the speaker questioned in jest Sir Allan's being portrayed as an avid cricketer and football player. Mr. Deterville agreed with the short biography provided on the programme that Sir Allan was an avid reader and loved fishing.

In referring to two of Sir Allan's judgments, the emphasis was on Sir Allan's insistence on following the notarial practices accurately. Mr. Deterville described Sir Allan as a man of integrity. One of the most touching moments was when Mr. Anthony Mc Namara QC read a personal message from Mrs. Gail Philip-Jawahir, immediate past President of the Senate, who could not attend the Special Sitting of her great-uncle. The message conveyed Sir Allan's close family ties.

Mrs. Philip-Jawahir affectionately referred to her relationship with her uncle as 'a jealous friendship'. When she was in the area of Laborie, Mrs. Philip-Jawahir always called her uncle to say how close she was, to arrange her visit. Sir Allan's niece explained that she was in Laborie on family business twice or three times a week in the last six years, and enjoyed visiting her uncle on every occasion. Her message expressed similar sentiments of previous speakers in terms of Sir Allan's passion for law, politics and dominoes. Mrs. Philip-Jawahir's message also conveyed how important national service to Saint Lucia was to her uncle and specifically public service. Sir Allan was depicted as having 'unwavering humility' and at the time of his passing; he was a happy and satisfied man.

After Mrs. Philip-Jawahir's personal message, the Director of Public Prosecutions, Mrs. Victoria Charles-Clarke gave a brief biography of Sir Allan. She summed up some of his legal and political achievements. In addition, she described him as a devout Christian, who attended church every Sunday. Mrs. Charles-Clarke spoke of Sir Allan's love of animals and reading. She was told that Sir Allan enjoyed a wide range of reading material from profound reading to Archie comics. Mrs. Charles-Clarke recalled that when she held the posts of the Registrar and Deputy Registrar, Sir Allan gave her 'lots of tips' on how she could improve the administration of her duties. It was clear from her comments that she found his advice invaluable. Magistrate Velon John expressed his tribute to Sir Allan on behalf of the magistrates with another distinctive speech. His Worship described Sir Allan as a multi-dimensional man, and 'the pulsating heart of Laborie'. A man of all seasons, Sir Allan made himself available to the people of his community. Sir Allan was again portrayed as having a commitment to service and a love for his people and country, 'which propelled him into politics'.

His Worship explained that Sir Allan was an astute man and a visionary, 'in his humble magnificence'. Sir Allan's life was finally summarised by Magistrate John as a life of friendship, love, service and achievement.

EASTERN CARIBBEAN SUPREME COURT NEWS

The President of the Bar Association of Saint Lucia, Mr. Andie George, indicated that Sir Allan was well known throughout the Caribbean region. He held numerous posts from Crown Counsel up until his retirement as Acting Court of Appeal judge. Sir Allan had been involved in many associations and committees in his lifetime. Mr. George reiterated Sir Allan's love for playing dominoes, a game he played on a daily basis. Sir Allan was affectionately known in Laborie as 'Daddy' or 'Daddy Allan'. He held annual Christmas parties for children; formed a typing and sewing centre and assisted sixteen families with groceries on a monthly basis. Sir Allan also donated generously to his church and his community. He grew vegetables; reared chickens then gave his produce to the people of Laborie. Sir Allan offered free legal advice to anyone in Laborie who requested it. He was ultimately described by Mr. George as a philanthropist.

The final speaker was lauded by the Chief Justice as 'outstanding'. Like Sir Allan, Mrs. Andrea Gokool- Foster had been a Registrar of the High Court. Her magnetic tribute was on behalf of the Utter Bar. Mrs. Foster described Sir Allan as having an irresistible charm. She explained that Sir Allan's advice was immeasurable.

Mrs. Foster recalled meeting Sir Allan for the first time and being in awe of this legal jurist that one had only read about in books. She noted that Laborie was a unique place, and stated if an individual was from there, he or she will become a judge, magistrate, registrar, Prime Minister, Mr. Universe, or the owner of a successful newspaper. Mrs. Foster joked that she visited Laborie frequently to fill her lungs with the air, in the hope that this magic would rub off.

Sir Allan had not practised as a barrister in the last thirty years; instead he had limited his legal practice to largely notarial work, conveyancing and probate matters. The former Registrar confirmed that Sir Allan ran a successful practice from his residence, although the majority of his work was pro bono. Mrs. Foster reiterated that Sir Allan practised law not for personal gain but in service of his people. He had stopped wearing suits after he retired from the Bench and active politics. Sir Allan had signed his last deed and played dominoes only days before he died. Mrs. Foster also pointed out that Sir Allan had an interest in the rights and welfare of women; especially single, working mothers. She said that he was sensitive to the needs of women, particularly pregnant women.

Sir Allan enjoyed talking about his 'glory days at St. Mary's College'. He was an avid cricket enthusiast, with dexterity in dominoes. Sir Allan also gave selflessly to the disadvantaged. He awarded fourteen secondary school scholarships to students from Laborie.

Sir Allan was finally described by Mrs. Foster as a man whose

character was above his intelligence. He had an unrealised dream of building a home for the elderly. Although his interest in law never wavered, in his latter years his books on law and politics were replaced by his Bible and prayer books by his bedside. Mrs. Foster stated that Sir Allan was a mentor and a friend. The writer did not have the opportunity to meet Sir Allan. It was our good fortune that Sir Allan gave his consent for his image to grace the cover of the 2010 issue of *The Brief*, the annual legal magazine of the Bar Association of Saint Lucia.

By all accounts, Sir Allan was a gracious and humble man with a warm and generous heart. He valued the importance of family, had a passion for law and dominoes. Politics also played an integral role in his life as he believed in public service as a way to serve the people of Laborie and Saint Lucia. Saint Lucia and the Caribbean region have lost a legal icon with the passing of Sir Allan Louisy.

Taken from the Saint Lucia Voice, written by Ms. Trudy O. Glasgow who is a practising attorney at the law firm Gordon, Gordon & Co.

INTERJURISDICTIONAL SHARING OF KNOWLEDGE AND EXPERTISE

During the period March 17 and 18 2011 Court Administrator, Mr. Gregory Girard and Information Technology Manager, Mr. Mark Ernest visited the Barbados Supreme Court in response to a request for technical assistance by the Acting Chief Justice and President, The Honourable Mr. Justice Sherman Moore.

The two-day visit enabled the officers to explore and familiarize themselves with the workflows, systems and other relevant processes and procedures with a view to determine the level of assistance required and to plan the way forward. The technical assistance will focus specifically on the use of the Judicial Enforcement Management System (JEMS), the integrated Case Management software used by the ECSC.

Subsequent visits will address the specific needs.

EASTERN CARIBBEAN SUPREME COURT NEWS**FRENCH DELEGATION CALL ON THE HON. CHIEF JUSTICE**

A Delegation of court officials visiting from Martinique met with the Hon Chief Justice Hugh Anthony Rawlins on Tuesday 8th February, 2011 at 9:15 am in the Court's Conference Room at the Waterfront, Castries, Saint Lucia. Joining him from the Court, were: Ms. Agnes Actie, Deputy Chief Registrar; Mrs Michelle John Theobalds, Executive Assistant to the Chief Justice; and Ms. Claudette Valentine, Information Services Manager.

Discussions included the matter of legislation facilitating the mutual extradition of persons who have ran afoul of the law and who are required to stand trial for the offences committed; issues of comity, hierarchy of the courts and other matters of common interest.

Members of the delegation were Jean-Philippe Navarre, Deputy of the Public Prosecutor; Stephan KellenBerger, Deputy of the General Prosecutor of the Court of Appeal; Jean-Jacques Bosc, General Prosecutor of the Court of Appeal; and Herve Expert, Prime President of the Court of Appeal. They were accompanied by His Excellency Michel Prom, Resident Ambassador in Saint Lucia.



Members of the Delegation, with the Hon Chief Justice Hugh Anthony Rawlins (3rd from right).

EASTERN CARIBBEAN SUPREME COURT NEWS

FORMER CHIEF JUSTICE OF THE EASTERN CARIBBEAN SUPREME COURT (ECSC) IS NEW CARIBBEAN COURT OF JUSTICE (CCJ) PRESIDENT



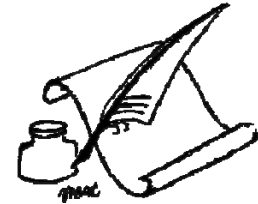
Sir Charles Michael Dennis Byron, who served as Chief Justice of the Eastern Caribbean Supreme Court during the period 1996–2006, is the new President of the Caribbean Court of Justice (CCJ). He replaces the Right Hon. Mr Justice Michael de la Bastide, who is due to retire on August 18 2011.

As Chief Justice of the Eastern Caribbean Supreme Court, Sir Dennis led the Court's Judicial Law Reform Program, which included the establishment of a Code of Ethics for Judges, the implementation of new Civil Procedure Rules and the establishment of the Judicial Education Institute (JEI), among other achievements. His special interest in judicial education activities led to his appointment as president of the Commonwealth Judicial Education Institute (CJEI), a position which he has held since the year 2000.

In 2000 he was knighted by Queen Elizabeth II and was appointed a member of Her Majesty's Privy Council in 2004.

The Eastern Caribbean Supreme Court heartily congratulates Sir Dennis as he takes on this new challenge; and we wish him a productive and successful term of office.

FROM THE DESK OF THE CHIEF JUSTICE



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In working towards the completion of that design brief we have the assistance of a team from the Caribbean Court of Justice (CCJ) headed by Master Christie–Anne Morris–Alleyne (who was retained by ACLA Works for that purpose). She is assisting the consultants ACLA Works and the Court with the development of the brief.

During the quarter under review, the first meeting of the Regional Project Steering Committee (PSC) was convened. At the meeting, representatives from all nine (9) Member States along with persons from the Project Implementation Unit (PIU) of the Eastern Caribbean Supreme Court examined the progress of the feasibility study, the presentation of a draft project budget funding strategy and elements of the budget that may have to be covered by Member States. General discussions were also held on building quality and durability to provide directions for the feasibility study. The structure of the Project Implementation Unit (PIU) and its relationship with the National Working Committee; the TOR of the Project Steering Committee, and the National Working Committee were also discussed in some detail. Finally, the meeting reviewed the sites on which the court buildings will be constructed and obtained an update from each Member State on Cabinet's approval on those sites. It was agreed that the Project Steering Committee will meet once every quarter, by teleconference or video conference link, whichever is available and that it would serve purely as an Advisory Committee to the Chief Justice's office in the interim.

I wish to record grateful appreciation to the many persons who worked indefatigably to ensure that the work, particularly the reform endeavours, of the Court continue to be fruitful. It is my sincere prayer that you will be enlightened as you peruse the contents of this newsletter.



JUDICIAL EDUCATION CORNER

THE NATIONAL ASSOCIATION FOR COURT MANAGEMENT (NACM) MID YEAR CONFERENCE

The 2011 NACM Mid-year conference was held in Baltimore, Maryland, from February 6 – 8, 2011. The Eastern Caribbean Supreme Court was represented by Justice Mario Michel and The Court Administrator, Mr. Gregory Girard. Additional Caribbean representation was present, in the person of three participants from the Trinidad and Tobago judiciary.

The Conference focused on three priorities: emphasizing Caseload Management improvements, promoting improved Court leadership and governance, and preparing for and responding to trends.

The first keynote address on 7th February was given by the Hon. John T. Broderick Jr. who is the Dean and President of the University of New Hampshire School of Law on the topic of *Reengineering the Courts for the 21st Century & the Challenges to Court Leadership*.

Workshops explored the role of judicial leadership in Caseload Management, preparing and responding to trends and re-engineering in response to trends, and included: *The Role of Judicial Leadership in Caseload Management, Court Stewardship and Business Process Reengineering, Effective Court Leadership: The Interplay of the Presiding Judge and the Court Manager, The Role of Judicial Leadership in Caseload Management, Reengineering of Trial Courts and High Performance Courts, Role of Technology in Courts and Anticipating Future Trends - Things Court Leaders Can Do to Shape a Better Future*.

The vendors fair was staged on the first day between the hours of 11:45 am and 3:00 pm and participants embraced the opportunity to visit and speak with the different vendors.

On the last day, 8th February, the keynote address was on the theme for the day *"Preparing for and Responding to Trends"* and the presenter was Dr. John A. Martin from the Center for Public Policy Studies.

This was followed by a short closing session where issues relating to the upcoming annual conference and the format for the Mid-Year conferences in the future were discussed.

Much of the Conference focused on operations of the Trial Courts in an environment of severe cash constraints and with on-going demands from the legislature and the state on cutting budget allocations for court operations. While the ECSC is not faced with these issues in the same way, the experiences and practices of



these trial courts will be very helpful to us in moving forward. One of the workshops discussed the issue of re-engineering in the context of the High Performance Courts. The High Performance Court framework suggests a series of flexible steps which courts can take to integrate performance improvement into its ongoing operations.

The steps include:

Focusing on key administrative principles that clarify high performance,

Understanding how a court's managerial culture can promote common goals and collegial cooperation,

Developing the capacity to measure performance,

Learning to use the results for procedural refinements and communication with a variety of stakeholders.

Taken together the steps form a functional system or quality cycle that courts can follow in enhancing the quality of the administration of justice.

At this session participants were allowed to take a self-assessment which is a new tool presently being developed by the National Center for State Courts. The self-assessment questionnaire is still under development; however it essentially allows each employee to assess how they perceive their court offices to be functioning in a few specific areas which include productivity, information accuracy and reliability, technology, and public trust and confidence to name a few. Based upon the responses, it is then possible to work with the staff to develop a programme to improve the areas where it is felt that weaknesses exist. Once this questionnaire is ready for distribution the ECSC plans to utilize it in the different court offices over the next few months as the Court Administrator visits them to provide assistance in the area of Court Administration.

The establishment of two pilot sites for digital audio recording (Saint Lucia and Antigua) is also anticipated, as the Court strives to maintain an efficient court system.

THOSE WHO SERVE—HIGHCOURT REGISTRY, ANTIGUA & BARBUDA

Section A: Introduction

The Registry comprises the General Registry which handles all matters of civil and criminal litigation, family, probate, admiralty, and the Civil Registry of Births, Deaths and Marriages. It is housed in the purpose built High Court of Justice which opened on 15th September 2003 with its three modern court rooms and chambers on the upper level and family court on the first floor.

The Mission of the High Court of Justice Registry as stated in the Budget Plan for 2011 is to *“function efficiently, fairly and professionally in the adjudication of disputes and that the service that is provided to the public is delivered in a timely, impartial and courteous manner”*. The vision is that the administration of justice remains a central pillar in ensuring the smooth functioning of the society.

Fundamental to fulfilling the mission of the Registry are the modernizing of the processes of the registry and the provision of continuous training for staff.

Civil Registry Modernization

The Civil Registry offers a same day service to the public but record keeping has long since been plagued by the deteriorating condition of the records. The Organization of American States (OAS) along with the Ministry of Technology is providing technical assistance to modernize, build capacity and improve the operational efficiency of the Civil Registry. This process is multifaceted, requiring the conservation of the original records which date back to the 1920s (records pre 1920s are housed at the National Archives); the security of the information, including the use of secured paper for the certificates, the modernization of the legal environment, the design and implementation of a modern Civil Registry system and the creation of an identification department within the Civil Registry.

Presently, the first phases of digitalization of records have commenced with the photographing of records using the DIY Book Drive Capture system. An area has been designated and computers installed and networked. A staff member hired specifically to perform data entry has commenced operating the data capture system. Shortly, additional employees will be engaged to perform data entry and in conjunction with the existing registry staff will receive training in the digitalization of the civil registers. The first stage of photocopying births records for some parishes including the capital St. John's, St. Georges, St. Peters and St. Phillips is well on the way with over 100,000 birth records already captured.

Amendments to the legal environment are underway through coordination with the Attorney General who is also the Minister of Legal Affairs. Legislation such as the Births and Deaths (Registration Act) must be amended to enable more vital statistics to be recorded. New formats for certificates are under consideration. In essence, changes in the legal framework must consider

the new structure of the Civil Registry which will allow for the recording of the vital events in the life of a single individual in such a manner as to be accessible in a quicker manner than previously.

The new and modern Civil Registry that should emerge is one that allows for a modern data base system, with a user friendly interface with online help. The system should be accessible via the internet which is particularly useful to those overseas who wish to source their vital records. It is anticipated that the new civil registry will also interact with other government agencies such as electoral, immigration, health in the management of the nation's civil records.

Video Conferencing Equipment

The introduction of the video conferencing facilities provided by the Caribbean Court of Justice (CCJ) with funding from the European Development Fund (EDF), which was recently installed at the end of 2010, promises new opportunities for executing some facets of court proceedings, such as interviewing witnesses, training and conferencing. This will reduce the need for renting business facilities offsite or the need to travel abroad for training. Certainly, with the passage of time, regional events will be more accessible to a wider audience. With further testing of the equipment and training in its usage, it is anticipated that the video equipment will become valuable in the functioning of the court.

Training

Training of staff continues to be crucial in achieving the Registry's goals. In 2010, the Listing Clerk and JEMS Administrator Ms Anthea Joseph, who started working at the High Court in 2002, continued her training in the JEMS database in St. Lucia to become a Power user. Ms Joseph is responsible for maintaining the JEMS database and training staff in the use of the software. Ms Joseph is impressed with the JEMS system, and barring the recent crash, and the upgrade of the programme, she looks forward to hosting training sessions for staff in the use of JEMS especially around the vacation period. As listing clerk Ms Joseph's responsibilities include preparing lists of all matters, chambers, trials, divorces and committals, and sending these electronically to the lawyers.

The Mediation Coordinator/ Court Clerk, Ms. Benta Richards continued in her training by attending a CCJ conference in Trinidad and Tobago. Mrs. Athill, the Supervisor of the Births, Deaths and Marriages Registry visited the Jamaica's Registrar General's Department for a week to observe their operations. While Mr. Tabor, the Registrar General, attended the Caribbean Regional Meeting on Best Practices on Civil Registration in Grenada in 2010.



Chevez Watkins, Data Capture Clerk using the DIY Book Drive Capture in the Digitalization of the Civil Registry.



Civil Registry Staff (Left to Right): Mrs. Parker, Book Binder; Ms Chantal Evans; Mrs. Athill, Supervisor

PERFORMANCE OF THE REGISTRY



Ms. Earleen Baptiste, Chief Court Clerk

The Chief Court Clerk, Ms Earleen Baptiste, assumed her post at the High Court in 2009. Her duties include managing the Registry staff, working along with the listing clerk and the other clerks to coordinate the timely publication of court lists. Ms Baptiste also manages Court of Appeal matters. Presently, Ms Baptiste and Ms Joseph, along with other members of staff are working assiduously at entering disposed files in JEMS in an effort to reduce the Registry's backlog. To date, over 4,000 records have been disposed of.

Ms Baptiste finds the High Court a challenging, and growing environment to work in and is particularly keen to see greater training opportunity for staff members. Specially, Ms Baptiste recommends inter registry exchanges throughout the ECSC registries to foster sharing of ideas in an effort to find solutions for common challenges and also as a method of mutual practical training for High Court workers throughout the ECSC.

Section B: Statistical Analysis

This section highlights data on filed and disposed cases at the Antigua Registry for the years 2009 and 2010. Data were obtained from the JEMS software and verified by relevant personnel at the Antigua Registry. Table 1 comprises data on the number of filed cases in the two years. Total filed cases increased from 1409 to 1439 in the timeframe, representing a small increase of 2.13%. Civil cases were the most dominant case type accounting for over 50% of total cases in each year. These were followed by Probate cases. Admiralty cases were the least filed cases. Figure 1 depicts the data shown in Table 1; the bars for Admiralty cases and those categorized under "Other" are not seen because of the scale of the graph and due to their minimal numbers.

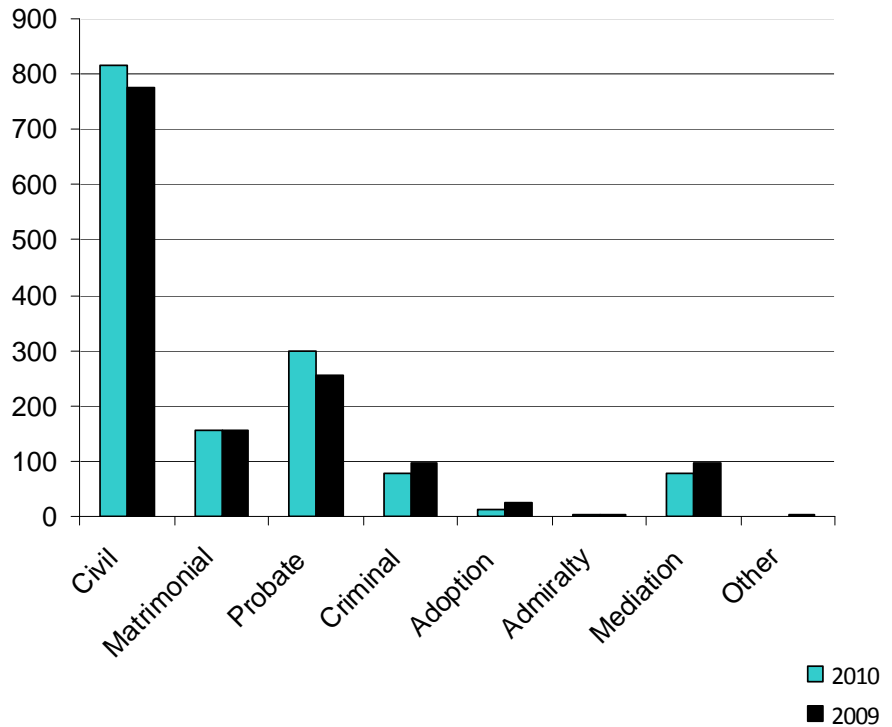
PERFORMANCE OF THE REGISTRY

Table 1:
Number of Cases Filed by
Case Type: 2010 and
2009

Case Type	2010	2009
Civil	815	774
Matrimonial	155	156
Probate	299	255
Criminal	78	96
Adoption	11	25
Admiralty	4	3
Mediation	77	96
Other	0	4
Total	1439	1409

Figure 1

Comparison between Number of Cases Filed by Case Type:
2010 and 2009



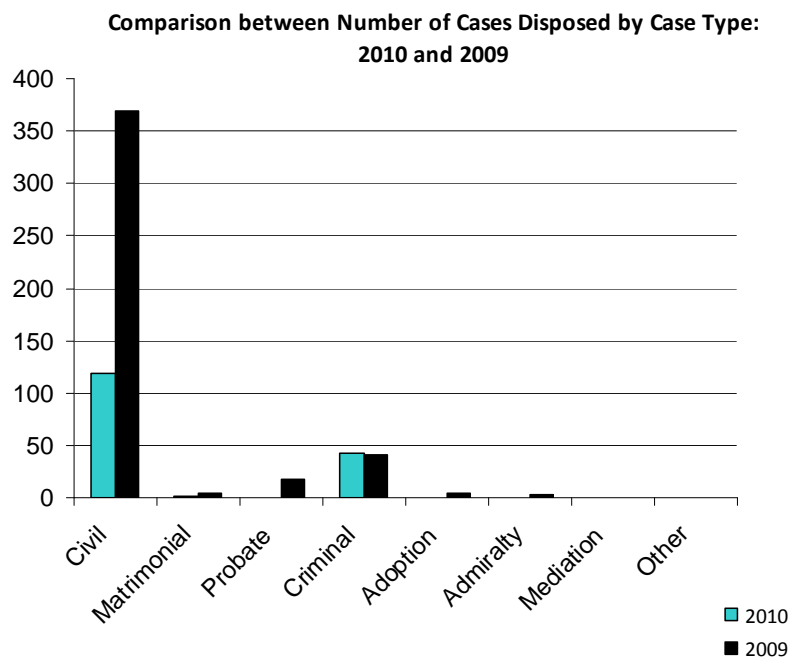
PERFORMANCE OF THE REGISTRY

Data shown in Table 2 indicate that the number of disposed cases decreased significantly by 63% from the year 2009 to 2010. The numbers of disposed Criminal cases were consistent at approximately 40 for both years. Civil cases were the most disposed cases however recorded a notable decline over the two year period. The numbers of disposed cases for both years were relatively low in comparison to the much higher numbers of filed cases. Overall disposition rates were thus very low at 11% and 31% in 2010 and 2009 respectively. The Registry staff is currently working diligently to improve on the rate of disposition of cases.

Table 2: Number of Cases Disposed by Case Type: 2010 and 2009

Case Type	2010	2009
Civil	119	369
Matrimonial	2	5
Probate	0	18
Criminal	42	41
Adoption	0	5
Admiralty	0	3
Mediation	0	0
Other	0	0
Total	163	441

Figure 2:



JLSC APPOINTMENTS FOR THE PERIOD JANUARY 1—MARCH 31, 2011

HEADQUARTERS, SAINT LUCIA

Court of Appeal

Her Ladyship, Hon. Justice Louise Blenman to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 6th to 9th February 2011.

His Lordship, Hon. Ian Donaldson Mitchell, CBE, QC to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 6th to 9th February, 2011.

Mr. Paul Webster, QC to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 19th to 26th February 2011.

Mr. Tyrone Chong, QC to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 13th to 19th March 2011.

Her Ladyship, Hon. Justice Clare Henry to act as Justice of Appeal of the Eastern Caribbean Supreme Court for the period 27th March to 1st April 2011

High Court

Mrs. Kimberly Cenac-Phulgence to act as Master of the Eastern Caribbean Supreme Court for the period 7th to 11th February 2011.

Ms. Agnes Actie to act as Master of the Eastern Caribbean Supreme Court for the periods 14th to 18th February and 28th March to 1st April 2011.

Mr. Charlesworth Tabor to act as Master of the Eastern Caribbean Supreme Court for the period 7th to 11th March and 28th March to 1st April 2011.

Mr. Jeffrey Nisbett to act as High Court Judge of the Eastern Caribbean Supreme Court for the period 9th March to 5th April 2011.

His Lordship, Hon. Justice Ephraim Georges to act as High Court Judge of the Eastern Caribbean Supreme Court for the period 1st to 31st March 2011.

His Lordship, Hon. Justice Albert Matthew to act as High Court Judge of the Eastern Caribbean Supreme Court for the period 21st March to 31st August, 2011.

His Lordship, Hon. Justice Ian Donaldson Mitchell, CBE, QC to act as High Court Judge of the Eastern Caribbean Supreme Court for the period 23rd to 26th March 2011.

Administrative/Support

The termination of the appointment of *Mrs. Tamara Glasgow-Cox* as Human Resource Officer, Eastern Caribbean Supreme Court with effect 28th February 2011.

Mrs. Tamara Glasgow-Cox as *Human Resource Manager*, Eastern Caribbean Supreme Court on contract for a period of two [2] years with effect from 1st March 2011.

The promotion of *Mrs. Dorcia James-Callendar*, Administrative Assistant, Human Resources to the position of *Human Resource Officer*, Eastern Caribbean Supreme Court on permanent establishment with effect from 1st March 2011.

The promotion of *Ms. Lindel Joseph*, Secretary to the position of *Administrative Assistant, Human Resources*, Eastern Caribbean Supreme Court on permanent establishment with effect from 1st March 2011.

ANTIGUA & BARBUDA

Mr. St. Lawrence De Freitas and Ms. Althea Crick as Members of the Industrial Court of Antigua and Barbuda for a period of three (3) years with effect from 1st March 2011.

COMMONWEALTH OF DOMINICA

Mr. Clifford O. Lewis as *Magistrate* on contract for a further period of two [2] years with effect from 1st January 2011.

The continuation of temporary appointment of *Mr. Clement Joseph* as *State Attorney* for the period 11th January to 21st April 2011 vice Mr. Wayne Norde.

The appointment of *Ms. Joanne Commodore* in the office of State Attorney with effect from 1st March 2011.

ST KITTS & NEVIS

Mr. O'Neil St. Aubyn Simpson as *Crown Counsel*, Office of the Director of Public Prosecutions, Ministry of Justice and Legal Affairs with effect from 1st February 2011.

Mrs. Claudette Jenkins, Registrar of the Supreme Court as Registrar of Intellectual Property with effect from 1st January 2011.

Ms. Janine Harris, Deputy Registrar Supreme Court to act as Registrar of the Supreme Court, Provost Marshall and Additional Magistrate with effect from 1st January 2011.

SAINT LUCIA

Mrs. Christine Phulchere as *Senior Magistrate*, Ministry of Justice on contract for one [1] year with effect from 1st February 2011.

JUDGMENTS DELIVERED DURING THE MONTHS OF JANUARY–MARCH 2011**COURT OF APPEAL****GRENADA**

Bank of Nova Scotia v Appeal Commissioners
GDAHCV 2009/0533
Rawlins, C.J.
Delivered: 30/03/11

ST KITTS & NEVIS

Jamoy Warner et al v Director of Public Prosecutions
HCRAP 2009/021/022
Edwards, J.A.
Delivered: 17/03/11

Vernon S Veira et al v Guy Mitchell et al
HCVAP 2010/021
Edwards, J.A.
Delivered: 22/03/11

Frantisek Stephanek et al v Aqua Investments Ltd et al
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Delivered: 23/03/11

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SLASPA v Leroy Mathurin et al
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Jada Construction Caribbean Limited v The Landing Limited
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Casanki Quow et al v Commissioner of Police
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Delivered: 07/02/11

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Mitchell, J.A. [Ag]
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Westford Special Situations Fund Ltd v Barfield Nominees Ltd et al
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George-Creque, J.A.
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Gerard Kraakman v Donna Sterling
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Delivered: 13/01/11

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Michel, J.
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Myrtle Looby v Geo Tech Ltd et al

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Felix Christmas v National Fair Trade Organisation of Dominica et al

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Price-Findlay, J.

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Heirs of Camselle St Catherine v Darius St Catherine et al

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Andre Alexander v St Lucia Golf Resort & Country Club Ltd

Claim No. SLUHCV 2007/0715

Georges, J. [Ag]

Delivered: 25/01/11

Bank of Saint Lucia et al v Madeline Couchman

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Wilkinson, J.

Delivered: 14/01/11

First Caribbean International Bank (Barbados) Ltd v Malcolm Brayshaw

Claim No. SLUHCV 2005/0740

Wilkinson, J.

Delivered: 31/01/11

Rosemary Garraway et al v Aloysius Ferdinand

Claim No SLUHCV 2010/0666

Belle, J.

Delivered: 03/02/11

Danny Severin v Attorney General

Claim No SLUHCV 2008/0973

Belle, J.

Delivered: 10/02/11

Barrie Wilkinson v Patricia Devaux

SLUHCV 2008/0637

Georges, J. [Ag]

Delivered: 17/02/11

Augustin Montoute et al v Victoire Simon et al

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Georges, J. [Ag]

Delivered: 24/02/11

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Delivered: 28/03/11

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Joseph-Olivetti, J.
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High Court Civil Claim No 364 of 2004
Thom, J.
Delivered: 19/01/11

Lesette Greene v Kenneth Greene

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Joseph-Olivetti, J.
Delivered: 10/03/10

Dawn Chance v James Chance

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Delivered: 02/02/11

Rozenia Shallow v Wesley Mason

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Joseph, J. [Ag]
Delivered: 24/02/11

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High Court Civil Claim No 258 of 2009
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Friendship Bay Hotel v Branganza AB et al

High Court Civil Claim No 396 of 2010
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Delivered: 24/03/11

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Delivered: 08/02/10

Andre Penn v The Director of Public Prosecutions

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Hariprasad-Charles, J.
Delivered: 22/02/10

Julian Willock v The Attorney General

Claim No. BVIHCV 2010/305A
Joseph-Olivetti, J.
Delivered: 03/02/10

Queen v Andre Penn

BVIHCR2009/0031
Hariprasad-Charles, J.
Delivered: 31/03/10

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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 MARCH 31, 2011

THE CHIEF JUSTICE

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

JUSTICES OF APPEAL

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

Her Ladyship, the Hon. Justice Janice Pereira – 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. Richard Floyd—Antigua & Barbuda

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

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