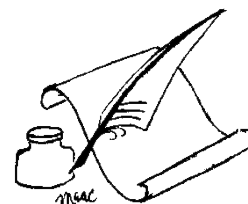




## FROM THE DESK OF THE CHIEF JUSTICE



We have just completed the 2012/2013 Law Year, and as Chief Justice, I realize that the hurdles we surmounted and the successes that we have enjoyed could not have been realized without the untiring and relentless effort of the many dedicated officers of this noble Institution. So to all the persons who have contributed—be it minuscule or gargantuan - to ensure that activities and projects were successfully completed over the past year. I say thanks.

In closing I also thank you our readers for your continued interest in the Institution. Remember this is your Court and we aim to continue offering service in a prompt, fair, efficient and effective manner. We therefore welcome constructive criticisms with a view to serving you better during the 2013/2014 Law year.



**Dame Janice M. Pereira**

**JUDGMENTS  
DELIVERED** **13**

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

## EASTERN CARIBBEAN SUPREME COURT NEWS

# CONGRATULATIONS

## Dame Monica



The Eastern Caribbean Supreme Court is pleased to join the many well-wishers who have expressed joy on the conferment of the prestigious honour of **Dame Commander** of the Most Excellent Order of the British Empire (DBE) upon Retired Judge, The Hon. Justice Monica Theresa Joseph, CBE, by Her Majesty Queen Elizabeth II for her service to the public and the law.

The DBE is one of the five classes (in civil and military divisions) of the Order of the British Empire (OBE) established on 4<sup>th</sup> June 1917 by King George V. The **Dame Commander of the Most Excellent Order of the British Empire** (DBE) (counterpart to **Knight Commander of the Most Excellent Order of the British Empire** (KBE) is the second in seniority of the classes, and allows (but not prescribes) the postulant to use the title "Dame" before her first name.

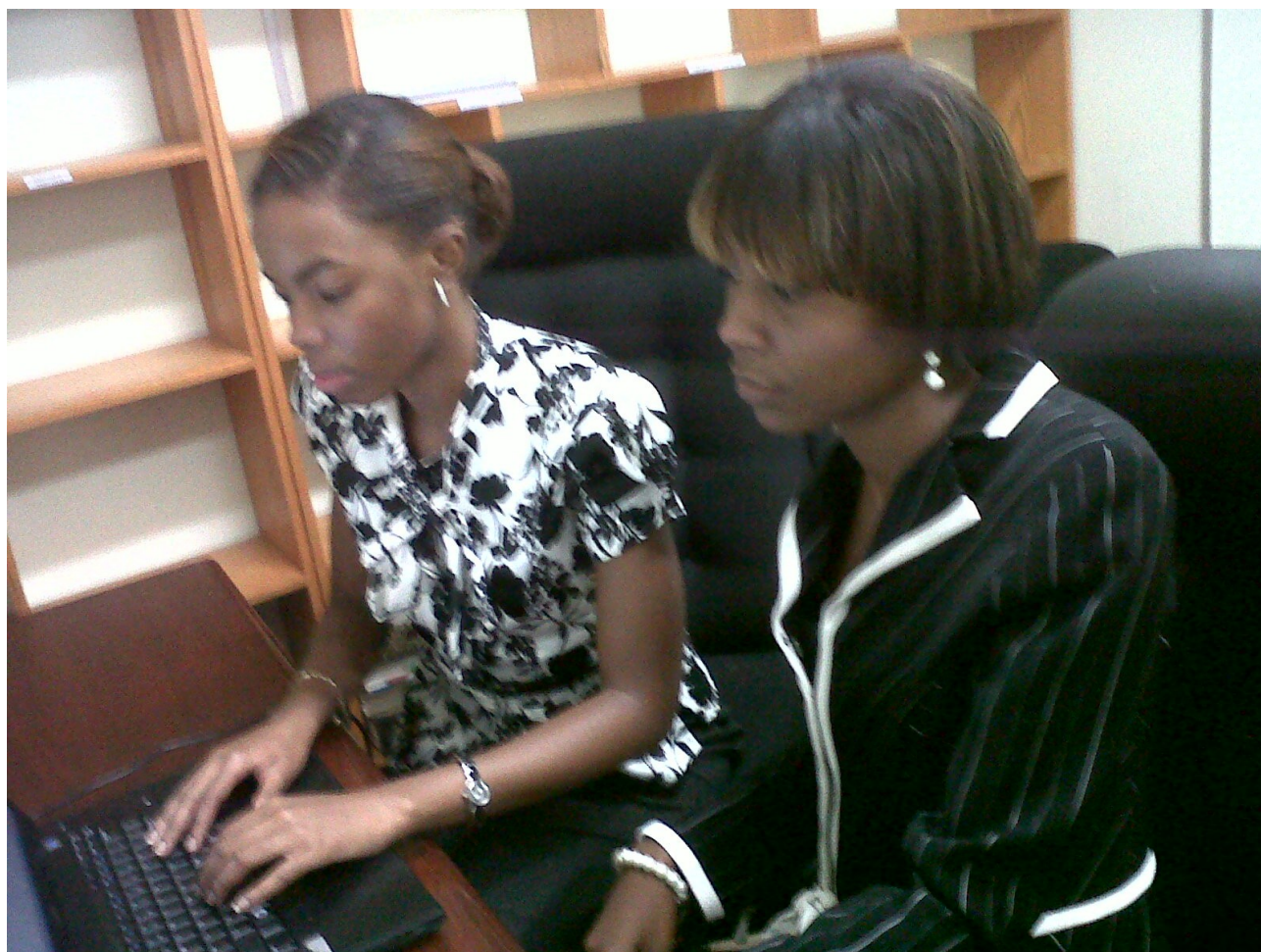
Justice Joseph, who was among the seven Grenadians named on the Queen's birthday honours list this year (2013), is no stranger to awards. Among others, she is the holder of the **Commander of the Most Excellent Order of the British Empire** (CBE), and in 2004 she received the honorary degree of Doctor of Laws (LLD) from the University of the West Indies (UWI), Cave Hill Campus.

Justice Monica Joseph was the first female judge of the Eastern Caribbean Supreme Court. She was appointed as a High Court judge in October 1982, and assigned to the Territory of the British Virgin Islands. She served the Court until her retirement in 1996, after which she served in various acting appointments; her last appointment which was in St Vincent and the Grenadines ended on 31<sup>st</sup> July 2012.

The Judges and Administrative and Support Staff of the Court offer heart-felt congratulations to Dame Monica on this well-deserved honour; and for her many years of contribution to the Caribbean jurisprudence.

## EASTERN CARIBBEAN SUPREME COURT NEWS

## THE LEGAL INTERNSHIP PROGRAMME



The Eastern Caribbean Supreme Court welcomes Ms. Rosanna John (left), a Grenadian national and Ms. Chantal Bennett (right), a Jamaican national who joined the Court's Headquarters to participate in the 2013 internship Programme which runs for a period of ten (10) weeks, from 17<sup>th</sup> June to 23<sup>rd</sup> August. During their stay they will be exposed to activities such as: head noting of Court of Appeal judgments, vetting of draft judgments, legal research, attending Full Court and Chamber Hearings and the preparation of Bench Memoranda and Digests.

The ladies are first year law students at the Hugh Wooding (Trinidad & Tobago) and Norman Manley (Jamaica) Law Schools respectively,

## EASTERN CARIBBEAN SUPREME COURT NEWS



## National Library Week

Libraries can be found in almost every society in the world and provide programmes and services that enrich the community. Libraries are doorways to new worlds, allowing people access to information and literature that they may not otherwise have been exposed to. When someone visits a library, he/she has all the available knowledge at his/her disposal. It is said that knowledge is free at the library; all that is required is that one brings his/her own container. This is why the importance of libraries is highlighted each year.

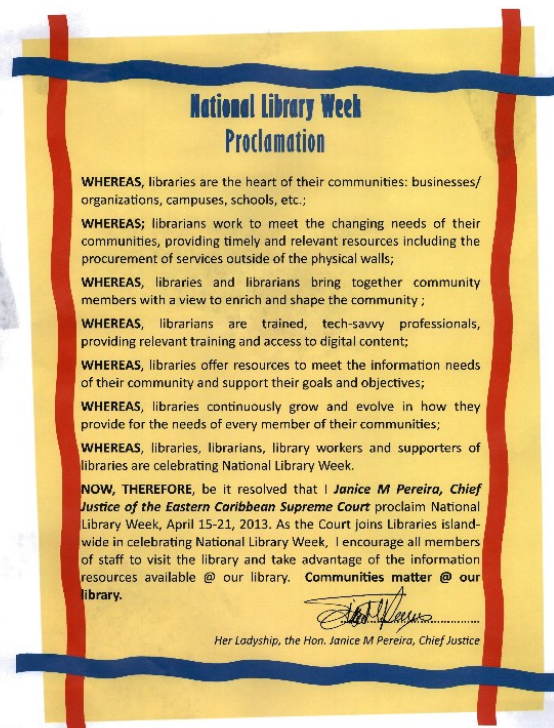
National Library Week celebrates the contributions libraries and librarians have made to society; and encourages citizens to take time to acknowledge the benefits of supporting their local library and access the resources provided.

The celebration was established in 1958 and is observed each April.

The Eastern Caribbean Supreme Court Library along with the various libraries in the public and private sectors celebrated National Library Week during the period June 15 to 21, 2013, under the theme. "Library and Information Services on the Move: Communities Matter"

The week began with the Opening Ceremony at the University of the West Indies Open Campus and a Church Service convened at the Gros Islet Methodist Church. Other national activities were held in celebration of the event and included honoring two retired librarians. In addition to these activities individual organizations were encouraged to hold in-house activities to highlight their library and bring it to the forefront.

To begin the Court's celebration, the proclamation was signed by the Hon. Chief Justice Dame Janice M. Pereira, which formed part of the



Mrs. Naula Williams, Information Manager, OECs Secretariat was the guest speaker at the Opening Ceremony.

display that was mounted for the duration of the celebration. The main in-house activity was the **Eats and Speaks**. In keeping with the theme "**Communities Matter**", this feature was geared to introduce members of staff to our professional/personal development collection housed in the Library. Members were encouraged to borrow a book and be prepared to share the high points with other members of staff during the lunch hour of Thursday 18th April. The response was fair, and participants all expressed satisfaction with the benefits derived.

## EASTERN CARIBBEAN SUPREME COURT NEWS



Mrs. Sandra Augier,  
Records and  
Archives Clerk,  
views display.

## JUDICIAL QUOTES



In prosecution for being a felon in possession of a firearm, court's use during voir dire of term "gangsta rap" was not improper; defendant introduced topic into case by mentioning to arresting officer that danger was inherent in that business, court's intent was to determine whether any potential juror had an unusual affinity for or aversion to such music, and use of term was relevant to such determination.

***U. S. v. Houston*, 205 F.Supp. 2d 856 (W.D. Tenn. 2002)**

To continue civil cases the judge holds all aces; but it's a different ball game in criminal cases.

***Brown v. State*, 216 S.E.2d 356 (Ga. Ct. App. 1975)**

Evidence is not unfairly prejudicial simply because it is detrimental to a party's case.

***State v. Kooyman*, 112 P.3d 1252 (Utah Ct. App. 2005)**

Where God and man collaborate in causing flood damage, man must pay at least for his share of the blame.

***Mark Downs, Inc. v. McCormick Properties, Inc.*, 441 A.2d 1119 (Md. Ct. Spec. App. 1982)**

A party may not rely on Court of Appeals to make his arguments for him.

***Rorke v. Savoy Energy, LP*, 677 N.W.2d 45 (Mich. Ct. App. 2003)**

Regardless of what individual couples believe and practice, the law does not recognize the husband as the "one public voice" or as the automatic head of household with supreme authority over his non-responsible feme covert; a married woman has her own separate legal identity.

***State v. Donkers*, 867 N.E.2d 903 (Ohio Ct. App. 2007)**



Ms. Benedicta St. John, Accounts Clerk, selects her book to participate in the **'Eats and Speaks'**

## JUDICIAL EDUCATION CORNER

REGISTRARS & COURT ADMINISTRATORS  
CONFERENCE

The Judicial Education Institute (JEI) of the Eastern Caribbean Supreme Court (ECSC) convened a comprehensive training programme for Registrars and Court Administrators of the OECS in Saint Lucia from June 18 – 20, 2013.

The fourth universal principle of the Rule of Law, as developed by the World Justice Project (WJP) states that access to justice is provided by competent, independent and ethical judges, attorneys and other representatives who are of sufficient number, have adequate resources and reflect the makeup of the communities they serve.

With the Conference sessions geared towards improving the efficiency and effectiveness of the Registrars and Court Administrators, reinforcing the Rule of Law was quite prudent. The participants were trained on the practical aspects of their duties, with areas including: *The Registrar and the Independence of the Judiciary, Fixed Date Claims and Claims, Default Judgments, Commitments and Judicial Review, Ex Parte and Urgent Applications, Non Contentious and Contentious Probates, Assessment of Costs, Oral Examinations, Admiralty Jurisdiction including the arrests of Vessels, Human Resource Management, Protocol, etc.*

The facilitators hailed from multiple disciplines and were very experienced in substantive law, public administration and management, all skills necessary for both the Registrars and Court Administrators to function at efficient levels.

The training was well received by the participants who felt that training of this nature should be either an annual or biennial activity.

Chairman of the JEI, Madam Justice Louise E. Blenman (at the podium) addresses the gathering. Others in the foreground: Mr. Ossie Walsh, Registrar, Commonwealth of Dominica; Mr. Ruggles Ferguson, President, OECS Bar Association; Justice Davidson Baptiste, Court of Appeal Judge; Dame Janice M. Pereira, Chief Justice; Senator the Hon. Phillip La Corbiniere, Minister for Legal Affairs, Home Affairs and National Security.



**JUDICIAL EDUCATION CORNER**

Participants of the Conference listen attentively (above);

The Hon. Chief Justice, Dame Janice M. Pereira addresses participants of the Conference (right)



## THOSE WHO SERVE—THE HIGH COURT OF JUSTICE, ST VINCENT & THE GRENADINES

### Section A: Introduction

The Registry Department encompasses the High Court Office of the Eastern Caribbean Supreme Court, a sub-registry of the Court of Appeal, a sub Registry of Caribbean Court of Justice, the Civil Registry and the Land Titling Unit. It is a multi-functional department in that it not only ensures an accurate record of the registration of inter-civil status information but also facilitates the management and flow of all High Court cases, and deals with the dispensation of justice in a timely and efficient manner. The responsibility of the Civil Registry extends to the registration of documents (deeds, bills of sale, power of attorney).

### MISSION STATEMENT

“To provide a solid framework, that would facilitate the effective administration and dispensation of justice by the Supreme Court and to ensure the proper registration, preservation and retrieval of records for the use of the people of St. Vincent and the Grenadines.”

### VISION STATEMENT

The Registry Department seeks to develop a highly trained, dedicated professional and efficient workforce to facilitate the dispensation of justice through the High Court of the Eastern Caribbean Supreme Court and to cater expeditiously to the information needs of all clients through the development of a modern automated, reliable and effective Registry System.

### OBJECTIVES OF THE COURT

1. To provide a facility for the settling of disputes.
2. To protect citizens rights and freedom as guaranteed by the Constitution.
3. To award/compensate for damages to persons injured by another party.
4. Institute punishment and correction for wrong doers.



### THE COURT HOUSE BUILDING:

The Court House is centrally located in the Capital, Kingstown on Halifax Street between the St. Vincent Building Loan Association and the Hinds Building. It houses:

The Judge's Chambers

The High Court of Justice

The Civil Registry

The offices of the staff of the House of Assembly as well as the House of Assembly.

It is a building of immense cultural and historical significance.

### SERVICES PROVIDED BY THE HIGH COURT REGISTRY

Sale of Revenue Stamps.  
 Sale of photocopied documents.  
 Registration of documents such as Deed, Bill of Sale, Power of Attorney, Alien Land Holding License and Deed Poll  
 Filing of documents for High Court and Court of Appeal matters.  
 Issuance of Marriage License.  
 Holding of Civil Hearings.  
 Provision of requested data by searchers.  
 Storage and maintenance of records for civil disputes and criminal trials.  
 Issuance of Letters of Probate and Letters of Administration.  
 Admission of Crown Grants from the Land and Survey Department.  
 Verification of all registered documents.  
 Collection of payments for searches.  
 Issuance of releases for the National Insurance Services.  
 Performance of Marriage Ceremonies.  
 Registration and maintenance of vital records such as – Births, Deaths, Marriages, Adoptions, Non-Marriage and still births.  
 Issuance of certificates (Same day Service).  
 Correction of errors on all certificates as authorized by law.  
 Entry of Father's name on Birth Certificates through Statutory declaration and consent form.  
 Certification of copies of all records.  
 Facilitation of searches for deeds.  
 Apostile birth and death records.  
 Genealogy Services (Preparation of family trees).  
 Notary Publics.

### NEW INITIATIVE/RECENT ACTIVITY – BIRTH CERTIFICATES

The birth certificate plays an integral role in the passport application process and is key to the integrity of the document. A birth certificate is not proof of the identity of an individual but is heavily relied on by the Immigration Department in confirming the identity of an individual. It became crucial to the Immigration department to establish that the identity claimed was that of a living person or belonged to the person presenting it.

Within recent times the Registry Department was under scrutiny by the Criminal Investigations Department and the Immigration Department due to the fact that the process of issuing birth certificates was being challenged. The identities of individuals were misused by impostors to enable fraudulent passport applications. The third party application process used by the Registry easily facilitated this.

Cabinet therefore decided that reform to the birth certificate application process was mandatory. So pursuant to Cabinet decision dated 19th March 2013, new measures were put in place which came into effect on 1st June 2013. See copy of new guidelines on page 17.

### THE COURT STRUCTURE: ORGANIZATION CHART

The present complement of staff comprises of the following positions:

POSITION	2013 - 2015
	NUMBER OF STAFF
Registrar High Court & Additional Magistrate	1
Dep. Registrar (Prof.)	1
System Administrator	1
Dep. Registrar (N.P.)	2
Senior Court Administrator	1
Criminal Division Manager	1
Senior Executive Officer	2
Computer Programmer	1
Stenographer	1
Senior Bailiff	1
Senior Binder	1
Executive Officer	1
Senior Court Reporter	1
Senior Clerk	1
Court Clerk	3
Senior Vault Attendant	1
Court Reporter	0
Binder	1
Clerk	7
Clerk/Typist	9
Typist	0
Bailiff	4
Vault/Office Attendant	4
Office Attendant	2

## Members of Staff



Mrs. V. Tamara Gibson-Marks, Registrar of the High Court of Justice (left);

Mrs. Lekeicha Caesar-Toney, Deputy Registrar of the High Court of Justice (middle right)

Other members of staff of the High Court of Justice (middle left and bottom)



## PERFORMANCE OF THE COURT

### Section B

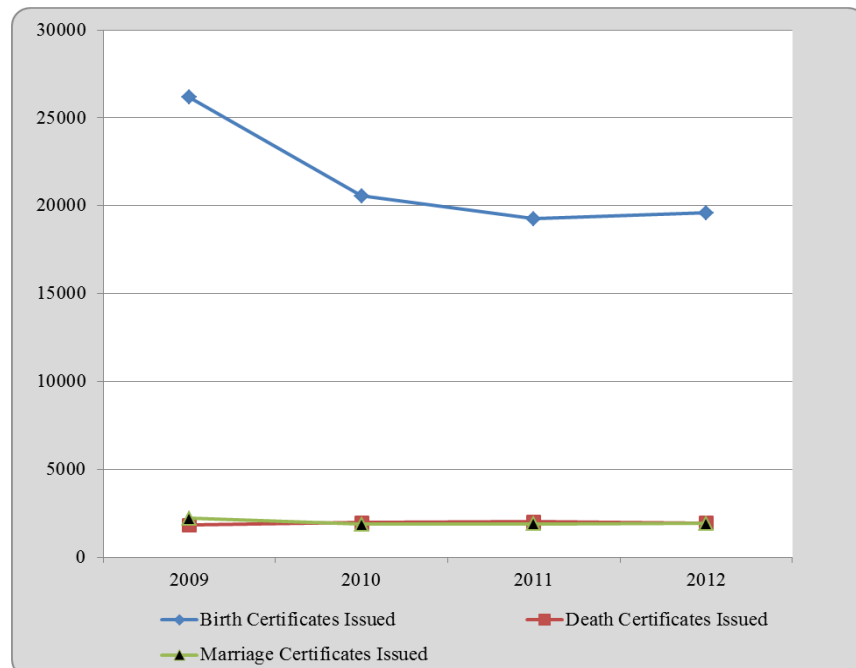
Table 1 showcases data on the numbers of birth certificates, death certificates and marriage certificates issued from 2009 to 2012. The numbers of birth certificates decreased by roughly 21.43 % from 2009 to 2010 and decreased to a lesser extent from 2010 to 2011. Conversely, there was an increase in the numbers of birth certificates issued between 2011 and 2012. Death certificates issued increased steadily in numbers from 2009 to 2011 and afterward registered a decline.

The numbers of marriage certificates issued declined initially by 14.90% from 2009 to 2010 and then gradually increased up to 2012. See Table 1 and Figure 1 below.

**Table 1: Statistics on the issuance of Birth, Death and Marriage Certificates**

Year	Birth Certificates Issued	Death Certificates Issued	Marriage Certificates Issued
2009	26,152	1,821	2,194
2010	20,548	1,975	1,867
2011	19,250	2,009	1,902
2012	19,596	1,939	1,913

**Figure 1**



## JLSC APPOINTMENTS FOR THE PERIOD APRIL 1–JUNE 30, 2013

### HEADQUARTERS, SAINT LUCIA

Court of Appeal

**Mr. Paul Webster, QC** to act as Justice of Appeal, Eastern Caribbean Supreme Court for the period 6<sup>th</sup> to 10<sup>th</sup> May 2013.

High Court

**Mr. John Benjamin** as High Court Judge, Eastern Caribbean Supreme Court for the period 15<sup>th</sup> April to 11<sup>th</sup> May 2013.

**Sir Clare Roberts KCN, QC** to act as High Court Judge, Eastern Caribbean Supreme Court for the period 22<sup>nd</sup> to 25<sup>th</sup> April 2013.

**Mr. Kelvin John** to act as High Court Judge, Eastern Caribbean Supreme Court for the period 1<sup>st</sup> to 31<sup>st</sup> May 2013.

**Ms. Paula Gifford** as High Court Judge, Eastern Caribbean Supreme Court with effect from 13<sup>th</sup> May 2013.

**Mr. Gerhard H.A. Wallbank** to act as High Court Judge, Eastern Caribbean Supreme Court for the period 13<sup>th</sup> May to 7<sup>th</sup> June 2013.

**Mrs. Kimberly Cenac-Phulgence**, Chief Registrar to act as Master, Eastern Caribbean Supreme Court for the period 9<sup>th</sup> to 13<sup>th</sup> June, 2013.

### ANTIGUA & BARBUDA

**Mrs. Cecile Hill**, Registrar of Lands to act as **Registrar of the High Court**, Registrar's Division for the period 2<sup>nd</sup> April to 31<sup>st</sup> July 2013 vice Mr. Charlesworth Tabor in conjunction with her substantive duties.

**Mr. Lebrecht Hesse** as **Solicitor General**, Ministry of Legal Affairs on contract for a period of three [3] years with effect from 1<sup>st</sup> May 2013.

**Mr. Dexter Wason** as **Temporary Magistrate**, Magistrate's Division, Ministry of Legal Affairs for six (6) months from 13<sup>th</sup> May to 12<sup>th</sup> November 2013.

### COMMONWEALTH OF DOMINICA

**Mr. Bernard Pacquette** as **Magistrate** on contract for a period of two (2) years with effect from 1<sup>st</sup> May 2013.

**Ms. Pearl Williams** and **Ms. Sherma Dalrymple** in the Office of State Attorney, Ministry of Tourism and Legal Affairs with effect from 1<sup>st</sup> May, 2013.

**Ms. Joelle A. V. Harris** as **Solicitor General**, Ministry of Legal Affairs and Tourism on contract for a period of two [2] years with effect from 13<sup>th</sup> May 2013.

### GRENADA

**Mrs. Kina Marrast-Victor**, Crown Counsel, to act as Registrar of Companies and Intellectual Property, Attorney General's Chambers vice Ms. Annette Henry for the period 29<sup>th</sup> April to 30<sup>th</sup> June 2013 in conjunction with her substantive duties.

**Ms. Wynette Baker**, Legal Drafter, Attorney General's Chambers to perform the duties of Deputy Registrar, Supreme Court for the period 25<sup>th</sup> June to 29<sup>th</sup> July 2013 in conjunction with her substantive duties.

### ST KITTS & NEVIS

**Ms. Tashna Powell-Williams** to act as Registrar of the High Court for the period 15<sup>th</sup> to 19<sup>th</sup> April 2013.

**Mr. Renold Benjamin** as **Magistrate** for District A and Additional Magistrate for Districts B and C on contract for a period of two (2) years with effect from 1<sup>st</sup> May, 2013.

**Mrs. Simone Bullen-Thompson** as Solicitor General with effect from 1<sup>st</sup> May 2013.

**Mrs. Pauline Hendrickson** as **Magistrate** with effect from 1<sup>st</sup> May 2013 vice Her Honour, Mrs. Josephine Malleliu-Webbe, Senior Magistrate.

### SAINT LUCIA

**Mr. Sixtus Stephen Brette** as **Crown Counsel II**, Crown Prosecution Service, Office of the Director of Public Prosecutions, Ministry of Justice on contract for two [2] years with effect from 4<sup>th</sup> April 2013.

**Ms. Jan Drysdale** as **Crown Counsel IV**, Attorney General's Chambers on contract for a further period of two [2] years with effect from 2<sup>nd</sup> May 2013.

**Mr. Errol Walker** as **Magistrate II**, First District Court, Ministry of Legal Affairs on contract for a further period of three (3) months with effect from 3<sup>rd</sup> May, 2013.

**Ms. Michelle Louis** as **Magistrate I**, Ministry of Legal Affairs on contract for a further period of two [2] years with effect from 7<sup>th</sup> May 2013.

**Mr. Anwar Brice**, Adjudicator to act as Deputy Registrar, Registry of the High Court, Ministry of Justice for a further period of three (3) months from 11<sup>th</sup> June to 10<sup>th</sup> September 2013 in conjunction with his substantive duties.

### ST VINCENT & THE GRENADINES

**Ms. Michelle Davidson** as **Crown Counsel I**, Ministry of Legal Affairs with effect from 2<sup>nd</sup> April 2013 on contract for a period of one [1] year with three [3] months' probation in the first instance.

**JUDGMENTS DELIVERED DURING THE MONTHS OF APRIL–JUNE 2013****COURT OF APPEAL****ANTIGUA & BARBUDA****Colin Turner et al v Terrance Sansom**

ANUHCVP2010/0001

Carrington, JA. [Ag]

Delivered: 06/05/2013

**Prime Minister et al v Sir Gerald Watt**

ANUHCVP2012/0005

Mitchell, JA. [Ag]

Delivered: 27/05/2013

**Sir Gerald Watt v Prime Minister et al**

ANUHCVP2012/0042

Mitchell, JA. [Ag]

Delivered: 27/05/2013

**GRENADA****Corporal 48 Alex Fletcher et al v Clinton Belfon**

GDAHCV2013/0002

Mitchell, JA. [Ag]

Delivered: 22/04/2013

**ST. KITTS & NEVIS****Adam Bilzerian v Gerald Weiner et al**

SKBHCV2012/0028

Pereira, C.J.

Delivered: 24/05/2013

**Reginald Anthony Hull v The Attorney-General of SKN et al**

SKBHCV2012/0029

Mitchell, J.A. [Ag]

Delivered: 10/06/2013

**SAINT LUCIA****Attorney General's Reference**

SLUHCVP2012/0018

Pereira, C.J., Blenman, J.A., Mitchell, J.A. [Ag]

Delivered: 24/05/2013

**ST. VINCENT & THE GRENADINES****BCEN-Eurobank v Vostolryborm Company Limited et al**

SVGHCV2011/0011

Baptiste, J.A.

Delivered : 10/06/2013

**TERRITORY OF THE VIRGIN ISLANDS****Betty Lou Bailey v Mark Bailey**

BVIHCVP 2009/0003

Gordon, JA. [Ag] (Judgment of the Court)

Delivered: 22/04/2013

**Cukurova Holding A.S v Sonera Holding B.V**

BVIHCVP 2012/0029

Pereira, C.J.

Delivered: 09/05/2013

**Featherwood Trading Limited v Fraunteld Management Limited**

BVIHCVP2012/0020

Mitchell, J.A. [Ag]

Delivered: 10/06/2013

**HIGH COURT****ANTIGUA AND BARBUDA****Kerry Werth et al v Glynis Richardson et al**

Claim No ANUHCVP 2013/0150

Henry, J.

Delivered: 07/05/2013

**Arnold Hughes v Caribseas Ltd**

Claim No ANUHCVP 2010/0777

Remy, J.

Delivered: 13/05/2013

**SDP Gestion SAS et al v Franciane's Bakery Ltd et al**

Claim No ANUHCVP 2010/0340

Remy, J.

Delivered: 16/05/2013

**COMMONWEALTH OF DOMINICA****Roxane Linton v Louisiana Dubique**

DOMHCV 2011/0062

Actie, M. [Ag]

Delivered: 15/04/2013

**Yohanna George v Vernon O'Brien**

DOMHCV 2010/0013

Actie, M. [Ag]

Delivered: 15/04/2013

**Leanthia Lewis v Irvin Durand**

DOMHCV 2011/0341

Actie, M. [Ag]

Delivered: 30/04/2013

**JUDGMENTS DELIVERED DURING THE MONTHS OF APRIL—JUNE 2013****Michael Peters v Attorney General et al**

DOMHCV 2011/0358  
Cottle, J.  
Delivered: 22/04/2013

**Dorothy Nisbett v Ruthine Royer et al**

DOMHCV 2009/0281  
Cottle, J.  
Delivered: 22/04/2013

**Sylvester Mark v Elpha Mark**

DOMHCV 2012/0847  
Cottle, J.  
Delivered: 22/04/2013

**Gilbert Guye et al v Clarenton Andrew**

DOMHCV 2009/0388  
Cottle, J.  
Delivered: 01/05/2013

**Leslie Emmanuel et al v Ace Engineering et al**

DOMHCV 2009/0281  
Cottle, J.  
Delivered: 01/05/2013

**GRENADA****Grenada Technical and Allied Workers Union v Liberty Club Ltd**

Claim No GDAHCV 2007/0045  
Mohammed, J.  
Delivered: 24/04/2013

**Norris Mitchell v Anthon Antoine**

Claim No GDAHCV 2011/0603  
Mohammed, J.  
Delivered: 25/04/2013

**The Incorporated Trustees of the Seventh Day Adventist Church v Jester Emmons et al**

Claim No GDAHCV 2012/0062  
Ellis, J.  
Delivered : 27/05/2013

**Veronica Augustine v Sally Nelson et al**

Suit No GDAHCV 2004/0153  
Mohammed, J.  
Delivered : 02/05/2013

**Price WaterhouseCoopers Inc v Garvey Louison**

Suit No GDAHCV 2003/0255  
Mohammed, J.  
Delivered : 03/05/2013

**Locksley Bowen v Agnes Bowen**

Suit No GDAHMT 2009/0162  
Mohammed, J.

Delivered : 09/05/2013

**Jacqueline Charles v Jean McNeilly**

Suit No GDAHCV 2010/0299  
Mohammed, J.  
Delivered : 22/05/2013

**Lester Cadore v Island Security Ltd**

Claim No GDAHCV 2005/0009  
Price Findlay, J.  
Delivered : 28/05/2013

**Gregory Lett v The Commissioner of Police**

Suit No GDAHCV 2011/0234  
Price Findlay, J.  
Delivered : 28/05/2013

**Veronica Augustine v Sally Nelson et al**

Suit No GDAHCV 2004/0153  
Mohammed, J.  
Delivered: 02/05/2013

**Jacqueline Charles v Jean Mc Neilly**

Suit No GDAHCV 2010/0299  
Mohammed, J.  
Delivered: 22/05/2013

**The Attorney General of Grenada v Grand Anse Riviera Limited**

Claim No GDAHCV 2013/0240  
Mohammed, J.  
Delivered: 06/06/2013

**Ashandi Edwards v Rholda Bhola et al**

Claim No GDAHCV 2006/0587  
Mohammed, J.  
Delivered: 24/06/2013

**W&W Spices Grenada Limited v Grenada Nutmeg Products Llc**

Suit No GDAHCV2009/0471  
Taylor-Alexander, M.  
Delivered: 07/06/ 2013

**Sheena David et al v Kingston Bowen et al**

Suit No GDAHCV2007/0055  
Taylor-Alexander, M.  
Delivered: 07/06/ 2013

**JUDGMENTS DELIVERED DURING THE MONTHS OF APRIL–JUNE 2013****ST KITTS & NEVIS****Delta Petroleum Nevis Ltd v OOJJ's Ltd et al**

Claim No. SKBHCV 2011/0242

Thomas, J. [Ag]

Delivered: 23/05/2013

**Derrick Hazel-Garvey v Michella Adrien**

Claim No. SKBHCV 2013/0009

Thomas, J. [Ag]

Delivered: 25/06/2013

**Anthony Morgan v Violet Morgan**

Claim No. SKBHMT 2012/0021

Thomas, J. [Ag]

Delivered: 28/06/2013

**Sheryl Evans v Keithlyn Bergan**

Claim No. SKBHCV 2012/0335

Thomas, J. [Ag]

Delivered: 28/06/2013

**SAINT LUCIA****Raymond Boriel v The Attorney General**

Claim No SLUHCv 2009/0361

Belle, J.

Delivered: 11/04/2013

**Prudence Robinson v Sagicor General Insurance Inc**

Claim No SLUHCv 2008/0736

Belle, J.

Delivered: 11/04/2013

**Sandra Ludovic v Magistrate Velon John et al**

Claim No SLUHCv 2011/1151

Belle, J.

Delivered: 17/04/2013

**Francisca Hippolyte v Jamil McDonald**

Claim No SLUHCv 2011/0091

Belle, J.

Delivered: 18/04/2013

**Leandra Verneuil v The Registrar of the High Court of Justice**

Claim No SLUHCv 2011/0847

Belle, J.

Delivered: 29/04/2013

**Luann Amorsingh v Martina Labadie**

Claim No SLUHCv 2010/0357

Belle, J.

Delivered: 30/04/2013

**The Queen v Ali Hamilton**

Criminal Case No SLUCRD 2011/0929

Cumberbatch, J.

Delivered: 15/04/2013

**The Queen v Shodeus Clement et al**

Criminal Case Nos. SLUCRD 2010/0403, 0404

Cumberbatch, J.

Delivered: 15/04/2013

**The Queen v Andrew Valcent**

Criminal Case No SLUCRD 2011/1184

Cumberbatch, J.

Delivered: 29/04/2013

**Kenneth Burns and June Burns v Redman Ltd**

Claim No SLUHCv 2010/0678

Taylor-Alexander, M.

Delivered: 08/04/2013

**Leslie Fontenelle v The Fire Service Association et al**

Suit No SLUHCv 2012/0610

Taylor-Alexander, M.

Delivered: 25/04/2013

**Helena Fanis v Housing and Urban Development Corporation et al**

SLUHCv 2006/0861

Wilkinson, J.

Delivered: 11/04/2013

**The Queen v Lance Blades**

Criminal Case Nos. SLUHCR 2011/0041, 0042

Cumberbatch, J.

Delivered: 29/05/2013

**The Queen v Junior Compton**

Criminal Case No SLUHCRD 2010/0411

Cumberbatch, J.

Delivered: 31/05/2013

**The Queen v Heath Thomas**

Criminal Case No SLUHRD 2012/0336

Cumberbatch, J.

Delivered: 31/05/2013

**Lisa Andrew v Matthew Nelson**

SLUHCv 2009/0814

Wilkinson, J.

Delivered: 02/05/2013

**Caroline Serieux v Sports St. Lucia Inc.**

Claim No SLUHCv2010/0753

Taylor-Alexander, M

Delivered: 7/06/2013

**Jennifer Prescott v Aldrick Parris et al**

SLUHCv2009/0814

Wilkinson, J

Delivered: 13/06/2013

## JUDGMENTS DELIVERED DURING THE MONTHS OF APRIL–JUNE 2013

## ST VINCENT &amp; THE GRENADINES

**Mercedes Delplesche v Samuel De Roche**

Claim No. 41 of 2012

Lanns, M.

Delivered: 19/04/13

**Claudia Guy v Ricardo Watson**

Claim No SVGHCV 2011/0410

Taylor-Alexander, M.

Delivered: 04/04/2013

**Wilfred Miller v Gregory Miller et al**

Claim No SVGHPT 2012/0041

Thom, J.

Delivered: 08/04/2013

**Stephen Adams v Mustique Co Ltd**

Claim No SVGHCV 2010/0397

Thom, J.

Delivered: 11/04/2013

**Alfred Neverson v Brenda Neverson**

High Court Possessory Titles Claim No 71 of 2009

Thom, J

Delivered: 10/06/ 2013

**Otto Sam v Tyrone Burke et al**

High Court Civil Claim No 399 of 2010

Thom, J

Delivered: 17/06/ 2013

## TERRITORY OF THE VIRGIN ISLANDS

**John Greenwood et al v FuturesOne Diversified Fund SPC Ltd et al**

Claim No. BVIHCM (COM) 2012/0113, 0116, 0114, 0115

Bannister, J.

Delivered: 17/04/2013

**Kenneth Kryz et al v New World Value Fund Ltd et al**

Claim No. BVIHCM (COM) 2013/0026

Bannister, J.

Delivered: 19/04/2013

**Cha Yang v Staray Capital Ltd et al**

Claim No. BVIHCM (COM) 138/2011

Bannister, J.

Delivered: 25/04/2013

**Kirsten Richardson v Chandra Carr**

Claim No. BVIHCV 2009/109

Ellis, J.

Delivered: 04/04/2013

**Siobahn Gillespie v Minister of Labour**

Claim No. BVIHMT 2013/0003

Ellis, J.

Delivered: 19/04/2013

**Gao Chunhe v Nanjing Ocean (BVI) Co. Ltd.**

Claim No. BVIHC (COM) 65 of 2012

Bannister, J.

Delivered: 01/05/2013

**JSC BTA Bank v Mukhtar Ablyazov**

Claim No. BVIHC (COM) 0125/2012

Bannister, J.

Delivered: 02/05/2013

**Inteco Beteiligungs AG v Sylmord Trade Inc**

Claim No. BVIHCM (COM) 120 of 2012

Bannister, J.

Delivered: 09/05/2013

**Sonera Holdings B.V v Cukurova Holding A.S**

Claim No. BVIHCM (COM) 2011/119

Bannister, J.

Delivered: 16/05/2013

**Liao Hwang Hsaing v Liao Chen Toh et al**

Claim No BVIHCV 2011/222

Ellis, J.

Delivered: 06/05/13

**Jacqueline Pena et al v BVI Health Services Authority**

Claim No. BVIHCV2012/0101

Tabor, M. [Ag]

Delivered: 22/05/2013

**Ray George v Attorney General of the Virgin Islands**

Claim No. BVIHCV2012/0161

Tabor, M. [Ag]

Delivered: 22/05/2013


## THOSE WHO SERVE ... CONTINUED FROM PAGE 21

Signed Copy of New Guidelines

## GUIDELINES ON WHO CAN APPLY FOR A BIRTH CERTIFICATE

Effective the 1<sup>st</sup> June 2013 the following class of persons will be permitted to apply for Birth Certificates:

1. **The owner of the birth certificate.** He/she must present their Identification Card.
2. **The parents whose names are shown on the birth certificate.** He/she must present their Identification Card.
3. **Children of the owner of the Birth Certificate.** He/she must present their Identification Card.
4. **Legal Guardian.** A Court Order must be shown.
5. **An attorney acting on behalf of his client whom he/she knows for a minimum period of five (5) years.** The Attorney must provide:
  1. A letter of authorisation signed by the owner of the birth certificate,
  2. A letter stating that he/she is acting for the owner of the Birth Certificate and authorizing their Clerk to apply for and collect the Birth Certificate.
6. **Social Welfare Officers, Police Officers etc.** A letter must be sent by these departments,
7. **A duly authorized person by the applicant.** The applicant must submit:
  1. A letter of authorization signed by the owner of the Birth Certificate,
  2. A Copy of the owner of the Birth Certificate Identification Card.
  3. If the owner of the Birth Certificate is living abroad a letter of authorisation is required which must be notarized.

  
Registrar



The above is pursuant to a Cabinet decision dated the 19<sup>th</sup> March 2013

## **EASTERN CARIBBEAN SUPREME COURT**

Heraldine Rock Building  
Waterfront  
Castries

Phone: 758-457-3600  
Fax: 758-457-3601  
E-mail: [offices@eccourts.org](mailto:offices@eccourts.org)

## **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 JUNE 30, 2013**

### **THE CHIEF JUSTICE**

Her Ladyship, the Hon. Chief Justice, Dame Janice M. Pereira – Saint Lucia

### **JUSTICES OF APPEAL**

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

His Lordship, the Hon. Justice Ian Don Mitchell – Anguilla

Her Ladyship, the Hon. Justice Louise Esther Blenman – Saint Lucia

His Lordship, the Hon. Justice Mario Michel – Saint Lucia

### **HIGH COURT JUDGES**

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

Her Ladyship, the Hon. Justice Clare Henry – Antigua & Barbuda

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 lanthea Leigertwood-Octave – St Kitts & Nevis/ Montserrat

His Lordship the Hon Justice Brian Cottle—Commonwealth of Dominica

His Lordship the Hon Justice Francis Cumberbatch—Saint Lucia

His Lordship, the Hon. Justice Edward Bannister, QC – Territory of the VI

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

Her Ladyship the Hon Justice Jennifer Remy - Antigua & Barbuda

Her Ladyship the Hon. Vicki Ann Ellis - Territory of the VI

His Lordship the Hon Justice Keith Thom - Antigua & Barbuda

His Lordship the Hon Justice Wesley Alexander James - St Vincent & the Grenadines

Her Ladyship the Hon Justice Margaret Mohammed - Grenada

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

His Lordship the Hon Albert Redhead [Ag] - Territory of the VI

Her Ladyship the Hon Justice Cheryl Mathurin - Anguilla

Her Ladyship the Hon Justice Paula Gilford - Montserrat/Nevis

His Lordship the Hon Justice Rajiv Persad [Ag] - Territory of the VI

### **MASTERS**

Master Pearletta Lanns - St Kitts & Nevis

Master V Georgis Taylor-Alexander—Saint Lucia

Master Charlesworth Tabor [Ag] – Antigua & Barbuda/TVI

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### **REGISTRARS**

Ms Kimberly Cenac Phulgence, Chief Registrar – Saint Lucia

Ms Agnes Actie, Deputy Chief Registrar – Saint Lucia