



CARIBBEAN COURT OF JUSTICE

**134 HENRY STREET
PORT OF SPAIN
REPUBLIC OF TRINIDAD AND TOBAGO**
Telephone: (868) 623-2CCJ Fax: (868) 624-4710
Website: www.ccj.org

MEDIA RELEASE
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SIGNIFICANT WEEK AHEAD FOR THE CCJ

Port of Spain, Trinidad. The Caribbean Court of Justice (CCJ) will, in the week of 25-29 June, deliver two important judgments in addition to hearing three court matters. Many of the matters this week have constitutional implications. Judgments will be delivered in two consolidated death penalty cases from Barbados. The CCJ will also give its decision on the validity of an amendment to the Guyana Constitution that altered the qualification to be elected as President of that country. Among other things, there was an amendment which prohibited candidates who had served two presidential terms of office from serving a third term. Hearings during next week also include a matter involving efforts to have a Belizean judge investigated, a Guyanese case in which a challenge has been made to a statute prohibiting males to be dressed as females, and a case from Belize where a financial institution is seeking to have an award of US\$4.46 million reinstated.

All matters will be live-streamed and the recordings will be posted on the CCJ's website, www.ccj.org, within hours of the end of the hearing. Links to the broadcasts and a more information on the cases can be found under the Live Courtroom Broadcasts area.

On 26th June at 2:00 pm, judgment will be delivered in *The Attorney General of Guyana v Cedric Richardson*. The Court of Appeal had ruled, by a majority of 2-1 with the present Acting Chancellor dissenting, that that the amendment indirectly breached Articles 1 and 9 of the Constitution which Articles entrench the concept that Guyana is a secular, democratic state in which sovereignty belongs to the people of Guyana. Mr Richardson had earlier successfully argued in the Guyanese courts that the amendment breached his right to elect a President of his choice.

After giving its judgment in the Richardson case, the Court will hear a matter where the appellants, Dean Boyce, British Caribbean Bank Ltd & Lord Michael Ashcroft, are challenging the decision of the Belize Judicial and Legal Services Commission (JLSC) to decline to move forward with a

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complaint against a judge. They are asserting that the JLSC should determine whether a Belizean Justice of Appeal should be investigated for misbehaviour and/or inability arising from concerns over “excessive delays in the delivery of judgments” while he was a Judge of the Supreme Court.

On Wednesday, 27 June at 2:00 pm the Court will deliver judgment in a pair of death penalty appeals from Barbados. Two men were convicted of murder in separate cases and each was automatically sentenced to death. Each man is appealing against his conviction for murder. The central issue uniting both appeals is that of the constitutionality of the mandatory sentence of death.

Hearings resume on Thursday 28th June in the matter of *Quincy Mc Ewan, Seon Clarke, Joseph Fraser, Seyon Persaud v The Attorney General of Guyana* where the appellants are appealing their highly-publicized convictions for the offence of being men who were wearing female attire in public for an ‘improper purpose’.

On Friday, 29th June, Titan International Securities appeals to the Caribbean Court of Justice against the decision of the Court of Appeal of Belize to set aside an award of US\$4.46 million in compensatory damages. Both the High Court and the Court of Appeal in Belize agreed that a search and seizure of Titan’s premises was conducted in an unreasonable and excessive manner and in breach of some constitutional rights but the Court of Appeal held that Titan did not prove that the losses suffered as a result of the breach. Titan is also challenging the constitutionality of a section of the Mutual Legal Assistance and International Cooperation Act.

The CCJ livestreams the delivery of all of its judgments, as well as all hearings from Courtroom 1. Judgments generally take about 15-30 minutes to deliver and appellate hearings can vary from 2-4 hours in duration. Recordings of all matters are posted on www.ccj.org, and the judgments are also posted there with an accompanying summary and press release. Further information on all the cases, including links to view the broadcasts are on the CCJ website under the Judgments & Proceedings category.

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