

One People, One Region, One Court



ANNUAL REPORT 2010/2011

CARIBBEAN COURT OF JUSTICE

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OUR MISSION

The Caribbean Court of Justice shall perform to the highest standards as the supreme judicial organ in the Caribbean Community. In its original jurisdiction it ensures uniform interpretation and application of the Revised Treaty of Chaguaramas, thereby underpinning and advancing the CARICOM Single Market and Economy. As the final court of appeal for member states of the Caribbean Community it fosters the development of an indigenous Caribbean jurisprudence.

OUR VISION

To provide for the Caribbean Community an accessible, fair, efficient, innovative and impartial justice system built on a jurisprudence reflective of our history, values and traditions while maintaining an inspirational, independent institution worthy of emulation by the courts of the region and the trust and confidence of its people.

STATEMENT BY

The Right Honourable
Mr Justice Michael De La Bastide,
President
Caribbean Court of Justice

at the Special Sitting held in honour of his
retirement on Friday 15 July 2011



I want first to thank all the speakers for the very generous tribute they have paid me. You know, as I listened to them, a couple things occurred to me. One was that hearing about the man that they were talking about, I thought he sounded like an interesting fellow and that I would quite like to meet him! The other thing I reminded myself of, was something which was said, I think, by Adlai Stevenson, the American politician. He said that there's absolutely nothing wrong with listening to nice things being said about one and enjoying it, "as long as you don't inhale". So, I'm trying hard not to inhale.

Well, I have good news and bad news. The good news is that I, too, have like all the previous speakers, a limited time allocated to me. The bad news is that that time is much longer than theirs. This is the sort of occasion on which one looks back to the inauguration of the Court some six years ago, and one calls to mind the feelings that one had on that day - April 16th 2005. There was a wonderful feeling of optimism and almost of a sort of innocence. One felt there was nothing that one could not accomplish – that the Court couldn't accomplish. Well, six years later one's feet are more firmly planted on the ground and we have experienced some disappointments on the way, but also a fair measure of success. I venture to suggest that the Court's record of performance suggests that it is capable of assuming and discharging the twin responsibilities which have been placed on it.

The first is interpreting and applying the Revised Treaty of Chaguaramas and enforcing the obligations undertaken by member states under that treaty. The other is shaping and developing the regional jurisprudence as the final court of appeal of the English-speaking Caribbean. With only three countries having

subscribed to our appellate jurisdiction, we are hardly in a position to claim complete success in winning the confidence of the peoples of CARICOM. I think, however, we have gone a significant distance towards persuading the doubting Thomases and disarming our critics. This I suggest is the result of three factors.

The first is the favourable commentaries which our judgments have for the most part received. The second is the user-friendly techniques and technologies which the Court has adopted in order to facilitate access to it and promote the efficient and timely disposition of cases. The third is the growing appreciation by the public in general and lawyers in particular, of the measures which the CARICOM Heads of Government have to their credit taken to ensure the independence of the Court. These measures are to be found in the various instruments by which the Court and its support bodies, that is, the Regional Judicial and Legal Services Commission and the Caribbean Court of Justice Trust Fund were established. The architecture of these bodies, by which I mean, their composition, their powers and functions and the relationship among them, was carefully and consciously designed after consultation with important stakeholders.

The primary purpose was to protect the Court from political and other extraneous influences and to give it the best chance of becoming a truly quality Court. The steps taken have evoked much admiration and envy from other regional and international tribunals. It would take too long to detail the various ways in which these objectives have been achieved but there are two important ones that I would mention.

One is the creation of a Trust Fund vested in a Board of Trustees

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The Right Honourable Mr Justice Michael De La Bastide,

at the Special Sitting held in honour of his retirement on Friday 15 July 2011

which is to provide the financing for the Court, and secondly, the giving to the Court of the power, subject to certain important safeguards, to establish and manage its own budget. I take this opportunity as I take my leave as President, to warn and advise strongly against any proposal, however well-intentioned, which would remove or abridge the Court's rights in relation to its own budget in the name of correcting some alleged but non-existent flaw in the 'governance structure' of the court and commission.

In this connection I would remark in passing that I have a great deal of respect for businessmen, some of my best friends as they say, are businessmen. But the training and experience of businessmen do not equip them to identify and assess the needs of a court, far less a court with two distinct jurisdictions. Perhaps, the point is more tellingly made in the penultimate recital in the protocol, which was agreed between the Court, the Commission and the Trustees of the Fund for the purpose of governing their interaction and relations. What that recital says is this, quote:

"Accepting that the management and operations of the Court and the Commission involve complex, technical and specialist systems and procedures and that it is for the court and commission to determine what is needed for their operations."

I also would suggest that before there is any tampering with the carefully balanced architecture of the court and the commission, one must bear in mind that no one has yet designed a way of protecting businessmen from political pressure. I say no more. I think it's a case of *verbum sapientibus* - a word to the wise.

I want now to give credit where credit is due for the successful operation of the Court over the last six years. First of all, I think that pride of place must go to my sister and brother judges of the Court, who are sitting up here with me and the chief justices, and of course, there is one who is no longer part of the Court but who is well-remembered, that is, Mr. Justice Duke Pollard, who retired about a year ago. He has been replaced by Mr. Justice Winston Anderson. I have already expressed to the judges in camera my deep appreciation of their contribution to the Court, but let me put it on the record. They have demonstrated to a very high degree, two qualities in particular that I identify. These are industry and scholarship. It has been an honour and a pleasure for me to have worked with them. It has been - I assure you - an incredibly stimulating exercise, and even though it has come so late in my career I can say with absolute sincerity that it has been for me, a learning experience. They will be fortified on the 1st of September by the assumption of office by the new President of the Court, the Right Honourable Sir Dennis Byron, formerly Chief Justice of the Eastern Caribbean Supreme Court and latterly, President of the International Criminal Tribunal for Rwanda. They will constitute a

Court which in my estimation can be relied upon to perform to a standard of excellence that can match that of any court in the Commonwealth, or indeed on the planet.

The second pillar on which the success of the Court has been built consists of the members of the Court Administration Leadership Team headed by the Court Executive Administrator, Master Morris-Alleyne, supported by her deputy, Ms. Wendy Lewis, and our valued Registrar, Ms. Paula Pierre. This team comprises for the most part the department heads that make up the administration of the Court, and perhaps, if I mention the departments, that will give you some idea of the variety of services which a court like ours requires. There is of course the Finance, IT, Library, Facilities and Assets Management, Protocol and Information, Public Education and Security. I have not met any group of persons who are more dedicated than this Team to the organisation they serve. Their commitment and their competence have proved two of the most valuable resources that the Court has been able to draw on. I salute them and express the hope that they have found with the Court, a long-term vocation - not vacation! They can perhaps take heart from the aspiration of the founders of the Court, that is, the Heads of Government, that the Court should be funded 'in perpetuity' by the Trust Fund.

I also wish to include in this tribute all members of the staff of the Court and the Commission. What I admire greatly about them is their willingness to walk the extra mile and what is almost as important, to do so cheerfully. I thank them for their support and loyalty. I hope that the members of my personal staff will not mind if I take this opportunity - probably, the last one - of making special mention of a rather special lady, that is, my secretary, Ms. Sandra Cameron, who has been my secretary for no less than 42 years. She has served in that role in a variety of incarnations. I think anyone who has put up with me for that long deserves some form of medal - I'll try and arrange it.

I want to acknowledge of course, the important role played by the RJLSC - the Regional Judicial and Legal Service Commission. They have certain important functions to perform in relation to the Court involving inter alia the appointment and removal of judges, the hiring and disciplining of staff, and the fixing of terms and conditions of service, subject in the case of the judges, to the approval of the Heads of Government - a very important check and balance. The Commissioners are appointed either as a result of being jointly nominated by peers or groups of specified bodies or officials, such as bar associations and heads of regional law faculties and law schools, or by virtue of holding either the office of chairman of the Public Service Commission or Judicial Legal Service Commission of one or other of the member states. So that, in every case, the appointment of a commissioner is totally free of any political influence. Indeed,

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they are expressly forbidden by the Agreement Establishing the Court from receiving or accepting directions from any person external to the Commission. I have had the honour of chairing that commission for the last seven years and I have the greatest admiration for the dedication that has been exhibited by Commissioners past and present to the performance of their duties, and to adopt the language of Lloyd Barnett, I have also great respect for their prudence and sagacity. I thank them all for their service.

Well, finally, a word about the trustees. They too, of course, perform a very vital function in relation to the Court. While we have divergent views on certain matters affecting the Court and the commission, I would like them to know that we do not doubt, and have never doubted, their sincerity of purpose. I look forward to future co-operation between them and the Court and commission - co-operation, which I think, is very important. I congratulate the trustees, if I may, on the achievement of a very healthy return on the funds available to them for investment during the period since the global financial crisis that occurred in 2008.

What must be very obvious from what I have said so far, is that, I have had the good fortune to captain a very strong team indeed. That being the case, two things follow. One is, that just as the captain of a weak team may escape blame for its defeats - a situation which is not entirely unknown to those who have been following West Indies cricket. So too, the captain of a strong team must acknowledge the role of his teammates in achieving a successful result, and that I have sought to do. But the other consequence is that the team must not

be allowed to disintegrate or deteriorate. Hence, applying the metaphor to the facts of the case, my conviction is that it would be nothing short of a tragedy for the region if the CCJ was allowed for whatever reason or by whatever means to disappear from the scene or to compromise the standards of excellence, which it has set itself and has so far achieved. I do not think that future generations will easily forgive us for such a wanton waste or a unique opportunity. I make no apology for saying I am proud of this Court and I am comforted in leaving it by the knowledge that it is in good hands. Naturally, I shall continue to follow its progress with great interest and concern.

Well, in closing, I want to again thank all those who have combined to produce the results for which, perhaps, I have been unfairly given the credit. I am happy, however, to be a part of that success and you know, you may think that it is exaggerating to emphasize the success of the Court; I don't think so. Because I think that we have heard sufficient today from people who are stakeholders in the Court to recognize that it is only in my view, a question of time before the logic of the thing produces the situation envisaged when the Agreement establishing the Court was signed, that is, the existence of a single, final regional Court of Appeal for the English-speaking Caribbean.

I cannot close without also expressing my gratitude and appreciation to my wife, Simone for the unflagging support and encouragement which she has given me. The last people I want to thank are those who have taken the time today to attend this sitting. I want you to know that I appreciate it very much.

God bless you.

INTRODUCING THE NEW

President

Caribbean Court of Justice

The Right Honourable
Sir Charles Michael Dennis Byron



In March 2011 the Caribbean Community Heads of Government accepted the recommendation of the Regional and Judicial Legal Services Commission (RJLSC) that the Right Honourable Sir Charles Michael Dennis Byron be appointed as the successor to the Right Honourable Michael de la Bastide T.C., President of the Caribbean Court of Justice (CCJ), upon his retirement on August 18, 2011.

Sir Charles Michael Dennis Byron was born in Basseterre, St. Kitts, on 4 July 1943, the first of four children of Vincent and Pearl Byron. Sir Dennis won the Leeward Islands Scholarship in 1960 and went on to read law at Fitzwilliam College, Cambridge University from which he graduated with an M.A and an LL.B. In 1965, he was called to the Bar of England and Wales by the Honourable Society of the Inner Temple.

Sir Dennis Byron distinguished himself in private practice as a Barrister-at-Law and Solicitor throughout the Leeward Islands, with Chambers in Saint Kitts, Nevis and Anguilla from 1966 to 1982. His judicial career began in 1982 when he was appointed as a High Court Judge of the Eastern Caribbean Supreme Court.

He was soon frequently sitting as a Court of Appeal Judge in an acting capacity before being appointed a substantive member of the Court of Appeal in 1990.

In 1995, over a five month period, in tandem with Operation Uphold Democracy, in an initiative of the US National Center for State Courts, Mr. Justice Byron, with two other international Judges, and a support team, organized judicial education programmes for the Judiciary of Haiti.

In 1999, he was appointed Chief Justice of the Eastern Caribbean Supreme Court, having acted in that position for two years. As Acting

Chief Justice, Mr. Justice Byron made the establishment of the Eastern Caribbean Supreme Court Judicial Reform Programme a matter of high priority. In 1997, he launched the Judicial Education Institute as a Committee of the Office of the Chief Justice's Office. The Committee produced a Code of Ethics for Judges, and organized a series of seminars and training programmes providing orientation for Judges, lawyers and trial Court Registrars.

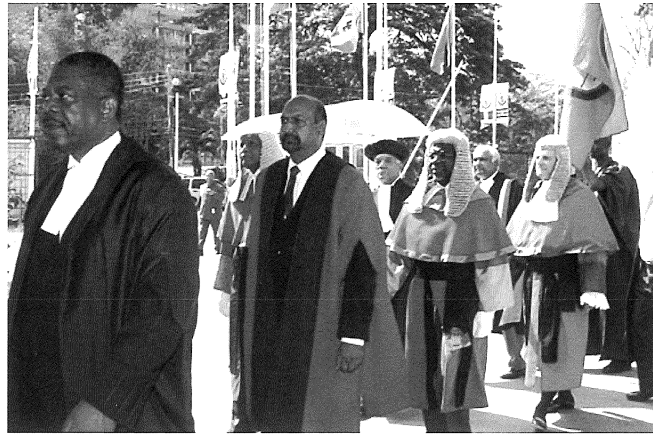
This programme was a prelude to the modernisation of practice and procedure in litigation, which was brought to fruition when Mr. Justice Byron introduced the new Civil Procedure Rules 2000, which came into operation as of 31 December 2000 thereby introducing caseload management to the civil process. With these reforms, Mr. Justice Byron set a three-fold objective, namely, the enhancement of public access to the Court by simplifying procedures, the reduction of the delay in litigation, and the inculcation of a higher standard of professionalism at the Bar.

Mr. Justice Byron chaired the Rules Reform Committee, and hosted workshops for lawyers in the Different Member States of Organisation of Eastern Caribbean States (OECS).

In March 2001, Chief Justice Byron, as he then was, as a member of an international delegation of jurists travelled to Zimbabwe on a Fact-Finding Mission on behalf of the Human Rights Institute of the International Bar Association, inquiring into reports of abuses against the Rule of Law by the Government.

In 2004, Mr. Justice Byron was made a Knight Bachelor by Queen Elizabeth II and he was appointed a member of the Privy Council in the same year. Also in 2004, he was appointed an Honorary Bencher of the Honourable Society of the Inner Temple.

INTRODUCING THE NEW President of the Caribbean Court of Justice



Sir Dennis Byron (left), then substantively Chief Justice of the Eastern Caribbean Supreme Court, in the procession of Chief Justices at the Inauguration of the Caribbean Court of Justice.

Appointed by the United Nations Secretary General to replace Judge Lloyd George Williams, Mr. Justice Byron served as a Judge of the United Nations International Criminal Tribunal for Rwanda (ICTR) as of June 2004. He was elected President of the Tribunal in May 2007, succeeding former President Erik Møse of Norway and was re-elected for a second term as President in May 2009.

As President of the Tribunal, Mr. Justice Byron was responsible for the overall management of the Court and for liaising with member states as well as the Security Council. He oversaw the implementation of ICTR strategic policies and the management of its external relations. He provided the dedicated leadership and commitment for the realization of the Tribunal's overall Completion Strategy without sacrificing any of the vital safeguards of due process and fair trial rights. At the same time, he continued to maintain the excellent level of cooperation with stakeholders indispensable to buttress the work of the Tribunal in the development of international criminal justice.

While at the ICTR Mr. Justice Byron sat on seven trial benches and served on a number of pre-trial benches.

Sir Dennis Byron has a particular interest in judicial education activities. He has been President of the Commonwealth Judicial Education Institute (CJEI) since the year 2000.

The ICTR President has written many articles and publications and has been a keynote speaker at numerous events. On 16 March 2011, he delivered the 9th Annual Ruth Steinkraus-Cohen International Law Lecture of the United Nations Association in London. He has regularly delivered reports on behalf of the Tribunal to the United Nations General Assembly and the Security Council.

Sir Dennis holds the first Yogis & Keddy Chair in Human Rights Law at Dalhousie University Nova Scotia, Canada.

He is married to Lady Norma Byron and has three sons.

Other examples of Sir Dennis' engagements and publications include:

- March 2010: Presentation on the Domestic Application of International Humanitarian Law, the Malaysian Bar Association in Kuala Lumpur
- October 2009: University Club of Cornell – "The Role of National and International Courts in the Protection of Human Rights", New York
- August 2009: ICTR Africa Regional Conference of the International Association of Women Judges, Arusha
- 2009: Law Society of Kenya Annual Conference, Mombasa, Kenya
- March 2009: Presentation to Conference on Gender Justice, Dakar, Senegal
- October 2008: Speech to the Race Hate Crime Forum, London, England
- October 2008: Council of Europe Conference Panel – "International Justice – The Wider Picture – International Courts and Tribunals – the Challenges Ahead", London, England
- July 2008: Keynote Address, the Eastern Caribbean Supreme Court Annual Judicial Conference, St. Kitts
- September 2007: Keynote Address to 15th Commonwealth Law Conference – "Ad Hoc Tribunals and the Enforcement of International Criminal Law", Nairobi, Kenya
- March 2005: Address to International Law Association of India – "Aspects of the Work of the ICTR"
- 2002: Law Reform Seminar, organized by the Trinidad and Tobago Judicial Education Institute with the National Center for State Courts, Trinidad and Tobago
- 2001: International Bar Association, Delegation of Jurists Fact Finding Mission to Zimbabwe
- Graduation Address, Norman Manley Law School, Jamaica
- 1999: Judicial Training Program for Judiciary of Suriname
- 1995: Judicial Training Program for Haitian Judiciary
- Contributor to the Max Planck Encyclopaedia of Public International Law, topics include the Caribbean Community and the Caribbean Court of Justice



MESSAGE FROM THE Court Executive Administrator

Master Christie-Anne Morris-Alleyne, Court Executive Administrator

The Court's administration is mindful of the fact that notwithstanding its catalogue of achievements in the short period of time since its inauguration, the Court is still a young entity, still growing, still developing

The theme of this year's Annual Report, "Accounting for Performance, Preserving Independence" speaks to a strong belief and creed of the CCJ. The Court has been active for almost a full seven years. When it celebrated its fifth anniversary in 2010, the Court naturally felt it needed to compile an account of what it had accomplished up to that time, as the completion of five years in any institution marks a milestone. The year under review marks another milestone – a transitional one. The Right Honourable Mr. Justice Michael de la Bastide, Founding President of the Court, retired from office in July. The Court is now about to enter a new phase of its existence under the presidency of the Right Honourable Sir Charles Michael Dennis Byron.

While, of course, the institutional memory of the Court will inform its functioning, naturally, the advent of a new helmsman at the prow means a period of transition and development. The Court's administration is mindful of the fact that notwithstanding its catalogue of achievements in the short period of time since its inauguration, the Court is still a young entity, still growing, still developing.

The administration of the Court welcomes this period of transition, which will serve to prompt useful self-analysis and review of the Court's course, operational strategy and refinement of the implementation of its Court Performance Standards. We consider this moment custom-built for assessment of our accomplishments, evaluation of our *modus operandi*, and strategising for the future. The Court remains ever mindful of its vision and mission, of the unique role in which it has been cast as the nucleus of the Caribbean Single Market and Economy and the lead legal institution in the progress of Caribbean jurisprudence.

At the junction between the culmination of one period of leadership and the embarkation upon another, the Court's administration feels energised, secure and above all, ready and able to continue to work towards producing an institution qualified and prepared to tackle the juridical and social challenges of this developing twenty-first century.



MESSAGE FROM THE Registrar

Paula Pierre, Registrar and Chief Marshal

Since the hearing of the case management conference using videoconferencing technology, the Court has also delivered judgments via videoconference

Many important events occurred during the period covered by this report. These included: the appointment of a new President of the Court, the introduction of videoconferencing in the Registry and sub-Registries, the convening of a Special Sitting of Court to mark the retirement of the first President, delivery of the judgment in the first case from Belize and staff training.

The tenure of office of the Right Honourable Mr. Justice Michael de la Bastide, TC, the first President of the Court, will end on August 17, 2011. The Heads of Government of the Caribbean Community (CARICOM), on the recommendation of the Regional Judicial and Legal Services Commission, appointed the Right Honourable Sir Charles Michael Dennis Byron, to succeed the Right Honourable Mr. Justice de la Bastide as the next President of the Caribbean Court of Justice.

With the help of funding from the European Development Fund, the Court was able to host the third Meeting of Regional Registrars and Court Executive Administrators in November 2010. This was an initiative begun in 2005 after the Appellate Jurisdiction Rules came into force. This was the first meeting at which Registrars, Deputy Registrars and their staff responsible for filing of CCJ documents were able to meet and discuss the Rules of Court and their application. During this term an exchange programme also began with the Registrar from Belize attending the Registry in Port of Spain to observe the systems and technology in use at the Registry.

The Court also for the first time on 25 April 2011 utilised videoconferencing to conduct a court hearing. Since the hearing of the case management conference using videoconferencing technology, the Court has also delivered judgments via videoconference.

I trust that the following pages of this Report will provide interesting reading on the continuing development of the Court.

The Judges

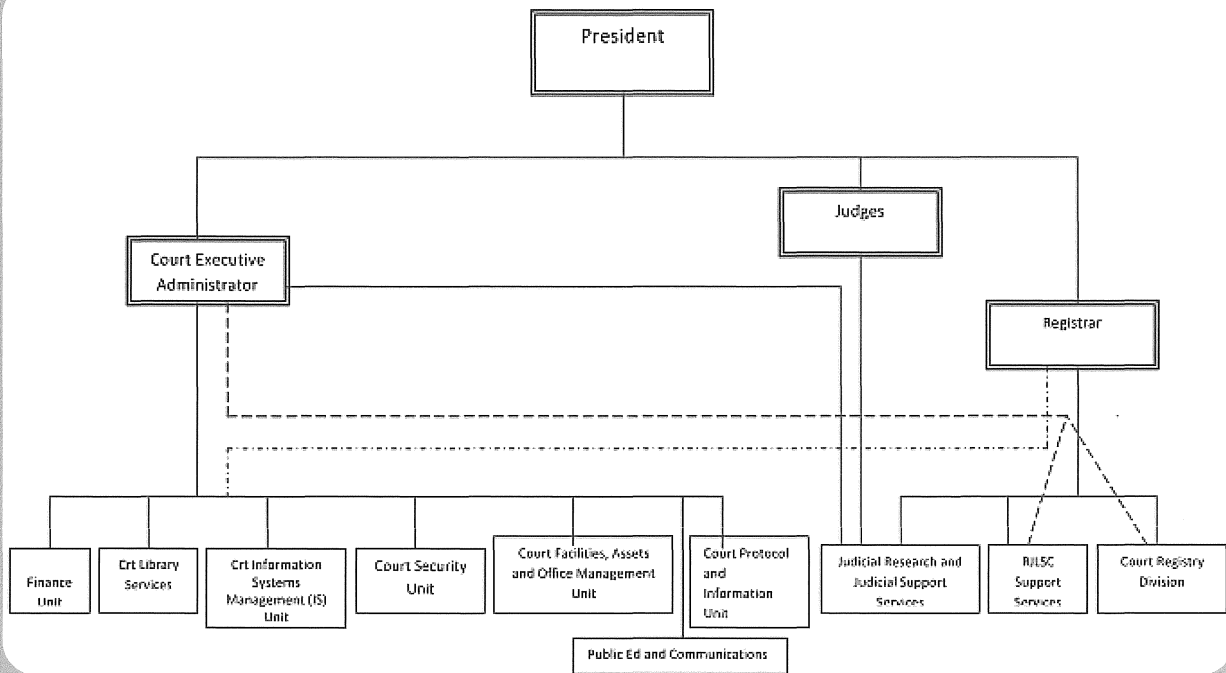
of the Caribbean Court Of Justice



(L to R) The Hon. Mr Justice David Hayton, The Hon. Mme. Justice Desirée Bernard, The Hon. Mr. Justice Rolston Nelson, The Rt. Hon. Mr. Justice Michael de la Bastide; President, The Hon. Mr. Justice Adrian Saunders, The Hon. Mr. Justice Jacob Wit, The Hon. Mr. Justice Winston Anderson

Organisational Chart of the Caribbean Court Of Justice

CCJ ORGANISATIONAL CHART



Bidding Farewell To The Court's Founding President

Special Sitting of Court



On July 15, 2011 at 9:30 a.m. a Special Sitting of Court was convened to mark the retirement from office of the Right Honourable Mr. Justice Michael de la Bastide, TC, the first President of the Court. The occasion was historic, for not only did it herald the end of an era but it also recorded other 'firsts' for the Court. It was the first time that a President of the Court was retiring. It was also the first time that Chief Justices (of Trinidad and Tobago and the Eastern Caribbean Supreme Court) were invited to sit on the Bench with CCJ Judges.

The Honourable Mr. Justice Rolston Nelson conducted the proceedings and paid tribute to the President on behalf of the Judges of the Court. Mr. Justice Nelson identified the sitting as assembled "to pay tribute to an outstanding judicial career". Of the President, Mr. Justice Nelson said: "It was always an intellectual treat, stimulating and exhilarating, to sit with you in Court and in post-hearing deliberations. The lightning speed of your mind would quickly expose flaws of reasoning and reveal the verities.

Bidding Farewell To The Court's Founding President

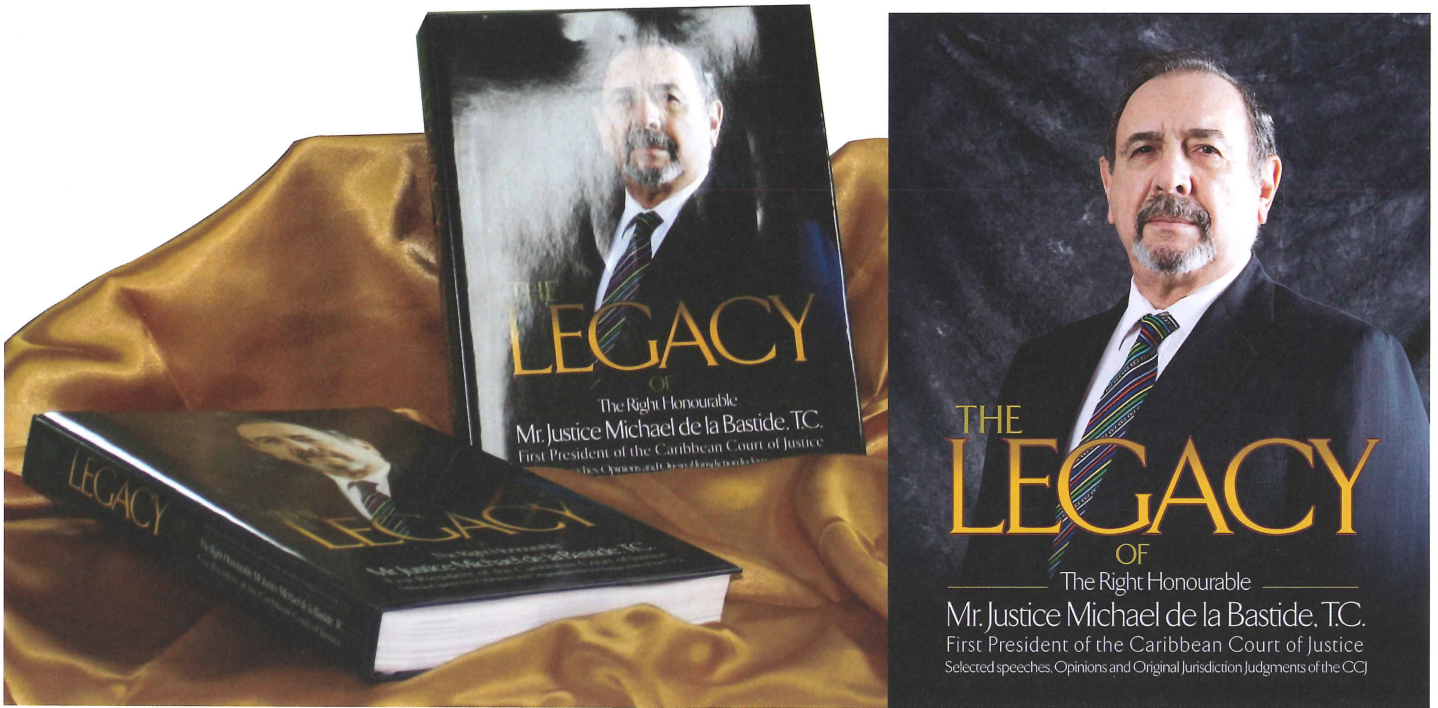
The other speakers who paid tribute to the first President included the Honourable Mr. Justice Ivor Archie, Chief Justice of Trinidad and Tobago, who spoke on behalf of the Judiciary of Trinidad and Tobago, the Caribbean Court of Justice Trust Fund and the Conference of Regional Heads of Judiciaries. The Chief Justice opined: "Your Honour, this country owes you a great debt of gratitude for passing on a judiciary that remains strong in its independence and its intellectual capacity. It was therefore no surprise, that when the region was looking for a president from the region for the inaugural panel of the Caribbean Court of Justice that it would turn to a man of such obvious talent who commanded the respect of all who knew him both within the region and in the wider Commonwealth."

The Acting Secretary-General of CARICOM, Her Excellency Ambassador Lolita Applewhaite, described Mr. Justice de la Bastide's appointment as Court President in 2004 thus: "It was an unmistakable acknowledgement of your excellence, Your Honour, that you were chosen to spearhead this process of laying the foundations of a truly regional jurisprudence through the construct of a body of Community law. I can say that that construct is well underway, secure on the moorings overseen by the first distinguished President of the Court". The Acting Attorney General of Trinidad and Tobago, the Honourable Prakash Ramadhar, recalled: "Your contribution to the Judiciary and as a practising lawyer could never be measured. It is legendary, and the one word that comes to mind always is "sterling": your sterling

contribution always seeking perfection". Dr. the Hon. Lloyd Barnett, member of the Regional Judicial and Legal Services Commission opined: "We recognise that amidst the laborious travel through the labyrinths of procedure and protocol, your vision of an integrated Caribbean region, distinguished by a final court of excellence always remained a continuous and commanding beacon. We honour your name." The Chairman of the Council of Legal Education, Ms. Jacqueline Samuels-Brown said, "I certainly have through your judgments been able to come to understand and appreciate your mind and the unmatched contribution that you have made to Caribbean jurisprudence. You have created a legacy so rich, so enduring, of such immutable value that even as you retire, even as you enter another phase, we know that we and generations of lawyers and Caribbean peoples to come will continue to benefit from the groundwork that you have laid". President of the Organisation of Commonwealth Caribbean Bar Associations, Mr. Wilfred Abrahams, in his tribute to the President, declared: "The growing esteem with which the Court is held has been due to strong leadership and an excellent panel of international judicial minds chosen on the basis of ability rather than political favour. [...] The history of Caribbean jurisprudence will record you as the first president of the CCJ, a pioneer if you will, who shaped the Court in its infancy and who now passes the well accredited adolescent to his successor". The Court Executive Administrator and the Registrar also addressed the Court on behalf of Court Administration and the staff and the Registry and Sub-Registries respectively.



The Legacy



The Rt. Hon. Mr. Justice Michael de la Bastide T.C. served as President of the CCJ from the formative years of the CCJ's existence in August 2004, and has guided the regional organization through the six (6) years since its inauguration. These initial years in the life of any organization represent a defining period in its history. They lay the foundation for all the years to come. This is particularly so in the case of a body which is charged with the development of a Caribbean jurisprudence.

President de la Bastide's academic and judicial record made him especially suitable to manage this process and effect the transformation of the CCJ from the concept of a regional court on paper to an institution that already has gained the respect of the regional and international community.

Further to the Agreement Establishing the CCJ, President de la Bastide also served ex officio as Chairman of the Regional Judicial and Legal Services Commission (RJLSC), for the last seven (7) years.

President de la Bastide is a former Chief Justice of Trinidad and Tobago, former President of the Law Association of Trinidad and Tobago (T&T) and a Privy Councillor.

At the special sitting of the Court, repeated reference was made to President de la Bastide's gifts of character: his legendary incorruptible integrity, his intellectual rigour, and his exceptional perseverance and tenacity. Speakers recognised Mr. Justice de la Bastide's invaluable

contribution to jurisprudence, not only of importance to the Caribbean region, but of equally great significance to the wider world of jurisprudence.

The Judges of the CCJ compiled a book as a tribute to his legacy. It contains a selection of speeches and papers delivered by him as well as the appellate judgments that he wrote or co-authored. Also included in the book are the Original Jurisdiction judgments of the Court delivered while he was President. These judgments have clarified many grey areas in the Revised Treaty of Chaguaramas and placed the CARICOM Single Market and Economy securely under the rule of law. This compilation is sure to be of lasting interest to legal historians and students of Caribbean law.

As further testimony of its respect and appreciation, the Court presented Mr. Justice de la Bastide with a portrait, commissioned from artist Ms. Vivian Logan of Jamaica. The portrait was unveiled during a gathering with his CCJ family on Mr. Justice de la Bastide's last day in office, and starred as the background for a multiplicity of commemorative photographs.

The Court expresses its profound and sincere gratitude to its first President for his exemplary stewardship of the institution in its formative years. The CCJ extends to Mr. Justice de la Bastide its warmest regards and fondest wishes to him for a successful and active retirement. The Court feels confident that whatever new horizons the former President strides off to conquer, he will accomplish this with his characteristic rigour, thoroughness and integrity of performance. *ad multos annos!*

Accounting for Performance, Preserving Independence

Among the Court Performance Standards to which the Caribbean Court of Justice (CCJ) continued to subscribe in its sixth year of operations (1 August 2010 to 31 July 2011) is the dual principle of "Independence and Accountability". Under this performance area, the Court "must assert and maintain its distinctiveness and separateness, establish its legal and organisational boundaries, monitor and control its operations and account publicly for its performance". The CCJ is often referred to as a unique court. This is of course true, and not only because of at least one ostensible reason: it is two courts in one. It is also unique, and in a less immediately visible way, because of certain demands of credibility and accountability emanating from a sceptical Caribbean (and other) public that it must satisfy.

In other jurisdictions, judicial accountability is ensured through the instrumentality, of, for example, sitting commissions, which scrutinise the conduct of judges and courts and take such action as may be warranted. The absence of such structures in the region does not mean that the CCJ believes itself exempt from accountability. Judges and courts cannot be accountable to the public in the same way as a member of parliament or a government can be. The "contractual" obligations between both parties are quite different. Whereas a government minister or other parliamentarian is accountable to the electorate, a court and its judges are accountable to the law, which transcends political boundaries. All modern secular courts accept that they must be accountable, and so too does the CCJ.

It is understood that, by and large, courts are perceived as both essential to good governance and form a natural part of any society where the rule of law is respected and sought after. The controversy surrounding the genesis of the CCJ, however, means that the court cannot take widespread acceptance for granted. The very existence of the court implies an investment in personnel, effort and of course, capital, by contributing states of the Caribbean Community (CARICOM). And while there are still naysayers who doubt the bona fides, even the very need for the Court, the CCJ must be always prepared to account for its performance, to provide evidence that the regional investment in its establishment and operations has been a sound, logical and praiseworthy act.

For this reason, the CCJ is permanently at the ready to account for its performance to date, not only to justify the material investment made in it in the terms cited above. It is of course ready at all times to give formal account, via media such as this report and its predecessors, all of which

is standard practice. The President and the Judges of the Court have made themselves readily available for interviews by both the media and independent researchers seeking to investigate the inner workings of the court. The CCJ is also ever ready to account for its performance in less formal ways, but which though informal are equally as valuable. These include the availability of its Judges and other personnel to respond to all legitimate questions on the Court and its performance through simple e-mail or telephone calls. The Court further invites visits to its premises by representational groups from the Hugh Wooding Law School, and both public and private educational institutions at any level, be it primary, secondary or tertiary. Visitors participating in these activities are free to observe first hand what the Court does and how it does it and to ask the whys and the wherefores, face to face, with the persons charged with the responsibility of administering the court.

The performance area of "Independence and Accountability" advises under "Public Education" that "the Court informs the public of its operations and activities". As shown above, the Court maintains an open-door policy to persons and institutions to visit, query and discover. The CCJ is aware though that it is a regional, not national court. Thus, it has, since early in existence, not confined its public education activities to its local community. To inform the wider Caribbean public on its operations and activities, to invite enquiry and scrutiny and to account for its use of the resources at its disposal, in previous years, the court has visited Barbados, Jamaica, Antigua & Barbuda and Belize. It most recently visited Grenada in the year under review, and provided a variety of informational materials and used different media to meet the needs of its various stakeholders. The court is actively planning a similar visit to St. Kitts and Nevis in the near future. It goes without saying, of course, that the court welcomes, even relishes, such challenges, confident as it is that its performance has been of sterling quality, capable of standing up to examination even under the most accusing light.

It is no doubt significant that in composing the US Declaration of Independence, as US patriot Thomas Jefferson named the 27 specific grievances that the fledgling republic held against the British King, he indicated that King George had "made Judges dependent on his Will alone, for the tenure of their Offices, and the Amount and Payment of their Salaries". Like all secular courts, the CCJ is jealous of its independence, which it is at all times prepared to defend. Naturally, as representatives of the Court have intimated on various occasions, the CCJ acknowledges that the inspired arrangements put in place to ensure its

Accounting for Performance, Preserving Independence

independence even before its creation have served it well. The most visible of these are: an independent, a political Regional Judicial and Legal Services Commission (RJLSC) charged with the task of appointing personnel to the court. The rationale behind judicial independence has always been that judges who are insulated from political and other pressures that could undermine their impartial judgment are better able to uphold the rule of law, preserve the separation of powers, and in the regional instance, advance the cause of Caribbean jurisprudence.

In other international tribunals judges are appointed by states or by ministers of government, both of which imply a measure of political involvement in the process of nomination. The CCJ represents the only such court whose judges are appointed neither by states or ministers of government, but instead after competitive interview before an RJLSC panel comprising nominees of such entities as, among others, the Organisation of Commonwealth Caribbean Bar Associations (OCCBA), the Judicial and Legal Service Commission of a contracting party (to the Agreement Establishing the CCJ); distinguished jurists nominated by the Faculty of Law of the University of the West Indies and the Chair of the Council of Legal Education. It is heartening to note that the American Bar Association has itself steadfastly advocated that the best way to ensure access to justice for all is to choose judges through nonpartisan appointment. This open process of appointment, the ABA believes, enables judges to interpret the law without fear of political retribution. The judges of the CCJ operate, are chosen, and function in exactly such circumstances.

The CCJ also enjoys financial independence and the right to determine its own budget (after approval by the RJLSC). The Heads of Government of the Caribbean Community established a US \$100 million Trust Fund to meet expenses of the court. Court expenditure is financed by income from the fund. In this way, the expenditures of the Court - including, and very importantly, the remuneration of the judges, are not dependent on governmental mood and disposition. This further insulates the court from political interference and buttresses its independence. It is clear that no modern descendants of King George, individual or corporate, can oblige the CCJ to submit to any extraneous influence. These arrangements, evidently, have provided the CCJ with a sound basis on which to establish its operations. The task, however, of preserving this independence is the Court's own remit. It has continued to do so throughout the year under review through the quality of its

judgments, the integrity of its processes, the professionalism of its administration and its determination to represent the highest ideals of Caribbean integration and institutional development.

Writing in the American Bar Association publication, *Human Rights Magazine* (Fall 2009 • Vol. 36, No. 1), H. Thomas Wells Jr opines that scholars, judges and lawyers often acknowledge that judicial independence has institutional and decisional dimensions. Institutional independence concerns the capacity of the judiciary as a separate branch of government to resist encroachments from the political branches and thereby preserve the separation of powers. Decisional independence, in contrast, concerns the capacity of individual judges to decide cases without threats or intimidation that could interfere with their capacity to uphold the rule of law.

The CCJ interprets the question of "decisional independence" even more deeply. In the exercise of her judicial functions, for example, the Registrar and Chief Marshal cannot be influenced by the President or any of the Judges of the Court, though she occupies a hierarchical position which is junior to theirs. This is not so in order to provide the Registrar and Chief Marshal with a means to undermine the operations of the judges. It is so in order to ensure that the operational integrity of the judicial process at the level of the Registry, which administers the CCJ's case management, remains utterly invulnerable, even to the very officers it serves.

For the CCJ, "Independence and Accountability" is not an empty watchword. The Court has been making every effort to bring those words to life, to demonstrate in its structures, operations, judgments and the pronouncements of its representatives that it is an independent, autonomous institution, which pursues its course without fear or favour. It has, by dint of its judgments, furnished ample proof that both in theory and practice, it is immune from "contamination". It operates in a manner that is open and transparent whose aim is to instill confidence in its interlocutors. To the court, however, appearances do not suffice. It accounts on a permanent basis for its performance, by making the annual reports of its activities widely available, by providing access to all aspects of court life on its website and above all by not shirking from answering probing questions posed to it through the media, e-mail or in face-to-face encounters. "Independence and Accountability" is not just a lofty ideal. For the Caribbean Court of Justice, it is reality.

The Court Administration Leadership Team



Front row, L to R: Mr. Larry Ramoutar, Financial Comptroller; Master Christie-Anne Morris-Alleyne, Court Executive Administrator; Ms. Paula Pierre, Registrar and Chief Marshal; Ms. Radha Permanand, Deputy Registrar and Deputy Marshal; Ms. Carlene Cross, Court Systems Manager; Ms. Wendy Lewis Callender, Deputy Court Executive Administrator

Back row, L to R: Mr. Vaughn Halliday, Court Facilities Manager; Mr. Cyril Bernard, Court Security Manager; Ms. Jacinth Smith, Chief Librarian; Mr. Ayinde Burgess, Systems Administrator; Dr. Michael Anthony Lilla, Court Protocol & Information Officer

Adjudication

The Registry at Work

The work of the Registry is tangible and measurable. The function of the Registry, as the engine room of the Court, is to manage cases from filing to disposition. This is often referred to as caseload management and is defined as the coordination of court processes and resources to move cases in a timely way from filing to disposition.

The use of effective caseload management practices help to:

- Guarantee equal treatment of all litigants by the Court
- Ensure timely disposition of cases bearing in mind the circumstances of the case
- Improve the quality of the litigation process
- Maintain public confidence in the Court

In this regard, the Registry is highly dependent on other Units within the Court for support. The IT component of the Court's processes is particularly important since all of the Court's Case Management Conferences and Applications are dealt with either through teleconferences or videoconferences. The court room is also very technologically advanced and a vast amount of IT know how is necessary for the effectiveness of all sittings.

The Registry also needs the co-operation of our sub-Registries in order to schedule the use of court rooms for video conferences and also administrative support to co-ordinate the delivery of judgments and all matters incidental thereto. A great deal goes into what may appear to be a relatively simple and short sitting.

Table 1 below indicates the new matters filed in the appellate jurisdiction of the Court during the period under review by type and country of origin

The use of technology has greatly enhanced the performance of the Court since matters can be processed in a timely manner. The transparency of the Court's processes is evidenced by the audio and video transcripts that are placed on the website and that are available for purchase after each hearing is concluded. The public is able to see and hear exactly what happens in each and every case that is heard by the Court.

The Registry is able to provide statistics that detail the judicial work and output of the Court for the period under review and thereby account for its performance. There is however another function of the Registry that preserves the independence of the Court.

The Registry is the moat between the public and the judges. Public in this regard includes attorneys and litigants. Once a matter is filed all correspondence and information must be filtered through the Registrar or the Deputy Registrar. There can be no communication between the judge or judges and persons before the Court and vice versa. Therefore the possibility of interference is greatly reduced.

During the period under review 21 matters were filed in the appellate jurisdiction. Of these 21, 3 matters are pending and 1 is listed. Two matters were filed in the original jurisdiction (OJ). One is pending.

There were 28 hearings conducted by teleconference, five hearings at the Court, two judgments delivered at the court and one hearing and 5 judgments delivered by videoconference.

Table 1

AUGUST 1, 2010 – JULY 31, 2011	BARBADOS	GUYANA	BELIZE
Applications for special leave to appeal	6	5	4
Applications for special leave to appeal as a poor person	5	1	-
Applications for an extension of time to file a notice of appeal	-	1	-
Civil Appeals	2	2	2
Matrimonial Appeals	-	-	-
Criminal Appeals	-	-	-
Total	13	9	6

Adjudication

Table 2 below indicates the status of matters filed in the appellate jurisdiction of the Court during the period under review

Table 2

TYPE OF MATTER	FILED	AWAITING ACTION BY LOCAL COURT	AWAITING ACTION BY PARTIES	AWAITING ACTION BY CCJ REGISTRAR	AWAITING ACTION BY THE COURT	DECISION GIVEN BUT AWAITING REASONS	DISPOSED
Applications for special leave to appeal	15	-	-	-	2	-	13
Applications for special leave to appeal as a poor person	6						6
Applications for an extension of time to file a notice of appeal	1						1
Civil Appeals incl. Constitutional Appeals	6		1		1		4
Matrimonial Appeals	-						
Criminal Appeals	-						

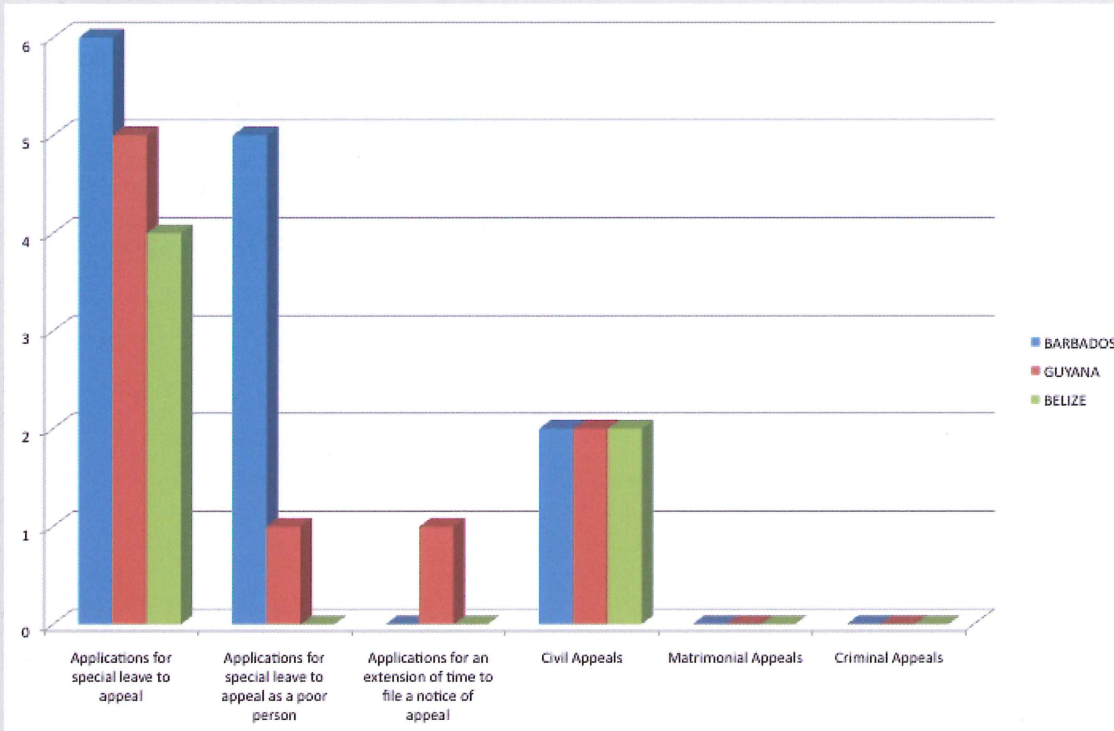
Table 3 below and Chart 1 shows the number and type of matters filed in the Court by year in the appellate jurisdiction from its Inauguration on April 16, 2005 to July 31, 2011

Table 3

TYPE OF MATTER	2005	2006	2007	2008	2009 (1.08.08-31.07.09)	2010 (1.08.09-31.07.10)	2011 (1.08.10-31.07.11)	Total
Applications for special leave to appeal	1	7	-	3	5	4	15	35
Applications for special leave to appeal as a poor person	-	7	3	2	5	2	6	25
Applications for an extension of time to file a notice of appeal	-	-	-	-	1	-	1	2
Civil Appeals incl. Constitutional Appeals	2	2	14	3	2	4	6	33
Matrimonial Appeals	-	1	-	-	-	-	-	1
Criminal Appeals	-	3	-	1	2	1	-	7
Totals	3	20	17	9	15	11	28	103

Adjudication

Chart 1



Appealate Work by Country

Sub-Registries

Highlights of specific interaction with some sub-Registries are set out below.

Belize

On June 1, 2010 Belize became the third CARICOM Member State to send its appeals to the CCJ. During the period under review four applications for special leave to appeal were filed against decisions of the Court of Appeal of Belize.

On July 23, 2010 Belize filed its first application to the Court for special leave to appeal in the case of Florencio Marin and Jose Coye v The Attorney General. This application was heard by teleconference on October 7, 2010 when special leave to appeal was granted. The hearing of the appeal took place on November 29, 2010 and the judgment of the Court in this appeal was delivered on June 27, 2011.

Pursuant to a training initiative of the Court the Registrar of the Supreme Court of Belize spent a few days leading up to the hearing of the appeal

in Port of Spain. During this time she was exposed to the processes, systems and technology utilized by the Court and the Registry.

Two related applications for special leave to appeal were filed in November and December 2010 respectively against decisions of the Court of Appeal of Belize. A fourth application was filed on June 7, 2011.

Suriname

One application seeking special leave to commence proceedings was filed on February 24, 2011. The case of Hummingbird Rice Mills Limited v Suriname and The Caribbean Community was the first matter filed in the original jurisdiction of the Court in which the Member State of Suriname was a party. Special Leave to commence proceedings was granted to Hummingbird Rice Mills Limited by the Court on June 3, 2011 and pursuant to such leave, an originating application was filed by Hummingbird Rice Mills Limited on June 14, 2011. Though these matters involved Dutch-speaking Suriname, the case management conference and the hearing of the application for leave to commence proceedings were both conducted in English, the official language of the Court.

The Work of the Court

Improving Access to Justice through Information and Communications Technology Solutions and Systems

A major driving impetus behind the original determination of the CCJ to make its court services as technologically sophisticated as it could manage was of course to make the court as attractive as possible to potential users. Persons are normally not attracted to the second-rate or the inefficient. There was, though, an equally compelling reason for the court subscribing fully to a highly-automated, technologically rich court environment. In the same way that autonomously-gathered information empowers the gatherer, an automated court system in the 21st century enhances court independence by providing solutions facilitating the court's adhering to its performance standards. For example, with regards to "Access to Justice", under which the CCJ must eliminate barriers to its services, the installation of videoconferencing solutions allowing direct video linkages between the court and nine CARICOM territories.

Such a facility provides the court with an autonomy of action not dependent on airline schedules, transit visas or other extraneous phenomena. True, "judicial independence" is not normally interpreted to mean this type of "independence". Changing social dynamics however, performe imply that ways of perceiving what conduces to independence may need to undergo some modification. Further, the visibly practical use of the CCJ's technological resources presents court users with manifest testimony, giving measurable, quantifiable account of the returns on the investment the region has made into the court's set-up, structure, personnel and equipment. This is only as it should be. If the CCJ is to attract public trust and confidence, it must obligatorily do so in transparent, easily assessable ways which exhibit its independence and account for its performance.

The Courtrooms

After five years of using the technology in the Courtroom the Court took the decision to review the use of the equipment to better provide for its customers and to ensure improved technological support.

The opportunity was taken during the court vacation in August 2010 to acquire touch screen monitors to facilitate annotations made by attorneys using presentation equipment. Previously the court used an annotation system with a stylus pen and a pad which proved to be challenging to some users as the annotation was made on a pad and not drawn on the screen. With the touch screen monitors the finger is used to draw the marking on the screen and this process seems to be simpler and has provided greater clarity when dealing with digital evidence. The annotations are also recorded and form part of the Court's record. During this time the court also took on the relocation of IT equipment in the courtroom in September 2010. This project sought to better utilize and maximize the space used for technical support in the courtroom so to ensure the ease, flexibility and responsiveness of back end support while matters are heard. Technical equipment and cables



Multi Media Officer and Network Officer in Courtroom Technician's Booth

were relocated from the front of the courtroom and the multimedia lectern to the expanded Technical Support Booth.

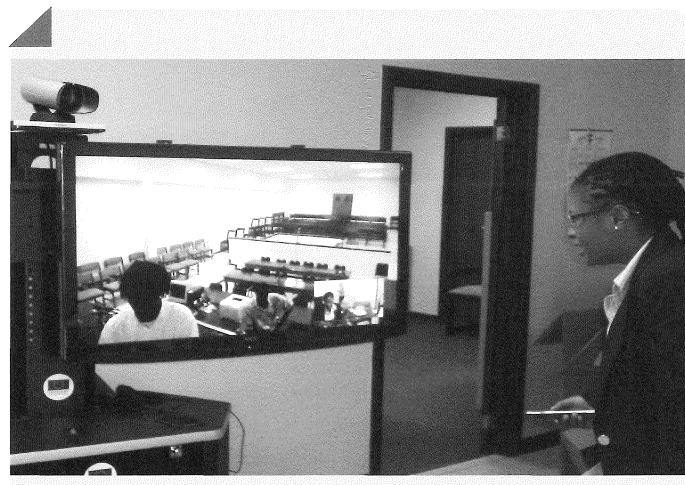
IP cameras were installed in September 2010 to replace the existing cameras in the courtroom. These new cameras have provided clearer video for the Court's record as well as improved clarity required for distant and wide angle shots of the judges. They have also provided higher quality images of video files than the previous cameras. These images are placed on the Court's website at the end of the days hearing and also provide images for the primary transcript used by the Court.

In April 2011 the court implemented a sound reinforcement system in Courtroom 2. This courtroom is currently used in cases of special sittings or for matters of high public interest. A benefit of the installation of the sound reinforcement is that both Courtroom 1 and 2 now have an integrated audio link which allows audio from courtroom 1 to be sent to courtroom 2. The audio in the courtroom is now more audible and clearer than before as well as the courtroom now has the capability for broadcasting networks to access and transmit audio from the courtroom. These measures allow the Court to better adhere to the international court performance standards including access to justice and transparency.

The Work of the Court



Videoconferencing Consultant, Mr. Ronald Ogeer with CCJ Systems Administrator, Ayinde Burgess



Systems Administrator, Avril Bennett operating the videoconferencing equipment at the Supreme Court of Belize

Videoconferencing

The CCJ's customers come from several jurisdictions scattered across the Caribbean, and as a result, one of the major challenges facing many of our customers is easy access to the Court's services due to the distance from the seat of the Court in Port of Spain, Trinidad. The impetus to apply technological advances in its communications strategy was of the utmost importance towards achieving the Courts goals and objectives. One such technology which the CCJ has adopted is videoconferencing.

Videoconferencing facilities have been installed and are operational in Courtroom 1 at the CCJ's Headquarters in Port of Spain, Trinidad however other Member States with the exclusion of Barbados and St Lucia did not have this technology at the Court. In order to provide the Caribbean Community with justice that is accessible and innovative, the CCJ has developed several strategies, including, the implementation of a programme which will allow Sub-Registries in the region remote access to the Court via videoconferencing.

Judiciaries in the region have always been challenged by a lack of financial resources to implement and support court technology. In this regard, the Court sourced funding through the 9th European Development Fund (EDF) for the project. The project commenced on May 3rd 2010 and came to an end on December 31st 2010. Video Conferencing cart equipment acquired through the EDF was installed in one courtroom in the Belize, Jamaica, Antigua, St Kitts, Dominica, St Vincent, Grenada, Suriname and Guyana. The CCJ acquired its own video conferencing cart system, similar to those acquired under EDF programme. Also under the EDF grant a Multipoint Control Unit (MCU) was purchased and can be used to facilitate as many as twelve video conferencing points at one time. This bridge has been used successfully for court hearings, delivery of judgments and regional and international meetings. Communication between the CCJ Registry and the sub-Registries became easier after

video-conferencing equipment was installed with the assistance of EDF Funding in the courts of the sub-Registries. The President-Designate of the CCJ was introduced to the regional media using video conferencing. This project has benefitted from the strong regional network of court technology support staff which is fostered at the CACTUS conference each year. The project was able to be completed on time with technical support staff working through training and other challenges. A major factor in the use of the equipment is the bandwidth needed for the optimal use and transmission of images as this can still be quite costly in the region.

The court was also the beneficiary of an EDF grant in which thirty-one (31) computers were acquired. The computers were bought to replace computers that were off warranty in the organisation. This has assisted the Court as the computer is the main productivity tool used by all staff.

Upon the disappearance in 2000 of the Caribbean News Agency (CANA), the successor to Reuters' Caribbean service, as a separate and distinct entity from other news-gathering media, there was much lamenting that an independent source of information had disappeared from the Caribbean region. That there was so much emotion surrounding the end of CANA's run said not so much about Caribbean nationalism as it did about the universal perception that independence always connotes autonomous access to information. The CCJ strives to provide its users - judges, personnel and researchers - with access to a plethora of information sources, so as to provide the intellectual fuel for jurisprudential thought and reflection. In support of the court's mission, the library continued to collect, organise and preserve legal resources, and to provide access to information that promotes the performance of high-quality legal and law-related research activities by its users. The focus during the period under review has been the continued enhancement of the range of information resources and services available to its users.

Knowledge and Data to Preserve Independence

Collection Development

In the area of print and online collections, the Library continued to face some challenges serving the research needs of its users in the face of rapid changes in publishing, information formats, and patron's use of research materials. More information is appearing in digital format, but that has not lessened the demand for certain print resources. Therefore, the collection was evaluated for relevance and timeliness and to identify any gaps in subject areas. Both print and electronic resources were rationalised because of usage and the escalating cost of legal material. Nearly all of the loose-leaf subscriptions were cancelled as well as some journal titles which are now available online. Subscriptions to two databases were also suspended. The Library however negotiated access to LexisLibrary to fill one of the gaps identified and to meet the demand of its users. This database provides access to over 500,000 cases and 160 commentary titles, covering all areas of the law as well as a wide range of journals.

In 2010-2011, the Library continued to benefit from financing provided under the European Development Fund. Some of the gaps identified in the collection evaluation exercise were addressed and overall, the collection was considerably enhanced by the addition of three hundred and seventy eight (378) titles received through these funds.

During the year, the Library also benefited from several donations for the collection. Among the gifts were several important additions to the monographic collection.

Building and Sharing Knowledge

It is recognised that a skilled, well trained workforce operating in a culture of high performance is vital to the success of the Court. Court personnel attended several activities geared at ensuring that they have the requisite skills to provide optimum service to its customers. In this regard, the Court benefitted from financing provided by the 9th European Development Fund to enhance the knowledge and skills base of its personnel.

In this regard, in September 2010, library staff attended the 29th Annual Course in International Legal Information and Law hosted by the International Association of Law Libraries in The Hague, Netherlands. The overall theme of the programme was **"Dutch Gateways to International Law!"** Presentations were made along three sub-themes including (a) the broad reach of international law; (b) the role of The

Hague as the world capital of international law and the evolution of international law; and (c) tolerance in legal systems as demonstrated in Dutch law. Presentations provided an overview of the law of the sea, as well as maritime, harbour and transport law. Participants were also afforded the opportunity to visit the Port of Rotterdam.

This conference provided the staff with the opportunity to meet and share ideas with law librarians from the leading international law institutions in the world. They allowed staff to see the latest technology in the field and to update their knowledge on developments and trends affecting the profession.

The Caribbean Association of Law Libraries (CARALL) held its 26th Conference and Annual General Meeting at the Old Fire Station Conference Centre, Port of Spain, Trinidad in July, 2011. The event saw participation from personnel of academic, court, ministerial and other special libraries throughout the Caribbean as well as the United States of America.

The conference theme was "Law Librarians Profiling competencies; proving our worth" and the presentations focused on various sub-themes that explored some of the roles that the legal information professional must be able to perform and accompanying skills that are required to work in today's legal information environment.

The conference provided an opportunity to renew acquaintances with colleagues, share experiences and ideas and to forge new linkages. The resulting regional co-operation and networking among the law libraries promotes the answering of reference queries in a timely manner and thus contributes the effective delivery of services to customers and the dissemination of legal information in general.

During the period under review, two members of the Judicial Research Unit, with the aforementioned assistance from the 9th European Development Fund, were able to embark upon training exercises geared towards the development of skills in the original jurisdiction of the Court. This training commenced with a focus on competition law when the members of the Unit attended a two-day workshop conducted during July 2010 under the auspices of the CARICOM Secretariat, the CARICOM Competition Commission, the European Union TradeCom Facility and the International Institute for Advanced Legal Studies at the Hyatt Regency Hotel, Republic of Trinidad and Tobago.

Knowledge and Data to Preserve Independence

Training in the area of Competition Law was continued when the members of the unit attended the EU Competition Law Summer School, Downing College, Cambridge in August 2010. This program included sessions on the economics of competition law, enforcement priorities of the European Commission and the operation of Horizontal and Vertical Agreements. Attendance and participation at these events afforded the members of the Unit the opportunity to gain a firm understanding of the principles of competition law alongside a wide cross section of private practitioners and regulators in the field from Belgium, Pakistan, South Africa and the Bahamas to name a few.

Members of the Unit also had the privilege of participating in the 129th Annual Course on International Legal Information and Law, hosted by the International Association of Law Libraries in September 2010 in The Hague and Rotterdam. This was an opportunity to visit the world capital of International Law, and learn about issues being addressed in its world renowned courts, such as the ICJ, the ICC, the ICTY and the Permanent Court of Arbitration.

In December 2010 the members of the Research Unit also participated in the First Annual Seminar in Law hosted by the CCJ's Caribbean Academy of Law and Court Administration (CALCA) entitled, 'International Law and its Relevance for CSME Litigation', held at the court in Port of Spain.

Library Services

Immediately implementing the skills and competences gleaned from participation in courses as described, library staff continued to provide exceptional service to its users by utilising both in-house and external resources. Over two hundred and forty (240) items were loaned and approximately two hundred and fifty (250) reference and information

queries were received. The Library continued to work with other libraries to share resources. Interlibrary loan activity (with other institutions) increased. Over forty (40) interlibrary loans were processed. This cooperation among libraries delivers more information from a wider variety of sources than a single library can provide, permits better, more efficient allocation of resources, and leads to more intensive use of collections.

The Library continued to enrich its catalogue, which requires accuracy and continuous updating to comply with the best international standards and also to provide access to the Library's resources. Five hundred and forty nine (549) bibliographical records including text, articles, reports and electronic resources were added to the Genie Inmagic database. These additions bring the holdings of the Main Library to over 1160 titles while the Judges' Library has over 632 titles. Library users were informed of these new additions through the Library's interactive Current Awareness Bulletin which lists new acquisitions as well as legislation received from throughout the region.

The library's holdings are ever expanding in size, scope, and in the range of formats through which information is presented. The Library has a large collection of articles and extracts from various publications which Technical Services must process, provide access to, maintain, and preserve. Most of these materials have been digitized but print copies have been retained for heavily used items. To preserve the print copies and other documents in the collection, the Library purchased Unibind Steelback Binding System, a document binding system, to extend the shelf life of these materials. These were also acquired through financing provided under the European Development Fund.

Engaging and Empowering the People of the Caribbean

The Caribbean Court of Justice takes great pride in its establishment, work and accomplishments over the course of its formative years. As the Court established for Caribbean people, by Caribbean people, information on these achievements must be readily and easily accessible to the Court's principal customers: the region's public. The Court Performance Area of "Independence and Accountability" requires that; "The Court must... account publically for its performance". During the reporting period, with the financial assistance of the 9th European Development Fund (EDF), the CCJ was able to utilize both traditional and unconventional tools and strategies to effectively disseminate its messages to its various target audiences.

After careful consideration of the Court's customer categories, the following tools and activities were implemented.

"Did You Know" Series

As a result of the Court's interactions with the region's public, it was recognized that people wanted basic information about the Court; Why

was this Court established? When did the Court's operations begin? An information series titled "Did You Know?" was therefore developed to provide the general public with easy-to-understand information on the CCJ, its role and functions, and the Court's work since its establishment.

This series began with newspaper advertisements in August 2010 which were placed in all countries that are signatories to the Court, including Suriname, where the advertisements appeared in Dutch. The print advertisements were also supplemented by 1-minute question-and-answer video productions, which were placed on television with the assistance of the Government Information Services (GIS) throughout the region.

CCJ Video Presentations

The Court developed three video presentations; **CCJ Five Years On...** (20-minute video presentation), the **About the CCJ** (3 minute feature), and **The Original Jurisdiction feature** (15 minutes). Together with the previously produced **CCJ Courtroom Technology** (13-minute feature),

did you Know...

- The CCJ's role is to make sure that your rights under the CARICOM Single Market and Economy (CSME) are the same in whichever CARICOM country you go to.
- The Revised Treaty of Chaguaramas is the legal instrument that created the CSME. It was signed in 2001 by the CARICOM governments.
- The CCJ is the ONLY COURT IN THE WORLD that is allowed to interpret the Treaty. This means that it clarifies it for ALL CARICOM countries and ALL CARICOM people.
- All of these things will ensure that our families, businesses, money and assets are handled the same anywhere in CARICOM without discrimination.

That is what is called the CCJ's "Original Jurisdiction"

This series has been funded by the European Union

One of the CCJ's Did you know advertisements which appeared in the newspapers throughout the region.

Engaging and Empowering the People of the Caribbean

the Court was able to provide more in-depth information about its work since its inception. Apart from scheduled television and radio slots, these programmes were also supplied to the GIS offices in the various territories, and form part of their library of public information material.

The About the Court feature formed part of larger Caribbean-themed programmes, including Caribbean Essence and Caribbean Passport. In just 3-minutes, viewers were able to get a general understanding for the Court and its purpose.

Caribbean Essence, the in-flight entertainment programme for Caribbean Airlines Limited, incorporated the About the Court feature during July-August 2010, one of the airline's peak travelling seasons. This programme was aired on all regional and international flight services.

The feature was also introduced on Caribbean Passport, a programme which is focused on highlighting various aspects of Caribbean life. This programme was aired on 26 Caribbean television stations in 21 Caribbean countries at prime time.

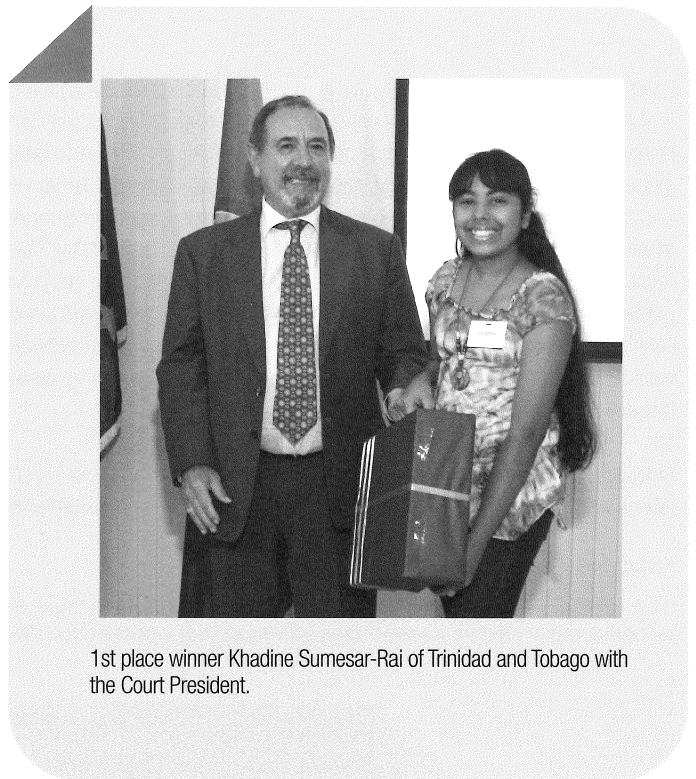
These two programmes provided the opportunity for public education across a wide range of audiences.

Children's Calendar Art Competition

In an effort to engage the region's youth in the Court's public awareness



Lead judge, Sundiata Stewart assessing the 146 entries. Looking on are members of the CCJ's administration.



1st place winner Khadine Sumesar-Rai of Trinidad and Tobago with the Court President.

campaign, the CCJ hosted a Children's Calendar Art Competition under the theme Many Nations...One Caribbean. The competition invited submissions from children between the ages of 8-14 years from 11 Caribbean states.

The competition encouraged the region's children to interpret the theme through art. This required an understanding of the Caribbean community in which we live; the history, cultures and peoples. The children also sought to incorporate the CCJ in their illustrations, showing its relativity to the theme.

The competition ran from 26 September to 25 October 2010. Three renowned Caribbean-born artists, Mr. Winston "Sundiata" Stewart, Mr. Donald "Jackie" Hinkson and Mr. Keith Ward, judged the 146 competition submissions based on the following categories:

- Clarity and representation of the theme
- Creativity and originality
- Overall presentation

Engaging and Empowering the People of the Caribbean

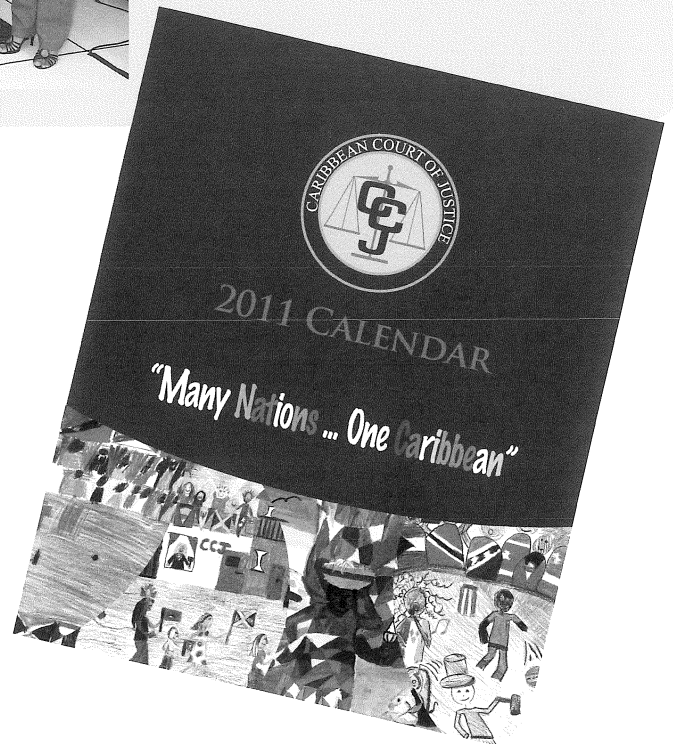


Group of finalists with local representatives of the European Union

Out of the twelve finalists, the first place position was awarded to Khadine Sumesar-Rai, age 12, of Trinidad and Tobago. The competition's second and third place winners, Luc Drepaul (11 years) and Jessica Blatter (10 years), are both from Antigua and Barbuda. Among the other finalists were children from Nevis, St. Vincent and the Grenadines, and Tobago.

The competition, its submissions and winners were highlighted at a prize-giving ceremony, which was attended by all competition finalists and their parents, CCJ Judges, EU representatives and members of the local media.

The 12 successful submissions of this competition are featured in the Caribbean Court of Justice 2011 Calendar. Alongside each drawing is a description of the artwork composed by the entrants themselves.



Engaging and Empowering the People of the Caribbean



Various photos depicting the CCJ's Public Education Activities in Grenada

Public Education visit to Grenada

To augment the other activities, the CCJ also executed a successful visit to Grenada. The Court's activities in Grenada were geared toward ensuring that people from different walks of life were given the opportunity to learn more about the CCJ and for the Court to learn more about them.

With the assistance and support of the High Court of Grenada, the Ministry of Legal Affairs and the Grenada Bar Association, a CCJ contingent planned and facilitated meetings and presentations with various sectors of the Grenadian community. This visit included one-on-one meetings with the government and the opposition, the Judiciary, and key groups and associations, including the Bar Association, Chamber of Commerce, Labour Unions, senior public officers association, religious associations, principals, teachers, school children and media. The Court also conducted town hall meetings, in which CCJ officials went into the communities to interface with the people and provided them with information about the Court. The contingent also made media appearances on radio and television stations throughout Grenada, and hosted a media conference.

Meeting of CSME Stakeholders

On 20 and 21 June 2011, the Court Protocol and Information Officer and the Public Education and Communications Officer attended a Meeting of Stakeholders to Review the CSME Public Education Programme, in Georgetown, Guyana. The meeting, which was facilitated by the CARICOM CSME Unit Head Office, sought to bring together the various private and public sector media representatives and key stakeholders within the Caribbean Community to assess the effectiveness of the CSME's Public Education Programme (PEP).

This initiative followed the 22nd Intercessional Meeting of the Conference of the Heads of Government of the CARICOM, where it was agreed that;

"...there needs to be a sense of urgency in re-engineering and re-invigorating the Regional Integration Process through measures such as a public education programme which targeted the various stakeholders."

In this regard, the CSME Unit sought to provide the various stakeholders with the opportunity to participate in discussions and arrive at a

Engaging and Empowering the People of the Caribbean

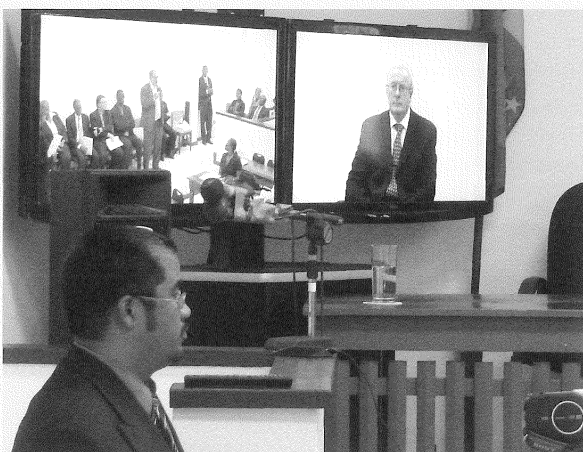
consensus on recommendations, which will be presented to the Heads of Government. The Caribbean Court of Justice was among the over 30 regional and national organizations represented.

The presence of the CCJ representatives at this meeting proved beneficial to the Court's continuous efforts to inform the region of the importance of the CCJ to the integration movement. The Court's representatives were able to draw from the experiences of its own public education initiatives, and provide the meeting with information on the various strategies which were employed, and relay the sentiments received in relation to the CSME. The demographical information presented will also be very useful to the Court in the development and deployment of its regional public awareness strategies.

The results of these activities have been internally monitored by the Public Education and Communications Unit with the use of, among other things, internet media search, monitoring and analysis platforms, and direct communication with dissemination agencies, and customers. Through information retrieved, it can be deduced that there has been a noted increase in discussions and awareness about the Court in the regional public fora. The television and newspaper advertisement placement exercise, and press engagements allowed the Court to further develop its relationship with media personnel, including the Government Information Service agencies, which are important to public information dissemination. The Court's meetings, conversations and interactions with the people of Grenada were very positive.

These interactions have assisted the Court in its understanding of the public's perceptions, which indeed varies in the region amongst the various peoples, cultures and historical backgrounds. As a result, the Court is now better aware of the areas that require increased public education and communication, and has also been guided in the appropriate methods or vehicles to steer these efforts.

The CCJ's Public Education Activities in Grenada



The Hon. Mr. Justice Hayton participated in a CCJ public education meeting with the Grenada Bar Association via videoconferencing from Port of Spain

Building the Region's Capacity

Establishing the Caribbean Academy for Law and Court Administration (CALCA)

The Caribbean Academy for Law and Court Administration (CALCA) was established in 2010. It is an educational arm of the Caribbean Court of Justice and is administered under the authority of the President of the Court through such Judges and officials as the President may from time to time designate for this purpose. The academy is an integral part of the CCJ and has as its main objective the advancing of knowledge, education, learning, research, and practical application of law and the administration of justice in the Caribbean context.

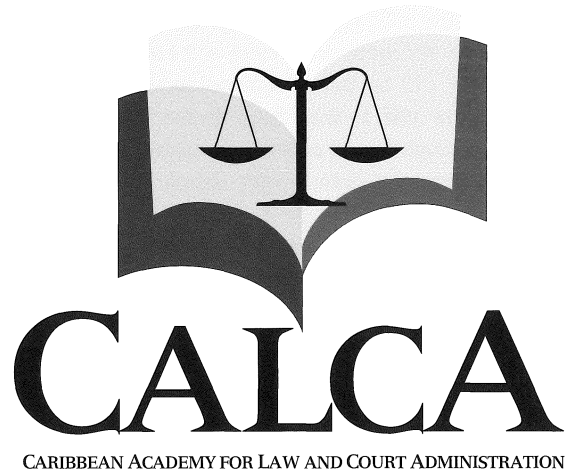
Using various modes of delivery, the academy develops co-ordinates and facilitates seminars, workshops, exchanges and special lectures, as the primary vehicles for achievement of its objectives.

The academy provides a forum for discussing legal concepts and rules comprising, among other subjects, general international law, international trade law, regional integration law, and comparative law. The Revised Treaty of Chaguaramas establishing the Caribbean Community (CARICOM) Including the CARICOM Single Market and Economy (CSME), related international treaties, such as the Agreement Establishing the Caribbean Court of Justice, and other relevant materials such as the Caribbean Court of Justice (Original Jurisdiction) Rules, form essential but not exclusive units of study. A critical objective of the academy is to provide advanced tutelage in international and comparative law so as to raise and maintain a high level of awareness and advocacy of, and passion for, regional integration law and Caribbean jurisprudence.

A further function of the academy is to provide a centre of excellence for training, evaluation, and problem-solving in relation to all areas of court administration, particularly aspects related to delay in the administration of justice. Best practice in case flow management and use of court room technology are identified, taught, and their applicability to the region evaluated.

CALCA held its first annual seminar in international law, titled, "International Law and its Relevance for CSME Litigation before the Caribbean Court of Justice", in December 2010. The lead facilitator was Professor Armand de Mestral, Jean Monnet Professor of Law of the Faculty of Law of McGill University, Montréal (Canada). He was very ably assisted by Professor Ralph Carnegie, University of the West Indies (+RIP); Professor Alina Kaczorowska, also of the University of the West Indies; and Mr. Justice Duke Pollard, retired Judge of the Caribbean Court of Justice and Professor of Law at the University of Guyana.

The course syllabus exposed participants to critical concepts in international law; the rules governing the establishment and



functioning of the Caribbean Community and the CARICOM Single Market and Economy; and the Original Jurisdiction of the Caribbean Court of Justice.

Course modules were as follows:

International Law: An introduction to the central importance of international law in contemporary world affairs and the special importance of the rule of international law for small states particularly in the context of WTO rules and other international trade regimes.

Law of the Caribbean Community: An introduction to the structure of community institutions and their rules of decision making; general principles of community law and the four fundamental freedoms.

Original Jurisdiction of the CCJ: Applicable law, its sources and how they differ from general international law and from municipal law.

It is intended that each year, the academy will select a cohort of attorneys-at-Law, other legal practitioners, and other suitably qualified persons, to participate in its annual seminar on International and Comparative Law. The number of participants in the annual seminar is currently fixed at a maximum of twenty-five. Selection is by a competitive process but an effort is made to ensure diversity and equitable geographical representation. Prospective participants must comply with any deadlines set by the academy. In the coming year, the academy wishes to host two of these seminars; one in the Southern Caribbean and one in the Northern Caribbean. The duration of the seminars will be of two weeks; one week in face-to-face contact and one week online. Persons who participate in the academy's programmes to its satisfaction are awarded a Certificate of Participation.

Building the Region's Capacity

Court Statistical Reporting for Management Decision Making and Caseflow Management

With the assistance of EDF funding, from 1 to 5 November 2010 the Court, under CALCA, hosted a Court Statistics Workshop, entitled "The Importance of Statistics to Caseflow Management and Court Management". The Court brought together Heads of Judiciary, Registrars, Court Administrators, statistical and IT personnel and other support staff responsible for court statistics from all national courts across the region.

Statistics are of critical importance to the management of courts and the effective execution of their work. It is necessary for the development of the courts, and by extension the CCJ, that performance is measured and the measurement used to support decision making.

The workshop was co-facilitated by Dr. Denise Gaspard-Richards, Lecturer, University of the West Indies, Mr. Robert G. Hann, Director, Justice Development International Ltd and Ms. Donna Boucaud, Family Court Manager, Judiciary of Trinidad and Tobago. The workshop was intended to assist regional courts advance their statistical framework, techniques and analysis for effective decision-making in support of caseflow management and court management.

As a result of the workshop, Judiciary personnel from throughout the region gained knowledge about:

- how better statistics improve decision making for court planners, managers and court registry and support staff;
- the roles different groups should play in determining which specific statistics are required within the court;
- examples of different types of statistics that are helpful for different types of court decision-making (including caseflow, workflow, workloads, resource use and performance);
- different methods and formats for reporting various types of statistical information;
- approaches and tools to help identify the specific statistics required in your court;
- different resources and tools for collecting the raw data needed to produce statistics;
- configuring the Judicial Enforcement Management System Software (JEMS) to collect the data required;
- Statistical Package for Social Scientist (SPSS), Crystal Reports and other Statistical Tools and software for analysis of data and reporting of statistics; and
- the integration of JEMS and other statistical tools.

At the end of the workshop, the feedback from the facilitators and participants was very positive, and participants were also able to obtain a practical framework for the development of statistics in each of their courts.



Attendees to CACTUS 2010

CACTUS

The CCJ hosted the 6th Annual Caribbean Association of Court Technology Users (CACTUS) Conference at the seat of the Court in Port of Spain, Trinidad from Thursday 4th to Saturday 5th November 2010. Participants came from The Bahamas, Barbados, Belize, Jamaica, Guyana, St. Lucia and Tortola as well as attendees from Trinidad and Tobago who represented The Industrial Court, The Judiciary, The Environmental Commission, The Equal Opportunity Commission and The Tax Appeal Board. The feature address was done by Master Christie-Anne Morris-Alleyne, CCJ Court Executive Administrator. This year CACTUS was adjoined to the IACA Western Hemisphere Conference 2011 and was funded with the aid of an EDF Grant.

The agenda was geared toward making the participants more aware of various information sharing and project management tools and techniques. The conference was chaired by Ms. Carlene Cross, Systems Manager at the Caribbean Court of Justice. Presentations were made by various staff members of the CCJ and as well as external vendors. These included the following:

- Global Economic Outlook - Larry Ramoutar, Financial Comptroller, CCJ
- Advancements in Technology – Ken Cook, FTR
- Information Sharing to Maximise Productivity – Vaughn Wilson, Computer Systems Technician, Environmental Commission
- Update on Regional Audio/Video Project – Ayinde Burgess, Systems Administrator and Paul Aquil, Multimedia Technician, CCJ
- Information Sharing with the Justice Sector – Carol Herbert, Systems Manager, Judiciary of Trinidad and Tobago
- E-Filing Demo - Tracey Ownbey, PCSS
- Records Management as Business Continuity Software – Blair Henderson, Ignition
- Caribbean Association of Law Librarians (CARALL) – Jacinth Smith, Chief Librarian, CCJ
- Tools & Techniques for Managing Projects – Anderson Gordon & Associates
- Update on Remote Arraignment Project – Carol Herbert, Systems Manager, Judiciary of Trinidad and Tobago

Building the Region's Capacity



CCJ Systems Manager, Carlene Cross while presenting at CACTUS



Members of the IS unit participating in discussions at CACTUS

The CACTUS conference is of benefit as it enables court technology users to come together and discuss issues that affect them, share information about their organisations and suggest solutions. CACTUS also fosters camaraderie throughout the region as attendees communicate with each other not only in a formal setting but also in various other activities during the conference thereby building relationships while strengthening regional ties. There is a wealth of knowledge in the region and this conference is seen as a golden opportunity to share experiences and get information about court information technology. It also makes others aware of possible solutions that they can incorporate, that other courts in the region may be using, to better and more efficiently manage their processes. The conference has been deemed a success by all who attended and continues to foster solidarity among technology users in regional territories.

Meeting of Registrars and Court Executive Administrators

On 4 November 2010 the Court, with the assistance of EDF funding, hosted the Third Meeting of Regional Registrars and Court Executive

Administrators. These officials had previously met in 2005 and 2007. The meeting in 2010 was important since it was the first time that not only Registrars, but Deputy Registrars and the personnel of the sub-Registries who filed CCJ documents were able to attend the meeting and benefit first-hand from the training conducted at such meetings.

The programme included an "Analysis of Judgments in the Original Jurisdiction of the Court" by the Honourable Mr. Justice Wit and the Honourable Mme. Justice Bernard; a presentation on "The Competition Commission –Establishment of a Registry" by the Registrar, Ms. Paula Gilford; E-filing demonstration; and a demonstration on the Audio-Video Project.

Registrars, Court Executive Administrators and court personnel from Jamaica, St. Lucia, Antigua and Barbuda, Dominica, Belize, Guyana, Grenada St. Kitts and Nevis, St. Vincent and The Grenadines, Suriname, Trinidad and Tobago and The Bahamas all attended the meeting.



Group photo of participants of the Meeting of Registrars and Court Executive Administrators

By An Independent Court, An International Link

- The 5th International Conference of the International Association for Court Administration (IACA)

From 1 to 3 November 2010, the CCJ was host Judiciary for the Fifth International Conference of the International Association for Court Administration (IACA), dedicated to court administration issues of the Western Hemisphere. Titled, "Access to Justice in Criminal, Commercial and International Courts and Tribunals", this fifth IACA conference held in Trinidad & Tobago followed its predecessors in Ljubljana (Slovakia), Verona (Italy), Dublin (Ireland) and Istanbul (Turkey).

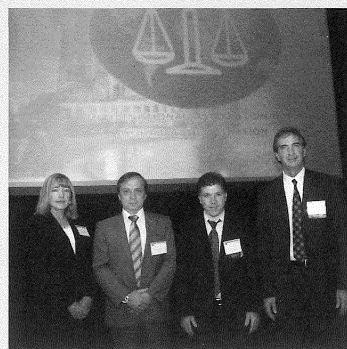
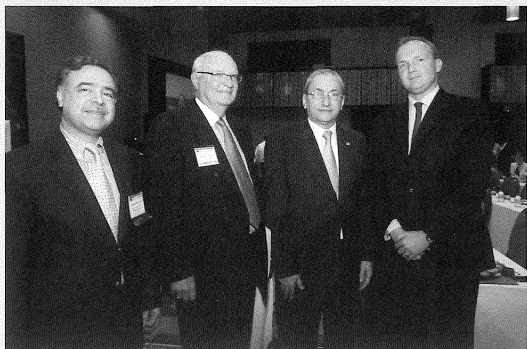
The conference took place at the Hyatt Regency hotel and was attended by over 300 persons from 35 countries, speaking ten different languages, all united by a strong interest in the rule of law and the administration of justice. Significantly, the conference was honoured by the presence of 14 heads of judiciaries, presidents of courts and chief justices from as far away from Trinidad & Tobago as Angola and as close as Guyana. In particular, IACA welcomed Mr. Justice Georges Moïse, Acting President of the Supreme Court of Haiti, whose Palais de Justice had been destroyed in the catastrophic earthquake of January 2010.

The agenda was dedicated to topics representing reform and progress in the western hemisphere. Among them were: "Justice Sector Strengthening"; "Criminal Justice Reform Comparative Analysis &

Pre-Trial Criminal procedures"; "Access to Justice"; "Approaches to Court Administration: Which is the Right One?"; "The Development of Latin American Rule of Law" and "International and Regional Tribunals: what is the future?".

The Honourable Mr. Justice Jamadar, Justice of Appeal of the Supreme Court of Trinidad & Tobago, representing the Chief Justice of Trinidad and Tobago, the Honourable Mr. Justice Ivor Archie, delivering the feature address. As acknowledged by the CCJ's Court Executive Administrator in her opening remarks, "Court administration as a profession is relatively new to the Caribbean and as we grapple with issues such as court governance and management of courts, it is of tremendous benefit to have the opportunity for edifying conversation on these issues, with those who have lived it and learned, as well as others who are living it and learning."

The contributions of presenters and delegates during these sessions were crucial to the strengthening of the justice systems of the region, as new linkages were formed and existing ones strengthened. Delegates were also able to share their experiences, and be exposed to international best practices and standards.



Group photos depicting the activities of the IACA 2010 Conference

Developing the Young Attorneys of the Region

The Third Annual International CCJ Law Moot Competition



The winning team Eugene Dupuch Law School with the Chief Justice of Trinidad and Tobago and the President of the CCJ

On Wednesday 23 March 2011, the CCJ held its Third Annual International Law Moot Competition. Seven universities and law schools participated in this event, namely: the Eugene Dupuch Law School (The Bahamas), the Hugh Wooding Law School (Trinidad & Tobago), the Norman Manley Law School (Jamaica), the University of Guyana, the Anton de Kom University of Suriname, the University of the West Indies (Cave Hill) and the University of Technology of Jamaica. The team from each university or law school comprised three students, a lead advocate, a junior advocate, a reserve advocate and the team advisor.

Students from the first year Faculty of Law at St. Augustine performed the functions of the Registry staff. The Honourable Messrs. Justices Wit, Hayton and Anderson presided over the Moot. The team from the Eugene Dupuch Law School again won the CCJ Shield, with the team from the Norman Manley Law School placing second. This moot was significant in that the brief included submissions to the CARICOM Competition Commission.

Developing the Young Attorneys of the Region

The Third Annual International CCJ Law Moot Competition



Participants of the 3rd Annual CCJ International Law Moot with Chief Justice of Trinidad and Tobago, The Hon. Mr. Justice Ivor Archie and Court President, The Rt. Hon. Mr. Justice Michael de la Bastide

Session 1

	University of Guyana	University of the West Indies (Cave Hill)
Leader	Ms. Naomi Christie	Ms. Leslie Mendez
Junior	Ms. Sonnel David-Longe	Ms. Jodi-Ann Quarrie
Reserve	Mr. Brenden Glasford	Ms. Judi-Ann Edwards
Team Advisor	Mr. Justice Duke Pollard	Ms. Nicole Foster

Session 2

	Norman Manley Law School (Jamaica)	Anton de Kom University (Suriname)
Leader	Ms. Allion Campbell	Ms. Janice van Ams
Junior	Ms. Renee Morgan	
Reserve	Mr. Basil Williams	
Team Advisor	Professor Stephen Vasciannie	Ms. Cherida Harris

Session 3

	Hugh Wooding Law School	(Unopposed)
Leader	Ms. Shelly Bend	
Junior	Mr. Dave Marshall	
Reserve	Ms. Krystal Richardson	
Team Advisor	Mrs. Barbara Lodge-Johnson	

Session 4

	Eugene Dupuch Law School (Bahamas)	University of Technology of Jamaica
Leader	Mr. Roderick Malone	Ms. Anastassia McLeish
Junior	Ms. Anishka Pennerman	Ms. Wendy Beswick
Reserve	Mr. Wilfred Bain	Ms. Obika Gordon
Team Advisor	Mrs. Carla Card-Stubbs	Ms. Ayisha Robb

Moot Registry Staff

In March 2011, nine members of the first year Faculty of law at the St. Augustine Campus of the University of the West Indies volunteered to perform the functions of the Moot Registry staff for the Third International Law Moot hosted by the CCJ. Like their predecessors in 2009 and 2010, these students were required to undergo training in the different roles performed by Registry staff and performed these functions creditably. They were instrumental in copying, collating and binding bundles of authorities, written submissions and core bundles of documents submitted by the seven teams for the three Judges who presided at the Moot. They were also responsible for keeping order in the Court room and ensuring that each speaker did not exceed the time limit allowed by the Judges.

For their efforts they were awarded certificates of participation in the Third Annual International Law Moot.

The students who participated are as follows:

No.	NAME	POSITION
1	Ms. Leah Abdulah	Research Assistant
2	Ms. Naila Baptiste	Court Support Officer
3	Mr. Elvin Paul Michael Cudjoe	Timekeeper
4	Ms. Keisha Daniel	Court Support Officer
5	Ms. Krystal Kawal	Usher/Research Assistant
6	Mr. Mahendra Ramcharitar	Marshal
7	Ms. Gabriella Sambrano	Registrar
8	Ms. Zenitaa Singh	Usher/Research Assistant
9	Ms. Lisa Theodore	Marshal

Developing the Young Attorneys of the Region

Interns



(L to R) Ms. Kristine Spence, Ms. Lavanna Bouyea and Mr. Xavier Persad worked on various research projects while at the CCJ

Interns

Still within the sphere of contributing meaningfully to the development of young attorneys-at-law, and sensitising both Caribbean and other nationals to the realities of Caribbean jurisprudence, the Court welcomed three interns during this period: Ms. Kristine Spence, from the University of Western Ontario (Canada); Mr. Xavier Persad, from Florida A & M College of Law (USA) and Ms. Lavanna Bouyea from the Hugh Wooding Law School (Trinidad and Tobago). These interns worked on various research projects under the guidance of the Judges and Registrar of the Court.

Book Presentation to the President

On Wednesday 22 February 2011, Ms Sherese Chee Mook, a young Caribbean scholar, presented to the President a copy of her book, *Sovereignty deconstructed and Self-definition revisited: A perspective on the abolition or retention of the Privy Council as the Final Court of Appeal for Trinidad and Tobago*.

In her abstract, Ms. Chee Mook describes her work thus:

During the 1960s, in the period immediately following Independence, when Commonwealth countries attained independence from Britain, their post-Independence Constitutions retained the Judicial Committee of the Privy Council (JCPC) as their final appellate court. Today with few exceptions, the jurisdiction of the JCPC continues to be limited by the Constitutions of the majority of those Commonwealth countries. Fraught with arguments that the retention of appeals to the Judicial Committee of the Privy Council (JCPC) is incompatible with the exercise of sovereignty, perspectives are divided between those who are in favour of a Caribbean Court of Justice (CCJ) to replace the appellate jurisdiction of the JCPC, and those who are against on account of fears that such a Court would lack an exceptional calibre of judges and be subject to political manipulation by the Governments of contracting countries. However, the eventual establishment of the CCJ coincided with a spate of death penalty decisions from the JCPC which received

unfavourable reaction from the Governments of the Commonwealth Caribbean region and which also had immediate and far-reaching effects. Beleaguered with claims that the regional Governments wanted to create 'a hanging court,' so as to realize their policy decisions, proponents of the Court responded by focusing on the wider issue of forging a Caribbean jurisprudence in the interest of an integrated Caribbean Community. In tandem with these competing views, the concepts of sovereignty and self-definition which are of primordial significance to the discussions are deconstructed, unbundled and revisited.

Ms. Chee Mook holds the Diploma in Business Management and Administration from the Institute of Commercial Management, Bournemouth, (UK); the Bachelor of Arts Degree (First Class Honours) from the University of the West Indies (St. Augustine), the Master of Arts Degree (Distinction) in Diplomacy, Law and Global Change from Coventry University (UK), and the Master of Laws Degree (LL.M) of the University of Westminster (UK).

In his response to Ms. Chee Mook's introduction and presentation of her work, the Court President thanked her for her interest in and consideration of the CCJ, and expressed full confidence that the addition of her title to the Court's Library resources would prove to be a beneficial and profitable one for both casual readers and researchers in the future.



L to R: Mrs. Wendy Lewis-Callender, Deputy Court Executive Administrator, Ms. Sherese Chee Mook, The Rt. Hon. Mr. Justice De la Bastide, Court President and Ms. Jacinth Smith, Court Librarian

Appointments, Promotions, Resignations and Retirements

Staff Appointments

Name	Position	Date of Appointment
Paul Aqui	Court Multi-Media Officer	23/8/2010
Dionne Stevens	Secretary	4/10/2010
Candis Cayona	Secretary	28/10/2010
Ricardo Dowell	Court Network Officer	1/11/2010
Leon Gittens	Messenger	3/1/2011
Semone Moore	Customer Service Officer	3/1/2011
Michael Daniel	Driver	1/2/2011
Aaron Alexander	Security Officer	21/2/2011
David Piggott	Security Officer	21/2/2011
Seanna Annisette	Public Education and Communications Officer	1/3/2011
Annette Clarke	Court Human Resources Assistant	1/3/2011
Le Shaun Salandy	Clerical Officer	1/3/2011
Venold O'Garro	Senior Accounting Assistant	28/3/2011
Joel Chee Alloy	Protocol and Information Assistant	15/4/2011

Staff Resignations

Name	Position	Date of Resignation
Jael Salandy	Junior Accounting Assistant	25/8/2010
Jerry Clarke	Security Officer	30/11/2010

Retirements

Name	Position	Date of Resignation
The Rt. Hon. Mr. Justice Michael de la Bastide T.C.	President	25/8/2010

The Court wishes to thank the following leave reliefs for their assistance during the year:

- Christine Callender
- Keion Granger
- Annette Marcano
- Denise Swaratsingh

Visits to the Court

During the period under review the Court received visits from:

Judge Cristiano André, Chief Justice of the Supreme Court of Angola (04.11.10)

Artists Donald “Jackie” Hinkson, Winston “Sundiata” Stewart and Keith Ward (23.11.10)

Dr Nadia Bernaz, Lecturer in Law of Middlesex University, London, United Kingdom (29.11.10)

Mr. Patrick Stevens, Head of the International Division of the Crown Prosecutor’s Service, London, United Kingdom

Mr. Robert Bland, Criminal Justice Advisor of the British High Commission to Trinidad & Tobago (11.02.11)

Mr. Laurent Morel-à-l’Huissier, Political Counsellor of the High Commission of Canada to Trinidad & Tobago (11.02.11)

Mr. James Dolan, Public Affairs & Political Officer of the British High Commission to Trinidad & Tobago (11.02.11)

Mr Gosnell Yorke, Dean of Graduate Studies, Northern Caribbean University, Jamaica (18.05.11)

Mr. Akbar Khan, Director, Legal Affairs, Principal Legal Advisor to the Commonwealth Secretary-General of the Commonwealth Secretariat, London, United Kingdom (19.05.11)

Mr. Reuben E. Meade, Chief Minister of Montserrat (27.06.11)

Mr. Mark Kirton, Senior Lecturer, Institute of International Relations, University of the West Indies (St. Augustine) (08.07.11)

The Honourable Mme. Justice Margarette May Macaulay, Judge of the Inter-American Court of Human Rights (13.07.11)

Mr. Arturo Herrera, Director of Administration and Finances of the Inter-American Court of Human Rights (13.07.11)

Mr. Pablo Saavedra, Registrar of the Inter-American Court of Human Rights (13.07.11)

Mr. Hugo Inniss, Development Consultant, Landell Mills, London, United Kingdom (25.07.11)

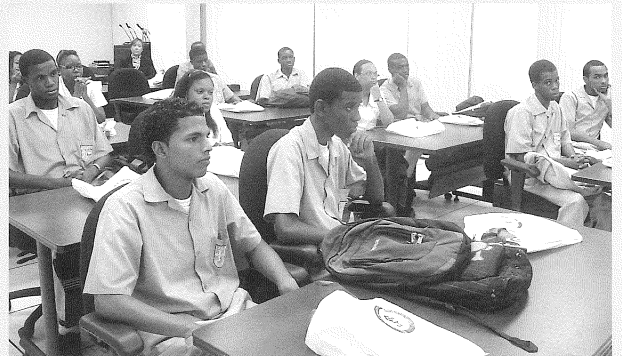
Mr. Richard Stoneman, Development Consultant, Landell Mills, London, United Kingdom (25.07.11)

Mr. Justice Duke E E Pollard, Professor of Law, University of Guyana

Dr. Didacus Jules, Registrar and Chief Executive Officer of the Caribbean Examinations Council, Barbados



Students of the Hugh Wooding Law School participating in a lecture demonstration in Courtroom 1



Students of the Belmont Boys Secondary School while visiting the CCJ

The Regional Judicial and Legal Services Commission

The Regional Judicial and Legal Services Commission (the RJLSC) is established by Article V.1 of the Agreement Establishing the Court (The Agreement). Its main functions are set out in Article V.3 (1) of the Agreement. This Article provides that-

“The Commission shall have responsibility for:

- (a) making appointments to the office of Judge of the Court, other than that of President;
- (b) making appointments of those officials and employees referred to in Article XXVII and for determining the salaries and allowances to be paid to such officials and employees;
- (c) the determination of the terms and conditions of service of officials and employees; and
- (d) the termination of appointments in accordance with the provisions of the Agreement.”

The Agreement also sets out other functions of the Commission. Such functions include-

- the exercise of disciplinary control over Judges of the Court, other than the President, and over officials and employees of the Court; Article V.3(2).
- the making of recommendations to the Heads as to the person to be appointed President and for the removal of the President from office; Article IV.6
- the determination of the terms and conditions and other benefits of the President and other Judges of the Court with the approval of the Heads of Government; Article XXVIII as amended.
- the making of Regulations -

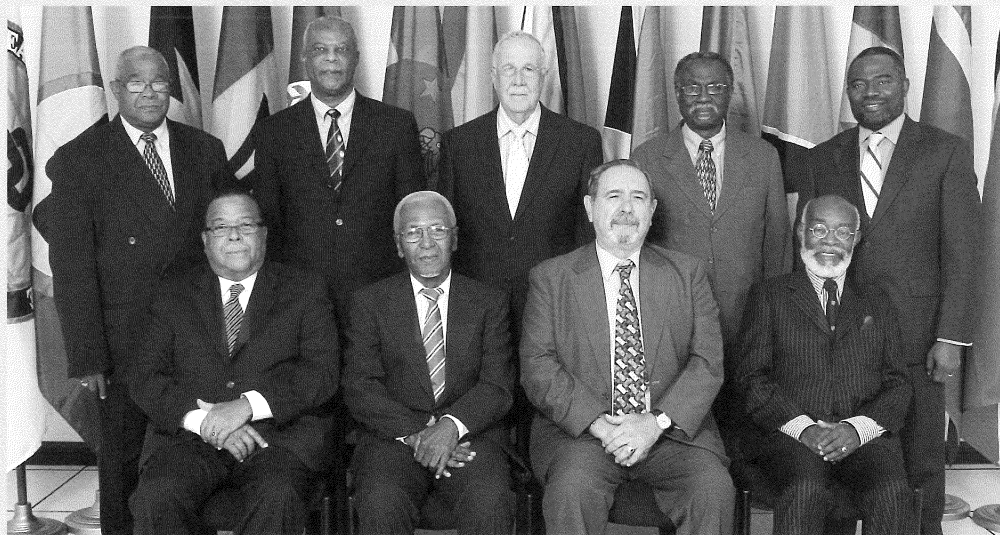
- to govern the appointment, discipline, termination of appointment and other terms and conditions of service and employment for Judges, other than the President, and officials and employees of the Court,
- to prescribe the procedure governing the conduct of such proceedings, and
- generally to give effect to the Agreement. Article XXXI.

The Commission is also given the responsibility under Article 172 of the Revised Treaty of Chaguaramas for appointing the members of the Competition Commission.

For the second time in its history the Commission was required to make a recommendation to the Conference of Heads of Government for the appointment of a President of the Caribbean Court of Justice. This became necessary with the impending retirement of the Rt. Hon. Mr. Justice Michael de la Bastide, T.C. whose term of office as the first President of the Court and Chairman of the Commission was due to expire on August 17, 2011.

The position was advertised regionally and within the Commonwealth. Six applications were received and three applicants were shortlisted for interview. After interviews were conducted the Commission unanimously recommended that Sir Dennis Byron be appointed the next President of the Caribbean Court of Justice, a recommendation which the Heads of Government accepted.

During the period under review the Commission mourned the passing of two of its members, Sir Vincent Floissac on September 25, 2010 and Professor A. Ralph Carnegie on January 7, 2011.



Members of the Regional Judicial and Legal Services Commission

The Regional Judicial and Legal Services Commission

The composition and membership of the Commission during the period under review is shown in Table 1 below.

Table 1	Date of Assumption	Name of Commissioner (nationality)	Basis for Appointment	Relevant paragraph of Article V.1	Date of expiration of term
	August 18, 2004	The Rt. Hon. Mr. Justice Michael de la Bastide T.C. (Trinidadian)	President of the Court	(a)	August 18, 2011
	July 7, 2006 [Both re-appointed from August 20, 2007]	Dr. Joseph Archibald, Q.C. (Kittitian)	Nominated jointly by OCCBA & OECS Bar Associations	(b)	August 19, 2013
	September 12, 2003	Dr. the Hon. Lloyd George Barnett, O.J. (Jamaican)			
	January 28, 2010	The Honourable Mr. Justice Hugh A. Rawlins (Kittitian)	Chairman, Judicial and Legal Services Commission Eastern Caribbean Supreme Court, representing Dominica	(c)	January 11, 2013
	April 23, 2010	Mr. Egbert Lionel, B.Sc., M.A. (Saint Lucian)	Chairman of the Public Service Commission of Saint Lucia	(d)	November 19, 2012
	September 11, 2009	Ambassador Wendell Lawrence, B.Sc., M.Sc., CPA (Kittitian) Mr. Jefferson Cumberbatch, LL.B (Barbadian)	Nominated jointly by the Secretary General of the Community and Director General of the OECS	(e)	August 23, 2012
	September 28, 2007	Professor A. Ralph Carnegie, B.A., M.A. (Jamaican)	Nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, Deans of the Faculties of Law of the Contracting Parties and Chairman of the Council of Legal Education	(f)	August 19, 2010 August 19, 2010
	October 10, 2003 [re-appointed from August 19, 2007]	Dr. Magda Hoever-Venoaks, M.Sc., Ph.D. (Surinamese)			October 28, 2013
	October 29, 2010	Sir Fred Gollop, K.A., Q.C. (Barbadian)			October 28, 2013
	October 29, 2010	Professor Harold Lutchman, B.Sc., M.Sc., LL.B., Ph.D. (Guyanese)			
	August 21, 2003 [Re-appointed from August 20, 2007]	Mr. Allan Alexander, S.C. (Trinidadian)	Nominated jointly by the Bar or Law Associations of the Contracting Parties	(g)	August 19, 2010 November 18, 2013
	November 19, 2010	Mr. Martin Daly, S.C. (Trinidadian)			
	December 9, 2010	Mr. Emile Ferdinand, LL.B., LL.M. (Kittitian)			

How Well Do You Know the Caribbean Court of Justice?

Do You Know?

Do you know when the Agreement Establishing the Caribbean Court of Justice was signed?

The Agreement Establishing the Caribbean Court of Justice was signed on 14 February 2001.

Do you know how many Caribbean Community (CARICOM) states signed the Agreement Establishing the Caribbean Court of Justice?

The Agreement was signed by 12 states.

Do you know the names of these 12 state signatories to the Agreement Establishing the Caribbean Court of Justice?

The signatory states to the Agreement Establishing the Caribbean Court of Justice are: Antigua & Barbuda; Barbados; Belize; Dominica; Grenada; Guyana; Jamaica; St. Kitts & Nevis; St. Lucia; St. Vincent & The Grenadines; Suriname; and Trinidad & Tobago.

Do you know when the Caribbean Court of Justice was inaugurated?

The Caribbean Court of Justice was inaugurated on Saturday 16 April 2005.

Do you know which CARICOM state is the Seat of the Caribbean Court of Justice?

Trinidad & Tobago is the Seat of the Caribbean Court of Justice.

Do you know that the CCJ is two courts in one?

Yes. The CCJ has two jurisdictions: an Original Jurisdiction and an Appellate Jurisdiction.

Do you know what the Original Jurisdiction of the Caribbean Court of Justice is?

The Caribbean Community (CARICOM) was established by the Revised Treaty of Chaguaramas. In its Original Jurisdiction, the CCJ is an international court and it is the ONLY court that has the authority to interpret the treaty when there are trade disagreements among CARICOM states.

Do you know what the Appellate Jurisdiction of the Caribbean Court of Justice is?

In its Appellate Jurisdiction, the Caribbean Court of Justice hears appeals from lower courts in both civil and criminal matters from states which have replaced the Privy Council by the CCJ. In its Appellate Jurisdiction, the CCJ is the highest municipal court in the region.

Do you know how many CARICOM states are under the Appellate Jurisdiction of the CCJ?

So far, Barbados, Belize and Guyana have acceded to the Appellate Jurisdiction.

Do you know what effect the CCJ has on the CARICOM Single Market & Economy (CSME)?

The CCJ will decide in a crucial way how the CSME functions. Only the CCJ and the CCJ alone has the compulsory and exclusive right to interpret of the Revised Treaty of Chaguaramas, which set up the CSME.

Do you know how many matters the CCJ has heard since its inauguration in 2005?

Under the Appellate Jurisdiction there were 79 matters filed and 73 matters determined and Under the Original Jurisdiction there were 8 matters filed and 7 matters determined as at 31 July 2011.

Do you know how many Judges there are in the Caribbean Court of Justice?

There are currently seven CCJ Judges, including the President. The Agreement Establishing the Caribbean Court of Justice provides for a total of nine Judges. The other two judges will be appointed at a later date.

Do you know from what states the current CCJ Judges originate?

The President of the Court is from St. Christopher (St. Kitts) and Nevis. There is one judge each from Guyana, Jamaica, the Kingdom of the Netherlands, St. Vincent & The Grenadines, Trinidad & Tobago, and the United Kingdom.

Do you know know the address of the Caribbean Court of Justice?

The Caribbean Court of Justice is located at 134 Henry Street in Port of Spain, between Oxford and Park Streets, and is located between ROYTEC and the Office of the Ombudsman.

Do you know to what court appeals from the CCJ lie?

The Caribbean Court of Justice is a final court. There are no appeals from the decisions of the CCJ to any other court in the world.

Do you know what the mission of the Caribbean Court of Justice is?

The Caribbean Court of Justice shall perform to the highest standards as the supreme judicial body in the Caribbean Community. The court:

- ensures the same interpretation of the Revised Treaty of Chaguaramas everywhere;

Do You Know?

- supports and helps the development of the CARICOM Single Market and Economy;
- encourages the development of home-grown Caribbean thinking about the law.

Do you know what is the vision of the Caribbean Court of Justice is?

The vision of the Caribbean Court of Justice is to:

- provide for CARICOM a fair, efficient, modern justice system within the reach of everyone;
- build this system on legal ideas which reflect Caribbean history, values and traditions;
- be an independent institution which inspires the people and earns their trust and confidence;
- set an excellent example for the other courts of the region.

Do you know how judges are appointed to the Caribbean Court of Justice?

Each Judge is appointed to the Bench of the court after interview by the Regional Judicial and Legal Services Commission. Several applicants are interviewed, and the most successful at the interview is appointed. There is no political input into the process of the selection of judges of the CCJ.

The selection of Judges is not confined to the Caribbean region.

Candidates may come from any territory of the Commonwealth. There are already on the Bench a British Judge and a Dutch Judge.

Do you know what is the Regional Judicial and Legal Services Commission (RJLSC) is?

The RJLSC is a body of eleven persons, none of whom is politically appointed. These persons are:

- the Court President, who is the Chairman of the Commission;
- two persons appointed jointly by the Organisation of the Commonwealth Bar Association and the Organisation of Eastern Caribbean States Bar Association;
- one chairman of the Judicial & Legal Service Commission of a Contracting Party;
- one chairman of the Public Service Commission of a Contracting Party;
- two persons from civil society nominated jointly by the Secretary General of the Community and the Director-General of the OECS;
- two distinguished jurists nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, the Deans of the Faculty of Law of any of the Contracting Parties and the Chairman of the Council of Legal Education; and
- two persons nominated jointly by the Bar or Law Associations of the Contracting Parties.

Do you know what the RLSC does?

The RJLSC appoints the judges and senior administration of the court, and is responsible for their terms and conditions of employment.

Do you know who appoints the President of the CCJ?

The President of the Caribbean Court of Justice is appointed by the Heads of Government whose countries have signed the Agreement Establishing the CCJ. This appointment is made on the recommendation of the RJLSC.

Do you know what happens if the Heads of Government do not appoint the President selected by the RJLSC?

The Heads of Government must go back to the RJLSC for another nominee. They cannot propose a nominee of their own.

Do you know what is the Caribbean Court of Justice Trust Fund is?

In order to fund the court in for a very, very long time, a trust fund of US\$100 million has been established. It is administered by a Board of Trustees drawn from regional bodies.

Do you know who is on the Board of Trustees of the CCJ Trust Fund?

The Board of Trustees is made up of the following persons or their nominees:

- (a) The Secretary-General of CARICOM;
- (b) The Vice-Chancellor of the University of the West Indies;
- (c) The President of the Insurance Association of the Caribbean;
- (d) The Chairman of the Association of Indigenous Banks of the Caribbean;
- (e) The President of the Caribbean Institute of Chartered Accountants;
- (f) The President of the Organisation of Commonwealth Caribbean Bar Associations;
- (g) The Chairman of the Conference of Heads of the Judiciary of Member States of the Caribbean Community;
- (h) The President of the Caribbean Association of Industry and Commerce; and
- (i) The President of the Caribbean Congress of Labour.

The board elects a chairman and vice-chairman from among its members. The chairman and Vice-Chairman hold office for a period of three years.

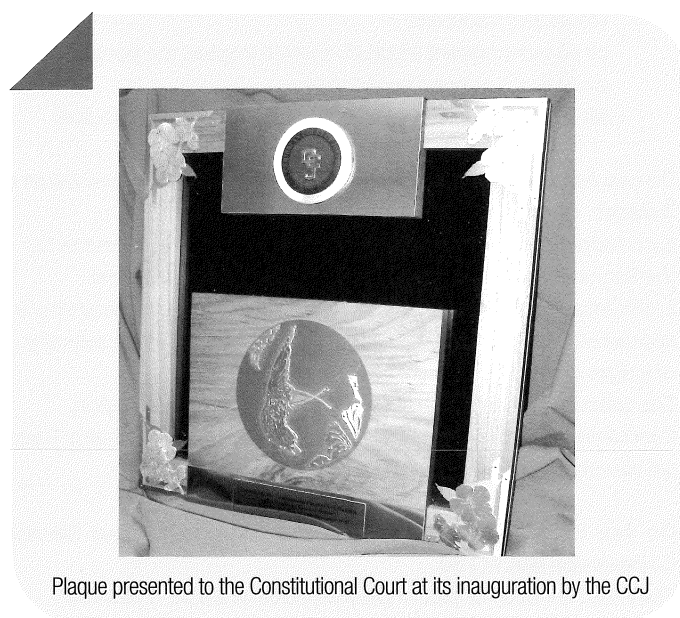
The Honourable Mr. Justice Wit Appointed President of the Constitutional Court of Sint. Maarten

On November 15th 2012, the Constitutional Court of Sint Maarten was inaugurated and its members, substitute members and registrar were installed during a ceremonial session.

Constitutional Court President the Honourable Mr. Justice Jacob "Bob" Wit, Vice-President Mr Justice Pieter van Dijk and Mr Justice Jan de Boer presented themselves to those assembled, together with Constitutional Court substitute members Judges Joop Drop, Ben Vermeulen and Susanne Camelia-Römer, as well as Registrar Maritsa James-Christina.

Together with the Ombudsman and the Common Court of Justice, the Constitutional Court is to be considered guardian of the Constitution, judging on the constitutionality of ordinances or subsidiary legislation.

The Constitutional Court will provide full judicial review, including ordinances infringing the Constitution either by their content or by flawed procedures. "This court is therefore absolutely unique and specific to St. Maarten. Within the Kingdom of the Netherlands there is no other," The Hon. Mr. Justice Wit said in his inauguration speech.



Papers, Speeches and Addresses

The following papers and addresses were delivered by the Judges of the Caribbean Court of Justice during the period 1st August 2010 to 31st July 2011:

- *The jurisprudence of the Caribbean Court of Justice 2005 – 2010. 7th Regional Law Fair, St. Kitts, September 2010.* The Honourable Mr. Justice Nelson
- *After Dinner Speech at New College Oxford at end of Annual Conference of Tax Practitioners, September 2010.* The Hon. Mr. Justice Hayton
- *Expert Evidence – a general overview. 7th Regional Law Fair, St. Kitts, September 2010.* The Honourable Mr. Justice Nelson
- *The CCJ - Its Institutional Underpinnings. Caribbean Academy for Law and Court Administration Trinidad, December 2010.* The Honourable Mme. Justice Bernard
- *Regional Courts of Justice – the interplay of national, international and national systems of law. Inns of Court Fellowship, December 2010.* The Honourable Mr. Justice Nelson
- *Treaty Making in Caribbean Law and Practice: The Question of Parliamentary Participation. Faculty of Law Workshop Series Jamaica, February 2011.* The Hon. Mr. Justice Anderson.
- *The Role of the CCJ in Human Rights Litigation: International Treaty Dimensions. Annual Lillich Memorial Lecture University of Georgia, Florida, March 2011.* The Hon. Justice Anderson.
- *Corporate Governance and Ethical Standards. Employers' Consultative Association, March 2011.* The Honourable Mr. Justice Nelson
- *The Caribbean and the Convention. Seabed Authority, Jamaica, March 2011.* The Hon. Mr. Justice Anderson.
- *Paper on the case for the Appellate Jurisdiction of the CCJ. Sir Arthur Lewis Institute of Social and Economic Studies, March 2011.* The Honourable Mr. Justice Saunders
- *The applicable law on the Caribbean Single Market. Published in Amicus Curiae, March 2011. (Vol. 87, p.. 2)* The Honourable Mr. Justice Nelson
- *Keynote speaker at 50th Anniversary of STATHS. STATHS, CARICOM and CCJ: Great Caribbean Institutions Jamaica, April 2011.* The Hon. Mr. Justice Anderson.
- *The CCJ as a Facilitator of Intra-Regional Trade. 96th Annual Private Sector Meeting, St Kitts, June 2011.* The Honourable Mr. Justice Nelson
- *Respecting the Human Rights of Women within the Judicial Systems of the Commonwealth Caribbean Commonwealth. Caribbean Colloquium on Gender, Culture and the Law Jamaica, June 2011.* The Honourable Mme. Justice Bernard
- *Developing Issues in Trust Law and Practice. Transcontinental Trust Conference, Geneva, Switzerland, June 2011.* The Honourable Mr. Justice Hayton

Financial Statements of
THE CARIBBEAN COURT OF JUSTICE
December 31, 2010

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Independent Auditor's Report to the Court Executive Administrator of the Caribbean Court of Justice

Report on the Financial Statements

We have audited the accompanying financial statements of The Caribbean Court of Justice (the Court), which comprise the statement of financial position as at December 31, 2010, and the statements of comprehensive income and retained earnings, changes in cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory notes.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



**Independent Auditor's Report to the Court Executive Administrator
of the Caribbean Court of Justice**

Report on the Financial Statements

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Court as at December 31, 2010, and of its financial performance and its cash flows for the year then ended in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities.

Chartered Accountants

May 20, 2011

Port of Spain

Trinidad and Tobago

THE CARIBBEAN COURT OF JUSTICE

Statement of Financial Position

December 31, 2010

	Notes	2010	2009
ASSETS			
Non-current assets			
Property, plant and equipment	1	\$ 8,250,565	5,589,463
Retirement benefit due from Trust Fund	2	<u>10,914,120</u>	<u>15,235,920</u>
Total non-current assets		<u>19,164,685</u>	<u>20,825,383</u>
Current assets			
Other receivables	3	2,055,589	1,609,552
Cash on hand and at bank - unrestricted		2,012,084	1,424,415
Cash at bank - restricted		<u>3,615,641</u>	<u>2,956,967</u>
Total current assets		<u>7,683,314</u>	<u>5,990,934</u>
Total assets		<u>\$ 26,847,999</u>	<u>26,816,317</u>
ACCUMULATED FUND AND LIABILITIES			
Accumulated fund			
Retained earnings		\$ <u>5,680,773</u>	<u>4,731,658</u>
Non-current liability			
Retirement benefit liability	4	<u>10,914,120</u>	<u>15,235,920</u>
Current liabilities			
Deferred income	5	5,732,748	3,429,658
Due to related party	6	2,118,133	2,963,680
Other payables	7	<u>2,402,225</u>	<u>455,401</u>
Total current liabilities		<u>10,253,106</u>	<u>6,848,739</u>
Total accumulated fund and liability		<u>\$ 26,847,999</u>	<u>26,816,317</u>

The notes on pages 7 to 19 are an integral part of these financial statements.

On behalf of the Caribbean Court of Justice



Court Executive Administrator

THE CARIBBEAN COURT OF JUSTICE

Statement of Comprehensive Income and Retained Earnings

For the year ended December 31, 2010

	Notes		2010	2009
Revenue	8	\$	37,177,890	28,618,885
Administrative expenses	9		(36,228,775)	(30,180,358)
Surplus (deficit) of income over expenditure for the year being total comprehensive surplus (deficit) for the year			949,115	(1,561,473)
Retained earnings at the beginning of the year			4,731,658	6,293,131
Retained earnings at the end of the year		\$	<u>5,680,773</u>	<u>4,731,658</u>

The notes on pages 7 to 19 are an integral part of these financial statements.

THE CARIBBEAN COURT OF JUSTICE

Statement of Cash Flows

For the year ended December 31, 2010

	2010	2009
Cash Flows from Operating Activities		
Surplus (deficit) of income over expenditure for the year being total comprehensive surplus (deficit) for the year	949,115	(1,561,473)
Adjustments to reconcile surplus (deficit) of income over expenditure for the year to net cash from operating activities		
Depreciation	4,416,125	5,224,521
Loss on disposal of fixed assets	1,925	-
Adjustments to fixed assets	240,325	-
Interest income	(88,146)	(120,908)
Deferred income released to the statement of income	(4,000,910)	(174,451)
Retirement benefit income recognised	(4,321,800)	(15,235,920)
Other receivables	(396,019)	(332,794)
Retirement benefit due from Trust Fund	4,381,200	14,899,500
Due to related party	(561,455)	21,914
Other payables	1,662,732	349,362
Net cash from operating activities	<u>2,223,692</u>	<u>3,069,751</u>
Cash Flows from Investing Activities		
Interest received	138,164	146,551
Acquisition of property, plant and equipment	(7,323,977)	(2,789,804)
Disposal of property, plant and equipment	4,500	-
Net cash used in investing activities	<u>(7,181,313)</u>	<u>(2,643,253)</u>
Cash flows from financing activities		
Grants received	6,252,222	-
Net cash from financing activities	<u>6,252,222</u>	<u>-</u>
Increase in cash and cash equivalents for the year	1,246,343	426,498
Cash and cash equivalents at January 1	4,381,382	3,954,884
Cash and cash equivalents at December 31	\$ <u>5,627,725</u>	<u>4,381,382</u>
Analysis of cash and cash equivalents		
Cash on hand and at bank – unrestricted cash	\$ 2,012,084	1,424,415
Cash at bank – restricted	3,615,641	2,956,967
	\$ <u>5,627,725</u>	<u>4,381,382</u>

The notes on pages 7 to 19 are an integral part of these financial statements.

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

Establishment and principal activity

The Caribbean Court of Justice (the Court) and the Regional Judicial and Legal Services Commission (the Commission) were established on 14th February 2001 by the Agreement Establishing the Caribbean Court of Justice (the Agreement). The Agreement was signed on that date by the following Caribbean Community (Caricom) states of Antigua & Barbuda, Barbados, Belize, Grenada, Guyana, Jamaica, St. Kitts & Nevis, St. Lucia, Suriname and Trinidad & Tobago. Two further states, Dominica and St. Vincent & The Grenadines, signed the Agreement on 15th February 2003, bringing the total number of signatories to 12.

The Court was inaugurated on April 16, 2005 in Port of Spain, Trinidad and Tobago.

The first Commission came into force on August 21, 2003 and works to ensure that the Court meets and fully satisfies the expectations and needs of the people it serves.

The Court is the highest judicial tribunal, designed to be more than a Court of last resort for member states of the Caribbean Community. For, in addition to replacing the Judicial Committee of the Privy Council, the Court is vested with an original jurisdiction in respect of the interpretation and application of the Revised Treaty of Chaguaramas Establishing the Caribbean Community including the Caricom Single Market and Economy. The Court is designed to exercise both an appellate and an original jurisdiction.

These financial statements were approved for issue by the Court Executive Administrator on May 20, 2011.

Significant accounting policies

(a) *Statement of compliance*

These financial statements have been prepared in accordance with the International Financial Reporting Standard for Small and Medium-sized Entities (IFRS for SMEs).

(b) *Basis of preparation*

These financial statements have been prepared on the historical cost basis.

(c) *Functional and reporting currency*

The financial statements are presented in Trinidad and Tobago dollars, which is the Court's functional currency.

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

Significant accounting policies (continued)

(d) *Use of estimates*

The preparation of these financial statements in conformity with IFRS for SMEs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. Actual results could differ from these estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimates are revised and in any future periods affected. Information about critical judgements in applying accounting policies that have the most significant effect on the amounts recognised in the financial statements is included in the following notes:

Note (e)	-	Property, plant and equipment
Note (f)	-	Other receivables

(e) *Property, plant and equipment*

Items of property, plant and equipment are measured at cost less accumulated depreciation and accumulated impairment losses.

Cost includes expenditure that is directly attributable to the acquisition of the asset. The cost of self-constructed assets includes the cost of materials and direct labour, any other costs directly attributable to bringing the assets to a working condition for their intended use, the costs of dismantling and removing the items and restoring the site on which they are located, and capitalized borrowing costs. Purchased software that is integral to the functionality of the related equipment is capitalized as part of the equipment.

When parts of an item of property, plant and equipment have different useful lives, they are accounted for as separate items of property, plant and equipment

The gain or loss on disposal of property, plant and equipment is determined by comparing the proceeds from disposal with the carrying amount of the property, plant and equipment, and is recognized net within other income/other expenses in profit or loss. When revalued assets are sold, any related amount included in the revaluation reserve is transferred to retained earnings.

The cost of replacing a component of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the component will flow to the Court, and its cost can be measured reliably. The carrying amount of the replaced component is derecognized. The costs of the day-to-day servicing property, plant and equipment are recognized in profit or loss as incurred.

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

Significant accounting policies (continued)

(e) *Property, plant and equipment (continued)*

Depreciation is based on the cost of an asset less its residual value. Significant components of individual assets are assessed and if a component has a useful life that is different from the remainder of that asset, that component is depreciated separately. Depreciation is recognized in profit or loss on a straight-line basis over the estimated useful lives of each component of an item of property, plant and equipment.

Depreciation is charged using the straight-line method at the rate of 25% for all property, plant and equipment except for leasehold improvements (10%) which is designed to write off the cost of the assets over their estimated useful lives.

Depreciation methods, useful lives and residual values are reviewed at each reporting date and adjusted if appropriate.

(f) *Other receivables*

Other receivables are stated net of any specific provision established to recognise anticipated losses for bad and doubtful debts. Bad debts are written off during the year in which they are identified.

(g) *Cash and cash equivalents*

For the purpose of the statement of cash flows, cash and cash equivalents comprise cash at hand and in bank.

(h) *Due to related party*

Due to related party is stated at cost.

(i) *Other payables*

Other payables are stated at cost.

(j) *Provisions*

A provision is recognised if, as a result of a past event, the Court has a present legal or constructive obligation that can be estimated reliably, and it is probable that an outflow of economic benefits will be required to settle the obligation. Provisions are determined by discounting the expected future cash flows at a pre-tax rate that reflects current market assessments of the time value of money and, where appropriate, the risks specific to the liability. The unwinding of finance cost is recognised as finance cost.

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

Significant accounting policies (continued)

(k) Revenue recognition

Funds from the Caribbean Court of Justice Trust Fund

Unconditional funding related to the ongoing operations of the Court is recognised in the statement of income as revenue in the period in which the funds are received.

Grants

Subventions that compensate the Court for expenses incurred are recognised as revenue in the statement of income on a systematic basis in the same periods in which the expenses are incurred.

Grants that compensate the Court for the cost of an asset are recognised in the statement of income as revenue on a systematic basis over the life of the asset.

All other revenue is recorded on an accruals basis.

(l) Foreign currency transactions

Transactions in foreign currencies are translated to the respective functional currency of the Court at exchange rates at the dates of the transactions. Monetary assets and liabilities denominated in foreign currencies at the reporting date are retranslated to the functional currency at the exchange rate at that date. The foreign currency gain or loss on monetary items is the difference between amortised cost in the functional currency at the beginning of the period, adjusted for effective interest and payments during the period, and the amortised cost in foreign currency translated at the exchange rate at the end of the period. Non-monetary assets and liabilities denominated in foreign currencies that are measured at fair value are retranslated to the functional currency at the exchange rate at the date that the fair value was determined.

Foreign currency differences arising on retranslation are recognised in profit or loss, except for differences arising on the retranslation of available-for-sale equity instruments or a financial liability designated as a hedge of the net investment in a foreign operation.

(m) Taxation

Pursuant to the terms of an agreement entered into on July 4, 2003 between the Courts, the Court and the Government of the Republic of Trinidad and Tobago, the Court is exempt from all direct and indirect taxes, duties and levies imposed in Trinidad and Tobago.

Significant accounting policies (continued)

(n) Employee benefits

(i) Defined contribution plan

Obligations for contributions to the defined contribution pension plan are recognized as an expense in statement of income when they are due.

(ii) Defined benefit plan

The Court's net obligation in respect of defined benefit pension plan is calculated by estimating the amount of future benefit that employees have earned in return for their service in the current and prior periods; that benefit is discounted to determine its present value, and any unrecognized past service costs and the fair value of any plan assets are deducted. The calculation is performed by a qualified actuary using the projected unit credit method. When the calculation results in a benefit to the Court, the recognized asset is limited to the net total of any unrecognized past service costs and the present value of any future refunds from the plan or reductions in future contributions to the plan.

(o) Impairment

The carrying amounts of the Court's assets are reviewed at each reporting date to determine whether there is any indication of impairment. If such an indication exists, the asset's recoverable amount is estimated.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the statement of comprehensive income.

The recoverable amount of other assets is the greater of their net selling price and value in use. In assessing value in use, the estimated future cash flows are discounted to their present value using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the asset. For an asset that does not generate largely independent cash inflows, the recoverable amount is determined for the cash-generating unit to which the asset belongs.

An impairment loss is reversed if there has been a change in the estimates used to determine the recoverable amount. An impairment loss is reversed only to the extent that the asset's carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised.

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

1. Property, plant and equipment

	Computers & Software	Furniture Fixtures & Equipment	Flags Crests & Seals	Library Books	Security Equipment	Lease- Hold Improve- ments	Vehicles	Totals
<i>Year ended December 31, 2010</i>								
Cost or valuation								
At January 1, 2010	\$ 9,255,337	5,838,082	366,312	10,190,583	810,063	472,043	2,976,449	29,908,869
Additions	885,865	3,410,146	24,818	2,634,989	-	368,159	-	7,323,977
Disposals	(12,852)	-	-	-	-	-	-	(12,852)
Adjustments	(44,622)	-	-	-181,042	-	-14,661	-	(240,325)
At December 31, 2010	\$ 10,083,728	9,248,228	391,130	12,644,530	810,063	825,541	2,976,449	36,979,669
Accumulated depreciation								
At January 1, 2010	\$ 7,539,709	5,253,162	305,855	7,580,151	647,426	88,156	2,904,947	24,319,406
Charge for the year	1,044,973	1,125,742	33,239	2,000,580	81,319	77,410	52,862	4,416,125
Disposals	(6,427)	-	-	-	-	-	-	(6,427)
At December 31, 2010	\$ 8,578,255	6,378,904	339,094	9,580,731	728,745	165,566	2,957,809	28,729,104
Net book value								
At December 31, 2009	\$ 1,715,628	584,920	60,457	2,610,432	162,637	383,887	71,502	5,589,463
At December 31, 2010	\$ 1,505,473	2,869,324	52,036	3,063,799	81,318	659,975	18,640	8,250,565

Year ended December 31, 2009

Cost or valuation								
At January 1, 2009	\$ 8,400,312	5,498,451	311,736	8,837,206	810,063	284,848	2,976,449	27,119,065
Additions	855,025	339,631	54,576	1,353,377	-	187,195	-	2,789,804
At December 31, 2009	\$ 9,255,337	5,838,082	366,312	10,190,583	810,063	472,043	2,976,449	29,908,869
Accumulated depreciation								
At January 1, 2009	\$ 5,633,452	4,296,925	277,157	5,515,183	444,910	40,952	2,886,306	19,094,885
Charge for the year	1,907,853	930,797	52,542	2,064,968	202,516	47,204	18,641	5,224,521
At December 31, 2009	\$ 7,541,305	5,227,722	329,699	7,580,151	647,426	88,156	2,904,947	24,319,406
Net book value								
At December 31, 2008	\$ 2,766,860	1,201,526	34,579	3,322,023	365,153	243,896	90,143	8,024,180
At December 31, 2009	\$ 1,714,032	610,360	36,613	2,610,432	162,637	383,887	71,502	5,589,463

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

2. Retirement Asset due from Trust Fund

	2010	2009
\$	<u>10,914,120</u>	<u>15,235,920</u>

In 2007 the CCJ Trust Fund proposed that since the retirement arrangements of the Court and Commission are already funded within the Trust Fund with a legislature from the Heads of Government to ensure that resources are always adequate, the retirement benefits due to the Judges will be paid from the Trust Fund as they fall due. This balance represents the future cost of the judges' pensions to be provided by the Trust Fund.

3. Other receivables

	2010	2009
VAT recoverable	\$ 421,370	370,934
Other receivables	<u>1,634,219</u>	<u>1,238,618</u>
\$	<u>2,055,589</u>	<u>1,609,552</u>

4. Retirement benefit (liability) asset

The Court makes contributions to a non-contributory defined benefit plan that provide pension benefits for its judges upon retirement. The plan entitles a retired judge to receive a normal benefit based on the number of years pensionable service. For service less than 5 years, a retired judge is entitled to a gratuity equal to 20% of final salary for each year of pensionable service. For pensionable service between 5 to 10 years and greater than 10 years, an annual payment equal to 2/3 and 100% of final salary, respectively, for each year of service the judge provided.

Principal actuarial assumptions at the reporting date are as follows:

	2010	2009
Discount rate	5.0%	5.5%
Expected rate of return on plan assets	5.0%	5.5%
Salary growth rate	1.5%	2.0%
Average expected remaining working lives of employees	9 years	7.2 years

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

4. Retirement benefit (liability) asset (continued)

	2010	2009
Fair value of plan assets at the beginning of the year	\$ 8,177,400	7,667,100
Expected return on plan assets	365,400	636,300
Contributions	252,000	-
Benefits paid	(252,000)	-
Actuarial loss	(3,370,500)	(126,000)
Fair value of plan assets at the end of the year	\$ 5,172,300	8,177,400
Present value of obligation at beginning of year	\$ 26,822,880	9,523,080
Interest cost	1,134,000	1,272,600
Total current service cost	2,230,200	4,428,900
Past service cost - vested benefits	(7,150,500)	8,794,800
Benefit payments	(252,000)	-
Actuarial loss on obligation	296,100	2,803,500
Present value of obligation at end of year	\$ 23,080,680	26,822,880
Current service cost	\$ 2,230,200	4,428,900
Interest cost	1,134,000	1,272,600
Expected return on plan assets	(365,400)	(636,300)
Past service cost - vested benefits	81,900	-
Net actuarial cost recognised	(7,150,500)	9,834,300
(Income) expense recognised in the income statement	\$ (4,069,800)	14,899,500
Opening (Liability)/Asset	\$ (15,235,920)	(336,420)
Income (expense) in income statement	4,069,800	(14,899,500)
Contributions paid	252,000	-
Closing (liability)	\$ (10,914,120)	(15,235,920)
Present value of the obligation	\$ (23,080,680)	(26,822,880)
Fair value of plan assets	5,172,300	8,177,600
	(17,908,380)	(18,644,220)
Unrecognised actuarial losses	6,994,260	3,409,560
(Liability) recognised in balance sheet	\$ (10,914,120)	(15,235,920)

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

4. Retirement benefit (liability) asset (continued)

	2010	2009
Expected return on plan assets	365,400	636,300
Actuarial gain (loss) on plan assets	<u>(3,370,500)</u>	<u>(126,000)</u>
Actuarial return on plan assets	\$ <u>(3,005,100)</u>	<u>510,300</u>

5. Deferred income

		EDF Grant	Capital Grants	Total
<i>Year ended December 31, 2009</i>				
Balance at January 1, 2009	\$	3,578,466	-	3,578,466
Interest income		25,643	-	25,643
Released to the statement of income		<u>(174,451)</u>	-	<u>(174,451)</u>
Balance at December 31, 2009	\$	<u>3,429,658</u>	-	<u>3,429,658</u>
<i>Year ended December 31, 2010</i>				
Balance at January 1, 2010	\$	3,429,658	-	3,429,658
Funds Received		6,252,222	-	6,252,222
Staff advances		-	50,018	50,018
Interest income		1,760	-	1,760
Released to the statement of income		<u>(4,000,910)</u>	-	<u>(4,000,910)</u>
Balance at December 31, 2010	\$	<u>5,682,730</u>	<u>50,018</u>	<u>5,732,748</u>

The deferred income relates to a grant from the European Development Fund (EDF). The original amount received in 2008 was €406,787 and a further €776,674 was received in November 2010. Staff advances relate to interest on motor vehicle loans.

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

6. Due to related party

	<u>2010</u>	<u>2009</u>
The Regional Judicial and Legal Services Commission (RJLSC)	\$ <u>2,118,133</u>	<u>2,963,680</u>

Amounts due to RJLSC are interest free, with no fixed repayment terms.

7. Other payables

	<u>2010</u>	<u>2009</u>
Accounts payable	\$ 362,184	250,351
Other payables and accrued liabilities	<u>2,040,041</u>	<u>205,050</u>
	\$ <u>2,402,225</u>	<u>455,401</u>

8. Revenue

Funds from the Caribbean Court of Justice		
Trust Fund	\$ 33,007,989	28,282,859
Deferred income released to the statement of income	4,000,910	174,451
Interest income	88,146	120,908
Other income	<u>80,845</u>	<u>40,667</u>
	\$ <u>37,177,890</u>	<u>28,618,885</u>

9. Administrative expenses

Salaries and allowances	\$ 21,234,535	19,191,734
Pension cost - defined contribution plan	1,064,579	955,954
- defined benefit plan	-	(336,420)
Administrative expenses	4,734,865	3,905,241
Depreciation	3,088,862	5,067,078
Insurance expenses	1,070,227	962,286
Public education	1,014,508	162,705
Foreign exchange loss	(40,015)	24,123
Bank charges	18,418	12,399
Professional fees	42,134	39,476
Expenses related to EDF Grant	<u>4,000,662</u>	<u>195,782</u>
	\$ <u>36,228,775</u>	<u>30,180,358</u>

THE CARIBBEAN COURT OF JUSTICE

Notes to Financial Statements

December 31, 2010

10. IFRS Not Yet Effective

A number of new standards, amendments to standards and interpretations are effective for annual periods beginning after January 1, 2010, and have not been applied in preparing these financial statements. None of these is expected to have a significant effect on the financial statements of the Court, except for IFRS 9, which becomes mandatory for the Court's financial statements and could change the classification and measurement of financial assets. The Court does not plan to adopt this standard early and the extent of the impact has not been determined.

11. Comparative figures

Certain of the comparative figures have been reclassified to conform to current year's presentation.

Supplementary Financial Information
THE CARIBBEAN COURT OF JUSTICE
December 31, 2010

**Independent Auditor's Report to the Court Executive Administrator
of the Caribbean Court of Justice**

Report on the Supplementary Financial Information

We have audited the financial statements of the Caribbean Court of Justice for the year ended December 31, 2010, and have issued our report thereon dated May 20, 2011.

We conducted our audits in accordance with International Standards on Auditing, issued by the International Federation of Accountants. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements.

We conducted our audits for the purpose of expressing an opinion on the financial statements of the Caribbean Court of Justice taken as a whole. The accompanying supplementary financial information, consisting of the balance sheet and statement of income, is presented for the purpose of additional analysis and should not be considered necessary to the presentation of the basic financial statements. This information has been subjected to the audit procedures applied to the basic financial statements and, in our opinion, is fairly presented, in all material respects, when taken as a whole with the basic financial statements.

Chartered Accountants

May 20, 2011
Port of Spain
Trinidad & Tobago, W.I.

THE CARIBBEAN COURT OF JUSTICE

Statement of Comprehensive Income and Retained Earnings

For the year ended December 31, 2010

(Expressed in United States Dollars)

		2010	2009
Revenue	\$	5,901,252	4,542,680
Administrative expenses		(5,750,599)	(4,790,533)
Surplus (deficit) of income over expenditure for the year being total comprehensive surplus (deficit) for the year		150,653	(247,853)
Retained earnings at the beginning of the year		751,057	998,910
Retained earnings at the end of the year	\$	<u>901,710</u>	<u>751,057</u>

Translation Rate used - US\$1.00:TT\$6.30

**CARIBBEAN COURT OF JUSTICE AND
CARIBBEAN COURT OF JUSTICE AND THE REGIONAL JUDICIAL AND LEGAL SERVICES
COMMISSION**

EXTRACT OF EXPENDITURE FOR THE PERIOD 1 AUGUST 2010 TO 31 JULY 2011

United States Dollars

	1-Aug-10 to 31-Jul-11	1-Aug-09 to 31-Jul-10
Cash on Hand (1 August 2010)	1,147,123	1,014,393
RECEIPTS	5,821,192	5,157,104
Total Cash Available (before cash out)	<u>6,968,315</u>	<u>6,171,497</u>
CASH PAID OUT		
1 Personnel Expenses	3,865,271	3,509,274
2 Goods and Services	1,138,208	895,140
3 RJLSC Expenses	296,803	224,236
4 Vat Paid	121,366	103,317
5 Non-Lined Expenditure	7,615	25,751
SUBTOTAL RECURRENT EXPENDITURE	<u>5,429,263</u>	<u>4,757,718</u>
CAPITAL EXPENDITURE		
Total Capital Expenditure	283,386	266,656
TOTAL RECURRENT & CAPITAL EXPENDITURE	5,712,649	5,024,374
Cash Position 31 July 2011	<u>1,255,666</u>	<u>1,147,123</u>



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