



Remarks on being Sworn in as Justices of Appeal to the Court of Appeal of the Republic of Seychelles

The Honourable Mr Justice Winston
Anderson, Judge of the Caribbean Court
of Justice

Swearing in ceremony of Justices to the Appeal Court of the Republic of Seychelles

The Republic of Seychelles
10 October 2022

The Court of Appeal of Seychelles only has appellate jurisdiction, meaning that its single power is to hear cases on appeal. It is headed up by the President of the Court of Appeal. The Supreme Court is the main court for the hearing of serious criminal cases or high value or important civil cases. The Supreme Court is headed up by the Chief Justice. All cases from the Supreme Court, both civil and criminal can be appealed to the Court of Appeal. The Court of Appeal is made up of five Justices of Appeal including the President of the Court of Appeal and the Chief Justice. The Judiciary is an independent branch of government, established under the **Constitution of the Republic of Seychelles** and subject only to the Constitution and the other laws of Seychelles.

Remarks

By

The Honourable Mr Justice Winston Anderson, Judge of the Caribbean Court of Justice,

on the occasion of

The Swearing in Ceremony of Justices to the Court of Appeal of the Republic of Seychelles

10 October 2022

Protocol having been established, permit me to recognize the presence of

- Your Excellency the **Hon Wavel Ramkalawan**, President of the Republic of Seychelles
- Distinguished Members of the Constitutional Appointment Authority
- Fellow Judicial Officers
- Members of the Legal Profession, and
- Other distinguished Ladies and Gentlemen

Please allow me to say very briefly how very moving this swearing-in ceremony has been for My fellow Justices of Appeal (The Hon Chancellor Mr Justice Carl Singh of Guyana, The Hon. Justice Sir William Young of New Zealand) and for me, a CCJ Judge and President/Chairperson of this *ad hoc* tribunal.

We consider this call to service to be both a pleasure and an honour. We are humbled that we have been chosen, appointed, and now sworn into office, to contribute to the administration of justice in Seychelles and, by extension, to contribute to the people of Seychelles.

All three of us have deep admiration for the rich history and culture of the Republic of Seychelles and for the legal system and the judiciary, which has guaranteed the stability and progress of these beautiful lands.

The Seychelles Judiciary has for many decades been respected around the world. Over the past 40 years, we have, in the Caribbean, cited, discussed, and followed scores of decisions from your courts. For example, Caribbean courts in the **Bahamas, Belize, British Virgin Islands, Grenada, St Kitts and Nevis, and Trinidad and Tobago** have considered with great esteem several cases

decided by the Courts in Seychelles. Most recently, the Trinidad and Tobago Court of Appeal in deciding *Melville v The State* (September 2021), referred [at para 125] to the Seychelles case of *Roble v The Republic* (2016) and adopted the views there expressed by Msoffee JA on the doctrine of *res gestate* in relation to both civil and criminal proceedings.

Also, over the past decades, Caribbean jurists have been pleased to maintain a cordial and supportive relationship with the judiciary of Seychelles. Several of our judges have been honoured to serve in the Seychelles judiciary: **Hon. P. Telford Georges** was a judge of the Court of Appeal of Seychelles since 1987; **Hon. Justice Ephraim Francis Georges** served from 1989-1990 as a justice of the Supreme Court of Seychelles; and **The Rt. Hon. Sir Vincent Floissac** served as a member of the Seychellois Court of Appeal from 1988 to 1991.

We hope to continue in the tradition of these great judges.

My colleague Justices of Appeal and I look forward to working with Registrar, with other court officials, with Counsel for the parties in the case before us, and with any other relevant stakeholders in completing the task assigned to us within the time assigned to us.

Over the next two weeks of our engagement, we intend to serve with **integrity, competence, dedication, and efficiency** in accordance with the oath we have just taken and subscribed to. In this way, we hope to make a small but perhaps lasting impression not only in deciding the case before us but also on the rule of law in Seychelles.

Your Excellency, Ladies and Gentlemen, thank you again most sincerely.

We are most obliged to you.